

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Special Session

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1954

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Thursday, September 23, 1954.

The Senate was called to order by the President.

Prayer by Lt. Lloyd Scott, Augusta.

Journal of yesterday read and approved.

Papers from the House

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to the Salary of the Governor," (H. P. 1319) (L. D. 1588) reported that the same be referred to the next Legislature.

The same Committee on "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) (L. D. 1572) reported that the same be referred to the next Legislature.

Which reports were read and accepted, in concurrence.

The Committee on Legal Affairs on "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) reported that the same be placed on file.

The same Committee on "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) reported that the same be placed on file.

The same Committee on "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) reported that the same be placed on file.

Which reports were read and accepted, in concurrence.

The Committee on Natural Resources on "Resolve Permitting

the Building of a Wharf in Maranacook Lake," (H. P. 1328) (L. D. 1576) reported that the same be granted leave to withdraw.

Which report was read and accepted, in concurrence.

The Committee on Public Health on Bill, "An Act Changing the Name of Pownal State School to Maine Children's Center," (H. P. 1329) (L. D. 1577) reported that the same ought not to pass.

Which report was read and accepted, in concurrence.

Order

On motion by Mr. Haskell of Penobscot, it was

ORDERED, the House concurring, that a suitable index be prepared for the Legislative Record of this Special Session under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 646)

On motion by Mr. Haskell of Penobscot

Recessed until ten o'clock, E.S.T.

Emergency Measures

Bill, "An Act Relating to Standard Time During the Month of October, 1954." (S.P. 632) (L. D. 1562)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate and none opposed was passed to be enacted.

Bill, "An Act Enabling County Commissioners of the County of Lincoln to Convey Real Estate." (S. P. 638) (L. D. 1570)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate, and none opposed was passed to be enacted.

Bill, "An Act Relating to Power of Androscoggin County to Borrow Money." (S.P. 644)

Which bill being an emergency measure, and having received the affirmative vote of 29 members

of the Senate, and none opposed was passed to be enacted.

Bill, "An Act Providing Emergency Relief to Municipalities from Hurricane Damage to Highways." (H. P. 1309) (L. D. 1578)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Bill, "An Act to Provide for Additional Educational Subsidy for the December, 1954 Payment." (H. P. 1310) (L. D. 1579)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Bill, "An Act Amending the Charter of Brewer High School District," (S. P. 634) (L. D. 1566)

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, this is the bill that reference was made to yesterday with reference to a matter of doubt which had to be resolved by the committee in order to permit it to go to final passage. I am happy to report that the committee has been fully satisfied since the time that the matter was last mentioned in the Senate and now believe that the bill is appropriate for final passage.

This being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed, was finally passed.

Bill, "An Act Relating to Sale of Revised Statutes and Session Laws." (H. P. 1313) (L. D. 1582)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Bill, "An Act to Amend the Town of Palmyra School District." (H. P. 1320) (L. D. 1589)

Which bill being an emergency measure, and having received the

affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Bill, "An Act Relating to Licenses for Spouses and Children of Members of the Armed Forces of the United States to Hunt or Fish." (H. P. 1322) (L. D. 1573)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Bill, "An Act to Amend the Charter of the Bangor Recreation Center." (H. P. 1326) (L. D. 1575)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

"Resolve Relating to Wages and Work-Week of State Employees (S. P. 624) (L. D. 1555)

Which resolve being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was finally passed.

"Resolve in Favor of Maine Maritime Academy." (S. P. 626) (L. D. 1557)

Which resolve being an emergency measure, and having received the affirmative vote of 26 members of the Senate, and 2 opposed, was finally passed.

"Resolve Providing for Emergency Repairs and Construction at Pownal State School." (S. P. 625) (L. D. 1556)

Which resolve being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was finally passed.

"Resolve Providing for the Shipping and Packaging of the Revised Statutes of 1954." (H. P. 1312) (L. D. 1581)

Which resolve being an emergency measure, and having received the affirmative vote of 28

members of the Senate, and none opposed, was finally passed.

