

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

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

STATE OF MAINE

**ONE-HUNDRED AND FIRST
LEGISLATURE**

Wednesday, January 2, 1963

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the One-Hundred and First Legislature convened in the Senate Chamber and were called to order by Chester T. Winslow, Secretary of the Senate of the One Hundredth Legislature.

Prayer was offered by Rev. Leslie Howland of the Pleasant Street Methodist Church of Waterville.

Communication from the Secretary State:

STATE OF MAINE

Office of the Secretary of State

January 3, 1963
Augusta, Maine

To Chester T. Winslow
Secretary of the Senate of the
One-Hundredth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the One-Hundred and First Legislature, as appears by the report submitted to the Governor and Council under date of November 21, 1962:

ANDROSCOGGIN COUNTY

ROMEO T. BOISVERT of Lewiston
PAUL A. COUTURE of Lewiston
EMILE JACQUES of Lewiston

AROOSTOOK COUNTY

AUGUSTA K. CHRISTIE
of Presque Isle
EDWARD P. CYR of Madawaska
E. PERRIN EDMUNDS
of Fort Fairfield

CUMBERLAND COUNTY

RALPH D. BROOKS, Jr.
of Yarmouth

ROBERT L. CRAM of Cumberland
SAMUEL A. HINDS

of South Portland
L. ROBERT PORTEOUS, Jr.
of Falmouth

FRANKLIN COUNTY

SHELTON C. NOYES of Rangeley

HANCOCK COUNTY

DWIGHT A. BROWN of Ellsworth
LOREN E. KIMBALL
of Mount Desert

KENNEBEC COUNTY

JOSEPH B. CAMPBELL of Augusta
RALPH W. FARRIS, Jr. of Gardiner
ROBERT A. MARDEN of Waterville

KNOX COUNTY

CARL M. STILPHEN of Rockland

LINCOLN COUNTY

MARGARET SPROUL of Bristol

OXFORD COUNTY

NORMAN K. FERGUSON
of Hanover
HAROLD S. PIKE of Waterford

PENOBSCOT COUNTY

WENDELL R. ATHERTON
of Holden
IDA M. HARRINGTON of Patten
SAMUEL W. PHILBRICK of Bangor
FREDERICK W. WHITTAKER
of Bangor

PISCATAQUIS COUNTY

CLYDE AUSTIN HICHBORN
of Medford Township

SAGadahoc COUNTY

CARLTON DAY REED, Jr.
of Woolwich

SOMERSET COUNTY

HARVEY JOHNSON of Smithfield
LLOYD H. STITHAM of Pittsfield

WALDO COUNTY

WILLIAM R. COLE of Liberty

WASHINGTON COUNTY

WILLIAM F. BOARDMAN of Calais
J. HOLLIS WYMAN of Milbridge

YORK COUNTY

GORDON E. BREWSTER of Wells

RALPH M. LOVELL of Sanford
RAYMOND J. LETOURNEAU

of Sanford

(Seal) IN TESTIMONY
WHEREOF I have
caused the seal of
the State to be
herewith affixed at
Augusta this second
day of January, A.
D., 1963, and of the
Independence of the
United States of
America the one
hundred and eighty-
seventh.

(Signed) PAUL A. MacDON-
ALD
Secretary of State

Which was Read and ordered
placed on file.

Roll Call

The roll being called, the following Senators-elect responded to their names: Atherton, Boardman, Boisvert, Brewster, Brooks, Brown, Campbell, Christie, Cole, Couture, Cram, Cyr, Edmunds, Farris, Ferguson, Hichborn, Hinds, Jacques, Johnson, Kimball, Letourneau, Lovell, Marden, Noyes, Pike, Porteous, Reed, Sproul, Stilphen, Stitham, Whittaker, and Wyman.

32 Senators-elect having answered to the roll-call, the Secretary declared that a quorum was present.

On motion by Mr. Cole of Waldo, that Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect was present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Mr. COLE reported that he had delivered the message with which he was charged and the Governor was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Thereupon, the Governor, the Honorable John H. Reed, attended by the Executive Council, came in and the Senators-elect took and sub-

scribed the oaths of office required by the Constitution.

