

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Thursday, February 8, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Arthur G. Christopher of Augusta.

Journal of yesterday read and approved.

From the House

The Committee on Liquor Control on Bill "An Act Prohibiting the Sale of Malt Liquor in Glass Containers," (H. P. 325) (L. D. 184) reported that leave be granted to withdraw the same.

Which report was read and accepted in concurrence.

The Committee on Transportation on Bill "An Act Relating to Sirens on Automobiles Operated by Fire Chiefs and Their Deputies," (H. P. 33) (L. D. 9) reported that the same ought not to pass.

Comes from the House, recommitted to the Committee on Transportation.

In the Senate, on motion by Mr. Allen of Cumberland, recommitted to the Committee on Transportation in Concurrence.

The same Committee on Bill "An Act Relating to Overtaking and Passing School Buses," (H. P. 94) (L. D. 39) reported that the same ought to pass.

Comes from the House, recommitted to the Committee on Transportation.

In the Senate, on motion by Mr. Allen of Cumberland, recommitted to the Committee on Transportation in concurrence.

Bill "An Act Relating to Stipend to Agricultural Societies." (H. P. 774) (L. D. 462)

"Resolve in Favor of Maine Historical Society." (H. P. 794)

"Resolve in Favor of Foxcroft Academy for Building." (H. P. 800)

"Resolve Restoring the Frederick Robie Library Fund." (H. P. 801)

"Resolve in Favor of Monmouth Academy." (H. P. 802)

"Resolve in Favor of Knox Memorial Association, Inc. for Support and Maintenance of Montpelier." (H. P. 803)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

"Resolve in Favor of the Town of Bethel." (H. P. 807)

"Resolve in Favor of Peter J. Beaulier, of Ashland." (H. P. 808)

"Resolve Reimbursing the Town of South Berwick for Transportation of School Children." (H. P. 809)

"Resolve in Favor of the Town of Warren." (H. P. 810)

"Resolve in Favor of North Waterford Fire Association." (H. P. 811)

"Resolve in Favor of Dr. J. H. Smyth, of Edmundston, N. B." (H. P. 812)

"Resolve to Reimburse the Town of St. Agatha for Support of Francis Cyr, of St. Agatha." (H. P. 813)

"Resolve to Reimburse the Town of Southwest Harbor for Supplies Furnished to Edwin Lunt." (H. P. 814)

"Resolve in Favor of Guy L. Chretien, of Westbrook." (H. P. 815)

Which were severally referred to the Committee on Claims in concurrence.

"Resolve for the Purchase of One Hundred Copies of 'Highlights of Westbrook History.'" (H. P. 819)

"Resolve in Favor of Monmouth Academy." (H. P. 820)

Which were severally referred to the Committee on Education in concurrence.

"Resolve in Favor of the Town of Topsham." (H. P. 822)

"Resolve in Favor of the Town of West Bath." (H. P. 823)

"Resolve in Favor of the Town of Caribou." (H. P. 824)

"Resolve in Favor of the Town of Alfred." (H. P. 825)

"Resolve in Favor of the Town of Rome." (H. P. 826)

"Resolve in Favor of the Town of Bethel." (H. P. 827)

"Resolve in Favor of the Town of Bethel." (H. P. 828)

"Resolve in Favor of the Town of Stoneham." (H. P. 829)

"Resolve in Favor of the Town of Greenwood." (H. P. 830)

"Resolve in Favor of the Town of Deer Isle." (H. P. 831)

"Resolve in Favor of the Town of Orrington." (H. P. 832)

"Resolve in Favor of the Town of Fort Fairfield." (H. P. 833)

"Resolve in Favor of the Town of Levant." (H. P. 834)

"Resolve in Favor of the Town of Albion." (H. P. 835)

"Resolve in Favor of the Town of Hancock." (H. P. 836)

"Resolve in Favor of the Town of Cranberry Isles." (H. P. 837)

"Resolve in Favor of the Town of Orland." (H. P. 838)

"Resolve in Favor of the Towns of Bucksport and Orland." (H. P. 839)

"Resolve in Favor of the Town of Penobscot." (H. P. 840)

"Resolve in Favor of the Town of Verona." (H. P. 841)

"Resolve in Favor of the City of South Portland." (H. P. 842)

"Resolve in Favor of the Town of Buxton." (H. P. 843)

Which were severally referred to the Committee on Highways in concurrence.

"Resolve Closing Certain Ponds in Aroostook County to Fly Fishing." (H. P. 782) (L. D. 463)

Which was referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act to Include World War I Veterans in Maine State Retirement System." (H. P. 783) (L. D. 464)

Which was referred to the Committee on Judiciary in concurrence.

