

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

Special Session

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1954

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, September 21, 1954

In compliance with a Proclamation of His Excellency, the Governor Burton M. Cross, the Senators convened in the Senate Chamber at four o'clock in the afternoon, Eastern Standard Time.

The Senate was called to order by the Assistant Secretary.

Prayer by the Rev. Douglas H. Robbins.

The Assistant Secretary read the Proclamation:

**STATE OF MAINE
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation relative to the 1954 revision of the statutes.

To consider temporary emergency legislation to bring Maine in conformity with the other New England States on Daylight Saving Time.

To consider clarification of the joint legislative order passed in 1953 in relation to employees' salaries.

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, BURTON M. CROSS, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Tuesday, the twenty-first day of September, 1954, at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this twenty-fourth day of August in the year of our Lord One Thousand Nine Hundred and Fifty-four, and of the Independence of the United States of America, the One Hundred and Seventy-ninth.

BURTON M. CROSS
Governor

By the Governor

Paul A. MacDonald
Deputy Secretary of State

A true copy.

Attest: Paul A. MacDonald
Deputy Secretary of State

Which was read and ordered placed on file.

**Communication from the
Secretary of State**

DEPARTMENT OF STATE
State of Maine
Augusta

September 21, 1954

To the Secretary of the Senate of the Ninety-sixth Legislature:

In compliance with Section 1 of Chapter 9 of the Revised Statutes, I beg to report that there are two vacancies in the representation from the second senatorial district caused by the resignation of Honorable Nathaniel M. Haskell of Portland and the death of Edward E. Chase of Cape Elizabeth; and one vacancy in the seventh senatorial district caused by Honorable Foster F. Tabb being appointed as Sheriff of Kennebec County. The resignation of Nathaniel M. Haskell is transmitted herewith.

Respectfully,

HAROLD I. GOSS,
Secretary of State

Which communication and accompanying letter were read and ordered placed on file.

**Communication from the
Secretary of State**
DEPARTMENT OF STATE
State of Maine
Augusta

September 21, 1954

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 from Cumberland County and Kennebec County at a special election held in said counties on October 5, 1953 to fill the vacancies caused by the death of Edward E. Chase of Cape Elizabeth, the resignation of Nathaniel M. Haskell of Portland and the appointment of Foster F. Tabb of Gardiner as Sheriff of Kennebec County on August 19, 1953.

Respectfully,

HAROLD I. GOSS
Secretary of State

Which was read and ordered placed on file.

**Communication from the
Secretary of State**

September 21, 1954

To the Secretary of the Senate of the Ninety-sixth Legislature:

I hereby certify that on the twenty-first day of September, 1954 Ervin A. Center of Standish, Earl W. Davis of Harrison and Robert Martin of Augusta, all having been elected Senators in the Ninety-sixth Legislature from the Counties of Cumberland and Kennebec, respectively, personally appeared before the Governor and Council and took and subscribed the oaths of office as required by the Constitution to qualify them to enter upon the discharge of their official duties.

IN WITNESS WHERE-
OF I have caused the
Seal of the State to be
hereunto affixed this
twenty-first day of Sep-
(seal) tember in the year of our

Lord one thousand nine
hundred and fifty-four.

HAROLD I. GOSS,
Secretary of State

Which was read, and ordered placed on file.

Roll Call

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

Boucher, Broggi, Brown, Butler, Carpenter, Carter, Center, Chapman, Collins, Cummings, Davis, Dennett, Dow, Dunham, Fuller, Greeley, Harding, Haskell, Kavanagh, Littlefield, Martin, Parker, Reid, St. Pierre, Sinclair, Silsby, Squire, Ward, Weeks, Wight.

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

On motion by Mr. Haskell of Penobscot, Mr. Parker of Piscataquis was appointed a committee of one to cast one ballot on the part of the Senate in favor of the Honorable John F. Ward of Penobscot for President of the Senate; and that Senator having performed the duty assigned him, the Secretary declared the Honorable John F. Ward duly elected President of the Senate for the remainder of the political year 1954.

Mr. Ward was escorted to the Chair by Mr. Boucher of Androscoggin, and thereupon addressed the Senate as follows:

Mr. WARD of Penobscot: Members of the Senate, I thank you very sincerely for the honor that you have just conferred upon me. I am aware of the responsibilities of the office, and I shall endeavor to the best of my ability to carry them out and to preside over your meetings in a fair and impartial manner.

The Chair now awaits the pleasure of the Senate.

