

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, April 4, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Royal Brown of Gardiner.

Journal of yesterday read and approved.

From the House

The Committee on Appropriations and Financial Affairs on "Resolve Appropriating Moneys for Compilation of Certain Decisions of Supreme Judicial Court." (H. P. 1510) (L. D. 1104) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Elderly Teachers' Pensions." (H. P. 924) (L. D. 526) reported that the same ought to pass in new draft (H. P. 1681) (L. D. 1251)

The Committee on Highways on "Resolve in Favor of the Town of Bethel." (H. P. 827) reported that the same ought to pass in new draft (H. P. 1677) (L. D. 1245)

The Committee on Judiciary on Bill "An Act Relating to Duties and Powers of Aroostook County Fire Marshal." (H. P. 535) (L. D. 304) reported that the same ought to pass in new draft (H. P. 1678) (L. D. 1246) under the same title.

(On motion by Mr. Brewer of Aroostook, tabled pending acceptance of the report.)

The Committee on Judiciary on Bill "An Act Clarifying the Definition of 'Compact' in the Highway Laws." (H. P. 112) (L. D. 692) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Police Docket in re Juveniles." (H. P. 1232) (L. D. 785) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Paris Company." (H. P. 1662) (L. D. 1231) reported that the same ought to pass.

The same Committee on Bill "An Act Permitting Incorporation of Veterans of Foreign War Post Under General Law." (H. P. 1428) (L. D. 1034) reported that the same ought to pass.

The Committee on Towns and Counties on Bill "An Act Relating to Assessments for Road Repairs in

Unorganized Territory." (H. P. 1442) (L. D. 1053) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Sewer Service Charges." (H. P. 1238) (L. D. 790) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salary of Judge of the Bar Harbor Municipal Court." (H. P. 559) (L. D. 317) reported the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Judge of the Western Hancock Municipal Court." (H. P. 560) (L. D. 318) reported that the same ought to pass.

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

Which reports were read and accepted in concurrence and the bills and resolves read once and tomorrow assigned for second reading.

The Committee on Natural Resources on Bill "An Act Relating to Mill Privileges, Dam Sites and Flowage Rights." (H. P. 543) (L. D. 309) reported the same in a New Draft under a new title—Bill "An Act Relating to Mill Privileges, Dam Sites, Flowage Rights, Pole Lines and Roads." (H. P. 543) (L. D. 309) and that it ought to pass.

Which report was read and accepted in concurrence and the Bill in New Draft read once and tomorrow assigned for second reading.

The Committee on Veterans and Military Affairs on Bill "An Act Relating to the Military Law." (H. P. 344) (L. D. 203) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Hancock School District." (H. P. 1276) (L. D. 845) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence,

and the bills as amended were tomorrow assigned for second reading.

Senate Committee Reports

Mr. Haskell from the Committee on Judiciary on Bill "An Act Relating to Falsely Reporting Crimes," (S. P. 377) (L. D. 903) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to Trespass." (S. P. 378) (L. D. 904) reported that the same ought not to pass.

Which reports were severally read and accepted.

The same Senator from the same Committee on Bill "An Act Relating to Operating a Motor Vehicle Negligently." (S. P. 343) (L. D. 809) reported that the same ought not to pass.

(On motion by Mr. Reid of Kennebec, tabled pending acceptance of the report.)

Mr. Barnes from the same Committee on Bill "An Act Relating to Redemption of Personal Property after Breach of Condition of Mortgage thereof." (S. P. 376) (L. D. 902) reported that the same ought not to pass.

(On motion by Mr. Weeks of Cumberland, tabled pending acceptance of the report.)

Mr. Palmer from the Committee on Public Buildings and Parks on Bill "An Act to Create a State Recreation Commission." (S. P. 120) (L. D. 210) reported that the same ought not to pass.

Mr. PALMER of Lincoln: Mr. President and members of the Senate, I would like at this time to make a brief explanation of this bill before I ask the Senate to accept the "Ought Not to Pass" report of the committee.

The Committee felt that this bill or some modification of it had a great deal of merit. The bill simply calls for a Recreation Commission, there is no appropriation involved, a commission to coordinate the recreational policy of the state, that is, the various departments of the state could assist communities and other agencies in the promotion of recreational facilities and also the promotion of those things which are beneficial to advertise the state of Maine and its natural resources. There are several ways that this particular thing can be accom-

plished and at the committee hearing several different ways were mentioned and the committee felt they could not pass on which was the right method to be used. And so the opinion of the committee was that this should come out with an ought not to pass report but we also thought an order should be passed which would permit the legislative research committee to study the problem and report to the next legislature what their findings might be and the committee with more time might determine which would be the best method to be used.

If the Senate accepts the ought not to pass report of the committee, later in the morning session I will present the proper order to have this referred to the research committee for further study.

Thereupon, the "Ought Not to Pass" report of the committee was accepted.

Mrs. Kavanagh from the Committee on Public Health on Bill "An Act Repealing Law of Manufacture and Sale of Bedding and Upholstered Furniture." (S. P. 394) (L. D. 941) reported that the same Ought not to pass.

Which report was severally read and accepted.

Sent down for concurrence.

Mr. Haskell from the Committee on Judiciary on Bill "An Act Relating to Trustees of Wages." (S. P. 163) (L. D. 339) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Attorney's Fee for Foreclosure of a Mortgage." (S. P. 362) (L. D. 876) reported that the same Ought to pass.

(On motion by Mr. Weeks of Cumberland, tabled, pending acceptance of the report.)

The same Senator from the same Committee on Bill "An Act Relating to the Taking of Certain Property by the Town of Naples by Right of Eminent Domain." (S. P. 345) (L. D. 810) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once and tomorrow assigned for second reading.

