

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Wednesday, January 3, 1945.

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

Prayer was offered by the Reverend 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 Ninety-first Legislature:

In compliance with Section 1, Chapter 9, of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Ninety-second Legislature, as appears by the declaration of the Governor and Council under date of November 15, 1944:

First Senatorial District—Sidney R. Batchelder of Parsonsfield, Joseph T. Sayward of Kennebunk, George D. Varney of Kittery.

Second Senatorial District—Robert E. Cleaves Jr. of Portland, Ralph A. Leavitt of Portland, George B. Morrill Jr. of Windham, Arthur G. Spear of Portland.

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

Fourth Senatorial District—Jean Charles Boucher of Lewiston, Leonard B. Currier of Lewiston, Raymond R. N. Gould of Lewiston.

Fifth Senatorial District—Ralph C. Hall of Wilton.

Sixth Senatorial District—Neil S. Bishop of Bowdoinham.

Seventh Senatorial District—Burton M. Cross of Augusta, Bryant L. Hopkins of Waterville, Robert Owen of Vassalboro.

Eighth Senatorial District—Brooks E. Savage of Skowhegan, Ralph Sterling of Caratunk Plantation.

Ninth Senatorial District—Carroll L. McKusick of Parkman.

Tenth Senatorial District—Ruth Thorndike Clough of Bangor, John

H. Howes of Charleston, John E. Townsend of Bangor.

Eleventh Senatorial District—Edward B. Denny, Jr. of Damariscotta.

Twelfth Senatorial District—William T. Smith of Thomaston.

Thirteenth Senatorial District—Charles Conant Clements of Winterport.

Fourteenth Senatorial District—Malcom P. Noyes of Franklin, Clifford M. Willey, Jr. of Ellsworth.

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

Sixteenth Senatorial District—George V. Brown of Caribou, Lee C. Good of Monticello, Harley D. Welch of Chapman.

IN TESTIMONY WHEREOF I have caused the seal of the State to be herewith affixed at Augusta this third day of January, A. D. 1945, and of the Independence of the United States of America the one hundred and sixty-ninth.

(Seal)

HAROLD I. GOSS
Secretary of State.

Which was read and placed on file.

On motion by Mr. DOW of Oxford, 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. DOW reported that he had delivered the message with which he was charged and the Governor was pleased to reply that he will 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

GOVERNOR SEWALL: Members of the Senate, in looking over the

past legislative records I find this is not infrequently an occasion for extended remarks by the outgoing Governor, but I want to assure you I feel no such urge this morning. I am, however, delighted to welcome you all to the State House and this fine old Chamber which has so many happy memories for me. I want to personally express my own appreciation to so many of you who have been so friendly and so helpful to me during the past four years and during the preceding years that I was a member of this Body or the other Body — if I may mention it in this Chamber, and I want to wish you a very happy and successful session. I personally feel there is no satisfaction greater than trying to solve problems for the people of Maine. It is a tremendously satisfying undertaking and I extend to you my very best wishes in carrying out your duties during this coming session.

(Applause, the members rising.)

The Governor and Council then withdrew.

Thereupon, on motion by Mr. BROWN of Aroostook, Mr. LEAVITT of Cumberland was appointed a committee of one to cast one ballot on the part of the Senate in favor of the Honorable George D. Varney of York for President of the Senate; and that Senator having performed the duty assigned him, the Secretary declared the Honorable GEORGE D. VARNEY duly elected President of the Senate for the political years 1945 and 1946.

Mr. BOUCHER of Androscoggin: Mr. Secretary, I wish to make the election of Mr. Varney unanimous.

Mr. VARNEY was escorted to the Chair by the Senator from Androscoggin, Senator Boucher.

Address by the President:

PRESIDENT VARNEY: Members of the Senate, I certainly would not feel satisfied if I felt at this time I could present to you my thanks for this honor only by words. It is my sincere intention to demonstrate my gratitude, by my conduct throughout the session as your presiding officer and humble servant. All but five of you, through previous legislative experience, are well acquainted with my faults as well as my virtues. To those five men, I say I believe in a substantial compliance with the rules adopted by

this Senate for our procedure. Those rules are designed to give and do give to each member of the Senate an opportunity to express his or her views on all issues culminating in a decision, a well considered decision of a majority, which is always for the benefit of the people of the State. My private office will never be private to any of you Senators. I welcome you there at all times and I request that you come freely with suggestions, questions and criticisms.

Now, in anticipation of a very pleasant session, the Chair awaits the pleasure of the Senate.

On motion by Mr. Gould of Androscoggin, Miss Clough 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 1945 and 1946.

At the request of the President, Mr. Owen of Kennebec 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. Owen reported to the Senate that he had attended to the duty assigned to 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. Morrill of Cumberland, Mr. Welch of Aroostook 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 1945 and 1946.

Mr. Winslow subsequently appeared before Royden V. Brown authorized Dedimus Justice, and took and subscribed the oaths of office.

On motion by Mr. Smith of Knox, Mr. Cleaves of Cumberland was authorized to cast one ballot on the part of the Senate in favor of

Waldo H. Clark, of Jefferson, for Secretary 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 1945 and 1946.

