

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Thursday, January 6, 1955

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Tom G. Akeley of Gardiner.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Report: (S. P. 8)

STATE OF MAINE

The Joint Select Committee of the Ninety-seventh Legislature on returns of votes for Governor given in the several cities, towns and plantations of this state for the political years 1955 and 1956, has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 248,971; and that Burton M. Cross of Augusta had 113,298 votes; and that Edmund S. Muskie of Waterville had 135,673 votes.

(Signed) Samuel W. Collins
Chairman on the part
of the Senate.

(Signed) Rodney W. Roundy
Chairman on the part
of the House.

Came from the Senate with the report read and accepted.

In the House, Report was read and accepted in concurrence.

From the Senate: The following Order:

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 the Honorable Edmund S. Muskie and inform him that he has been duly elected Governor of the State of Maine for the current political years, 1955 and 1956. (S. P. 10)

Came from the Senate read and passed with the following members appointed on its part:

Senators:

SINCLAIR of Somerset
LORD of Cumberland
BUTLER of Franklin

In the House, the Order was read and passed in concurrence and the

Speaker appointed the following members on the part of the House:

Miss CORMIER of Rumford
Messrs. ALBERT of Augusta
COTE of Lewiston
WILLEY of Ellsworth
DOSTIE of Waterville
SANFORD

of Dover-Foxcroft
DUQUETTE of Biddeford

Subsequently Miss Cormier for the committee, reported that the committee had attended to its duties and the committee was discharged and thanked by the House.

A message came from the Senate, borne by Secretary Winslow of that body, proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of administering to the Honorables Sidney R. Batchelder, Leon M. Sanborn, Walter Haynes, Arthur E. Ela, David A. Nichols, Roswell P. Bates and Carroll B. Peacock the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties as Executive Councilors; and for the further purpose of administering to the Honorable Edmund S. Muskie, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

On motion of Mr. Childs of Portland, the House voted to concur in the proposal for a Joint Convention. The Clerk was charged with and conveyed a message to the Senate to that effect.

The Clerk subsequently reported that he had delivered the message with which he was charged.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 11, at 10:00 o'clock in the morning. (S. P. 9)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that a Joint Select Committee of

three on the part of the Senate, with such as the House may join, be appointed to consider the Governor's message and report a reference of its several subjects to appropriate committees. (S. P. 11)

Came from the Senate read and passed with the following members appointed on its part:

Senators:

BOUCHER of Androscoggin
COLLINS of Aroostook
PARKER of Piscataquis

In the House, the Order was read and passed in concurrence and the Speaker appointed the following members on the part of the House:

Messrs. EDWARDS of Raymond
CURTIS of Bowdoinham
CASWELL of New Sharon
ROGERSON of Houlton
ALDEN of Gorham
CIANCHETTE of Pittsfield
ELWELL of Brooks

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Robert N. Haskell, in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Low of Knox, it was

ORDERED, that the rules be suspended by unanimous consent and that a message be sent to the Councilors-elect, informing them that the two branches of the Legislature are in Convention assembled, ready to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Chairman appointed Senator Low of Knox to convey the message.

Subsequently that Senator reported he had performed the duty assigned him and that the Councilors-elect would attend forthwith.

Thereupon, the Honorables Sidney R. Batchelder, Leon M. Sanborn, Walter Haynes, Arthur E. Ela, David A. Nichols, Roswell P. Bates, and Carroll B. Peacock, accompanied by the outgoing Councilors, entered the Hall and, in the presence of both branches of the Legislature, in Con-

vention assembled, before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Councilors and suite then withdrew amid the applause of the Convention.

On motion of Senator Reid of Kennebec, it was

ORDERED, that a committee of ten be appointed to wait upon the Honorable Chief Justice and Associate Justices of the Supreme Judicial Court, and the Justices of the Superior Court of this State, inviting them to attend this Convention convened for the purpose of administering to the Honorable Edmund S. Muskie, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Chairman appointed:

Senators:

REID of Kennebec
SILSBY of Hancock
LESSARD of Androscoggin

Representatives:

McGLAUFILIN of Portland
CHILDS of Portland
QUINN of Bangor
EARLES of South Portland
DAVIS of Calais
BROWNE of Bangor
MacDONALD of Rumford

Senator Reid for the Committee subsequently reported that the Committee had attended to the duty assigned to it, and that the Honorable Chief Justice and Associate Justices of the Supreme Judicial Court, and the Justices of the Superior Court were pleased to say that they would forthwith attend this Convention.

