

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 6, 1943

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the Ninety-first Legislature convened in the Senate Chamber and were called to order by Royden V. Brown, Secretary of the Senate of the Ninetieth Legislature.

Prayer was offered by the Rev. Charles A. Clough of Augusta.

Communication from the Secretary of State:

STATE OF MAINE

Office of the Secretary of State

To Royden V. Brown,
Secretary of the Senate,

of the Ninetieth Legislature:

In compliance with Section 36, Chapter 2, of the Revised Statutes, I hereby verify that the following are the names and residences of the Senators-elect to the Ninety-first Legislature, as appears by the report of the Governor and Council under date of October 7, 1942.

First Senatorial District—Sidney R. Batchelder, Joseph E. Harvey of Saco, George D. Varney of Kittery.

Second Senatorial District—Harold N. Hanold of Standish, Horace A. Hildreth of Cumberland, Clifford E. McGlauffin of Portland, Lauren M. Sanborn of Portland.

Third Senatorial District—Eugene H. Dorr of Mexico, Robert B. Dow of Norway.

Fourth Senatorial District—Jean Charles Boucher of Lewiston, Lincoln E. Clement of Durham, Nelson M. J. Peters of Lewiston.

Fifth Senatorial District—Ralph C. Hall of Wilton.

Sixth Senatorial District—Neil S. Bishop of Bowdoinham.

Seventh Senatorial District—Ralph W. Farris of Augusta, Edwin F. McGill of Belgrade, Robert Owen of Vassalboro.

Eighth Senatorial District—Francis H. Friend of Skowhegan, Ralph Sterling of Caratunk Plantation.

Ninth Senatorial District—Arthur L. Peakes of Milo.

Tenth Senatorial District—Harold L. Haskell of Lee, John E. Townsend of Bangor, Harold W. Worthen of Bangor.

Eleventh Senatorial District—Clifford H. Buck of Southport.

Twelfth Senatorial District—Albert B. Elliot of Thomaston.

Thirteenth Senatorial District—James L. Woodbury of Morrill.

Fourteenth Senatorial District—Hervey R. Emery of Bucksport, Almon B. Hodgkins of Bar Harbor.

Fifteenth Senatorial District—Oscar H. Dunbar of Machias, Frank P. Washburn of Perry.

Sixteenth Senatorial District—Harold Bragdon of Perham, George V. Brown of Caribou, Lee C. Good of Monticello.

IN TESTIMONY WHEREOF, I have caused the seal of the State to be herewith affixed at Augusta this sixth day of January, A. D. 1943 and of the Independence of the United States of America the one hundred and sixty-seventh.

(Seal)

HAROLD I. GOSS

Acting Secretary of State

Which was read and placed on file.

Roll Call

The roll being called, the following Senators-elect responded to their names:

Batchelder, Bishop, Boucher, Bragdon, Brown, Buck, Clement, Dorr, Dow, Dunbar, Elliot, Emery, Farris, Friend, Good, Hall, Hanold, Harvey, Haskell, Hildreth, Hodgkins, McGlauffin, McGill, Owen, Peakes, Peters, Sanborn, Sterling, Townsend, Varney, Washburn, Woodbury, Worthen.

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

On motion by Mr. Farris of Kennebec, 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. Farris 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.

Senators Take Oath

Thereupon, the Governor, the Honorable Sumner Sewall, attended by the Executive Council, came in before whom the Senators-elect took and subscribed the oaths of office required by the Constitution.

Address by the Governor

Members of the Senate of the Ninety-first Legislature:

At this time I want to extend a very cordial welcome to you all to the Capitol. I join with you, I know, in hoping that a very successful session will ensue and I wish you a very happy New Year.

The Governor and Council then withdrew.

On motion by Mr. Emery of Hancock, Mr. Brown of Aroostook was appointed a committee of one to cast one ballot on the part of the Senate in favor of the Honorable Horace A. Hildreth of Portland for President of the Senate; and that Senator having performed the duty assigned him, the Secretary declared the Honorable Horace A. Hildreth duly elected President of the Senate for the political years 1943 and 1944.

Mr. BOUCHER of Androscoggin: Mr. President, although at the caucus of last evening, I had the unanimous nomination of my party, I desire at this time to make the election of Mr. Hildreth unanimous.

Mr. Hildreth was escorted to the Chair by the Sergeant at Arms and thereupon addressed the Senate.

Address by The President

Members of the Senate of the Ninety-first legislature, the deep appreciation which I feel for the honor you have conferred upon me this morning can better be expressed, not by words but by actions.