“Resolve Providing for Furnishing, Maintaining and Operating Weighing Stations at Kittery.” (H. P. 1318) (L. D. 1587)

Which resolve being an emergency measure, and having received the affirmative vote of 26 members of the Senate, and 2 opposed, was finally passed.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Bills and Resolves:

An Act to Repeal the Acts Consolidated in the Revised Statutes of the Year One Thousand Nine Hundred and Fifty-Four (S. P. 641) (L. D. 1564)

An Act relating to Elderly Teachers' Pensions (S. P. 629) (L. D. 1554)

An Act relating to the Fee for Stamping Beaver Skins (S. P. 630) (L. D. 1560)

An Act relating to the Adjutant General (S. P. 636) (L. D. 1568)

An Act Authorizing the Building of a Foot Bridge Across Tidelwaters in Gilpatrick's Cove in the Town of Mount Desert (S. P. 637) (L. D. 1569)

An Act relating to Distribution of Revised Statutes and Session Laws (S. P. 640) (L. D. 1563)

An Act to Revise and Consolidate the Public Laws of the State (S. P. 642)

An Act to Repeal the Tax on Cigars and Tobacco Products (H. P. 1311) (L. D. 1580)

An Act relating to Sale of 1954 Revised Statutes, Annotated, Outside of State (H. P. 1315) (L. D. 1584)

An Act relating to Aid to the Disabled (H. P. 1316) (L. D. 1585)

An Act to Incorporate the Bridgton Finance Company (H. P. 1323) (L. D. 1574)

Resolve Providing Additional Funds for the Maine State Office Building (S. P. 627) (L. D. 1558)

Resolve relating to the Revision Committee (S. P. 628) (L. D. 1559)

Resolve Providing for Additional Funds for the State Liquor Warehouse (S. P. 635) (L. D. 1567)

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) (L. D. 1583)

Resolve Providing for the Replacements of State Police Vehicles (H. P. 1317) (L. D. 1586)

Which bills were severally passed to be enacted and resolves finally passed.

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:

Resolve Providing Additional Funds for the Maine State Office Building (S. P. 627) (L. D. 1558)

(On motion by Mr. Boucher of Androscoggin, tabled pending final passage.)

Resolve Providing for the Replacements of State Police Vehicles (H. P. 1317) (L. D. 1586)

(On motion by Mr. Boucher of Androscoggin, tabled pending final passage.)

From the House (Out of Order)

STATE OF MAINE
Office of the Clerk
Augusta

September 22, 1954

Hon. Chester T. Winslow
Secretary of the Senate:

The Speaker of the House on September 22, 1954 acting under authority of Section 12, Chapter 14 of the Revised Statutes appointed Mr. Jacobs of Auburn as member of the Advisory Committee on budget.

Respectfully,

Harvey R. Pease, Clerk.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Resolve Providing Additional Funds for the Maine State Office Building (S. P. 627) (L. D. 1558) tabled by

that Senator earlier in today's session pending final passage.

Mr. BOUCHER of Androscoggin: Mr. President, I can not let this bill become a law without a final opposition to it. I realize that any attempt by me to stop this is probably futile, but in conscience I feel I should do this because it is my duty.

This bill as originally drawn up covered an underpass from the new building to this building; it covered a central heating system, and it covered one other item which I cannot recollect that I have found out since were already in the contract signed with the contractors.

Somebody made a terrible mistake, and they could not explain it at any time. An amendment has been drawn up to the bill to cover up that mistake. It now is for a cafeteria, removable partitions and the library. I maintain that there is no reason to hurry this matter. I happen to be a contractor and I know that those people are already two months behind and I feel that we will not get the state office building erected and completed before 1956, so why the hurry. The powers that be have already realized that the hurry and emergency is not great, because they have removed the emergency clause from this bill, and to make the bill liveable they have to add an amendment because all of the clauses of the bill were incorporated in the contract.