On motion of Senator Boucher of Androscoggin, it was

ORDERED, that a Committee be appointed to wait upon the Honorable Edmund S. Muskie, Governor-elect, and inform him that the two branches of the Legislature are in Convention assembled, ready to administer to him the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties and receive from him

such communication as he may be pleased to make.

The Governor-elect's party, including his parents, Mr. and Mrs. Stephen Muskie of Rumford, and Mrs. Myrtle Gray, mother of Mrs. Muskie, entered the Convention Hall amid applause.

The Chairman then appointed the Committee called for in the preceding Order:

Senators:

BOUCHER of Androscoggin
FARRIS of Kennebec
CARPENTER of Somerset

Representatives:

EDWARDS of Raymond
REED of Fort Fairfield
MALENFANT of Lewiston
HAUGHN of Bridgton
LATNO of Old Town
CARTER of Etna
MARTIN of Eagle Lake

Senator Boucher for the Committee subsequently reported that the Committee had discharged the duties assigned it, and the Governor-elect was pleased to say that he was ready to take and subscribe the necessary oaths of office and would forthwith attend the Convention.

At this point the Committee appointed for that purpose escorted the Honorable Chief Justice, the Associate Justices of the Supreme Judicial Court and the Justices of the Superior Court to the Convention Hall, amid the applause of the Convention, the audience rising.

Mrs. Edmund S. Muskie, wife of the Governor-elect, escorted by Major General George M. Carter, Adjutant General, entered the Hall of the House amid the applause of the Convention.

The Honorable Edmund S. Muskie, Governor-elect, announced by 1st Lt. Robert N. Packard, and escorted by Honorable Harold I. Goss, Secretary of State, and attended by Ex-Governors Honorable Percival P. Baxter, Owen Brewster and Sumner Sewall; Col. Anthony A. Rumo, State Commander of the American Legion; Col. Clinton N. Fecteau, Jr., State Commander of the AMVETS, Captain Arthur Benoit, Naval Aide,

Col. H. Lloyd Carey of the Augusta Air National Guard; Col. Asa Roach of the Army National Guard; Col. Willie Laverriere, State Commander of the Disabled American Veterans; Maurice F. Williams, Administrative Assistant; Adjutant General George M. Carter, the newly-elected Executive Council and the outgoing Executive Council and Heads of Departments entered the Hall of the House amid prolonged applause, the audience rising.

Prayer was then offered by the Rev. Father Thomas J. O'Dowd of Augusta.

Thereupon, the Governor - elect, Honorable Edmund S. Muskie, before the presiding officer of the Convention, the Honorable Robert N. Haskell, in the presence of both branches of the Legislature, the Chief Justice, the Justices of the Supreme Judicial Court and the Justices of the Superior Court of this State, took and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Chairman of the Convention then called upon the Secretary of State, the Honorable Harold I. Goss, to read the Proclamation:

Proclamation

The votes given in on the 13th day of September last in the cities, towns and plantations of the State for Governor, the returns of which have been made to the office of the Secretary of State, having been examined and counted by the Legislature which has declared that a plurality thereof was given to Edmund S. Muskie and that he is duly elected, and he, having in the presence of the two branches of the Legislature in convention assembled taken and subscribed the oaths required by the Constitution to qualify him to discharge the duties of that office, I therefore declare and make known to all persons in this State who are in the exercise of any public trust as well as all good citizens thereof, that Edmund S. Muskie is Governor and Commander-in-Chief of the State of Maine, and that due obedience should be rendered to all his acts and commands as such.

GOD SAVE THE STATE OF MAINE.

