

MAINE STATE LEGISLATURE

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Legislative Record
of the
Ninety-first Legislature

Second Special Session

September 18, 1944

HOUSE

Monday, September 18, 1944.

This being the day designated in the proclamation of the Governor for the meeting of the Ninety-first Legislature in extra session, the members of the House of Representatives assembled in their hall at four-thirty o'clock in the afternoon and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Akeley of Gardiner.

The **SPEAKER**: The Legislature has assembled in accordance with a Proclamation issued by the Governor. The Clerk will read the Proclamation.

STATE OF MAINE**PROCLAMATION****BY THE GOVERNOR**

WHEREAS, provision was made under Chapter 140 of the Resolves of 1941 and under Chapter 38 of the Resolves of 1943 for a revision of the public laws of the state; and

WHEREAS, due notice has been given that this work will shortly be ready for submission to the legislature; and

WHEREAS, it is necessary for the legislature to pass on and enact the current general revision of the statutes at least 90 days prior to the next regular session if the 92nd Legislature is to function on the basis of these revised laws; and

WHEREAS, it would appear advisable for the present legislature to consider action at this time on certain specific postwar projects in order that construction may be started next spring if war developments permit;

NOW, THEREFORE, I, **SUMNER SEWALL**, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the eighteenth day of September, 1944, at 4.30 o'clock in the afternoon, in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment

will best promote the welfare of the State.

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this first day of September, in the year of our Lord One Thousand Nine Hundred and Forty-four, and of the Independence of the United States of America, the One Hundred and Sixty-ninth.

SUMNER SEWALL
Governor

By the Governor

HAROLD I. GOSS
Secretary of State

A true copy:

Attest: **HAROLD I. GOSS**
Secretary of State

The Proclamation was read and ordered placed on file.

The Clerk thereupon called the roll of the House.

One hundred and twenty-seven answering to their names, a quorum was declared to be present.

Those who were absent were: Messrs. Anderson of Oxbow Plantation, Braley, Brewer, Burton, Hutchins, Libby, McKeen, Pascucci, Sirois, Stillings, Teel, Tuttle and Wright.

At this point a message was received from the Senate, through its Secretary, informing the House that a quorum was present in the Senate Chamber and that body was ready to transact such business as may come before it.

On motion by Mr. Sleeper of Rockland, out of order and under suspension of the rules, it was

ORDERED, that a committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair then appointed as such committee Representatives Sleeper of Rockland, Clough of Bangor, Cross of Augusta, Bubar of Weston, Stephenson of Union, Doughty of Gray and Rollins of Greenville.

The committee subsequently reported that it had conveyed the message entrusted to it.

On motion by Mr. Jacobs of Auburn, out of order and under suspension of the rules, it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, the Clerk was designated by the Speaker to convey the message to the Senate, and the Clerk subsequently reported that he had performed the duty assigned to him.

The following communication:

STATE OF MAINE
DEPARTMENT OF STATE

Augusta, September 18, 1944
To Harvey R. Pease, Clerk of the House of Representatives of the Ninety-first Legislature:

In compliance with Section 36 of Chapter 2 of the Revised Statutes, I beg to report the following vacancy in the representation of the city of Augusta:

Richard D. Braley, caused by resignation.

The resignation of Mr. Braley is on file in this office.

Respectfully,

(Signed) HAROLD I. GOSS,
Secretary of State

The communication was read and ordered placed on file, and the name of Mr. Braley ordered stricken from the rolls of the House.

The Speaker announced the elected membership of the House at this time to be one hundred and thirty-nine.

On motion by Miss Clough of Bangor, out of order and under suspension of the rules, it was

ORDERED, that Alan C. Pease of Wiscasset, and Gloria Belin of Monmouth, be Pages of the House during this special session.

A message was then received from the Senate, through its Secretary, proposing a Joint Convention to be held forthwith in the hall of the House of Representatives for the purpose of extending an invitation to His Excellency, the Governor, to attend the Convention and make such communication as pleases him.