It is my earnest hope that by the time the Ninety-first legislature adjourns, I will have made this appreciation very clear to each and every one of you through my devotion to the responsibilities of the office I hold and by my fairness to, and consideration of, all members of the Senate. Such will be my constant aim and endeavor. Furthermore, any help I am capable of giving to any fellow member of this Senate is always available for the asking.

I realize, to some degree at least, my own imperfections for the office

which you have conferred upon me but I am consoled by the realization that throughout our common labors to serve the state of Maine, of which we are all so justly proud, I shall constantly have your indulgence and utmost cooperation without asking for it, and I thank you in advance for it.

This legislature meets at the beginning of a year in which the war effort of the nation will probably reach full flood. In any war effort there are many scarcities and it seems fitting to mention two great scarcities over which this legislature has some control. The first of these, and the greatest, is time.

During recent months we have seen the Congress subjected to a wave of abuse and criticism principally aimed at its apparent inability to move with the rapidity the times demand. Whether or not this criticism has been justifiably aimed at the Congress, the fact remains that the public, particularly during war times, is very resentful of the inability of legislative bodies throughout the world to act with sufficient rapidity.

This legislature is under the overwhelming control of one political party. Consequently it is of the utmost importance that this legislature act with the greatest possible speed and efficiency consistent with fairness. Otherwise the outraged contempt of the public will descend upon us.

The second scarcity of which I wish to speak and over which this legislature has some control, is money. Prior to Pearl Harbor the national password in Washington seemed to be, "Give-me." The whole nation had the "gimmies" and each group was trying to raid the Treasury, time after time, to get more than their share at the expense of the public and these groups were accorded not merely envy but in some instances a degree of respect for being rather more successful than their contemporaries.

Since Pearl Harbor, there has developed a very encouraging reaction against this philosophy. The general public is now keenly resentful of any raid upon the Treasury in the interests of a particular group and of any maneuvers which interfere with the most successful prosecution of the war. This change in public opinion is a clear guide-post to this legislature. Any dollars that this legislature can divert to, or save

for, the maximum war effort will reflect great credit upon all its members.

In conclusion, I will say that it is our tragic privilege to live in the time of the greatest military crisis since Napoleon, in the time of the greatest economic crisis since Adam Smith first started to write on economics, and at the time of the greatest human crisis since the fall of the Roman Empire. But if it is our tragic privilege to be living in such times, it is also our great privilege to be living at the time of greatest opportunity to make our lives count in meeting these crises with all the courage and wisdom and fidelity that we can command.

The Chair awaits the pleasure of the Senate.

On motion by Mr. Owen of Kennebec, Mr. Worthen of Penobscot was authorized to cast one ballot on the part of the Senate in favor of Royden V. Brown for Secretary of the Senate. This was done and Royden V. Brown of Skowhegan was declared duly elected Secretary of the Senate for the political years 1943 and 1944.

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

Subsequently Mr. Harvey reported to the Senate that he had attended to the duty assigned him, and that Royden V. Brown 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 Mr. Hall of Franklin, Mr. Clement of Androscoggin was authorized to cast one ballot on the part of the Senate in favor of Chester T. Winslow for Assistant Secretary of the Senate. This was done, and Chester T. Winslow of Raymond was declared duly elected Assistant Secretary of the Senate for the political years 1943 and 1944.

On motion by Mr. Dorr of Oxford, Mr. Townsend of Penobscot was authorized to cast one ballot on the part of the Senate in favor of Waldo

H. Clark, of Jefferson, for Sergeant at Arms of the Senate.

This was done, and Waldo H. Clark was declared duly elected Sergeant at Arms of the Senate for the political years 1943 and 1944.

On motion by Mr. Perkins of Piscataquis, Mr. Good of Aroostook was authorized to cast one ballot on the part of the Senate in favor of:

Leland S. King for Asst. Sergeant at Arms.

H. H. Crie for Doorkeeper.

Ruth Foster for Page.

Howard Slosberg for Page.

Jeremiah Kennedy for Postmaster.

On motion by Mr. Elliot of Knox, that Senator was charged with a message to the House of Representatives, informing that body that the Senate had organized by the choice of the Honorable Horace A. Hildreth as President, Royden V. Brown as Secretary, and Chester T. Winslow 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. Dow of Oxford that Senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of the Honorable Horace A. Hildreth as President, Royden V. Brown as Secretary, and Chester T. Winslow as Assistant Secretary.

Communication from the Department of State, Transmitting the Senatorial Vote:

STATE OF MAINE

Office of the Secretary of State
Augusta, Maine.
January 6, 1943.

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 September 14, A. D. 1942.

Respectfully,

HAROLD I. GOSS,

Acting Secretary of State.

Which was read and on motion by Mr. Hanold of Cumberland was referred to the Committee on Senatorial Vote.