The CHAIRMAN: Ladies and Gentlemen of this Convention, your Honored Guests, Citizens of Maine, I present to you your Governor, the Honorable Edmund S. Muskie.

(Prolonged applause, Convention rising)

Governor Muskie then addressed the Convention as follows:

Mr. President and Members of the Ninety-seventh Legislature:

You and I have been sent here by our fellow citizens to participate as their representatives in the exercise of the functions of government. The work we do for them, if honestly and conscientiously done, can be a source of satisfaction to each of us. For this is the biennial renewal in Maine of that experiment begun more than 160 years ago — an experiment which has proven that man can be trusted with self-government. In the words of Thomas Jefferson, we exist "As standing proofs that a government, so modelled as to rest continually on the will of the whole society, is a practicable government." This, then, is, at the same time, the nature of our function and the measure of our responsibility.

As we meet together for the first time, it is customary and appropriate that we consider the scope of the problems which confront us. We must develop a plan for action if we are to proceed effectively and in an orderly fashion to deal with the work which must be done. The decisions to be made must be shared by the Governor, the Legislature, and the people. You and I are the instruments for recording the will of the people; and we can draw strength, wisdom, and inspiration from the fact that a well-informed citizenry can be trusted to support decisions which are in the best interests of all.

In our approach to our work, we can feel secure in the knowledge that our form of government, our traditions, and our democratic institutions give us a solid base on which to build for the future. We will be working not on quicksand but on solid rock. We should strive to make the structure which we build equally sound and enduring.

Our satisfaction in the recognition of this fact, however, should not dull our awareness of the need to take positive and constructive action in many areas of state government.

The world does not stand still, and we should adapt our concepts, our laws, and the functions of government to changing times and circumstances. To do otherwise would be to say that we lack the courage, the foresight, and the ability to use the tools which our ancestors so wisely provided. Only we the living can apply those tools to uses which will meet our needs today.

Let us not do ourselves the injustice of underestimating the resources which we have at our disposal. Not the least of these are the quality and character of Maine people—honest, hard - working, and resourceful—eager and willing to apply themselves to new endeavours. They ask only that their leaders point the way.

What, then, are the roads which we should travel? There are, broadly viewed, three such roads. One lies in the direction of developing our natural and industrial resources, on which the social and economic well-being of our citizens must rest. The second road is that of development and conservation of our human resources, whether they be children in our school system, the aged in need of understanding care, or the inmates of our institutions who possess the rights not only of intelligent care but of rehabilitation and, if practicable, return to society. The third avenue which must be travelled if we are to live up to our responsibilities is that of improvement of the processes of government itself. To these three major ends of good state government let us here dedicate ourselves.

We must first of all do what we can to expand our capacity to produce a better life for ourselves and for our children. This calls for the progressive development and sound conservation of those God-given land and water resources which are available for our use. It is not a task for government alone. It is a task for government and free enterprise working in partnership to create an economic climate in which creative men can take risks and reap rewards. Such a partnership, working effectively, can produce that continuous flow of new ideas and new leadership which we must have to achieve increased employment and economic prosperity. Our progress

in this direction will in large measure affect our capacity to expand our educational facilities, to improve our state institutions, to provide for the needy and unfortunate, to construct an adequate highway system, and, in general, to make government a more effective instrument for service to our people.

Industrial Development

We are, I think, more sensitive to the need for an aggressive program of industrial development than we have been for some time. It is appropriate to consider whether we have the most effective tools for that purpose.

We need an agency with strong executive direction, its efforts devoted full-time to this problem alone, and its organization geared to enlist maximum support and effort from various civic and municipal organizations. Community effort is the key factor in the process of creating new job opportunities. It must, however, have the guidance and leadership which can be supplied effectively by an integrated state agency, staffed with men who are expert in the fields of sales and promotion, research, planning and development.

The Maine Development Commission, with its divided responsibilities, does not meet these requirements. This is not to detract from its efforts in the field of recreational development where, within the limits of available funds, it has done its most effective work. It is also working with the Department of Agriculture and the Department of Sea and Shore Fisheries to do promotional work in those important areas of our economy. I am not suggesting that its jurisdiction in these fields be eliminated or restricted. Indeed, its funds for these purposes ought to be increased if it is to meet the ever growing competition from other states.