Mr. Larrabee from the Committee on Sea and Shore Fisheries on

Bill "An Act Relating to Sea and Shore Fisheries Laws." (S. P. 174) (L. D. 346) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted and the bill read once; the Secretary read Committee Amendment A:

Committee Amendment A to L. D. 346. "Amend said bill by striking out in Section 5 the underlined word, 'either' in the 5th line; by striking out the underlined words 'or a scallop fishing license in the 8th line; further amend said bill by striking out in Section 6 the underlined words 'provided, however, a person holding a lobster and crab fishing license or a commercial shell fish license shall be allowed to take fish by these means for his personal use as bait without procuring said license' in the 6th, 7th, and 8th lines."

Which amendment was adopted, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Transportation on Bill "An Act Relating to Overloaded Trucks." (S. P. 400) (L. D. 947) reported that the same ought to pass.

(signed) Senators:

ALLEN of Cumberland
CHRISTENSEN of Washington
BOYKER of Oxford

Representatives:

JONES of Bowdoinham
NOWELL of Hermon
TRAVIS of Westbrook
KELLY of Rumford
PERRY of Chelsea

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Representatives:

TURNER of Auburn
MAGUIRE of Auburn

On motion by Mr. Allen of Cumberland, the Majority "Ought to Pass" report was accepted, the bill read once and tomorrow assigned for second reading .

The Majority of the Committee on Transportation on Bill "An Act to Provide for the Issue of State

of Maine Airport Bonds for the Construction and Improvements of Airports." (S. P. 209) (L. D. 458) and that it ought not to pass.

(Signed)

Senators: CHRISTENSEN

of Washington
BOYKER of Oxford

Representatives:

TURNER of Auburn
MAGUIRE of Auburn
PERRY of Chelsea
JONES of Bowdoinham

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

(Signed)

Senators: ALLEN of Cumberland

Representatives:

NOWELL of Hermon
KELLY of Rumford
TRAVIS of Westport

Mr. BOYKER of Oxford: Mr. President, in this bill as it appears here, Mr. Turner of Auburn is report on both the Minority and Majority reports. Mr. Turner asked me this morning to report to the Senate that he voted with the Majority of the Committee on the Ought Not to Pass report.

The PRESIDENT: The Chair will state that that was an error in the printing. The report is properly signed with Mr. Turner on the Majority report.

Thereupon, on motion by Mr. Allen of Cumberland, the bill and accompanying papers were laid upon the table pending acceptance of either report.

Passed to be Engrossed

Bill "An Act Adding Korean Veterans to Laws Relating to Veterans." (H. P. 98) (L. D. 45)

Bill "An Act Relating to Request for Tax Exemption." (H. P. 333) (L. D. 192)

Bill "An Act Relating to the Military Law." (H. P. 661) (L. D. 376)

"Resolve Relating to the Use of Purse or Drag Seines in Certain Waters." (H. P. 656) (L. D. 374)

Bill "An Act Providing for Merger and Dissolution of Domestic Mutual Insurance Companies." (H. P. 1512) (L. D. 118)

Bill "An Act Prohibiting the Printing of Pauper Assistance in

Town Reports." (H. P. 206) (L. D. 128)

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

Bill "An Act Relating to Liquor Licenses in Unincorporated Places." (S. P. 523) (L. D. 1249)

Bill "An Act Relative to Itinerant Photographers." (S. P. 459) (L. D. 1073)

Bill "An Act Creating the Eastport Public Landing Authority." (S. P. 440) (L. D. 1003)

Bill "An Act Relating to Qualifications for Lobster Licenses for Veterans." (S. P. 443) (L. D. 1006)

Bill "An Act Relating to Wholesale Lobster Dealer's License." (S. P. 311) (L. D. 662)

Bill "An Act Relating to the Taking of Alewives in the New Meadows River in the Towns of Brunswick and West Bath." (S. P. 279) (L. D. 618)

Bill "An Act Relating to the Salaries of the Judge and the Clerk and Clerk Hire of the Auburn Municipal Court." (S. P. 288) (L. D. 627)

Bill "An Act to Authorize Cities and Towns to Accept Grants from Federal Government." (S. P. 461) (L. D. 1075)

Bill "An Act Relating to Membership of the Emergency Municipal Finance Board." (S. P. 39) (L. D. 22)

Bill "An Act Relating to Interest of Unorganized and Organized Township Funds." (S. P. 444) (L. D. 1007)

Bill "An Act Relating to the Municipality Regulation of Motor Vehicles." (S. P. 397) (L. D. 944)

"Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company." (S. P. 327) (L. D. 816)

"Resolve to Repeal Certain Special Resolve Pensions." (S. P. 482) (L. D. 1145)

Bill "An Act Relating to Sale and Lease of Lands in Indian Township." (S. P. 328) (L. D. 815)

Bill "An Act Authorizing Approval of the Interstate Civil Defense and Disaster Compact." (S. P. 117) (L. D. 207)

Bill "An Act Relating to the Salary of the Mayor of the City of Lewiston." (S. P. 313) (L. D. 664)

(On motion of Mrs. Kavanagh of Lewiston, tabled pending passage to be engrossed.)

"Resolve Authorizing Expenditure of Certain Moneys in Possession of Bangor State Hospital." (S. P. 336) (L. D. 752)

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

Sent down for concurrence.

Orders of the Day

The PRESIDENT: At this time, the Senator from Somerset, Senator Ela has brought to the attention of the Chair that we have with us a group from the Garrett Schenck school of Anson with their director, Kenneth Taylor. In behalf of the Senate the Chair is very pleased to bid them welcome and hopes they will enjoy their visit.

On motion of Mr. Ela of Somerset, the Senate voted to take from the table bill, An Act Relating to Greely Institute (H. P. 1070) (L. D. 604) tabled by that Senator on March 16 pending consideration.

