

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, January 7, 1953.

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

Prayer was offered by the Rev. Merle E. Golding of Augusta.

Communication

STATE OF MAINE
OFFICE OF THE SECRETARY
OF STATE

To Chester T. Winslow, Secretary of the Senate of the Ninety-sixth Legislature:

In compliance with Section 1 of Chapter 9 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Ninety-sixth Legislature, as appears by the report of the Governor and Council under date of September 24, 1952:

First Senatorial District: Carl J. Broggi of Sanford, William E. Dennett of Kittery, Roby P. Littlefield of Wells.

Second Senatorial District: Philip F. Champan, Jr. of Portland, Edward E. Chase of Cape Elizabeth, Nathaniel M. Haskell of Portland, George W. Weeks of South Portland.

Third Senatorial District: John H. Carter of Bethel, Carleton S. Fuller of Buckfield.

Fourth Senatorial District: Mary L. Kavanagh of Lewiston, Jean Charles Boucher of Lewiston, Leo St. Pierre of Lewiston.

Fifth Senatorial District: Benjamin Butler of Farmington.

Sixth Senatorial District: Charles F. Cummings of Bath.

Seventh Senatorial District: James L. Reid of Hallowell, Russell M. Squire of Waterville, Foster F. Tabb of Gardiner.

Eighth Senatorial District: Miles F. Carpenter of Skowhegan, Roy U. Sinclair of Pittsfield.

Ninth Senatorial District: Clarence W. Parker of Sebec.

Tenth Senatorial District: Robert N. Haskell of Bangor, John F. Ward of Millinocket, Freeman L. Wight of Bangor.

Eleventh Senatorial District: Wilmot S. Dow of Waldoboro.

Twelfth Senatorial District: Frank F. Harding of Rockland.

Thirteenth Senatorial District: Edwin H. Greeley of Morrill.

Fourteenth Senatorial District: Lloyd T. Dunham of Ellsworth, William S. Silsby of Aurora.

Fifteenth Senatorial District: Oscar H. Brown of Eastport, John F. Hanson of Machias.

Sixteenth Senatorial District: Samuel W. Collins of Caribou, Charles A. Jamieson of Presque Isle, E. Chauncey Robbins, Jr., of Houlton.

IN TESTIMONY WHEREOF I have caused the seal of the State to be herewith affixed at Augusta this seventh day of January, A. D., 1953, (Seal) and of the Independence of the United States of America the one hundred and seventy-seventh.

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:

Boucher, Broggi, Brown, Butler, Carpenter, Carter, Chapman, Chase, Collins, Cummings, Dennett, Dow, Dunham, Fuller, Greeley, Harding, Hanson, Haskell Nathaniel, Haskell Robert N., Jamieson, Kavanagh, Littlefield, Parker, Reid, Robbins, Silsby, Sinclair, St. Pierre, Squire, Tabb, Ward, Weeks, Wight.

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

On motion by Mr. Dennett of York, 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. Dennett 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 Burton M. Cross, attended by the Executive Council, came in.

The GOVERNOR: Ladies and Gentlemen of the Senate, it gives me a great deal of pleasure, as I am still the President of the Senate, to stand for just a few minutes more here on this rostrum. It gives me more than personal pleasure to be able to swear in my old friends and some new ones in the Senate.

Thereupon, the Senators elect took and subscribed the oaths of office required by the Constitution.

The GOVERNOR: Members of the Senate, normally it is the pleasure as well as the duty of the Governor when swearing in the members of the Senate and the House to report to them some of the highlights of his administration. Inasmuch as I have held this office for only about twelve days I have very little to report to you but let me assure you that personally and as your incoming Governor I will give you every cooperation as I have in the past. It will be a great pleasure to be able to work with you. However, I still have a nostalgic feeling in leaving this rostrum.

Thank you very much.

At the close of the address, the Governor and Council withdrew.

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

Senators: CHASE of Cumberland
HASKELL of Penobscot
ST. PIERRE
of Androscoggin

Subsequently the committee reported as follows:

Total number of votes cast 33.

Mr. Nathaniel Haskell 31.

Mr. Jean Charles Boucher 2.

Mr. BOUCHER of Androscoggin: Mr. Secretary, now that the token honors have been paid to the Democratic party, I wish to make the vote unanimous.

Thereupon, the report was accepted, and Nathaniel Haskell was declared unanimously elected President of the Senate for the political years 1953 and 1954.