On motion by Miss Clough of Bangor, it was voted that the House signify to the Senate its concurrence

in the proposal for a Joint Convention to be held forthwith in the hall of the House.

Thereupon, the Clerk of the House was delegated to perform that duty and he subsequently reported that he had so done, which report was accepted with the thanks of the House.

The Senate then entered the hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate in the Chair.

On motion by Senator Dunbar of Washington, it was

ORDERED, that a committee be appointed to wait upon the Honorable Sumner Sewall, Governor, and inform him that the two branches of the Legislature are in Convention assembled in the hall of the House of Representatives; and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of that committee on the part of Senate: Senators:

DUNBAR of Washington
HANOLD of Cumberland
STERLING of Somerset

and on the part of the House:

Representatives:

PAYSON of Portland
WELCH of Mars Hill
KNIGHT of Jay
PERKINS of Boothbay Harbor
WILLIAMS of Auburn
WILLIAMS of Clifton
WARREN of Westbrook

Subsequently Senator Dunbar, for the committee, reported that the committee had discharged the duty assigned to it and that His Excellency, the Governor, was pleased to say that he would attend forthwith.

The Honorable Sumner Sewall, Governor, accompanied by the Executive Council and heads of Departments, then entered the hall, amid applause of the Convention, the audience rising.

The CHAIRMAN: Ladies and Gentlemen of the Convention, His Excellency, the Governor.

Governor Sewall then addressed the Convention as follows:

THE ADDRESS

Mr. President and Members of the 91st Legislature:

In the regular session of the 90th Legislature a general revision of the public laws of the State was authorized and a committee created to undertake the work. After various vicissitudes and by the determined effort of your present able committee and our present industrious Revisor of Statutes, this work has now been brought to completion. Accordingly, I have been happy to convene this session in order that you may consider enacting this revision into law.

In your regular session of 1943 you directed that certain plans be made for the postwar period, and you set aside \$1,000,000 for the construction of such projects as might meet with your subsequent approval. You clearly visualized that there might be problems of temporary unemployment during the transition from the economy of war to that of peace. It was your hope and mine that by careful planning the State could build certain needed structures at a time when this work would fill a definite need for jobs and prove of utmost benefit to our Maine people.

In my opinion, this period for new construction is nearly at hand, and the time for legislative authorization of certain projects is here. The victorious advance of our armed forces across the face of Europe and across the Pacific strongly indicates that substantial reconversion of our productive industries to a peacetime basis will soon be permitted. In all probability this will occur before the work of the regular session of the coming winter will have been completed. It is entirely possible that this will come even before the session assembles to undertake its work.

For this reason, I am recommending for your immediate consideration two plans that have been submitted to the Development Commission at your direction and are now in form for your approval.

One of these calls for the construction of additional dormitories at our Pownal State School. In my opinion, this is an extremely urgent project which should be "ready to go" at the earliest possible time war conditions permit.

For several years available space in this institution has been crowded.

More recently there has been a waiting list of very serious proportions. We know from our records that there are some four hundred Maine families currently enduring the tragic misfortune of maintaining within the family group a mentally defective child. Furthermore, we have reason to believe that there are many others who would normally approach the State with this problem were it not for the fact that they realize it is a hopeless errand, due to lack of space.

I think we all agree that this situation is morally wrong and socially extravagant from the standpoint of the family, the community, and the State. That the war has prevented our relieving this condition at an earlier date is regrettable. Clearly it now should be corrected with the least possible delay.

To meet this problem, the Department of Institutional Service has developed plans for two new dormitories; one for 200 boys and another for 200 girls. Also there is provision for expansion of the heating plant and reservoir in order to service these new facilities.

Preliminary plans of these buildings are now completed. Legislative authorization and an appropriation at this time will assure actual construction as soon as war condition permit.

You have already taken similar action for the employees' building at this institution. Together, these projects represent a well-rounded and orderly construction program to meet existing needs.