On motion by Mr. Chapman of Cumberland, Mr. Fuller of Ox-

ford was appointed a committee of one to cast one ballot on the part of the Senate in favor of the Honorable Chester T. Winslow of Raymond for Secretary of the Senate; and that Senator having performed the duty assigned him, Chester T. Winslow of Raymond was declared duly elected Secretary of the Senate for the remainder of the political year 1954.

At the request of the President, Mr. Chapman of Cumberland 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. Chapman 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.

**Communication from the
Secretary of State
STATE OF MAINE
Department of State**

I, HAROLD I. GOSS, SECRETARY OF STATE, certify, that the office of the Secretary of State is the legal depository of the Great Seal of the State of Maine and of the records of appointment and qualification of civil officers.

I further certify, that the records of this department disclose that Foster F. Tabb of Gardiner was on the nineteenth day of August, 1953, appointed Sheriff of Kennebec County for a term ending January 1, 1955 and qualified for said office on the twentieth day of August, 1953 by taking the oath as prescribed by law.

I further certify, that on the twenty-seventh day of August, 1953 Nathaniel M. Haskell of

Portland was appointed Judge of Probate of Cumberland County for a term ending January 1, 1955 and qualified for said office on the thirty-first day of August, 1953 by taking the oaths as prescribed by law.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-first (Seal) day of September in the year of our Lord one thousand nine hundred and fifty-four and in the one hundred and seventy-ninth year of the Independence of the United States of America.

Secretary of State
HAROLD I. GOSS

Which was read and ordered placed on file.

Orders

On motion by Mr. Collins of Aroostook, it was

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

A message was received from the House of Representatives informing the Senate that a quorum of the Representatives is present for the consideration of such business as may come before that body.

On motion by Mr. Broggi of York, it was

ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience to his Proclamation a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

The President appointed the following Senators to convey the message:

Senators:

REID of Kennebec
CENTER of Cumberland
WIGHT of Penobscot

The Committee retired, and subsequently reported that they had delivered the message with which they were charged.

On motion by Mr. Haskell of Penobscot, that Senator was charged with a message to the Governor and Council informing them that the Honorable John F. Ward had been elected President of the Senate and that Chester T. Winslow had been elected Secretary of the Senate.

Subsequently Mr. Haskell of Penobscot reported that he had delivered the message with which he was charged.

On motion by Mr. Carter of Oxford, that Senator was charged with a message to the House of Representatives informing that body that the Honorable John F. Ward had been elected President of the Senate and that Chester T. Winslow had been elected Secretary of the Senate.

Subsequently, Mr. Carter of Oxford reported that he had delivered the message with which he was charged.

Orders

On motion by Mr. Martin 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 during this special session.

On motion by Mr. Reid of Kennebec, it was

ORDERED, that Ruel Hanks of Augusta be appointed Official Reporter of the Senate for this special session.

On motion by Mr. Davis of Cumberland, it was

ORDERED, that the Secretary of the Senate be authorized to procure the services of three stenographers for this special session:

one for the office of the President and two for the office of the Secretary.

On motion by Mr. Squire of Kennebec, it was

ORDERED, the House concurring, that three hundred and fifty copies of the Legislative Record for this Special Session of 1954, convened on September 21, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library purposes; and it was further

ORDERED, that three hundred and fifty 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. (SP 620)

Sent down for concurrence.

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

On motion by Mrs. Kavanagh of Androscoggin, it was

ORDERED, that the Senate Reporter be authorized to employ an assistant reporter during this Special Session.

On motion by Mr. St. Pierre of Androscoggin, it was

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House a copy of the State newspaper each morning during the present special session of the Legislature. (SP 621)

Sent down for concurrence.

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

On motion by Mr. Haskell of Penobscot, it was

ORDERED, the House concurring, notwithstanding any previous cloture orders passed by the Ninety-sixth Legislature, that no bill or resolve be received at this Special Session of the Legislature unless deposited with the Secretary of the Senate or the Clerk of the House before five-thirty p.m., Eastern Standard Time (six-thirty, Daylight Saving Time) Tuesday, September 21, 1954, except by unanimous consent in the body in which it is introduced, and it was further

ORDERED, that any bill or resolve which shall be received in either body of this Legislature by unanimous consent after five-thirty p.m., Eastern Standard Time (six-thirty p.m. Daylight Saving Time) Tuesday, September 21, 1954, shall be referred to the Ninety-seventh Legislature if unanimous consent for its reception is not given in the other body in concurrence.

(S.P. 623)

On motion by Mr. Haskell of Penobscot, sent forthwith to the House for concurrence.

On motion by Mr. Harding of Knox, it was

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

The Secretary conveyed the message.