The Governor addressed the Senate as follows:

GOVERNOR REED: Members of the Senate: Now that you have affixed your signatures to the certificates, it is an extreme pleasure for me to congratulate you as being members of the Maine Senate of the 101st Legislature of the State of Maine, and may I take advantage of this opportunity to welcome you to the State Capitol and to all of the manifold duties and responsibilities which you have come here to assume. Mrs. Reed joins me in this welcome and I would like to say in behalf of both of us that we look forward to many pleasant occasions during the tenure of your stay here in Augusta. There will be a number of official functions, the first of which will be tomorrow night, the Governor's Inaugural Ball. I hope that all of you will be able to attend that function as well as many others that will be taking place while you are here in the capital city. I am sure you are well aware of the many vital tasks that you have before you as a result of your studying, your reading and the information that was imparted to you at the Pre-legislative Conference. Probably no legislature in Maine's past history has been so well informed as to the magnitude of the problems that you ladies and gentlemen face. I have no question that you will meet up with these problems and solve them for the best interests of all of the people of the State of Maine. I am not going to belabor them or make any lengthy remarks concerning them because it will be my pleasure tomorrow to address you at length and to outline to you the solutions that I would recommend to a number of these problems.

Being here with you today of course always reminds me of my past service in the various bodies of the State Legislature, and yesterday, in pondering in my mind the few remarks I might make I picked up the biographical sketch of the 99th Legislature when I was privileged to be a member of this body and to be President of the Senate at that time, and I was amazed to find that in just the three years that transpired from

1959 to date there are now only two members of that body presently assembled here, two out of the new thirty-four which figures out to be a 90 per cent turnover in that relatively short space of time. I do not know how you can sum this up except to conclude that it is probably the vagaries of political life and the changes that do take place as we come to perform our tasks and others move in to take our places. But nevertheless, I would like to say that my experience, and I am sure it has been the experience of many of you who have been here in previous sessions, that it is a marvelous opportunity to develop friendships and to be of service at the same time. Obviously you will disagree with every member here at one time or other; you will agree and you will disagree, but you will finally conclude, I am certain, when your service has been completed it has been an excellent opportunity to be of service to your fellow citizens and also to enrich your personal experience in this great challenge and this great job that has to be done for our wonderful State of Maine. This opportunity means a lot to you and to the people you represent and to all the people of Maine, and in pursuing the assignments of the past that you have before you I would like to extend to you my heartiest cooperation. The door to the executive chamber will always be open, and I look forward to many conferences with all of you who are assembled here toward the end that we will have improved government, better government with each passing year here in our wonderful State of Maine.

It has been a pleasure to be here with you and to have administered your oath of office and to wish you well in the pursuing of your duties. Thank you very much. (Applause)

The Governor and Council then withdrew from the Senate Chamber.

On motion by Mr. Edmunds of Aroostook, the Secretary appointed the following committee to receive, sort and count ballots for the office of the President of the Senate:

Senators:

EDMUNDS of Aroostook
FERGUSON of Oxford
JACQUES of Androscoggin

Subsequently, the committee reported as follows:

Total number of votes cast 31.

Which report was accepted and Robert A. Marden having received a majority of all the votes cast, was declared elected President of the Senate for the political years 1963 and 1964.

Whereupon, Mr. Marden was escorted to the Chair by Mr. Jacques of Androscoggin and addressed the Senate as follows:

Mr. MARDEN of Kennebec: Members of the Senate, to say that I am not grateful would be less than sincere. I am grateful and humbly honored, of course. I shall miss Seat Number 5 and the delicious pain of debate but some fine and influential and inspirational people over the course of years, have stood where I happen to be standing now, and this too offers a great opportunity.

In looking over past legislative records to see what a newly elected Senate President has to say on this occasion I found remarks which appear in every single such occasion and that is that we are met together to tackle almost insurmountable problems for the benefit of the State of Maine. This is true today as it was years ago. I would point out a couple of thoughts which occur to me.

Number 1 is that the office which I now hold is an office which is equally effective to both political parties; that the President of the Senate is the President of the whole Senate and I would pass this suggestion to our friends in the so-called minority party, that I mean just what I say in that regard. Three quick thoughts. Number 1 I have already mentioned and that has been the thinking of the people who have stood here before me in the challenge that it offers.

Number 2, the new faces that appear before me. I see and I will see the look of surprise and frustration, the look of elation and pride over the course of the next few weeks and months. Two years ago I sat as a new member and I anticipate what your feelings are and

will be. To the extent that I can be helpful, I am willing to be so, of course. Just remember that when you ask a lawyer for free advice, you usually get your money's worth.

To the veterans and the old timers that I see here, at the moment at least, it is a comforting sight to see you here. I hope I shall be able to call upon your vast experience.