As merely one phase of the commission's work, however, industrial development cannot receive the emphasis which it must have if we are to get the results we want.

I recommend, therefore, that a new Department of Industry and Commerce be created to take over this work. Its mission would be to assist in the strengthening and expansion of existing industries, the

creation of new industries within the state, and the attracting of new industries to the state from other areas.

It is contemplated that the department be headed by a single commissioner supervising and directing the work of three divisions — research, planning, and development, each under its own director.

The research division would be a constantly expanding source of data basic to the development of industry and commerce including labor, sites, space, equipment, housing, materials, transportation, markets, and other economic considerations; and its work and studies should be advanced by coordination of research with existing private and governmental agencies and educational institutions.

One of the most important areas of research should be in the field of geology. This type of research, which has long been carried on by the state, must be expanded in order fully to exploit our mineral resources. Suggestive of the importance of this type of program are the new discoveries of our own manganese deposits in Aroostook County and those immediately across the New Brunswick border and the hopes held for their commercial development.

Using the information supplied by the research division, the planning division would design plans for the coordinated and effective economic development of the state, with respect to its topography, resources, and its present needs and future possibilities; and, in advancing its work, it would advise, confer, and cooperate with municipal planning boards and civic organizations.

With the creation of a state planning division, we will be in a position to encourage and implement local and regional planning. For this purpose federal funds are available and I recommend enactment of enabling legislation to qualify for such funds.

The development division, functioning through area offices and representatives working outside the state, would be the sales and promotional arm of the department, coordinating the efforts of public, private, and other agencies in cooperation with local government and civic groups. Additional details will be

spelled out in the budget message and in the legislation to be submitted in support of this recommendation. It has been my purpose here merely to indicate that this is the kind of new approach which must be made if we are to do the job effectively.

Port Development

The work of the new department should be supplemented by recognition of the fact that the deep-water ports of our matchless coast-line are a state resource with an undeveloped potential important to our entire economy. The Maine Port Authority was created to develop the shipping and commerce in all Maine ports. The authority cannot do this job without funds for promotion, solicitation of business, and engineering and port development. I recommend that such funds be provided.

Stream Improvement

No discussion of industrial development would be complete without reference to the problem of stream improvement. In the first place, solution of the problem has serious economic implications for existing industries which must not be disregarded. In the second place, an abundant supply of clean water has undoubted advantages as an inducement for new industries to locate in this state. These advantages will increase as the problem of water supply becomes more acute in other parts of the country; and we should improve our position in this respect as quickly as possible. The need for action becomes even clearer when we consider the subject of clean streams as a conservation measure important to our recreation industry and our shellfish industry.

The necessity for action is easier to spell out than is the solution. Patience, ingenuity, and cooperation on the part of all those interested will be required before the problem is brought under control if we are to avoid undue burdens for existing industries and our municipalities.

Consistent with these considerations, the following action is recommended at this time:

1. Completion of the work of classification of waters within two years, and appropriation of the necessary funds.

2. A tightening of the third highest classification, Class "C", which, under present law, is too broad.

3. Reorganization of the water improvement commission to give increased representation to "public" members having no direct connection with industry.

4. In addition, the commission should be required to explore the possibilities of pollution abatement and to report its findings in two years, together with its recommendations relative to methods, costs, and the setting of a time limit for compliance. For this purpose, it should draw upon the experience of other states in so far as such experience is applicable to the pollution problems which the commission's classification work discloses.

It is essential that our policy in this field be firm and progressive while avoiding damage to our industrial structure. Industry has a responsibility to press constantly forward to a solution. The attack should be aimed at both industrial waste and municipal sewage, but progress against the one need not be made contingent upon progress against the other. A sober, objective approach, based on a solid foundation of fact and experience, is the key to a final and satisfactory solution.