Mr. ELA of Somerset: Mr. President, I move that the Senate insist on its former action and briefly I will state that the condition is this: The bill was first indefinitely postponed in the House and then was passed to be engrossed in the Senate; it went back to the House, was amended to effect just the opposite result from that in which it passed the Senate. That was a bill which had the unanimous report of the Legal Affairs Committee. That, in brief, explains the matter, and I hope my motion to insist will prevail.

The motion to insist prevailed.

On motion by Mr. Christensen of Washington, the Senate voted to take from the table Senate Report "Ought to Pass" from the Committee on Transportation on bill, An Act Relating to Penalties for Violation of Truck Weight Laws (S. P. 460) (L. D. 1074) tabled by that Senator on March 27 pending acceptance of the report; and on further motion by the same Senator, the bill was recommitted to the Committee on Transportation.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table bill, An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District (H. P. 27) (L. D. 10) tabled by that Senator on February 22 pending passage to be enacted.

Mr. WEEKS of Cumberland: Mr. President, I now move the indefinite postponement of this measure. The explanation is that this bill was passed in an attempt to arrange for a community school district and depended on the votes of the various towns involved. The towns just could not get together and it seems that there is nothing left to do but let the bill be defeated. I therefore move that it be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table Senate Report "Ought to be Adopted in New Draft" from the Committee on Judiciary, on Memorial to Congress (Joint Resolution Rescinding Proposal for Considering a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations and Limiting World Federal Government (S. P. 205) (L. D. 460) New Draft (S. P. 529) Memorial to Congress (Joint Resolution Regarding a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations); tabled by that Senator on April 3 pending acceptance of the report.

Mr. BARNES of Aroostook: Mr. President, at the conclusion of some very brief remarks I am going to move that the "Ought to Pass" report of the committee be accepted. If you will turn to Legislative Document 1258, about the third bill back from the end of your file, I think it will be helpful to you, because I am going to read this resolve and you can follow me on it. The Memorial that is now before you for passage reads as follows:

"Whereas, the following joint resolution was Passed by the Senate and House of Representatives at the 94th State of Maine Legislature, to Wit:" — I am not going to read that because it is exactly the Memorial that we passed two years ago and which seems to have caused us so much trouble—

Whereas, the above mentioned joint resolution is not an application for the calling of a Convention under Article V of the Constitution of the United States, but, on the contrary, is simply an application to the Congress of the United States that they give serious consideration to the exercise of their own prerogatives over the subject matter; and

Whereas, the above mentioned joint resolution has been misinterpreted and misunderstood by various individuals, and various groups of individuals; and

Whereas, the above mentioned joint resolution expressed the sentiments of the 94th State of Maine Legislature which is no longer in existence; and

Whereas, the 95th State of Maine Legislature deems it its duty to clarify the situation in respect to the subject matter; now, therefore, be it

Resolved by the Senate and House of Representatives of the 95th State of Maine Legislature as follows:

"The Maine State Legislature approves giving the United Nations such limited governmental police and inspection powers as are necessary to control armaments and punish aggression.

It does not approve making the United Nations a strong central government with extensive powers which might in the beginning or through any subsequent development threaten the individual freedom of Americans or the domestic, political, economic, social or religious institutions of the United States; and be it further Resolved that a copy of this Resolution—" be sent to the proper officers and so forth.

We spent a great deal of time in the Committee on Judiciary on this Resolve. Divergent views were expressed in the beginning and this is a unanimous report of the committee and I believe it will accom-

plish the purpose sought by those who wish to repeal the Memorial passed two years ago. We decided that could not be done because this is a different legislature. It seems to me that this should pass, and I therefore move the acceptance of the "Ought to Pass" report of the committee.

Mr. REID of Kennebec: Mr. President, the new draft has just been printed and I know that there is considerable controversy about this measure and I know there are many people who are dissatisfied with the committee report on the grounds that it does not rescind the action taken two years ago which was publicised by certain groups. This draft will not correct the error.

I would like a little more time to gather some forces against the report and I therefore move that it lie upon the table.

At this point, Mr. Barnes of Aroostook, was granted unanimous consent to address the Senate.

Mr. BARNES of Aroostook: Mr. President, for the benefit of the Senator from Kennebec, Senator Reid, my only thought in reading this and having the Senators study it this morning was that this is a matter that might prove to be controversial that I thought it might better move along to the other Branch of the Legislature. There will be six or seven other places where this could be nailed before it comes up for final action and for that reason I hope that the Senator's motion will not prevail and that the bill may go over to the other Branch for consideration.

The PRESIDENT: For the information of the Senate, the Chair will state that the Memorial requires only adoption. There are no further steps.

Mr. REID of Kennebec: Mr. President, in view of the remarks made by Senator Barnes, I ask leave to withdraw my motion.

The Senator from Kennebec, Senator Reid, was granted leave to withdraw his motion.

The PRESIDENT: The Memorial is open to debate. Is the Senate ready for the question?

Mr. ELA of Somerset: Mr. President, I think there is a bit of misunderstanding and I move that the Memorial be laid upon the table.

A viva voce vote being had, the motion prevailed and the Memorial was laid upon the table pending adoption.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table bill, An Act Relating to the Superintending School Committee of the Town of Houlton (S. P. 309) (L. D. 1240) tabled by that Senator on April 3 pending consideration.

Mr. BARNES of Aroostook: Mr. President, this rather simple bill has become involved as time goes along. The purpose of the bill is to permit a superintending school committee in the town of Houlton to consist of five members instead of three. At the hearing I asked that the committee report it out with Committee Amendment A which placed a referendum provision on the bill so that the inhabitants of Houlton could vote on it. Yesterday I introduced another amendment to correct the rest of the statute which we were amending and it recited that it struck out everything after the enacting clause and substituted what I placed as an amendment. I have become convinced that thereby we lost the referendum. I therefore move the adoption of Committee Amendment A which is the referendum.

The PRESIDENT: The Chair will inform the Senator that the Senate has already adopted Committee Amendment A.