Members of the Senate, you have honored me, and I shall sincerely honor you by remarking once and for all that the state is indeed fortunate to have people such as you sitting here. With no further remarks then, let's proceed without pretention but with dignity. Let's open the lodge and get to work. Thank you very much.

On motion by Mr. Whittaker of Penobscot, Mr. Brown of Hancock was authorized to cast one ballot on the part of the Senate in favor of Chester T. Winslow for Secretary of the Senate. This was done, and Chester T. Winslow of Raymond was declared duly elected Secretary of the Senate for the political years 1963 and 1964.

At the request of the President, Mr. Whittaker escorted the Secretary-elect to the Council Chamber for the purpose of taking and subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Secretary of the Senate.

Subsequently, Mr. Whittaker reported to the Senate that he had attended to the duty assigned to him, and that Chester T. Winslow had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the discharge of the duties of the Secretary of the Senate.

On motion by Mrs. Sproul of Lincoln, Mr. Stilphen of Knox was authorized to cast one ballot on the part of the Senate in favor of Waldo H. Clark for Assistant Secretary of the Senate. This was done, and Waldo H. Clark of Jefferson was declared duly elected Assistant Secretary of the Senate for the political years 1963 and 1964.

Mr. Clark subsequently appeared before the Governor and Council, and took and subscribed the oaths of office.

On motion by Mr. Atherton of Penobscot, Mr. Lovell of York was authorized to cast one ballot on the part of the Senate in favor of Leland S. King for Sergeant-at-Arms of the Senate. This was done, and Leland S. King of Jefferson was declared elected Sergeant-at-Arms of the Senate for the political years 1963 and 1964.

On motion by Mr. Pike of Oxford, Mr. Cram of Cumberland was authorized to cast one ballot on the part of the Senate in favor of:

LELAND F. KING

for Assistant Sergeant-at-Arms

HARLAND C. LEIGHTON

for Postmaster

MAURICE KNOWLES

for Doorkeeper

LOIS E. BEAUCHAINE

for Page

TERRY MORRISON

for Page

This was done, and the President declared the several foregoing officers duly elected.

At this point, a message was received from the House announcing the organization of the House by the election of Honorable David Kennedy as Speaker, Harvey R. Pease as Clerk, and Roy Humphrey as Assistant Clerk.

At this point, at the request of the President, the Sergeant-at-Arms escorted the Honorable Shelton Noyes to Seat No. 5. (Applause)

On motion by Mr. Edmunds of Aroostook, that Senator was charged with a message to the House of Representatives informing that body that the Senate had organized by the choice of Robert A. Marden as President, the Honorable Chester T. Winslow as Secretary, and Waldo H. Clark as Assistant Secretary.

That Senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Porteous of Cumberland

ORDERED, the House concurring, that the returns of votes for the Governor, given in the several cities, towns and plantations of the

State for the political years 1963 and 1964, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join. (S. P. 11)

Which was Read and Passed.

Sent down for concurrence.

The President appointed:

Senators:

PORTEOUS of Cumberland
NOYES of Franklin
KIMBALL of Hancock
CAMPBELL of Kennebec
PHILBRICK of Penobscot
EDMUNDS of Aroostook
BOISVERT of Androscoggin

On motion by Mr. Stilphen of Knox

ORDERED, that a committee of seven be appointed by the President, to whom the returns of votes for Senators for the political years of 1963 and 1964 shall be referred for examination and report.

Which was Read and Passed.

The President appointed:

Senators:

STILPHEN of Knox
WYMAN of Washington
BREWSTER of York
JOHNSON of Somerset
HICHBORN of Piscataquis
WHITTAKER of Penobscot
PIKE of Oxford

Communication from Secretary of State:

STATE OF MAINE

Department of State

Augusta, Maine

January 3, 1963

To the President of the Senate and to the Speaker of the House of Representatives of the One-Hundred and First Legislature of the State of Maine:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Governor in the several cities, towns and plantations in the State of Maine at the General Election held on November 6, 1962, as submitted by the appropriate officials of the municipalities involved immediately following said election.

Respectfully,

(Signed) PAUL A. MacDONALD
Secretary of State

Which communication was read and referred to the Committee on gubernatorial Vote.

Sent down for concurrence.

Communication from the Secretary of State:

STATE OF MAINE

Office of the Secretary of State

Augusta, Maine

January 2, 1963

To the President of the Senate:

In compliance with the Constitution and Laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for State Senators in the several cities, towns and plantations in the State of Maine at the General Election held on November 6, 1962.

Respectfully,

(Signed) PAUL A. MacDONALD
Secretary of State

Which communication was read and referred to the Committee on Senatorial Vote.