Water Power Development and Utility Rates

It is in order at this point to discuss another water resource, the power potential of our streams and at Passamaquoddy Bay. Its development and use is important to the industrialization of Maine and to the fuller enjoyment by our citizens of those standards of living which electric power makes possible.

Whether or not the Quoddy development will be realized is a question which, at the moment, rests with Congress. Because of the promise which it holds for industrial expansion, the influence of state government and our congressional delegation must be brought to bear to the end that a final determination of its feasibility may be made. The effort in this direction should be stripped of all partisan, political considerations.

It is timely to consider the wisdom of continuing on our statute books the Fernald Law which, since 1909,

has prohibited the export from the state of any electric current generated by any water power in this state. It was apparently conceived on the theory that, by hoarding our water power for use only in Maine, industries would flock here to take advantage of it. The theory did not work out. As a matter of fact, there is some reason to believe that the law hampered maximum development of our hydro-electric power in a period when a large surplus of developed power would have attracted new industries.

There is no sound reason to continue this isolationist doctrine which prevents the integration of our power needs and resources with those of our natural economic partners — the neighboring New England states and Canada.

Repeal of the Fernald Law at this time would serve at least two useful purposes:

1. Integration of our power system with those of our neighbors would enable us to export surplus power in periods of good water flow and to draw on their systems when we are confronted with a deficiency. This could very well reduce the necessity for heavy investment in new installations to supplement existing facilities in the areas thus affected. As a result, the pressure for increases in rates to support such investments would be reduced.

2. The economic feasibility of developing such sites as the St. John River may well hinge on whether the power thus made available can be transported into the Canadian market. The importance of such a development to the economy of northern Maine seems obvious.

Our inquiry into the field of water power development ought to extend to the Public Utilities Commission and the sufficiency of its authority to protect the consumer with reference to all utility rates. Legislation bringing this matter to your attention will undoubtedly be introduced. I recommend that, in your deliberations, you inquire as to the following:

1. Whether the present law places an unfair burden on rate payers by stressing reproduction costs as a part of the rate base.

2. Whether the commission ought to be afforded additional trained staff

to enable it to thoroughly analyze and evaluate the case made by any utility company for a rate increase.

The rate statute should provide the companies with sufficient revenues to cover legitimate operating expenses and to support the investment necessary to provide facilities which will meet consumer demand. It should not be so inflexible as to give the companies an unjustified return on investments which were never made. The problem of incorporating these two objectives in the statute merits your thoughtful consideration.

Atomic Energy

Your attention is called to the new frontiers which have been opened to Maine and the rest of New England by developments in the field of atomic energy. The New England Committee on Atomic Energy was wisely created by the conference of New England Governors on February 8, 1954. Its function is to inquire into ways and means of advancing the interests of New England in the development of atomic energy for peaceful purposes. Its interim report, recently issued, is a thoughtful and challenging exposition of the possibilities for stimulating industrial growth in this entire region.

The committee recommends that the legislatures of the six New England states consider enactment of legislation, patterned after a suggested draft, which will enable us to take advantage of new developments in the field as they arise. This is an opportunity to begin building for the future which should not be overlooked.

Labor

Intelligent planning for a greater industrial future requires that we consider the legitimate interests of the men and women who work for a daily wage. For the most part they are a hard working and conscientious group, and their skills and versatility are recognized by industry and business, not only in this state, but also in other New England states.

Labor and management relations have been on a high plane of cooperation and mutual understanding. You can contribute to a continuation of that record by realistic and enlightened legislation. The following are suggested for your consideration:

1. Increases in unemployment compensation benefits and extension of the benefit period to at least the extent recommended by the President;

2. Increases in Workmen's Compensation benefits to bring them more in line with the cost of living;

3. A minimum wage law to implement the recommendations of both party platforms, and to supplement federal legislation;

4. A fair labor relations law to operate in areas not covered by federal law; and

5. Change the Department of Labor and Industry to a Department of Labor, coincident with the creation of a new Department of Industry and Commerce.

Conservation

As we look to the future and plan for the development of Maine, we should give thought to the necessity for intelligent conservation of those resources with which nature has endowed us. This calls for attention in the fields of Inland Fisheries and Game, Sea and Shore Fisheries, Forestry, and Agriculture in addition to those which have already been considered.