I am aware that this matter might be handled at the coming regular session under an emergency clause, but it would seem to me advisable to avoid emergency legislation whenever possible. I am recommending, therefore, that you allocate at this time from the postwar fund, \$435,000 for the completion of these much needed buildings at Pownal State School—work to be started at the earliest possible moment.

There is another sizeable project of an entirely different nature which I believe merits your thoughtful consideration at this time. I have in mind the postwar fish rearing plans submitted by the Department of Inland Fisheries and Game. In my opinion, this program promises many new jobs while in

the construction stage and offers tremendous long-term employment and business opportunities for our citizens after completion. The Department is confident that new license revenues resulting directly from this program will carry within a very few years both the operating and amortization costs of these new stations.

While the original long-range plans submitted to the Maine Development Commission called for the construction of ten new stations, the Commission recommends that half of this program, or five stations, be undertaken next spring, war permitting.

I am happy to report that our fish and game license revenues did not fall off during the war years, as anticipated, with the result that the Department now has an accumulated surplus of \$270,000. This can be used without further legislative authorization for the construction of three of these recommended new stations. I am now proposing that \$200,000 be allotted from the postwar fund for two additional stations. If you act favorably on this proposal at this time, these five new stations can be started when the frost is out of the ground early next spring; they will be completed next September; fish can be reared to legal length the following winter and will be ready for release in the summer season of 1946. According to present indication it would seem probable that this will be the year when the greatest number of our veterans will be returning, as well as the first big recreational postwar year.

This will be the year, therefore, when it will be tremendously important to have abundant business and employment opportunities for our veterans. Unquestionably, this will be the year to impress our visitors with superlative fishing in Maine. Let us remember that an enthusiastic customer is the greatest asset any business can have and that only successful businesses provide real and permanent employment.

I would remind you that the development of the fish resources of our inland waters is exclusively the business of Maine State Government. No private citizen can undertake this development for private gain. It behooves us, therefore, to be alert and intelligent managers

of this business entrusted to us by our citizens.

Again I point out that we must start building these rearing stations early this coming spring—before the regular session has completed its work—if our product is to be ready for our customers in 1946. It takes time to produce legal-size fish. It takes enterprise and capital expenditure to produce jobs and business opportunities.

In view of all these factors I feel that I would be remiss in my duty toward our returning veterans if I failed to recommend strongly that you act favorably on this proposal at this time.

One other matter I wish to draw to your attention. In 1941 the 90th Legislature authorized and directed the construction of a State Office Building to provide adequate space for our present activities of State government. In the course of planning for this building it has become evident that two buildings would serve better our purpose and prove less expensive than the one originally contemplated. Your Building Commission is therefore proposing at this time certain amendments to this private and special law. These entail no appropriation. I recommend their passage.

I feel sure that these three proposals which I have covered are sufficiently known to you that I need not dwell on them at greater length. None of them conflicts with approval of the Revision of Statutes. All of them deal with problems on which timely action is the essence. To relieve human suffering in the family burdened with defective children and to create jobs and opportunities for returning veterans and for others who may need them seem to me to be vitally important matters. I am confident that you too will recognize them as extremely urgent and in the public interest.

Governor Sewall, accompanied by the Executive Council and suite, then retired, amid the applause of the Convention, the audience rising.

The purpose for which this Convention was assembled having been accomplished, the Convention was dissolved, and the Senate retired to the Senate Chamber amid the applause of the House, the members rising.

IN THE HOUSE

The House was called to order by the Speaker.

On motion by Mr. Pierce of Bucksport, out of order and under suspension of the rules, it was

ORDERED, that the Clerk of the House be directed to furnish each member and officer of the House with one copy of the State newspaper during the current special session.

The following papers from the Senate were taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that three hundred and fifty copies of the Legislative Record for this Special Session of 1944, convened on September 18th, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library purposes, and be it further

ORDERED, that three hundred

and fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk. (S. P. 517)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House a copy of the State newspaper each morning during the present Special Session of the Legislature. (S. P. 513)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

On motion by Mr. Sleeper of Rockland,

Adjourned until 9:30 o'clock tomorrow morning.