We appropriated three million dollars for that building. The contract was let out for \$2,400,000 and some odd, including plumbing, heating and wiring. The \$500,000 now requested is still available, and I cannot see any good reason why we should deplete the surplus fund by \$500,000 at this time. The money is there; the money will be there the next regular session. There was no reason for bringing this bill in this special session and there still is no reason now. The bill was loosely drawn up and should not have a passage. So

therefore, Mr. President, I move the indefinite postponement of this bill.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Mr. Sinclair.

Mr. SINCLAIR: Mr. President and members of the Senate: I am very happy to have the opportunity to speak on this bill again. I am willing to take full responsibility for this bill and to admit that there was an error perhaps in the drawing of this bill. I want to assure you that there was no attempt to cover up in any way, shape or manner. It was a complete misunderstanding on my part and I am very happy to make a correction of the remarks I made yesterday in regard to the need for this additional amount of money to complete the office building.

As I understand the matter now, it was because of the addition of the central heating plant and the tunnel to this new office building that necessitates additional funds to do some of the things that I know you are going to want done in this State Office Building. It is true the tunnel to the new office building is included in the contract, contrary to what I said yesterday through a misunderstanding, and it is true that the central heating plant is also included in the contract; but there are a number of things involved that I have learned are going to require additional funds. Now we do need the movable partitions in the building. The flooring, the floor covering in the new building is not included in the present contract. The library stacks for the new office building are not included in the present contract. It is going to cost some money to provide those as well as some money to make some adjustments in the present library in the State House; it is also going to require some funds to make adjustments in the highway building when the highway department moves into the new building. There are also things such as sewer and water that are

not involved in this new office building. We took over a street out here and we have got to make arrangements for new sewer and water connections.

Now in regard to the reason why I feel this bill should be acted on now and acted on favorably: we started the new office building in the 96th Legislature and I would like to see the funds provided by the 96th Legislature to complete this office building.

Therefore, members of the Senate, I hope the motion of the Senator from Androscoggin (Senator Boucher) does not prevail.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Boucher.

Mr. BOUCHER of Androscoggin: Mr. President, I am glad to see that the gentleman admits his error of yesterday. I want to be charitable to the degree that possibly it was a mistake and no fault of his; but I maintain that if all those things are necessary and not covered in the contract, which I doubt, such as library stacks and floor coverings—I cannot imagine building a building without putting floors into it, but if somebody has been asleep at the switch about putting floors in it, and it is four stories high, those people should not have had the contract let to them, it should have been awarded to somebody else. I am sure that if any of you put up a house or building of some kind you are going to be sure that you have some floors in there and that your floors will be covered with something, wood or linoleum or other things.

Nevertheless, with all those omissions and errors, I maintain there is no rush, I maintain that those floor coverings and those stacks in the library and those things that they do mention will not be necessary for at least a year and by that time the next legislature will have time to act. Do you want a roof on that hole out there or are you going to build a foundation? We are at-

tempting today to put a roof on and they are digging and blasting to make a hole or foundation. I maintain that this is being railroaded and that there is no need for it, and I insist upon my motion.

The PRESIDENT: The Senator from Androscoggin, Senator Boucher, has moved that the resolve be indefinitely postponed. Is this the pleasure of the Senate?

A viva voce vote being had, the motion to indefinitely postpone did not prevail.

Thereupon, the resolve was finally passed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Resolve Providing for the Replacements of State Police Vehicles (H. P. 1317) (L. D. 1586) tabled by that Senator earlier in today's session pending final passage.

Mr. BOUCHER of Androscoggin; Mr. President, for the same reason of not rushing through something that is not needed at this time as an emergency in this special session, I move the indefinite postponement of this bill. I believe that the State Police Department should have foreseen the need of these cars last year, or else they should wait until the next regular session. For that reason I insist on my motion to indefinitely postpone the resolve.