They will be discussed in that order:

1. Inland Fisheries and Game: We must strengthen the operation of our Inland Fish and Game Department. The warden force needs additional manpower for a more adequate enforcement of the conservation laws. The role of the Fish and Game Advisory Council should be strengthened, and its views should play an ever greater part in the determination of policy for the department.

There is need to review our program relative to increasing the fish-life in our lakes and streams. The hatchery program undoubtedly performs a legitimate function. There is constructive work to be done, however, in the encouragement of natural reproduction of fish. This involves stream management, the construction and maintenance of fishways, and the protection of spawning beds.

There is increasing need for revision of our Fish and Game Laws to provide simplified and uniform rules for the sportsman to follow.

2. Sea & Shore Fisheries: I recommend that this department be

strengthened to serve the needs of a segment of our economy whose economic problems are particularly severe. An increase in the warden force and the institution of a shell-fish management program merit your consideration.

New markets, the processing of fish and fish products in this state, the use of cooperatives in the marketing and processing of fish — these and other problems are subjects for continuing and intensified research.

3. Forestry: This is a resource which has contributed greatly to the economic growth of the state throughout our history. Forest management, involving intelligent cutting practices, reforestation and the control and eradication of disease, is a continuing need if we are to conserve our forests for our own needs and those of posterity. We should inquire into the exploitation and stripping of the forest lands near our borders by non-resident owners and move to control it.

Our conservation efforts in these three fields might well be strengthened by the creation of a new department of conservation. I will have more to say on this subject in a few moments.

4. Agriculture: Soil conservation is an accepted program designed to promote intelligent use of the soil and its maximum utilization for the growing of crops. The federal program for soil and water conservation funnels about \$1,000,000.00 per year into the state for this purpose. Effective continuation of this activity calls for a relatively modest increase in the state appropriation, and such increase is recommended.

In addition, state government should assume leadership in the solution of technological problems which face some segments of our agricultural economy. There is also a place for state leadership working with the congressional delegation in placing the legitimate needs of our farmers before the Congress, and in seeking the assistance of federal agencies in solving problems which are beyond the capacity of state agencies.

One of the problems most deserving of your attention is whether or not, in the light of experience both here and elsewhere, the price fixing of milk at the retail level is justified. The results of legislation in other

states and the opinion of both producers and consumers of milk in this state indicate that abolition of retail price controls may result in greater consumption of milk and accordingly greater returns to the dealer and the farmer. You should consider the advisability of such action.

A strong agricultural economy is vital to the prosperity of the entire state. We must spare no effort within the reach of state government to serve our farm community.

State Parks

A deservedly popular and worthwhile feature of our development program is the expansion and improvement of the state park facilities. Approximately 400,000 visitors, including non-residents and Maine people, use these facilities annually. We should set our sights on providing recreational opportunities for a million visitors, annually. The various parks are revenue producing and should eventually pay much of their own way.

There is need for additional camping accommodations and parking areas, as well as bathhouses, roads, and other improvements. We should gradually provide these additions within the limits of available funds.

Not only are the parks visible and tangible evidence of our hospitality to out-of-state visitors, but they also create opportunities for many of our own people to enjoy the clean, Maine out-of-doors in pleasant surroundings.

Education

I have now discussed at some length ways and means of expanding our capacity to provide a better life for our people. As I have indicated, progress in that direction will increase the ability of state government to provide essential services. However, we cannot afford to wait for a full realization of our hopes and aspirations in that direction before we take constructive steps forward in the fields of education, institutions, health and welfare, highways, and other state functions. We must make at least a beginning now.

Improved educational facilities are essential if we are to equip our young people to meet the challenges of a highly competitive world. They are essential also if we are to develop the trained leadership of tomorrow

which Maine needs to reach for an ever higher level of economic development and prosperity.

On all levels of education we face similar problems — teacher supply, teaching standards, adequate salaries, and physical plant and equipment. These problems are complicated by the prospect of a rising student population.