Whereupon Mr. Haskell was escorted to the Chair by Mr. Boucher and addressed the Senate as follows:

The PRESIDENT: Members of the Senate, it is with somewhat mixed feelings that I stand before you this morning.

There is a deep and personal appreciation of the honor, privilege and opportunity for service, which you have afforded to me by your action of this morning, in permitting me to serve as the presiding officer of the Senate of the 96th Maine Legislature.

At the same time, however, there is no less a deep and personal appreciation on my part, of the duties and responsibilities which necessarily must be a component part of the office now assumed.

It will be my constant and positive purpose of mind, throughout the days of this session, to discharge those duties and responsibilities, to the best of my ability, judgment and knowledge. My sole thought will be to be of service, at all times and in all ways possible and proper, to you, the members of the Senate.

To facilitate this purpose, I plan, at all reasonable times, when the Senate is not in session, to be in or close to my office, and I assure you, that your visits, suggestions, comments and cooperation will be welcomed and appreciated.

None of us, naturally, can at this time, have any detailed conception of the magnitude and complexities of the multitude of problems which will shortly be presented for consideration and decision.

I am confident however, as I feel you are confident too, that whatever the decisions may be with respect to particular problems, those

decisions will represent the combined judgment of what the Senate considers to be in the best interests and welfare of the people of Maine.

Again I thank you, and the Chair now awaits the pleasure of the Senate.

On motion by Mr. Tabb of Kennebec, Mr. Broggi of York 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 1953 and 1954.

At the request of the President, Mr. Tabb of Kennebec 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. Tabb 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. Weeks of Cumberland, Mr. Wight of Penobscot 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 1953 and 1954.

On motion of Mr. Carter of Oxford, Mr. Robbins of Aroostook 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 1953 and 1954.

On motion by Mrs. Kavanagh of Androscoggin, Mr. Silsby of Hancock was authorized to cast one

ballot on the part of the Senate in favor of

John S. Parker for Assistant Sergeant-at-Arms

Howard W. Kimball for Postmaster

Leland F. King for Doorkeeper

Ruth P. Foster for Page

Lois E. Beauchaine 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 of Representatives through Representative Jesse P. Fuller of South Portland informing the Senate that the House was duly organized by the election of the Honorable Roswell Preston Bates as Speaker, Harvey R. Pease as Clerk and E. Mae Chapman as Assistant Clerk.

On motion by Mr. Haskell 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 Nathaniel Haskell 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.

Communication

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

STATE OF MAINE

Office of the Secretary of State
Augusta, Maine
January 7, 1953

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 Governor in the several cities, towns and plantations in the State of Maine at the general election held on September 8, 1952.

Respectfully

HAROLD I. GOSS
Secretary of State

Which communication was read, and on motion by Mr. Ward of

Penobscot was tabled pending reference to a committee.

On motion by Mr. Brown 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 1953 and 1954 shall be referred for examination and report.

The President appointed:

Senators:

BROWN of Washington
 CARPENTER of Somerset
 CHAPMAN of Cumberland
 JAMIESON of Aroostook
 LITTLEFIELD of York
 BOUCHER of Androscoggin
 ST. PIERRE
 of Androscoggin

On motion by Mr. Ward of Penobscot the Senate voted to take from the table the communication from the Secretary of State, tabled earlier in today's session pending reference to a committee, and on further motion by the same Senator, the communication was referred to the Committee on Senatorial Vote.

On motion by Mr. Reid of Kennebec, 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. Carter of Oxford, it was

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

On motion by Mr. Butler of Franklin, it was

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

On motion by Mr. Chase of Cumberland, it was

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 and a Journal Copy Clerk.

On motion by Mr. Jamieson of Aroostook, it was

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

On motion by Mr. Boucher of Androscoggin, it was

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

On motion by Mr. Parker of Piscataquis, it was

ORDERED, that the rules of the Senate of the Ninety-fifth Legislature be the rules of this Senate.

On motion by Mr. Cummings of Sagadahoc, 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. Carpenter of Somerset, it was

ORDERED, the House concurring, that the Joint Rules of the 95th Legislature be the Joint Rules of this Legislature, except Joint Rule 8 which shall stand as amended by the 95th Legislature. (S. P. 1)

Sent down for concurrence.