Mr. BARNES: Mr. President, this certainly is becoming involved but it is my understanding that when yesterday we adopted Senate Amendment A, and struck out everything after the enacting clause, we had stricken out the amendment, which I want in the bill.

The PRESIDENT: That might be correct too, Senator, but Committee Amendment A is still in existence.

Mr. BARNES: Mr. President, I will withdraw my motion to adopt Committee Amendment A. I now present Senate Amendment A to Senate Amendment A, and move its adoption.

The Secretary read Senate Amendment A to Senate Amendment A:

Senate Amendment A to Senate Amendment A to L. D. 60. "Amend said amendment by adding at the end thereto a new paragraph to read as follows: 'Referendum. This act shall take effect---'"

On motion by Mr. Barnes of Aroostook, the Senate voted to reconsider its action whereby the bill was passed to be engrossed, Senate Amendment A to Senate Amendment A was adopted without further reading and the bill as amended by Senate Amendment A as amended by Senate Amendment A thereto was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: At this time it has been called to the attention of of the Chair that we have with us a class of law students from Nasson College in Springvale, accompanied by Professor Sweetser. I think it is very fitting that we have a class of law students here. Perhaps it will keep the Senate on its toes in attempting to follow perfect parliamentary procedure.

Out of Order and under suspension of the rules, Mr. Palmer of Lincoln presented the following order and moved its passage:

ORDERED, the House concurring that the Legislative Research Committee be and hereby is directed to study and appraise the recreational needs and standards of the state, and be it further

ORDERED that the results of such study together with any recommendations be reported to the 96th legislature.

Which order received passage.

Sent down for concurrence.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table Senate Report "Ought to be Adopted in New Draft" from the Committee on Judiciary, on Memorial to Congress (Joint Resolution Rescinding Proposal for Considering a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations and Limiting World Federal Government) (S. P. 205) (L. D. 460) New Draft (S. P. 529) (L. D. 1258) Memorial to Congress (Joint Resolution Regarding a

Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations; tabled by that Senator earlier in today's session pending adoption.

Mr. REID of Kennebec: Mr. President and Members of the Senate, as I understand it, two years ago the 94th Legislature memorialized Congress in favor of a world federal government. This year by Legislative Document 460 a bill was introduced to rescind that memorial by people who felt that the State of Maine ought not to be in the camp of the World Federalists.

Legislative Document No. 1258 appears to be a new draft of the committee's unanimous Ought to Pass report and apparently is a modification of a memorial of two years ago.

I feel that this matter is extremely controversial and that I also very definitely want to go on record as being against at this time, anyway, the World Federalist government. Maybe those who are just as enthusiastically and emphatically in favor wish to go on record.

My feeling on the matter is that by simply modifying the memorial of two years ago, as far as this country is concerned, the State of Maine will continue to be held in the camp of the World Federalists. I think that it is an important matter to be debated. I did not have an opportunity to appear at the committee hearing. I was engaged at other committee hearings. I would like very much to listen carefully to the various members of the committee that reported this new draft out and after hearing their remarks, I may wish to debate it further.

Mr. BARNES of Penobscot: Mr. President, the memorial that was adopted two years ago was a very much watered down memorial as compared to the one that was presented to the committee and to catch the Senate up on what actually happened two years ago the first time the memorial appeared and was heard before the committee, the committee reported it out unanimously Ought Not to Pass.

It was presented by a very sincere young man in the other branch of the Legislature and figuratively speaking he wept on the shoulders of one or two of the members of the committee and got it recommended and we passed this watered down resolution or memorial that appears and is quoted in the first part of the present memorial. There is no question but that after the adoption of that memorial it was misused and misinterpreted by certain organizations that call themselves the World Federalists. And Maine was quoted as having been in the column of those who support World Federalists.

So, as this session of the Legislature, various commissions and organizations who were strongly opposed to that organization, presented a memorial which would in effect rescind the memorial that was passed two years ago.

Now, the committee held its longest hearing of this session on this particular bill. The flow of oratory from both sides was astounding and amazing and excellent and we then went into executive session to see what we would do about the matter.

One of the proponents of the memorial which would have rescinded our action taken two years ago made a point that impressed the members of the Judiciary Committee, and that point was this. He said a succeeding Legislature can not rescind the action taken by a previous Legislature because that Legislature took its action and it is out of existence and the mere fact that there are many members of the present Legislature who were also members of the 94th wouldn't help the situation. That impressed the members of the committee. And so we decided that the only thing this Legislature could do would be to state its position in the matter and that is what this memorial purports to do.

It states in plain facts or plain words that the former resolution had been misused and misinterpreted and misunderstood. It states very plainly that it is the intention of this Legislature that we approve of the United Nations insofar as necessary for governmental police inspection and to control arm-

aments, if possible, and punish aggression. And it contains a very strong statement which it seems to me should satisfy the various group such as the VFW and the American Legion and the Daughters of the Colonial Wars and all of those organizations who feel that they bear the torch of patriotism in this country and no one is here to deny that but it contains a very strong statement which I think should satisfy them.

It states, in fact, that we do not approve of making the United Nations a strong central government with extensive powers which might in the beginning or through any subsequent development will not threaten the individual freedom of Americans or the domestic, political, economic, social or religious institutions of the United States.

That is a clear statement of principle by this Legislature. When we got into executive session in the committee, the opinion was divided on this matter. There were some members of the committee that were very favorable to the United World Federalists and there were those who were equally against it. And this memorial as it now stands before you is literally the result of hours of work on the part of a subcommittee of the Judiciary Committee, four of us—the Chairman, myself, Senator Ward and Representative Hayes — to get a straight and fair declaration of principle that this legislature might go along with and that could be agreed upon by all ten members of the committee.