On the local level, the formula for educational subsidies in support of public schools should be reviewed. A determination must be made as to that proportion of the over-all cost which can be borne by the state within the limits of available funds, and whether or not the state's share should be increased. It should not be less than that which would be provided by the existing formula. Once that determination has been made, a formula for an equitable distribution of the funds to municipalities will be in order. It is suggested that the formula might take into consideration the ability of a town or city to support its own schools and the effort which it makes to do so. Our aim should be to help the towns to help themselves in raising their educational standards.

The increase in teaching positions resulting from the rising student population, when added to the vacancies created each year by teachers leaving the profession and to the number of teachers serving on sub-standard credentials, indicates a teacher supply problem which will tax our ingenuity. It is estimated that the shortage for the single school year 1955-56 will reach 1,000. And in the face of this deficit, the number of persons preparing for teaching is declining.

One of the first steps which must be taken is to broaden the field of instruction and to raise teaching standards at the teachers colleges to make them more attractive to students inclined toward this profession. This requires additional teaching positions and a higher level of salaries.

Secondly, the physical plant and equipment at the teachers colleges should be improved and expanded to provide capacity for training an adequate supply of qualified and trained teachers.

Increased salaries and better training facilities are the inducements

which must be offered if we are to solve the teacher supply problem.

We should provide the funds to strengthen and expand the faculty and to increase the capacity of the University of Maine. It would be unrealistic and shortsighted indeed not to provide advanced educational opportunities within the state for those young people we need in business, in industry, and in agriculture. We should plan on an increase in enrollment of at least 1200 by 1960.

Three other recommendations in the field of education are submitted for your consideration:

1. The addition of a course in building trades and a course in heating and air conditioning at the Maine Vocational Technical Institute. The school has proven its worth to the economy of the state and should be gradually expanded.

2. An increase in the state's appropriation for vocational rehabilitation. Federal funds are available on such a generous scale that the state's contribution would be a relatively modest one. The expenditure would actually be an economy measure, for as trainees are returned to useful places in society they relieve the drain on other assistance programs. In addition, they become productive and, it is estimated, return to state and federal government in taxes many times the cost of their rehabilitation.

3. The opportunity afforded Maine to participate with other states in the development of educational television is being explored by a citizens' committee. I recommend that the Governor be empowered to appoint proper public officials to cooperate with the committee in its work.

We cannot expect to correct all the weaknesses in our educational system at once. A constant review of our needs and intelligent planning is necessary as we reach for the standards we should meet.

Institutions

The subject of institutions is one that is close to the hearts, minds, and consciences of Maine people as it hasn't been for many years. There are needs to be filled and weaknesses to be corrected. Our efforts should be based on and consistent with long-range planning in this field. We should avoid patch-work solutions

which, in the last analysis, are the most expensive.

The immediate needs are greatest with respect to Augusta State Hospital, Pownal State School, The State School for Boys, and the Men's Reformatory. Overcrowding, improper housing, understaffing, inadequate provision for educational and vocational training facilities in the two schools, and lack of recreational opportunities are some of the conditions which need correction. These suggest new construction and an increase in appropriations to provide additional personnel, from attendants and nurses to professional staff. Recommendations along these lines will be included in the budget message next week.

Attention must also be given to requirements of the Maine State Prison. Maximum security as protection for the public requires additional personnel and improvements to plant.

The problem of tuberculosis care and cure is another which has received considerable public attention in past months. We do not at present have an informed and comprehensive evaluation of our present program in terms of the latest advances in medicine. Such an evaluation is in process and, when completed, should enable us to adapt our program to the latest concepts of tuberculosis control. We should not underestimate the need which is being met by our sanatoria and which will continue into the presently foreseeable future. We ought to provide additional facilities at our mental hospitals to meet the tuberculosis problem with which they are struggling.

As we review our entire institutional problem, we should strive to achieve a standard of care which will operate to rehabilitate those who are institutionalized to useful places in society. Not only is such a standard humane, it is also effective economy. It will require constant effort to improve supervision, organization and plant.