Orders

On motion by Mr. Batchelder of York, it was

ORDERED, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years of 1943 and 1944 shall be referred for examination and report.

The President appointed:

Senators Bishop of Sagadahoc, Dunbar of Washington, Bragdon of Aroostook, Sterling of Somerset, Boucher of Androscoggin, McGlauffin of Cumberland, Woodbury of Waldo.

On motion by Mr. Washburn of Washington, it was

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

On motion by Mr. Hodgkins of Hancock, it was

ORDERED, that the Official Reporter of the Senate be authorized to procure the services of a type-writing operator during the present session at an expense not exceeding \$400; also an assistant reporter at an expense not exceeding \$700; for the preparation and completion of the Legislative Record.

On motion by Mr. Peters of Androscoggin, it was

ORDERED, that the Secretary of the Senate be authorized to secure the services of three stenographers for the present session; one for the office of the President, and two for the office of the Secretary.

From the House, out of order:

A message was received from the House of Representatives by Mr. Sleeper its Republican Floor Leader, informing the Senate that the House had organized by the choice of the Honorable Ardine Richardson of Strong as Speaker, Harvey R. Pease of Wiscasset as Clerk, and Roy S. Humphrey of Augusta as Assistant Clerk.

On motion by Mr. Megill of Kennebec, it was

ORDERED, that the Secretary of the Senate prepare and have printed 150 diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Buck of Lincoln, it was

ORDERED, that the rules of the Senate of the Ninetieth Legislature be the rules and orders of this Senate.

On motion by Mr. Haskell of Penobscot, it was

ORDERED, that Charles P. Lyford of Augusta be appointed Official Reporter of the Senate with the same compensation as paid at the last regular session of the Legislature.

On motion by Mr. Varney of York, it was

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

On motion by Mr. Sanborn of Cumberland, it was

ORDERED, the House concurring, that the Joint Rules of the Ninetieth Legislature be the Joint Rules of this Legislature. (S. P. 1)
Sent down for concurrence.

On motion by Mr. Farris of Kennebec, it was

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. (S. P. 3)

Sent down for concurrence.

Communication from the Secretary of State:

STATE OF MAINE DEPARTMENT OF STATE

Augusta, January 6, 1943.

To the President of the Senate and to the Speaker of the House of Representatives, of the Ninety-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 September 14, 1942.

Respectfully,

(Signed) HAROLD I. GOSS
Acting Secretary of State.
(S. P. 11)

Orders

On motion by Mr. Townsend of Penobscot, it was

ORDERED, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1943 and 1944 be referred to a joint select committee of seven on the part of the Senate with such as the House may join. (S. P. 5)

Sent down for concurrence.

On motion by Mr. Batchelder of York, it was

ORDERED, the House concurring, that three hundred and seventy-five (375) copies of the Legislative Record for the session of 1943 be printed and bound, one copy each for the members of the Senate, House of Representatives, and 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 three hundred and seventy-five (375) copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the departments, under the direction of the Document Clerk, and be it further

ORDERED, that a suitable index be prepared for such Legislative Record under the direction of the Secretary of the Senate and Clerk of the House, at an expense not exceeding five hundred dollars. (\$500.00) (S. P. 6)

Sent down for concurrence.

On motion by Mr. Emery of Hancock, it was

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. (S. P. 7)

Sent down for concurrence.

On motion by Mr. Washburn of Washington, it was

ORDERED, the House concurring, that A. O. Robinson be State House Investigator during the present session of the Legislature at

the same rate of compensation paid Mr. Robinson during the last session. (S. P. 8)

Sent down for concurrence.

On motion by Mr. Hanold of Cumberland, it was

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives for mileage, the amounts included in lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively. (S. P. 10)

Sent down for concurrence.

On motion by Mr. Elliot of Knox
Recessed until 2.00 P. M.

After Recess

The Senate was called to order by the President.

Orders

On motion by Mr. Bishop of Sagadahoc, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature forthwith in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, Attorney General, and seven Executive Councillors.

The Secretary delivered the message.

Subsequently a message was received from the House of Representatives by Mr. Pease, its Clerk, announcing that that branch concurred in the proposition of the Senate for a Joint Convention for the purpose of electing a Secretary of State, Treasurer of State, Attorney General and seven Executive Councillors.

Whereupon the Senate retired to the Hall of the House of Representatives where a joint convention was held.

(For proceedings of Joint Convention see House Report.)

In the Senate

The Senate was called to order by the President.