That is what is before you now. If you would compare this memorial as it was originally presented—that would be Legislative Document 460—you would see that in the title and throughout the bill the words, United World Federalists, have been stricken out so that they do not appear in this resolution at all. And I believe that certainly no organization, whether it be the United World Federalists or any other organization could use this memorial to say that the State of Maine is backing the United World Federalists. It does say that we are in favor of backing the United Nations for police control and pun-

ishment of aggression and control of armaments and that is all.

So, it is my hope that the long labor of the Judiciary Committee will not be love's labor lost and that this memorial may receive adoption by this branch of the Legislature.

Mr. REID of Kennebec: Mr. President, first of all, I wish to say I appreciate the amount of time that has been put on this problem and respect the sincerity of their conclusions but doubt whether or not this modification of the memorial of two years ago will solve the existing problem.

In plain language, it is my understanding that the motive of the World Federalists is as quickly as possible to create a world government of which the United States of America would be a member and theoretically would lose a great deal of its sovereignty. As a theoretical proposition twenty-five or fifty years from now it might be feasible.

In no way will I go along with any move to align the United States of America with any other foreign country with the international situation as it now exists.

I think that the Senator from Aroostook, Senator Barnes, clarified my position to a certain extent when he admitted that a certain group or association known as the World Federalists misused and abused the memorial of two years ago to state categorically that the State of Maine was in the camp of World Federalists.

It is my opinion that if this L. D. 1258 which is a modification of a memorial of two years ago is adopted, that this same group will still maintain, and with some justice at least, that the State of Maine is among those states who favor the World Federalist Government. I believe that the issue is very clearly drawn on the one side on behalf of the committee that this modification will clarify the situation completely and that no one can maintain that the State of Maine believes in the World Federalist Government. There is not any question but that they are justified in that feeling in view of the language used over which they worked so many hours.

On the other side, which is my side at least, I think they are wrong in their feeling that this modification will actually have the result which they sought to achieve. I believe that with this modification it will be still maintained that the State of Maine is in favor of World Federalist Government at this time or as soon as it can be effected.

The logic of the committee is sound. The purpose is sound. The expressions they used are sound. I do not believe, however, that it will take Maine out of the World Federalist camp by reputation or by ensuing publicity. I realize that a question is involved as to whether or not the 95th Legislature can rescind a memorial of the 94th Legislature. However, there are no legal aspects involved in the case. The 95th Legislature can do what it pleases. If it pleases to rescind the memorial of the 94th on my theory, by so doing, the State of Maine will lose its reputation of being in the camp of World Federalists. I think we ought to do it now. Of course, I am speaking as a non-world federalist. A majority of the senators may be in favor of World Federalism; I don't know. But as a person against the World Federalist movement at this time, I wish to go on record very definitely as opposed to this committee redraft for the reasons I have just stated and I hope at the proper time to move to substitute the bill for the report.

Mr. FULLER of Oxford: Mr. President, it seems to me that this redraft accomplishes only in a very mild way what L. D. 460 was intended to accomplish, and as I understand the debate and the explanations, the memorial passed by the 94th Legislature will still be in the hands of our Congress.

It is my understanding that twelve of twenty-two states that adopted such memorials or resolutions have already rescinded those and it would seem that if a majority of our Legislature didn't feel that Maine should not be included in the camp of the World Federalists, a more positive action than this redraft provides should be taken.

I certainly want to go on record as one who believes that the memorial of the 94th Legislature should be rescinded.

The PRESIDENT: The Senator from Kennebec, Senator Reid, has moved to substitute the original memorial for the report of the committee.

Mr. REID of Kennebec: When the vote is taken, Mr. President, I move that it be taken by a division.

Mr. ELA of Somerset: Mr. President, there are one or two observations I would like to make on this. If there is a question of whether or not we can rescind or repudiate an action of the previous Legislature, I might point out that the original bill, it seems to me, could be amended, leaving out rescind and repudiate if we must, and taking exactly the opposite action which we took in the original memorial two years ago.

One other reason why I object to the redraft is that we are treading on ground now from which we might wish to retreat in a year or two more. The United Nations is practically breathing its last breath and it might fall into misuse. I think the world has lost ninety per cent of its faith in it and if we now reaffirm our faith in something in which most of the public has lost its faith, we are opening up a new vista and frankly, we have gone far enough in the original. If the original draft in the opinion of legal minds is all right, I am for it. If it isn't all right, I think it could be amended to do what people who were opposed to the two-year-old memorial want to do.

Mr. BARNES of Aroostook: Mr. President, I rise merely to a point of order.

The PRESIDENT: The Senator may state his point.

Mr. BARNES of Aroostook: Mr. President, if I understood the Senator from Kennebec, Senator Reid, properly, he was opposing my motion to adopt this resolution and said that if it prevailed, he would later move to substitute the original memorial for this one and I want to make my position clear on that. If the Senate decides to discard the work of the Judiciary Committee, we won't mind that at all. We did the best we could on it and if they should decide to throw that out, I would certainly be voting with Senator Reid in the final analysis. If you put that

question first, it may force some of the members of the Judiciary Committee into what may look like an inconsistent position. I thought the question was the adoption of this memorial.

The PRESIDENT: In the opinion of the Chair, the acceptance of the committee report would preclude the motion to substitute the original memorial for the redraft. So with reference to the statement of the Senator from Kennebec, Senator Reid, that he would put the motion at proper time, the proper time is now. The motion to substitute the original memorial would be only in order prior to the acceptance of the report. Is the point clear? Is the Senate ready for the question?

Mr. REID of Kennebec: Mr. President, do I understand that the Chair has ruled that the question now before the Senate is on the motion to substitute the bill for the report?

The PRESIDENT: That is correct.

Mr. REID of Kennebec: Mr. President, in view of the remarks made by the Senator from Aroostook, Senator Barnes, I wish to withdraw that motion so that the motion before the Senate may be upon the adoption of the new draft.

The PRESIDENT: The Chair will rule that if the Senator withdraws his motion, it will not be acceptable at a later time. It must be put now to be acceptable.