Bill "An Act Prohibiting the Procuring of Liquor for Certain Persons." (H. P. 784) (L. D. 465)

Bill "An Act Relating to Definitions and Location of Licensed Premises in Liquor Law." (H. P. 785) (L. D. 466)

Which were severally referred to the Committee on Liquor Control in concurrence.

"Resolve Providing for State Pension for Ruth B. Holway, of Mount Vernon." (H. P. 852)

"Resolve Providing for an Increase in State Pension for Sadie Turner, of Palermo." (H. P. 853)

"Resolve Providing for an Increase in State Pension for Earl Hewitt, of Portage." (H. P. 854)

"Resolve Providing for an Increase in State Pension for Geneva May Gay, of Clinton." (H. P. 855)

"Resolve Providing for State Pension for Florence I. Cain, of Clinton." (H. P. 856)

"Resolve Providing for State Pension for Harold Alexander, of Brunswick." (H. P. 857)

"Resolve Providing for State Pension for Sylvio J. Gagne, of Brunswick." (H. P. 858)

"Resolve Providing for State Pension for Exilia Raymond, of St. Agatha." (H. P. 859)

"Resolve Providing for a State Pension for Nelson Bouchard of St. Agatha." (H. P. 860)

"Resolve Providing for a State Pension for Lawrence Bouchard, of St. Agatha." (H. P. 861)

"Resolve Providing for an Increase in State Pension for Irene Dufour of Madawaska." (H. P. 862)

"Resolve Providing for a State Pension for Maurice Albert of Madawaska." (H. P. 863)

"Resolve Providing for State Pension for Laura Griffin Donaldson, of Farmingdale." (H. P. 864)

"Resolve Providing for State Pension for Pauline Dechane, of Patten." (H. P. 865)

"Resolve Providing for State Pension for Lena Coolong, of Patten." (H. P. 866)

"Resolve Providing for State Pension for George Huntley, of Patten." (H. P. 867)

Which were severally referred to the Committee on Welfare in concurrence.

Referred To Committees

The following bills and resolves were received, and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

Appropriations and Financial Affairs

Mr. Brewer of Aroostook presented Bill "An Act Relating to the State Liquor Stock." (S. P. 219)

Mr. Reid of Kennebec presented "Resolve Appropriating Moneys for

Wing at State Police Building, in Augusta." (S. P. 220)

The same Senator presented Bill "An Act Relating to Court Stenographers." (S. P. 221)

Mr. Haskell of Penobscot presented Bill "An Act Relating to Salaries of the Members of the Industrial Accident Commission." (S. P. 222)

The same Senator presented Bill "An Act Relating to Salary of the Forest Commissioner." (S. P. 223)

Mr. Broggi of York presented "Resolve Providing Funds for Maintenance at Teachers Colleges and Normal Schools." (S. P. 224)

(Each ordered printed.)

Sent down for concurrence.

Business Legislation

Mr. Allen of Cumberland presented Bill "An Act Relating to Oil Burning and Liquefied Gas Equipment." (S. P. 225)

(Ordered printed.)

Sent down for concurrence.

Claims

Mr. Haskell of Cumberland presented "Resolve in Favor of Sylvester A. Newell, of Portland." (S. P. 226)

The same Senator presented "Resolve to Reimburse the City of Portland for the Support of Roger Williams, Gordon Williams, Robert Williams and Glenn Williams." (S. P. 227)

The same Senator presented "Resolve to Reimburse the City of Portland for Cost of Burial of Old Age Assistance Recipients." (S. P. 228)

Sent down for concurrence.

Education

Mr. Fuller of Oxford presented Bill "An Act Relating to State Aid to Town Maintaining Evening Schools." (S. P. 229)

(Ordered printed.)

Sent down for concurrence.

Highways

Mr. Ward of Penobscot presented "Resolve in Favor of Township No. 1, Range No. 9, Piscataquis County." (S. P. 230)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Ela of Somerset presented Bill "An Act Relating to Number of Catch of Certain Fish." (S. P. 231)

The same Senator presented Bill "An Act Relating to Weight of Catch of Certain Fish." (S. P. 232)

Mr. Ward of Penobscot presented "Resolve Regulating Fishing in Sourdnahunk and Little Sourdnahunk Lakes in the County of Piscataquis." (S. P. 233)

(Each ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Haskell of Penobscot presented Bill "An Act Relating to Membership in State Employees' Retirement System." (S. P. 234)