On motion by Mr. Dunbar of Washington, Mr. Hall of Franklin, was authorized to cast one ballot on the part of the Senate in favor of:

LELAND S. KING
for Asst. Sergeant at Arms
JOHN T. DOUGHTY
for Postmaster
NOYES H. WHEELER
for Doorkeeper
RUTH FOSTER
for Page
WILLIAM S. SEWALL
for Page

On motion by Mr. Spear of Cumberland, 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 George D. Varney 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. Cross of Kennebec 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 George D. Varney 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 3, 1945.

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 elec-

tion held on September 11, A. D. 1944.

Respectfully,
HAROLD I. GOSS
Secretary of State.

Which was read, and on motion by Mr. Savage of Somerset was referred to the Committee on Senatorial Vote.

From the House, out of order: A message was received from the House of Representatives by Mr. Ward its Republican Floor Leader, informing the Senate that the House had organized by the choice of the Honorable George B. Barnes of Houlton as Speaker, Harvey R. Pease of Wiscasset as Clerk, and Roy S. Humphrey of Augusta as Assistant Clerk.

Orders

On motion by Mr. Washburn of Washington, 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 1945 and 1946 shall be referred for examination and report.

The President appointed:
Senators:

DUNBAR of Washington
BISHOP of Sagadahoc
STERLING of Somerset
WELCH of Aroostook
HOWES of Penobscot
HOPKINS of Kennebec
CURRIER of Androscoggin

On motion by Mr. Batchelder of York, it was

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

On motion by Mr. Savage of Somerset, it was

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

On motion by Mr. Boucher 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.

On motion by Mr. Willey of Hancock, 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. Dorr of Oxford, it was

ORDERED, that the rules and orders of the Senate of the Ninety-first Legislature be the rules and orders of this Senate.

On motion by Mr. Howes 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. Sayward of York, it was

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

On motion by Mr. Clements of Waldo, it was

ORDERED, the House concurring, that the Joint Rules of the Ninthieth Legislature be the Joint Rules of this Legislature.

Sent down for concurrence.

Subsequently the foregoing order was returned having been read and passed in concurrence.

On motion by Mr. Brown of Aroostook, it was

ORDERED, that John S. Parker of Richmond be appointed as folder for the Senate for the political years 1945 and 1946.

On motion by Mr. Hopkins of Kennebec, 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 hearing 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. 6)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House having been read and passed in concurrence.

On motion by Mr. McKusick of Piscataquis, it was

ORDERED, the House concurring, that Arthur G. 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. 7)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

On motion by Mr. Brown of Aroostook, 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. 8)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

On motion by Mr. CURRIER of Androscoggin, 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 1945 and 1946 be referred to a joint select committee of seven on the part of the Senate with such as the House may join. (S. P. 4)

Sent down for concurrence.

On motion by Mr. GOOD of Aroostook it was

ORDERED, the House concurring, that three hundred and seventy-five (375) copies of the Legislative Record for the session of 1945 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 it was 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 Leg-

islature 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. 5)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

On motion by Mr. Noyes of Hancock, 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. 2)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

Communication from the Secretary of State:

STATE OF MAINE
DEPARTMENT OF STATE
Augusta,

January 3, 1945.

To the President of the Senate and to the Speaker of the House of Representatives, of the Ninety-second 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 11, 1944.

Respectfully,

HAROLD I. GOSS

Secretary of State. (S. P. 3)

Which was read and referred to the Committee on Gubernatorial Vote.

Sent to the House.

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

Senators Dorr of Oxford, Bishop of Sagadahoc, Sterling of Somerset, Willey of Hancock, Cleaves of Cumberland, Cross of Kennebec, Currier of Androscoggin.

On motion by Mr. OWEN of Kennebec, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature at 2:30 this afternoon in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, Attorney General, State Auditor, Commissioner of Agriculture 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, State Auditor, Commissioner of Agriculture and seven Executive Councillors.

On motion by Mr. Spear of Cumberland, it was

ORDERED, the House concurring, that the Governor's desk and chair be presented to him as a gift from the Ninety-second Legislature.

Sent down for concurrence.

On motion by Mr. Brown of Aroostook

Recessed until 2:25 P. M.

AFTER RECESS

The Senate was called to order by the President.

From the House, out of order and under suspension of the rules:

Bill "An Act Relating to Trial Terms of the Superior Court in Aroostook County." (H. P. 1)

Which bill was received by unanimous consent, under suspension of the rules, read twice, and passed to be engrossed in concurrence, without reference to a committee.

From the House, out of order and under suspension of the rules:

Joint Order:

ORDERED, the Senate concurring, that the Revisor of Statutes be authorized to distribute to the Members of the 92nd Legislature, the Justices of the Superior Court and the Supreme Judicial Court and the several County Attorneys an unbound set of the Revised Statutes of 1944. (H. P. 2)

Which was read and passed in concurrence.

On motion by Mr. Hall of Franklin

Adjourned until tomorrow morning at ten o'clock.