Mr. REID of Kennebec: Well, Mr. President, if it must be put now, I so move.

Mr. SLEEPER of Knox: Mr. President, as the man who introduced No. 460 in the first place, I wish to go on record as being very much in favor of the motion of the Senator from Kennebec to substitute the original bill for the committee report and in support of that feeling, I will say that two years ago, or a year ago at the special session, I stated the reasons I did not believe in this World Federalist movement and I have never deviated from that in the least. It is a fanciful, beautiful dream that can never be made a reality in the world today. I made several wild statements. I will admit saying that it stunk of communism and things like that

which I wish to say does not apply to the members in the State of Maine who are advocates of this World Federalist movement. I admire them for the sincerity of their purpose and I have gone through the list of those in the World Federalist movement and I don't think there is a question but what all of them are Americans to the core and that they are very sincere but we do know that the World Federalist movement is a growth from the old Oxford School of Locksley Hall that believes in the World Federalist movement and they can not deny it.

I just don't know what the object of World Federalist is but I would say it is the dying gasps of the British Empire wanting this country to pull their chestnuts out of the fire and keep their colonies intact in a hostile world and I certainly hope that the motion of the gentleman from Kennebec prevails and that we substitute the original memorial for the report of the committee.

Mr. BOYKER of Oxford: Mr. President, I wish to state my position in this matter. Until we can decide whether we can rescind the action taken two years ago in regard to a memorial, I feel that I should go along with the redraft of this bill.

Mr. LEAVITT of Cumberland: Mr. President, apparently, the issue here, at least the issue that has been brought to us, is that two years ago we did not know our own minds here in this Legislature. We went to work and asked Congress two years ago to please consider a World Federal government. We did not ask them to adopt it. We asked them if they would consider such a thing and Congress took our theme and they have considered a World Federal Government. They have discussed it; debated it; had committees study it. And now we are saying, or what they want us to say to Congress is to forget we said this to you. We are hasty and now we want to forget what you have done and forget what we asked you to do and now the State of Maine wants to say to you that we do not approve of even thinking about a World Federal Government and we up here in the State

of Maine want the world to continue as it has been. We want wars to get bigger and bigger and bigger and we eventually want the peoples of the world to kill each other off until there is no world. And we ask Congress, please do not think of this thing. Rush to your own destruction and allow the rest of the world to be destroyed because we in Maine feel that perhaps we can possibly escape this thing and we feel that somebody somewhere along the road misrepresented what we said.

But misrepresentation has been just as great on one side as it has been on the other. The main speaker against this resolution two years ago, or at the special session, has admitted just about two minutes ago that he made a great many wild statements relative to this and he was making the same wild statements then that several of the opponents of this bill have made. And they are wild statements. I will agree with him. That is one place I can agree with him heartily.

This bill here which is in this new redraft states clearly what I believe is the belief of the majority of the people of the State of Maine. It states what I believe. I don't care what somebody else has misrepresented of what somebody else has said about this thing but it says here that, "The Maine State Legislature approves giving the United Nations such limited governmental police and inspection powers as are necessary to control armaments and punish aggression." and if that isn't what the State of Maine wants, I am very surprised. And I believe that this resolution as it has been passed by the Judiciary Committee should pass this Legislature.

I think that almost all of the arguments that have been brought up here today have just been dust which has been put up to try to muddy the situation. Dust doesn't muddy the situation. Excuse me. But I believe that they tend to confuse the issue, and I hope that the motion to indefinitely postpone does not prevail.

Mr. REID of Kennebec: Mr. President, the only way that dust can muddy the situation is by adding water to it. I would like

to comment on the remarks made by Senator Boyker who says he is going along with the new draft until it is made clear whether or not the legislature has the right to rescind the action of the 94th legislature.

The right to change your mind is the right everyone has. People in the State of Maine have the right to change their minds. We are the elected representatives of the people of the State of Maine. We have the right to say that our opinion of two years ago in favor of world government is now changed because of the international situation and that however we may have felt two years ago, we now feel differently. I think we have a perfect right, if we feel that way, to rescind the Memorial of two years ago.

Senator Leavitt talks about wars and destruction. I don't know whether he said that because he is a World Federalist or not. In fact, I don't know from what he said whether or not he is a World Federalist and if he wishes to answer, I would like to inquire, through the Chair, if Senator Leavitt belongs to or is in favor of the world federalist movement.

Mr. LEAVITT of Cumberland: Mr. President, I am glad to answer the question. I am not a World Federalist in any way, shape or manner. I do not believe in a federal world government but I do believe that the salvation of this world depends upon a strong United Nations, with a United Nations police force in some way to control aggression in this world. I believe that everybody here should believe that, or some day we will face destruction.

Mr. REID: Mr. President, in view of the remarks of Senator Leavitt, that he is not a World Federalist, the issue is still clear. He, not being a World Federalist, believes that this modification of the original Memorial will take Maine out of the camp of the World Federalists. I believe it will not. I am not a World Federalist.

Mr. HASKELL of Cumberland: Mr. President, in a way I hesitate to enter into this controversy but I feel quite justified in reiterating what Senator Barnes has already said this morning, that not only

did your Judiciary Committee hold, if not the longest, at least one of the longest hearings on this particular subject matter. Certainly it has been considered in executive session for a longer period of time than any other bill or resolve reported out this session.

Basically it seems to me that this is not the issue of whether we are in favor of the world federalist movement or not. The difficulty that developed two years ago, in my opinion, was not what was done but was the way the people interpreted that which was done. Now if you go through the original document presented at the hearing before the committee, Legislative Document 460, I think, if you are fair minded, particularly those who remember the issue of two years ago, you will recognize that this original document is not factually correct as it is printed.