Mr. HASKELL of Penobscot: Mr. President, I rise in opposition to the motion. I believe that this bill represents good business judgment and good government. The stepped up patrol program of the State Police vehicles, has added about a million three hundred thousand miles to the fleet. We have 57 vehicles with speedometer readings that average 65 thousand miles. With those vehicles in the fleet that my company operates, we would certainly think it good business to exchange them.

The sum of \$15,000 which was provided for in the budget, is

inadequate to do the job. An additional appropriation is necessary. I believe we should be about our business of keeping this fleet in good shape and enjoy the operating economies that come from good vehicles.

I therefore oppose the motion to indefinitely postpone.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher that the resolve be indefinitely postponed. Is this the pleasure of the Senate?

A viva voce vote being had,

The motion to indefinitely postpone did not prevail.

Thereupon, the resolve was finally passed.

Mr. HASKELL of Penobscot: Mr. President, the Senate having acted on all of the enactors, and having left only the job of formal closing, I think after one more matter has been considered very briefly, it might be well for the President to gavel through a recess until two o'clock.

Mr. Silsby of Hancock was granted unanimous consent to address the Senate:

Mr. SILSBY of Hancock: Mr. President, this is a happy occasion for me to have the privilege to express to you in behalf of the members of this Senate, how much we appreciate the outstanding performance of your duties as President during this Special Session of the 96th Legislature.

We are not unmindful that you have donated a great deal of your time to the State of Maine, three terms in the House, and three terms in the Senate. One of the terms in the House, you served as Speaker in the same able and efficient way that you served as our President of this Special Session. You have informed some of us that you are retiring from the political arena and, John, may I say to you that we will miss you a great deal, and further, that the people of

this great State of Maine will miss your good judgment and influence in supporting legislation for their proven need.

It has been written that the greatest gift that man can give to man is his respect and confidence, and, John, at this time, as a token of our respect and confidence, may I present to you this wrist watch which I trust will on each occasion that you consult it, remind you of how much we members of the Senate think of you.

The PRESIDENT: Members of the Senate, I thank you very much. I am sure that I cannot express to you my appreciation of this gift or my appreciation of all the kindnesses and courtesies you have extended to me during this brief interval that I have been privileged to serve you as your presiding officer, nor for the many courtesies and kindnesses you have extended to me during the regular session and during preceding sessions that I have been privileged to serve with you.

I can assure you that I have many fond and happy recollections of my associations with you and with members of previous legislatures with whom I have served. I have endeavored during my twelve years of service, to serve the State of Maine and my County to the best of my ability and I can assure you, too, that when the next Legislature convenes in January, I will be somewhat homesick not to be counted one of you.

As we near the conclusion of this Special Session, I wish to extend to all of you my heartfelt thanks and my best wishes that you will have all that is good and deserving in your lifetime and in your future legislative careers.

Thank you very much.

On motion by Mr. Haskell of Penobscot,

Recessed until one o'clock E.S.T.

After Recess

The Senate was called to order by the President.

Mr. Dennett of York was granted unanimous consent to address the Senate:

Mr. DENNETT of York: Mr. President and members of the Senate, it appears that it would not be fitting and proper to leave this legislative hall, and to repair to our respective places of abode without paying tribute to an outstanding member of this honorable body.

This man has been tireless in his efforts on behalf of the well being of our state and the promotion of harmony in this body. We are all aware of the countless hours he has taken from his business and his personal life to devote to the cause of good government. As we approach the closing hours of this special session, the thought occurs that some of us are retiring from political life but always retaining the happy reflection of the associations and friendships formed within these walls.

The entire membership of this Body has felt the friendship and all have witnessed the outstanding leadership of this man.

To Bob the man, to Bob the friend, to Bob the Majority Floor Leader, to Robert Haskell the legislator, goes our sincere and best wishes for a continued legislative career and may he dignify the State of Maine for many years to come.