Order

Mr. Dow of Oxford presented the following order and moved its passage:

ORDERED, the House concurring, there is hereby created a com-

mittee on supplies and personnel to comprise seven members, two from the Senate, including the President ex officio, and five from the House, including the Speaker of the House ex officio. The President of the Senate shall be Senate Chairman thereof and the Speaker of the House shall be House Chairman thereof. The Senate members, other than the President of the Senate shall be appointed by him, and the House members, other than the Speaker of the House, shall be appointed by him. It shall be the duty of this committee to compile and maintain an inventory of all property and supplies owned by or purchased for the Legislature, to approve all purchases and requisition the same from the State Purchasing Agent, to determine what equipment and supplies are required by legislative committees and allocate the same, to recommend to the Legislature what items shall be given to the members or officers as gifts or souvenirs, to hire all clerks, secretaries and stenographers for legislative committees and to assign them as may be necessary to such committees, and to recommend to the Legislature their per diem compensation. This committee shall have authority to sell legislative equipment or supplies to other State departments through the State Purchasing Department in cases where the economy and best interests of the State will be served. (S. P. 12)

Mr. DOW of Oxford: Mr. President, if it is in order, I would like to make a few brief remarks of explanation regarding this order so that the Senate may know the purposes for which it is being introduced and what the committee hopes it will accomplish.

The PRESIDENT: Does the Senator wish to make his remarks before the reading of the order or after?

Mr. DOW: After the reading, Mr. President.

The Secretary read the order.

Mr. DOW: Mr. President and members of the Senate, this order, which is in the form of a suggestion, emanates from the Legislative Research Committee of which I am chairman and for that reason I would like to explain but not argue on the merits of the order. By explaining I mean stating the purpose for which it is introduced and what we think it may accomplish.

I want to say that the committee does not say the order is perfect but at least it is a suggestion. In our final report to this legislature we called attention to some places where we thought savings could be made. This is an attempt along one of those lines, to make one of those savings.

It seems that there has not been previously, and is not now, any inventory kept of legislative equipment. It seems as if that has not existed and that it would be a good idea for us to keep track of such equipment. There are durable items of equipment that can be kept and used from one year to another.

It seems also that on some of the smaller or minor committees some money could be saved on clerkships' and stenographers' salaries. We know that some committees have full time clerks and stenographers and the chairmen of those committees, I mean standing committees, could probably pick their own personnel but they would go to this committee, as suggested by this order, and say to it, "You know that we have a full time committee and should have these people full time." That probably would be O. K.

But in these smaller committees fewer people could do the work and the chairman of one committee could arrange his hearings so that the same clerks and stenographers could be used by some other committee, and some money might be saved.

I have been told that this is not a new idea and is merely a restatement of what has been tried before and I think that is true. The committee doesn't wish to argue this at all. It is a suggestion carrying out a recommendation made in our report.

Mr. McGLAUFLIN of Cumberland: Mr. President, I happened to see in a Portland paper a report that this committee had made for the purpose of bringing about economy in the state and in that article it stated that they proposed to have clerks of committees serve more than one committee, that they proposed to cut out allowing members to carry off waste baskets, spittoons and ash trays, and it went so far as to curtail the pencils that would be allowed to members of the committees.

I haven't any question about the sincerity of the report of the committee but I think it is evident that

this is a measure which we should carefully consider before we pass it. I will say that I have served for some time on the Judiciary Committee and we need a full time clerk, we need a full time assistant and we need a full time secretary, and I have usually been provided with three pencils and I think the state can afford those pencils. Now I want ample paper for my purposes. I want the use of a waste basket for my desk. I want the privilege of an ash tray for my desk. And if you think that we are getting too much out of the state in getting these little things, I want to call your attention to the fact that if any member of this Senate in the past has been able to get enough out of his salary to pay his expenses he has been lucky, and the price of commodities has gone up so that in all probability most of us will be in the red so far as anything we can get out of the State of Maine for our services here this winter is concerned.

I have no objection to some measure being passed that prevents taking away waste baskets and spittoons. I have no objection to having the smaller committees, if they can do it, having one clerk serve more than one committee. But I don't

want to place in the hands of the committee authority to carry out such a suggestion on economy by somebody who thinks we shouldn't have full time clerks on important committees, and that we shouldn't have a few packs of cards to play with during our spare time in the lobbies if we want them. I move that this order be laid upon the table.

The motion prevailed and the order was laid upon the table pending passage.

Mr. ELLIOT of Knox: Mr. President, I move that 200 copies of the order just laid upon the table be mimeographed so that all members of the legislature may see and study it.

The motion prevailed.

The President appointed the following members on the part of the Senate of the Committee on gubernatorial Vote:

Senators Clement of Androscoggin, Bragdon of Aroostook, McGlaflin of Cumberland, Dorr of Oxford, Bishop of Sagadahoc, Varney of York, Sterling of Somerset.

On motion by Mr. Elliot of Knox
Adjourned until tomorrow morning at ten o'clock.