On motion by Mrs. Christie of Aroostook

ORDERED, that the Secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate.

Which was Read and Passed.

On motion by Mr. Hinds of Cumberland

ORDERED, that subordinate officers of the Senate be appointed as follows: by the President, a Secretary to the President; by the Secretary, a Secretary to the Secretary, a Secretary to the Assistant Secretary, an Index Secretary, a Recording Secretary, and two Senate stenographers, one of whom will operate the Public Address System.

Which was Read and Passed.

On motion by Mr. Couture of Androscoggin

ORDERED, that the Secretary of the Senate be directed to secure uniforms for the subordinate officers of the Senate.

Which was Read and Passed.

On motion by Mr. Stitham of Somerset

ORDERED, that the Secretary of the Senate prepare and have

printed one hundred fifty diagrams of the Senate Chamber for the use of the Senate.

Which was Read and Passed.

On motion by Mr. Noyes of Franklin

ORDERED, that the official Reporter of the Senate be authorized to procure the services of an assistant reporter and typist during the present session.

Which was Read and Passed.

On motion by Mr. Ferguson of Oxford

ORDERED, that the rules of the Senate of the One-Hundredth Legislature be the rules of this Senate.

Which was Read and Passed.

On motion by Mr. Johnson of Somerset

ORDERED, that the Senate hold one session a day, commencing at ten o'clock in the forenoon, until otherwise ordered.

Which was Read and Passed.

On motion by Mr. Cyr of Aroostook

ORDERED, the House concurring, that the Joint Rules of the One-Hundredth Legislature be the Joint Rules of this Legislature. (S. P. 12)

Which was Read and Passed.

On motion by Mr. Letourneau of York

ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1963 be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and Library use; and be it further

ORDERED, that four hundred (400) copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the State Departments, under the direction of the Document Clerk, and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and Clerk of the House. (SP 13)

Which was Read and Passed.

Sent down for concurrence.

On motion by Mr. Reed of Sagadahoc

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House. (SP 14)

Which was Read and Passed.

Sent down for concurrence.

On motion by Mr. Campbell of Kennebec

ORDERED, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hearings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing forty-eight hours previous to the time when said rooms are to be used for that purpose. (SP 15)

Which was Read and Passed.

Sent down for concurrence.

On motion by Mrs. Sproul of Lincoln

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature at two o'clock this afternoon, in the Hall of the House, for the purpose of electing a Secretary of the State, State Treasurer, Attorney General, and seven Executive Councilors.

Which was Read and Passed.

The Secretary delivered the message.

At this point, a message was received from the House of Representatives borne by Harvey R. Pease, Clerk, informing the Senate that the House concurs in the recent proposal for a Joint Convention, to be held this afternoon, in the Hall of the House, at the time and for the purpose set forth in the message.

The PRESIDENT: The Chair recognizes in the Senate Chambers Mrs. Ruth Foster, our congenial Page of the 100th Legislature. It is nice to see you back here and we hope that your health is improving. (Applause)

On motion by Mr. Edmunds of Aroostook
 Recessed until 1:45 this afternoon.

After Recess

Senate called to order by the President.

At this time, under the Joint Rules, the President appointed as Senate members on the Committee on Reference of Bills:

Senators:

MARDEN of Kennebec
 (ex officio)
 EDMUNDS of Aroostook
 JACQUES of Androscoggin

Communication from the Governor:

**STATE OF MAINE
 EXECUTIVE CHAMBER**

Augusta, Maine
 January 2, 1963

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State of Maine I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years, 1961 and 1962, stating the name of the convict, the crime of which he was convicted, the sentence, and the condition, if any, upon which the same was granted.

(Signed) JOHN H. REED
 Governor

Which was Read and Ordered
 Placed on File.

Sent to the House.

At this point, the Senate retired to the Hall of the House of Representatives, where a Joint Convention was formed.

In Senate

The Senate was called to order by the President.

**Joint Select Committee Report on
 Gubernatorial Vote**

The Joint Select Committee of the One-Hundred and First Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1963, 1964, 1965 and 1966 has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 292,725; and that JOHN H. REED of Fort Fairfield had 146,604 votes; and that MAYNARD C. DOLLOFF of Gray had 146,121 votes.

(Signed) L. ROBERT PORTEOUS
 Chairman on the part
 of the House
 WILLIAM E. DENNETT
 Chairman on the part
 of the House

Which report was Read and Accepted.

Sent down for concurrence.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at ten o'clock.