The same Senator presented Bill "An Act Relating to Definition of 'Average Final Compensation' Under State Employees' Retirement Law." (S. P. 235)

The same Senator presented Bill "An Act Relating to Optional Allowances on Retirement under State Retirement Law." (S. P. 236)

The same Senator presented Bill "An Act Relating to Service Retirement Benefits Under State Employees' Retirement Law." (S. P. 237)

Mr. Savage of Somerset presented Bill "An Act to Allow State, City and Town Employees to Receive Federal Social Security Benefits." (S. P. 238)

Mr. Ward of Penobscot presented Bill "An Act Relating to Financing Conditional Sales or Mortgages of Personal Property." (S. P. 239)

The same Senator presented Bill "An Act Relating to Conditional Sales Agreements." (S. P. 240)

(Each ordered printed.)

Sent down for concurrence.

Labor

Mr. Noyes of Hancock presented Bill "An Act Repealing Industrial Homework." (S. P. 241)

(Ordered printed)

Sent down for concurrence.

Natural Resources

Mr. Haskell of Penobscot presented Bill "An Act Relating to Membership of Maine Development Commission." (S. P. 242)

(Ordered printed.)

Sent down for concurrence.

Public Health

Mr. Reid of Kennebec presented Bill "An Act Relating to Board of

Registration in Medicine." (S. P. 243)

(Ordered printed.)

Sent down for concurrence.

Taxation

Mr. Christensen of Washington presented Bill "An Act Relating to Use Fuel Tax." (S. P. 244)

(Ordered printed.)

Sent down for concurrence.

Passed to Be Engrossed

Bill "An Act Relating to Speed of Motor Vehicles." (H. P. 96) (L. D. 41)

Bill "An Act Relating to Passing Motor Vehicles on Grades." (H. P. 97) (L. D. 42)

Bill "An Act Relating to Election Returns." (H. P. 154) (L. D. 86)

Bill "An Act Relating to Neglected Children." (H. P. 156) (L. D. 87)

Bill "An Act Relating to Transfer of Certificates of Motor Vehicles for Hire." (H. P. 170) (L. D. 101)

Which were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to Appeals to Liquor Commission from Decisions of Municipal Officers Disapproving License Applications." (S. P. 83) (L. D. 108)

Bill "An Act Relating to Retail Store Liquor License in Unincorporated Places." (S. P. 84) (L. D. 111)

(On motion by Mr. Barnes of Aroostook, tabled pending passage to be engrossed.)

"Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Fred A. DeMeyer." (S. P. 89) (L. D. 142)

"Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Edgar S. Gordon." (S. P. 90) (L. D. 143)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to the Sale of Intoxicating Liquors to Minors." (S. P. 66) (L. D. 66)

Which were severally read a second time and passed to be engrossed as amended.

Sent down for concurrence.

Bill "An Act Relating to Closed Season on Deer in Swan's Island, Hancock County." (S. P. 48 (L. D. 58)

Which bill was given its second reading.

Mr. NOYES of Hancock: Mr. President, I move that the Senate reconsider its action of yesterday whereby Committee Amendment A was adopted and I will further move that that Amendment be indefinitely postponed in order that I may submit Senate Amendment A.

In explanation of this amendment, I have talked with the Chairman of the Inland Fish and Game Committee and this proposed Senate Amendment A does exactly what the committee felt that they did in the original amendment, but it does clear up the use of the term "Swan's Island proper." In the township of Swan's Island we have several islands in addition to the island of Swan Island and if Committee Amendment A were adopted, it would create some confusion. I believe that Senate Amendment A takes care of that and avoids confusion.

The motion prevailed and the Senate voted to reconsider its former action whereby Committee Amendment A was adopted and Committee Amendment A was indefinitely postponed.

The Secretary read Senate Amendment A:

Senate Amendment A to L. D. 58. "Amend said bill by striking out in the 6th and 7th lines thereof the underlined words 'and in the town of Swan's Island' and inserting in place thereof the underlined words 'and all of Swan Island in the Town of Swan's Island.'"

Senate Amendment A was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

Enactors

Bill "An Act Ratifying Lease Given by the State to Portland Pipe Line Corporation." (S. P. 24) (L. D. 14)

Bill "An Act Relating to Corporate Donations to Charity." (S. P. 31) (L. D. 16)

Bill "An Act Relating to Escapes from Jail." (S. P. 42) (L. D. 48)

Bill "An Act Relating to Fees of

Disclosure Commissioners." (H. P. 59) (L. D. 25)

Emergency Measure

Bill "An Act to Provide for a Self-Imposed Tax on Sardines for an Industry Development Fund." (H. P. 570) (L. D. 271)

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed was passed to be enacted.

