

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, January 1, 1947

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

Prayer was offered by the Reverend Cymbrid Hughes of Augusta.

Communication from the Secretary of State:

STATE OF MAINE
OFFICE OF THE SECRETARY
OF STATE
To Chester T. Winslow, Secretary
of the Senate of the Ninety-second 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-third Legislature, as appears by the report of the Governor and Council under date of October 9, 1946:

First Senatorial District—Sidney R. Batchelder of Parsonsfield, Frederick H. Davis of Buxton, George D. Varney of Kittery.

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

Third Senatorial District—Ralph E. Edwards of Oxford, John C. MacKinnon of Mexico.

Fourth Senatorial District—Jean Charles Boucher of Lewiston, Ernest A. Boutin of Lewiston, Roger P. Dube of Lewiston.

Fifth Senatorial District—Clarence S. Crosby of Farmington.

Sixth Senatorial District—Neil S. Bishop of Bowdoinham.

Seventh Senatorial District—Ray S. Baker of Gardiner, Burton M. Cross of Augusta, Bryant L. Hopkins of Waterville.

Eighth Senatorial District—Arthur E. Ela of Anson, Brooks Savage of Skowhegan.

Ninth Senatorial District—Carroll L. McKusick of Parkman.

Tenth Senatorial District—Ruth Thorndike Clough of Bangor, Robert N. Haskell of Bangor, R. Leon Williams of Clifton.

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

Twelfth Senatorial District—William T. Smith of Thomaston.

Thirteenth Senatorial District—Edwin H. Greeley of Morrill.

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

Fifteenth Senatorial District—Oscar H. Dunbar of Machias, Ned H. Murchie of Calais.

Sixteenth Senatorial District—George B. Barnes of Houlton, George V. Blanchard of Presque Isle, Harley D. Welch of Chapman.

IN TESTIMONY
WHEREOF I have
caused the seal of
the State to be
herewith affixed at
Augusta this first
day of January, A.
D., 1947, and of the
Independence of the
United States of
America the one
hundred and seven-
ty-first.

HAROLD I. GOSS
Secretary of State.

Which was read and placed on file.

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

Baker, Barnes, Batchelder, Bishop, Blanchard, Boucher, Boutin, Cleaves, Clough, Crosby, Cross, Davis, Denny, Dube, Dunbar, Edwards, Ela, Greeley, Haskell, Hopkins, Leavitt, MacKinnon, McKusick, Morrill, Murchie, Noyes, Savage, Smith, Spear, Varney, Welch, Willey, Williams.

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

On motion by Mr. Dunbar of Washington 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. Dunbar 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 Horace Hildreth, attended by the Executive Council, came in, before whom the Senators-elect took and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew.

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

Senators: **BATCHELDER** of York
CLEAVES of Cumberland
BOUTIN of Androscoggin

Subsequently the committee reported as follows:—

Total number of votes cast	32
Mr. Boucher of Androscoggin had	3
Mr. Varney of York had	29

Mr. Varney of York was declared elected President of the Senate for the political years 1947 and 1948.

Mr. **BOUCHER** of Androscoggin: Mr. Secretary, I move that the election of the Honorable George D. Varney as President of the Senate be made unanimous.

The motion prevailed and Mr. Varney was escorted to the Chair by Mr. Cleaves of Cumberland.

The **PRESIDENT**: Members of the Senate, I accept this honor with the full realization of the responsibilities which go along with it. I intend to demonstrate my personal appreciation by serving you throughout the session as your most humble servant. To those of you who are new to the Senate, at least, I will say that I expect to spend the time that the Senate is not in formal session in or near the office of the President of the Senate. I request you to make it a habit to visit with me there where your recommendations and especially your criticisms will be not only welcomed but appreciated because I know they come from your heart.

I am sure we all know, though perhaps we do not always realize it, that only by compliance with the rules of procedure, when this Body is in session at least, can we effect that full opportunity for free, frank and open discussion of all problems of state which results ultimately in well considered decisions of the majority, the best we can hope for to the benefit of the citizens of the

State of Maine. And to that end I ask, and I know I will receive, your full cooperation throughout the session.

The Chair awaits the pleasure of the Senate.

On motion by Mr. Morrill of Cumberland, Mr. Hopkins of Kennebec 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 1947 and 1948.

At the request of the President, Mr. Morrill of Cumberland 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. Morrill 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 Mr. Welch of Aroostook Mr. Willey of Hancock 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 1947 and 1948.

Mr. Clark subsequently appeared before Dedimus Justice, and took and subscribed the oaths of office.

On motion by Mr. Cleaves of Cumberland, Mr. Smith of Knox 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 Mr. King declared duly elected Sergeant-at-Arms of the Senate for the political years 1947 and 1948.

On motion by Mr. Davis of York, Mr. Bishop of Sagadahoc was authorized to cast one ballot on the part of the Senate in favor of:

John S. Parker for Asst. Sergeant-at-Arms.

John Doughty for Postmaster.
Leland S. King, Jr., for Door-keeper.

On motion by Miss Clough of Penobscot, 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 of York as President, 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 she had delivered the message with which she was charged.

On motion by Mr. Barnes of Aroostook, 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 of York as President, Honorable Chester T. Winslow as Secretary, and Waldo H. Clark as Assistant Secretary.

That Senator retired to the Council Chamber and subsequently reported that he had delivered the message with which he was charged.

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

STATE OF MAINE
OFFICE OF THE SECRETARY
OF STATE

Augusta, Maine
January 1, 1947

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 9, A. D. 1946.