For example, it purports to state that the State of Maine is by its prior action approving the principles of world federation. So far as I have been able to ascertain that was not in the prior Memorial. It seems to me that if we are going to tackle this problem irrespective of the legal question of whether or not this legislature has the power to rescind action taken by the 94th legislature, we should consider the policy of the matter involved. If we start that procedure we don't know where it may end. If that is what we want to do should we do it by positive action rather than by negative. It seems to me that is what the committee, after many hours of consideration has attempted to do and to do it as fairly as they knew how.

Personally I cannot agree with the opinion of Senator Reid that the new draft, if the English language means what it says, can in any way, be interpreted now to say that Maine favors a world federation movement. I think as Senator Barnes mentioned earlier the clear cut statement in reference to the prior Memorial that was adopted and was misinterpreted and misunderstood by individuals and groups of individuals did actually state the situation. I don't know what final solution should be. As a member of the Judiciary Com-

mittee I do not hold a brief because that Committee after many hours of labor brought out a new draft that should clarify the situation.

In view of the remarks in the Senate this morning with reference to substituting the Memorial for the new draft that someone, whether it be on this committee or any other, will have to spend some time preparing amendments to make it factual and proper. Certainly I think that anyone who had the job assigned to him would contribute freely of his time and effort to amend it but so far as the Judiciary Committee is concerned, they certainly made every reasonable effort to consider this from every possible angle and to attempt to present to the Senate not only what was their best individual thinking, but a report which carried the unanimous endorsement of the committee after due and careful consideration.

Because of these reasons, and particularly in view of the fact that the new draft has had careful consideration and the original draft without question would have to be tinkered with before it could be finally approved, makes me believe we should give serious consideration to the approval of L. D. 1258.

Mr. BARNES of Aroostook: Mr. President one point I want to make clear to the Senate before the vote on this question, is this. If this were a unicameral legislature and this were the only Body to consider the matter, we could do almost anything we wanted to, but if this Memorial is to be adopted, it has to have approval of both branches of this Legislature and if it fails, the existing Memorial, passed by the 94th Legislature will still be in the Halls of Congress. I appreciate the motives of Senator Reid in wrapping himself in the American Flag. I would like to get under a corner of that flag myself. I am very anxious that we do something in this legislature to correct a wrong impression that the 94th Legislature gave to Congress.

I again repeat that this bill has the unanimous endorsement of the three Senate members and the seven House members of the committee and I believe its chance of passage in new draft is excellent.

I would like to see this legislature do something to correct the evil that was done two years and we have a much better chance of correcting it if we go along with the committee.

Mr. COLLINS of Aroostook: Mr. President, and members of the Senate, this question of the world federation movement and the question of the adoption of the redraft is indeed a very serious thing and one which has taken a lot of my time in consideration. I listened throughout the hearing with a great deal of interest. I have, to some extent, studied the literature of the world federation movement. I have studied the opposition to it and in both instances I think they have made points that have been clear and each has its merits.

I feel that the new draft that the Judiciary Committee has come out with is admirable. I think it states the position of the committee in its thinking that we do endorse the United Nations and whether that is on its way out or not is a matter of conjecture. It may be that two years from now that organization will be stronger than it is today. It may go out of the picture entirely, but I feel as Senator Barnes does, that the redraft is something that will be of benefit to the members of the legislature and will clarify our position and would be the best solution for all concerned.

Mr. BROGGI of York: Mr. President, here in the session today we recalled a bill and indefinitely postponed it because several towns whose residents live in a common country, who speak a common language, could not get together for the good of their children.

It seems to me that the United Nations which has been referred to as a group that is drawing its last gasp has been mistakenly referred to. Our federal government has reaffirmed its faith in the United Nations to the tune of sixty thousand boys lost in the conflict in Korea. Personally I am not a World Federalist and I sincerely hope that the redraft of this bill sees passage.

Mr. REID of Kennebec: Mr. President, these are my last words on this subject. I am delighted that

no member of this Senate has taken the floor to express himself as being in favor of world federation. That is one thing, one great thing that has been accomplished by this debate. I assume that if any member were in favor of world government they would so state. So I assume that since this Senate is unanimously against world government, the only question before us now is, will this modification of the Memorial passed two years ago take Maine out of the camp of the World Federalists as far as the nation is concerned, or will it not. In my opinion the only way we can get out of this situation is by rescinding the Memorial of two years ago. I have never said that the new draft in any way suggested world federalization. The phraseology and terminology is not in favor of world government and I do not think that is the issue. I think we have been tagged as world federalists and there is only one way we can get untagged and that is to rescind the Memorial of two years ago.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid that the original Memorial be substituted for the report of the Committee.

Mr. COLLINS of Aroostook. Mr. President, I move that the vote be taken by a division.

A division of the Senate was had. Seventeen having voted in the affirmative and thirteen opposed, the motion prevailed and the original Memorial was substituted for the report of the Committee.

Thereupon, on motion by Senator Reid of Kennebec, the original Memorial, S. P. 205 L. D. 460 was adopted.

Sent down for concurrence.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table bill, An Act Relating to Tuition High School Pupils in Mechanic Falls (H. P. 458) (L. D. 280) tabled by that Senator on March 8 pending passage to be engrossed.

Mr. NOYES of Hancock: Mr. President, it seems that there has been some misunderstanding about this bill. Through no fault of the Committee on Education, the opposition was not heard. The man who

was to oppose the bill, for some reason, neglected to perform his duty. I have checked with the Chairman of the Education Committee and we feel that the proper procedure is to recommit the bill to the Committee on Education, and I so move.

The motion prevailed and the bill was recommitted to the Committee on Education.

Sent down for concurrence.

On motion by Mr. Sleeper of Knox, the Senate voted to take from the table Senate Report Ought Not to Pass from the Committee on Transportation on bill, An Act Relating to Registration Plates for Junk Dealers (S. P. 446) (L. D. 1009) tabled by that Senator on March 22 pending acceptance of the report.