Orders of the Day

Mr. Brewer of Aroostook was granted unanimous consent to address the Senate.

Mr. BREWER of Aroostook: Mr. President and members of the Senate, in order to try to keep you informed of the work of the Appropriations Committee and bring you up to date, I will say that as of this afternoon, we will have completed the hearings of all department heads which involve about forty two million dollars plus, the first year; and forty three million by requests, the second year. Of course, as you know, those requests are about fifteen million dollars out of line with the estimated revenue and the Governor and his Budget Committee have cut that fifteen million dollars practically in half which brings it down to in round figures to \$7,700,000.

We will start in on bills involving other expenditures this afternoon and by next week expect to have some of them passed out so you can discuss them in the two branches.

As I say, I will ask for the privilege of trying to keep you informed as to where we are in our deliberations and I thank you for this opportunity this morning.

Mr. Boyker of Oxford was granted unanimous consent to address the Senate.

Mr. BOYKER of Oxford: Mr. President and members of the Senate, yesterday at our regular session in speaking concerning an order which had been taken from the table, I made the statement that there are many instances where economy can be practiced in the

different departments of our state. Yesterday afternoon I was accosted by two persons outside the legislature and one person within our ranks with this admonition, generally: "Mr. Boyker, you are making too much criticism in more ways than one."

Now I would like to tell this Senate just how I stand in the beginning on our problems of government, and to any outsider who thinks it is his concern. We are assembled here honor bound to speak and to act in the interest of the citizens of our state whom we represent and to use the same good judgment as our constituents used in sending us here. And I am not speaking of myself but I am referring to the members of the Senate who I know by their records and with whom it has been my pleasure to serve in other legislatures.

Is there something wrong with the system of our government? I say Yes. 1. Too many fingers in the pie, too many agencies, too many commissions, too many appointees of those persons whose ideas of what the people want are not the ideas of the people themselves, too much advice from persons outside our state to the detriment of the taxpayers' pocket-books. We want to learn, we want to educate ourselves, we want to govern ourselves. Shall it be "As other states go and as other persons think, so goes Maine" or will it still be "As Maine goes so goes the nation"?

Now we are told by those who may well understand, that there is something drastically wrong with our system of education. In our Governor's message he said, "I am ready to economize in theory and also in practice". Is our education department seventy five percent theory? If it is I think we should economize on theory and elaborate on a little common sense education. At a get-together between the Committee on Correctional Institutions, and the heads of those departments a short while ago, our then State Warden at our State Prison, Wallace Lovell, gave us to understand that persons in his care who had graduated from our com-

mon schools ready to enter our high schools and academies, adding two sums together had to count on their fingers. I can go Mr. Lovell one better. I can cite instances where graduates of our common schools ready to enter high-schools and academies, in raising the American flag didn't know whether the stars went at the top or the bottom, but they did know that they didn't have to study unless they wanted to and if they didn't want to work, the state would take care of them.

Now, are we teaching in our schools initiative, originality, ambition? Do we have discipline in our schools? Many of our statesmen of today bless the time when their parents and teachers taught them the straight and narrow path and we, as guardians of the children of the future are we leading them in the straight and narrow path?

I have no criticism for the head of any department in our state government but we do know that in the field workers' division of our Health and Welfare department, there is inefficiency, favoritism and unnecessary expenditure of the taxpayers' money, but they say nothing can be done because of our system of government. I am not criticizing the heads of departments because they are not in a position to observe the shortcomings of their assistants as we do repre-

senting the people of our state who have contact with those assistants.

We are asked by our federal government—we are demanded by our federal government—to tighten our belts and deny ourselves. Let our state parks and other ventures in our department of state be postponed during this great national emergency. Let us pay as we go in our highway department, get the farmer out of the mud so to speak and our tourists into our countryside. With perhaps the greatest misfortune that has ever befallen this world, perhaps already in the making, with our federal government giving away our money and the lives of our sons to foreign countries, I have no interest in attempting to make my state a super state until peace is declared, the graves of our soldier dead have been dug and the wounds of our disabled have at least partially healed.

On motion by Mr. Noyes of Hancock the Senate voted to take from the table Resolve in Favor of the Town of Aurora (S. P. 210) tabled by that Senator on February 7 pending reference to a committee, and on further motion by the same Senator, the resolve was referred to the Committee on Claims.

On motion by Mr. Boyker of Oxford

Adjourned until tomorrow morning at ten o'clock.