Subsequently a message was received from the House by Mr. Pease, its Clerk, concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings of Joint Convention see House Report.)

In the Senate

The Senate was called to order by the President.

On motion by Mr. Carpenter of Somerset, it was

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of fifteen (15) calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified to by the Secretary of the Senate and the Clerk of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

(S.P. 622)

Sent down for concurrence.

The President announced the appointment of the following Senators to fill existing vacancies in the Senate membership of the several Joint Standing Committees:

Agriculture
 Senator Center of Cumberland
 Judiciary
 Senator Martin of Kennebec
 Liquor Control
 Senator Center of Cumberland
 Labor
 Senator Martin of Kennebec
 Natural Resources
 Senator Davis of Cumberland
 Taxation
 Senator Davis of Cumberland
 Towns and Counties
 Senator Martin of Kennebec

On motion by Mr. Haskell of Penobscot

Recessed until 7:30 P.M. Eastern Standard Time.

After Recess

The Senate was called to order by the President.

**Senate Papers
(Out of Order)**

Mrs. Kavanagh of Androscoggin presented Bill, "An Act Relating to Elderly Teachers' Pensions." (S. P. 629)

Mr. Collins of Aroostook presented "Resolve Relating to Wages and Work-Week of State Employees." (S. P. 624)

Mr. Davis of Cumberland presented "Resolve Providing for Emergency Repairs and Construction at Pownal State School." (S. P. 625)

Mr. Weeks of Cumberland presented "Resolve in Favor of Maine Maritime Academy." (S. P. 626)

Mr. Sinclair of Somerset presented "Resolve Providing Additional Funds for the Maine State Office Building." (S. P. 627)

The same Senator presented "Resolve Relating to the Revision Committee." (S. P. 628)

Which were severally referred to the Committee on Appropriations and Financial Affairs, and the same ordered printed.
Sent down for concurrence.

Mr. Wight of Penobscot presented Bill, "An Act Relating to the Fee for Stamping Beaver Skins." (S. P. 630)

Mr. Silsby of Hancock presented Bill, "An Act Relating to Bartlett's Island as a Game Preserve." (S. P. 631)

Which were severally referred to the Committee on Inland Fisheries and Game, and the same ordered printed.

Sent down for concurrence.

Mr. Carter of Oxford presented Bill, "An Act Relating to Standard Time During the Month of October, 1954." (S. P. 632)

Mr. Reid of Kennebec presented Bill, "An Act Relating to Distribution of Revised Statutes and Session Laws." (S. P. 640)

The same Senator presented Bill, "An Act to Repeal the Acts Consolidated in the Revised Stat-

utes of the Year One Thousand Nine Hundred and Fifty-Four." (S. P. 641)

Which were severally referred to the Committee on Judiciary and the same ordered printed.

Sent down for concurrence.

Mr. Reid of Kennebec presented Bill, "An Act to Revise and Consolidate the Public Laws of the State." (S. P. 642)

On motion by Mr. Reid of Kennebec, tabled pending reference to a committee.

Mr. Weeks of Cumberland presented

Bill "An Act Relating to Registers of Deeds." (S.P. 633)

Mr. Wight of Penobscot presented

Bill, "An Act Amending the Charter of the City of Brewer High School District." (S. P. 634)

Which were severally referred to the Committee on Legal Affairs, and the same ordered printed.

Sent down for concurrence.

Mr. Dennett of York presented "Resolve Providing for Additional Funds for the State Liquor Warehouse." (S. P. 635)

Which was referred to the Committee on Liquor Control and the same ordered printed.

Sent down for concurrence.

Mr. Reid of Kennebec presented

Bill, "An Act Relating to the Adjutant General." (S.P. 636)

Which was referred to the Committee on Military Affairs and the same ordered printed.

Sent down for concurrence.

Mr. Silsby of Hancock presented

Bill, "An Act Authorizing the Building of a Foot Bridge Across Tidewaters in Gilpatrick's Cove in the Town of Mount Desert." (S.P. 637)

Which was referred to the Committee on Natural Resources and the same ordered printed.

Sent down for concurrence.

Mr. Dow of Lincoln presented Bill, "An Act Enabling the County Commissioners of the County of Lincoln to Convey Real Estate." (S. P. 638)

Mr. Boucher of Androscoggin presented

Bill, "An Act Relating to Power of Counties to Borrow Money." (S. P. 639)

Which were severally referred to the Committee on Towns and Counties and the same ordered printed.

Sent down for concurrence.