Respectfully,

HAROLD I. GOSS,
Secretary of State.

Which communication was read, and on motion by Mr. Batchelder of York laid upon the table pending reference to a committee.

A message was received from the House of Representatives informing the Senate that the House had organized by the choice of the Honorable John F. Ward of Millinocket as Speaker, the Honorable Harvey

Pease as Clerk and Roy S. Humphrey as Assistant Clerk.

Order

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 1947 and 1948 shall be referred for examination and report.

The President appointed:
Senators: DUNBAR of Washington
BISHOP of Sagadahoc
BAKER of Kennebec
WILLIAMS of Penobscot
DAVIS of York
MacKINNON of Oxford
BOUCHER of Androscoggin

On motion by Mr. Batchelder of York, the Senate voted to take from the table the communication on the Senatorial vote from the Secretary of State tabled earlier in today's session, and on further motion by the same Senator, the communication was referred to the Committee on Senatorial Vote.

Orders

On motion by Miss Clough of Penobscot, 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. Cross of Kennebec, it was

ORDERED, that Charles P. Lyford of Augusta be appointed Official Reporter of the Senate.

On motion of Mr. Davis of York, it was

ORDERED, that the Official Reporter of the Senate be authorized to procure the services of a secretary during the present session; also an assistant reporter for the preparation and completion of the Legislative Record.

On motion by Mr. Edwards of Oxford, 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. Hopkins 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. Ela of Somerset, it was

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

On motion by Mr. McKusick of Piscataquis, 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. Boucher of Androscoggin, it was

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

Communication from the Secretary of State:

**STATE OF MAINE
DEPARTMENT OF STATE**

Augusta, January 1, 1947
To the President of the Senate and to the Speaker of the House of Representatives of the Ninety-third 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 9, 1946.

Respectfully,

HAROLD I. GOSS
Secretary of State

(S. P. 2)

Which was read and on motion by Mr. Cleaves of Cumberland was laid upon the table pending reference to a committee.

Orders

On motion by Mr. Greeley of Waldo, 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.

On motion by Mr. Cleaves of Cumberland, 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 1947 and 1948 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.

The President appointed on the part of the Senate:
Senators:

CLOUGH of Penobscot
WILLEY of Hancock
BLANCHARD of Aroostook
HOPKINS of Kennebec
GREELEY of Waldo
ELA of Somerset
BOUTIN of Androscoggin

On motion by Mr. Cleaves of Cumberland, the Senate voted to take from the table Communication on the Gubernatorial Vote from the Secretary of State, tabled earlier in today's session, and on further motion by the same Senator, the Communication was referred to the Committee on Gubernatorial Vote.
Sent down for concurrence.

Orders

On motion by Mr. Murchie of Washington, it was

ORDERED, the House concurring, that there shall 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. 5)

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, it was

ORDERED, the House concurring, that three hundred and twenty-five (325) copies of the Legislative Record for the session of 1947 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 fifty (350) 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 it was 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 (S. P. 6)

Sent down for concurrence.

On motion by Mr. Boutin of Androscoggin, it was

ORDERED, the House concurring, that A. 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.

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

Sent down for concurrence.

Communication from the Bureau of Taxation:

**STATE OF MAINE
BUREAU OF TAXATION
Property Division
Augusta**

January 1, 1947

To the Honorable Senate and House of Representatives of the 93rd Legislature.

In accordance with the provisions of section 9, chapter 41, Public Laws of 1945, I am forwarding herewith, a report on "State Owned Delinquent Tax Lands" for your consideration.

Very truly yours,

DAVID H. STEVENS,
State Tax Assessor (S. P. 9)

Which communication was read and ordered placed on file.

Sent to the House.

Order

On motion by Mr. Denny of Lincoln, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature at 2:00 o'clock this afternoon in the Hall of the House for the purpose of electing an Attorney General, Secretary of State, Commissioner of

Agriculture, Treasurer of State, 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 an Attorney General, Secretary of State, Commissioner of Agriculture, Treasurer of State, and seven Executive Councillors.

On motion by Mr. Crosby of Franklin

Recessed until 2:00 o'clock this afternoon.

After Recess

The Senate was called to order by the President.

The Senate retired to the Hall of the House of Representatives where a Joint Convention was held.

(For proceedings of the Joint Convention, see House Report.)

In the Senate

The Senate was called to order by the President.

Communication from the Governor:

**STATE OF MAINE
EXECUTIVE CHAMBER**

Augusta, Maine

January 1, 1947.

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years, 1945 and 1946, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation of sentence, and the condition, if any, upon which the same was granted.

HORACE HILDRETH,

Governor. (S. P. 10)

Which was read and ordered placed on file.

Sent to the House.

Committee Reports

Miss Clough from the Joint Select Committee of the Ninety-third Legislature on returns of votes for Governor given in the several cities,

towns and plantations of this State for the political years 1947 and 1948, reports that the committee has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 179,951; and that Horace A. Hildreth of Cumberland had 110,327 votes; and that F. Davis Clark of Milo had 69,624 votes.

Which report was read and accepted.

Sent to the House.

Mr. Dunbar of Washington, from the Committee on Senatorial Vote

for the political years 1947 and 1948, reported that a complete tabulation of the Senatorial votes is too bulky for the files, and that the same be placed on file in the office of the Secretary of State for the inspection and examination of the Senators.

Which report was read and accepted and the same ordered placed on file.

On motion by Mr. Cross of Kennebec

Adjourned until tomorrow morning at ten o'clock.