On motion by Mr. Hanson of Washington, it was

ORDERED, the House concurring, that three hundred and twenty-five (325) copies of the Legislative Record for the session of 1953 be printed and bound, one copy for each of 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 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 departments, under the direction of the Document Clerk, and it was 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. (S. P. 2).

Sent down for concurrence.

On motion by Mr. Sinclair of Somerset, 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 7, 1953

To the President of the Senate and to the Speaker of the House of Representatives of the Ninety-sixth 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 8, 1952.

Respectfully,
HAROLD I. GOSS
Secretary of State
(S. P. 4)

Which communication was read, and on motion by Mr. Weeks of Cumberland was tabled pending reference to a committee.

On motion by Mr. Tabb of Kennebec, 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 1953 and 1954 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)

The President appointed:

Senators: TABB of Kennebec
FULLER of Oxford
HARDING of Knox
DOW of Lincoln
ROBBINS of Aroostook
PARKER of Piscataquis
BUTLER of Franklin

Sent down for concurrence.

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

On motion by Mr. Littlefield of York, 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. 6)

Sent down for concurrence.

Communication from Director
of Legislative Research:

STATE OF MAINE
DIRECTOR OF
LEGISLATIVE RESEARCH

Augusta
January 7, 1953

To Honorable Chester T. Winslow
Secretary of the Senate of
the 96th Legislature.

In accordance with subsection IX of section 62 of chapter 9 of the Revised Statutes, I hereby submit the report of the Director of Legislative Research.

In preparation for the next revision, all public laws passed by the 92nd, 93rd, 94th and 95th Legislatures were allocated to the Revised Statutes by the office of the Director of Legislative Research either in the original draft or in the course of legislative procedure. It is suggested that all these bills be looked over by this office before presentation to the Legislature so that uniformity of procedure may be continued to avoid confusion and to permit a continuity between revisions of our laws.

All laws passed by the last Legislature have been incorporated into a report, in accordance with the provisions of subsection VIII of section 26 of chapter 9 of the Revised Statutes.

It is estimated that the 92nd, 93rd, 94th and 95th Legislatures, in both regular and special sessions, enacted public laws which will add about 325 pages to the next revision. This addition does not include either the laws relating to sea and shore fisheries and those relating to inland fisheries and game, as these laws are not printed as biennial revisions and will probably not be printed in the next general revision of our statutes.

In preparation for the next revision, innumerable cross-references and new captions have been added to the 1944 revision; Footnotes to the Maine Constitution and the Revised Statutes have been made of all of the Maine Reports, including the advance sheets of Volume 148. Revision bills, including the so-called omnibus bill, will be introduced. Many separate revision and clarification bills, particularly dealing with the several departments, will be presented to the Legislature for its consideration. A resolve providing for a revision of the statutes will be presented for consideration by the Legislature.

In order to facilitate the work of the Legislature, this office sent letters to each administrative department and each member of the present Legislature urging the use of the available facilities of the office in the preparation of bills to be introduced. A great deal of progress was made as over 300 acts and resolves were drafted before the Legislature was convened and it is hoped that such cooperation may be continued and extended in the future.

Respectfully

SAMUEL H. SLOSBERG
Director of Legislative

Research

Which was read and placed on file.

On motion by Mr. Broggi of York, 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 Secretary of State, State Treasurer, Attorney General, State Auditor, Commissioner of Agriculture and seven Executive Councilors.

Which was read and passed, and the Secretary delivered the message.

Subsequently a message was received from the House of Representatives through 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, State Treasurer, Attorney General, State Auditor, Commissioner of Agriculture and seven Executive Councilors.

On motion by Mr. Haskell of Penobscot.

Recessed until two 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 Joint Convention see House Report.)

In the Senate

Communication from the Governor

STATE OF MAINE EXECUTIVE CHAMBER

Augusta, Maine
January 7, 1953

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 1951 and 1952, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of reprieve, remission, commutation of sentence, and the condition, if any, upon which the same was granted.

BURTON M. CROSS

Governor
(Acting)
(S. P. 7)

Which was received and placed on file.

Mr. Tabb from the Joint Select Committee of the Ninety-sixth Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1953 and 1954, reported that the committee has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 248,441; and that Burton M. Cross of Augusta had 128,532 votes; James C. Oliver of South

Portland had 82,538 votes; Henry W. Boyker of Bethel had 1,639 votes; and that Neil Bishop of Stockton Springs had 35,732 votes.

Which report was read and accepted.

Sent to the House.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at 10 o'clock.