**From the House
Communication**

To the Legislatures of the State of Maine

In accordance with the provisions of Section 6, Article X of the constitution of the State of Maine, I herewith submit to the legislature for approval my arrangement of the constitution, as amended, under appropriate titles and in proper articles, parts and sections, in which I have omitted all sections, clauses and words not in force, and making no other changes in the provisions or language thereof.

I have adopted, as far as possible, the arrangement made by Chief Justice Murchie in 1951, which was approved by the legislature, and published under the direction of the Secretary of State as authorized by Chapter 5 of the Resolves of 1951. I have also continued the previous system of identification of each amendment, by adding the date of the legislative resolve proposing its submission for adoption, and by the chapter number of such resolve.

Respectfully,

RAYMOND FELLOWS

Chief Justice of the Supreme
Judicial Court

Dated Sept. 14, 1954

Which was referred to the Committee on Judiciary in concurrence.

From the House

Resolve, Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for its Publication and Distribution. (H. P. 1314)

Bill, "An Act to Amend the Towns of Palmyra School District." (H.P. 1320)

Bill, "An Act Relating to Revised Statutes and Session Laws." (H. P. 1313)

Bill, "An Act Relating to Sale of 1954 Revised Statutes Annotated, Outside of State." (H. P. 1315)

Which were severally referred to the Committee on Judiciary in Concurrence.

Bill, "An Act to Provide for Additional Educational Subsidy Funds for the December, 1954 Payment." (H. P. 1310)

Bill, "An Act Relating to the Salary of the Governor." (H. P. 1319)

Resolve Providing for the Shipping and Packaging of the Revised Statutes of 1954. (H. P. 1312)

Which were severally referred to the Committee on Appropriations and Financial Affairs, in concurrence.

Bill, "An Act Providing Emergency Relief to Municipalities from Hurricane Damage to Highways." (H. P. 1309)

Which was referred to the Committee on Appropriations and Financial Affairs, and the Committee on Highways jointly, in concurrence.

Resolve Providing for the Replacements of State Police Vehicles. (H. P. 1317)

Resolve Providing for Furnishing, Maintaining and Operating Weighing Stations at Kittery. (H. P. 1318)

Which were severally referred to the Committee on Highways.

Bill, "An Act to Repeal the Tax on Cigars and Tobacco Products." (H. P. 1311)

Which was referred to the Committee on Taxation.

Bill, "An Act Relating to Aid to the Disabled." (H. P. 1316)

Which was referred to the Committee on Welfare.

Orders of the Day

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, "An Act to Revise and Consolidate the Public Laws of the State" (S. P. 642) tabled by that Senator earlier in today's session pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, all Senate Papers considered this evening were sent forthwith to the House for concurrence.

Mrs. Kavanagh of Androscoggin was granted unanimous consent to address the Senate:

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, in your schedule of hearings you will note the third item from the last is Towns and Counties. This should read Public Health so the Public Health Committee will meet at eleven o'clock in Hearing Room No. 2, and this schedule is all on Daylight Saving Time.

House Papers Out of Order

"Resolve in Favor of Gordon M. Stewart of Paris, Administrator d.b.n.c.t.a. of the Estate of Eva M. Elliot, late of Otisfield, Deceased." (H. P. 1321)

Which was referred to the Committee on Appropriations and Financial Affairs, in concurrence.

Bill, "An Act Relating to Licenses to Hunt or Fish for Spouses and Children of Mem-

bers of the Armed Forces of the United States." (H. P. 1322)

Which was referred to the Committee on Inland Fisheries and Game, in concurrence.

Bill, "An Act to Incorporate the Bridgton Finance Company" (H. P. 1323)

Which was referred to the Committee on Judiciary.

"Petition of the City Council of Brewer in favor of increasing the borrowing capacity of the City of Brewer High School District." (H. P. 1324)

"Petition of the Trustees of the City of Brewer High School District in favor of Amendment to Section 5 of Chapter 4 of the Private and Special Laws of 1925, as amended, to procure funds by issuing notes and bonds." (H. P. 1325)

"Petition of the Bangor City Council in favor of changing the borrowing capacity of the Bangor Recreation Center from \$1,200,000 to \$1,400,000." (H. P. 1327)

Bill, "An Act to Amend the Charter of the Bangor Recreation Center." (H. P. 1326)

Which were severally referred to the Committee on Legal Affairs, in concurrence.

"Resolve Permitting the Building of a Wharf in Maranacook Lake." (H. P. 1328)

Which was referred to the Committee on Natural Resources, in concurrence.

Bill, "An Act Changing Name of Pownal State School to Maine Children's Center." (H. P. 1329)

Which was referred to the Committee on Public Health, in concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow afternoon at one o'clock, Eastern Standard Time.