Mr. SLEEPER of Knox: Mr. President, we have apparently settled the affairs of the world and world government and taken a definite stand on that. So I would like to try to settle the affairs of the junk dealers. We take up big things and then little things. I introduced this bill, An Act Relating to Registration Plates for Junk Dealers, and at this time I wish to humbly apologize to the Committee on Transportation. They were very courteous. I did not attend the hearing and they invited me to appear before them in their executive session which I did not and I am not entitled to too much consideration.

I explained to the Chairman what I had in mind and they saw fit to pass the bill out Ought Not to Pass. Before I will agree to accept that, however, I would like to know the reasons that they voted this bill out Ought Not to Pass.

The reason I introduced that bill in the first place was that, as you all know, there is quite a business in gathering up the scrap iron and in the outlying rural districts, this is done more or less by itinerant junk collectors. Any man or boy and in some cases even a woman that owns a truck, when they have nothing to do, they go around and gather up scrap iron and bring it into the junk yards and sell it.

You all know as well as I do, all of you who have lived on farms, and most of you have at one time

or another, and you know that is one thing that the farmer has to contend with, junk and the sale of it.

I was approached on this proposition by a junk dealer in Rockland, a young fellow who is trying to make a decent, respectable business of gathering scrap iron. I will digress here for a moment. At the time the bill was drawn, I objected to the words, Junk Dealers, because they like to be known as scrap metal dealers. But I was told by this fellow—I don't know what his title is, Mr. Slosberg—but I was told by him that they are known in the legal profession who put it on the book as junk dealers and that they would have to be called junk dealers. But this man said that these itinerant junk dealers, men that aren't really in the business 365 days a year, that their common practice is to drive into a farmer's yard, blow the horn, make as much noise as they can, and if nobody appears, in many cases they pick up what junk there is in the yard, pile it onto the truck, drive out and are gone. There is no way to trace them because the truck is not identified or marked any more than any ordinary truck would be and when the word gets around that it was stolen, why it seems that some farmer down the road saw the truck drive out with the iron on it and he notifies the owner when he notices his scrap was gone that a junk dealer took it. And the junk dealers object to the flagrant abuse of that term, "Junk Dealer." They don't want to be known as thieves and they want to be properly identified. The real, legitimate, year-around junk dealers wanted to have this plate for which they were willing to pay to identify themselves so that any report which is made in the future by the person who sees a truck driving out of a yard loaded with junk, if there isn't a junk dealer's sign on it, they will not be able to say that a junk dealer stole the junk.

It is a very complicated process and I could see the reason that the dealers would like to be identified. There is a little bit of loss of caste in being a junk dealer, I presume, but they don't like to be known as thieves, too, and that was the rea-

son I introduced this simple little bill which is not quite as important as world government, perhaps, but it was a little bill to assist a certain profession in placing them upon a decent standard of ethics in their trade and they wanted to be registered as junk dealers and they are willing to pay for that special plate to be placed upon their trucks.

With that long digression, I would like to have the Transportation Committee tell me why they saw fit to report this bill out ought not to pass.

Mr. ALLEN of Cumberland: Mr. President and Members of the Senate, this is a very simple little bill. I suppose I could sum up our reasons by saying we didn't like it. We did have a public hearing on this bill. My good friend, Senator Sleeper, poked his head in the door a couple of times. We had quite a crowd because we had several important bills dealing with the trucking industry at the same time and we finally came to his bill. We stopped the hearing while we made a vain search for the Senator to no avail and one person remained for the hearing on this bill and he had a question as to what the definition of junk dealers meant. So I sent out for a copy of the revised statutes and we found as the lawyers probably know, that the term, junk dealers, covers a multitude of sins. I don't feel quite as sorry for the condition of the junk dealers as I might. It seems that they have done pretty well for themselves, especially those dealing in scrap iron. But the fact remains that the committee felt that junk dealers are not entitled to special registration plates. Possibly they should be registered by some department to show proper authority, but the issuance of special automobile or truck registration plates is not the answer. I have lived in the country. I have spent twenty-five summers up in the country. I know a lot of people call at your door. They do in the city, too, all sorts of people selling everything from groceries to the collection of junk. You can get short-changed and there are chicken thieves to walk into your barn and do a job on you, too.

I don't think this is the right approach to the problem and I think

the committee agreed that if there is a problem of identification, that identification should not be through the issuance of special registration plates to the junk dealers which would open up another separate file with the Secretary of State.

You could argue, it seems to me, that there are many other categories from which the public should be protected in addition to junk dealers. Somebody here has just mentioned senators. I think that is right, too.

So that, in brief, Senator Sleeper, was the reason the committee didn't like the bill. Perhaps other members of the Transportation Committee may want to enlarge on my remarks.

Mr. BOYKER: Mr. President and Members of the Senate, my reason for signing the ought not to pass report was this. We have already denied other worthy organizations a special plate and I see no reason why we should give the junk dealers a special plate.

Mr. SLEEPER of Knox: Mr. President, I have accomplished my purpose. I suppose that I could have done it privately. I could have asked these gentlemen why they did not see fit to give this important measure a favorable report. But I

am inclined to think that the smart thing to do is to accept the Ought Not to Pass Report. I realize that I have many friends here and I might possibly undoubtedly be able to substitute the bill for the report but they would be scurrying down the corridor in another body that we can't mention. They would take a different position in the matter and we would only waste time and money having this printed.

So, in order to save space in this calendar and to assist you in taking up these items I move we accept, and with a great deal of regret, the Ought Not to Pass Report of the Committee.

The PRESIDENT: The question before the Senate is on the acceptance of the Ought Not to Pass report of the Committee.

A viva voce vote being doubted

A division of the Senate was had

Nineteen having voted in the affirmative and seven opposed, the Ought Not to Pass report was accepted.

Sent down for concurrence.

On motion by Mr. Sleeper of Knox

Adjourned until ten o'clock tomorrow morning.