Mr. Collins of Aroostook was granted unanimous consent to address the Senate.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate: I thought it might be of some interest to the members of the Senate to find out how the surplus fund of the State of Maine stands after the actions of the special session of the legislature. To refresh your memory and to bring you up to date insofar as I can, I would tell you that the surplus account of the

state as of June 30, 1954 was \$7,-341,314.38. Against that surplus there were 96 legislative items, non-recurring items, prior to this special session which have been earmarked of some \$373,900, making a balance as we come into this special session of \$6,967,-414.38. As a result of the actions of this legislature, provided that the bills that were passed are all signed by the Governor, we have expended a total of \$2,-882,528, which leaves a balance of surplus as of this date of \$4,-084,886.38.

The specific items under the different bills are as follows: For the elderly teachers, to carry out to the end of the fiscal year, \$38,-600; for wages of State employees \$514,588; for the emergency repairs at Pownal, \$97,700; for the Maritime Academy, \$18,-000; for the State Office Building, \$500,000; for the Revision Committee, \$5000; for the hurricane damage, for highways, to go back to the towns, \$1,000,-000; the additional educational subsidy, \$700,000; the shipping and packing of the Revised Statutes, \$2900; and the replacement of State Police vehicles from the general fund \$5740, making a total of \$2,882,528.

This, I think, takes in all of the items that would come out of the surplus account, and I thought that the Senators might be interested in knowing that as of this date that is the present surplus left in the treasury of the State.

Orders

(Out of Order)

On motion by Mr. Wight of Penobscot, it was

ORDERED, that a message be sent to the House of Representatives, informing that body that the Senate has transacted all the business before it, and is ready to adjourn without day.

The President appointed Mr. Wight of Penobscot to convey the message.

Subsequently that Senator reported that he had delivered the message with which he was charged.

A message was received from the House of Representatives stating that body had transacted all the business before it and was ready to adjourn without day.

On motion by Mr. Broggi of York, it was

ORDERED, the House concurring, that a Committee of Three on the part of the Senate, with such as the House may join, be appointed to wait upon his Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them and are ready to receive any further communications he may be pleased to make. (S. P. 647)

The Chair appointed on the part of the Senate:

Senators: :

BROGGI of York

KAVANAGH of

Androscoggin

SQUIRE of Kennebec

Sent down for concurrence.

The Committee retired, and subsequently Mr. Broggi for the Committee reported that the Committee had delivered the message with which it was charged, and the Governor was pleased to say he would send a communication to the Legislature forthwith.

State of Maine

Office of the Governor

September 23, 1954

To the Honorable Senate and House of Representatives
96th Legislature

In these closing hours of the 96th Legislature, may I herewith submit a tabulation of the results of your deliberations:

Acts Approved: 21

Resolves Approved: 10

Vetoes Presented: None

This Special Session has passed problems of an emergency nature critical to the welfare of the people of Maine. I believe that you have solved them in a forthright manner, and I commend you for your courage and determination.

It is my belief that this 96th Legislature has been the most constructive of any Legislature with which I have had the pleasure of being associated. You have worked honestly and conscientiously for the interest of all the people of our state.

May I, as your Governor, officially thank you in behalf of the people of Maine for work well done.

Mrs. Cross and the girls join me in thanking you for the many courtesies extended to us and for the gracious associations and lasting friendships that we have had throughout the past twelve years. We shall miss all of you, and hope we will see you often in the years to come. We wish for you all continued success, health and happiness in the future.

Respectfully submitted:

Burton M. Cross

Governor of Maine

The PRESIDENT: As the oldest Senator in the point of age, and in accordance with the long established custom of the Senate, the Chair now recognizes the Senator from Penobscot, Senator Wight, for the motion of final adjournment.

Thereupon, on motion by Mr. Wight of Penobscot, the President of the Senate, the Honorable John F. Ward at 2:20 P.M. Eastern Standard Time declared the Special Session of the Ninety-sixth Legislature adjourned without day.