The Department of Institutions is large, growing, and complex. A deputy commissioner should be provided to make possible closer overall supervision. Moreover, it is recommended that the department be analyzed and evaluated with reference to its organization and needs

with a view to increasing its over-all effectiveness.

Early attention should be given to the problem of the new school for the deaf. The thoughtful gift of former Governor Percival P. Baxter for construction of a new school on Mackworth Island was supplemented by a legislative appropriation two years ago. Since that time, construction of a causeway to the island was begun and is almost completed. Plans for the school have been drawn and some earth has been moved. Because the funds available proved to be obviously insufficient, however, the plans were not submitted for bids.

By its terms, Governor Baxter's gift was to be withdrawn if construction of the school and a bridge was not begun by January 1, 1955. He has very generously agreed that the work already done constitutes compliance with this condition. However, it is recommended that, in order to avoid further delay and to comply with the spirit of his gift, you should make it a first order of business to appropriate the necessary additional funds by emergency legislation. Further reference will be made on that point in the budget message.

Health and Welfare

The needs of the aged, the blind, the disabled, and the children who are dependent upon state assistance deserve our sympathetic consideration.

There are two programs in process now which, it is hoped, will lift some of the burdens of some of these people. The department is putting into effect a liberalized program of old age assistance which will give relief to many of our older citizens who have been ineligible previously. The new program for aid to the disabled also meets a need. Appropriations to support each of these new programs will be recommended in the budget document to be submitted.

I recommend a continuation of the committee on aging and commend its excellent report to your consideration.

I recommend, also, that the hospital aid program be adapted to purchase hospitalization for the recipients of these assistance programs. This can be done in such a way as to claim federal funds to supplement

the state's appropriation. It would involve creation of a pool, into which payments would be made in the name of each of the recipients under the department's assistance programs. Payments for hospitalization of recipients would be made from the pool. It is suggested one-half of the recommended appropriation for hospital aid be applied to this purpose.

Also, in connection with hospital aid, there are instances when smaller communities are confronted with hospital bills for relief cases which are staggering in the light of the community's valuation and revenues. Relief in such instances by the state could be given at a relatively modest cost. Legislation will be proposed to, in effect, insure towns against catastrophic hospital expenses of this kind which cannot be anticipated.

Long-Range Building Program

In the discussion of problems relative to education, institutions, state parks and other activities of state government, I have referred to the need for capital improvements. The need for such outlay also occurs from time to time in connection with state armories and office buildings. It is clear, as we consider available state funds, that all of the essential needs in this respect cannot be provided at this time.

This raises the question as to the need for a long-range view of the problem if we are to plan intelligently for the implementation of our programs in these fields. It is equally important, for example, to provide housing for patients in an overcrowded mental hospital as it is to provide food, clothing, and medical care.

An effective approach to this problem requires that we consider the following:

1. What buildings do we need now and in the foreseeable future;
2. What will they cost;
3. What reserves should we set aside annually to meet the problem.

In the past there has been little effort toward this type of effective planning. The building program has been keyed to the general fund surplus account. This account has been variable and unpredictable with no relation to the need. Furthermore, the surplus has been used from

time to time for operational expenditures of a recurring nature.

As a result, we have not met the needs as they have occurred. Overcrowded conditions at such institutions as the Augusta State Hospital, the lack of educational, vocational, and recreational facilities at Pownall and the State School for Boys, the lack of dormitory and other essential facilities at the state teachers' colleges — these and other accumulated deficiencies attest to the weakness of our capital improvement program.

There has been no centralized nor uniform planning of the over-all program. There are obvious advantages in that respect with reference to such items as types of architecture, specifications, engineering, bidding procedures, and contracts. Such planning could, in my opinion, save the taxpayer thousands of dollars.

I recommend, therefore, that we set up a permanent, long-range construction program, incorporated as a part of the budget division of the department of Finance and Administration. It is anticipated that the initial report on the nature and scope of the problem will be presented to the 98th Legislature. The budgetary aspects of this program will be discussed in the budget message.

Survey of State Government

We have considered two major areas of improvement in our state government: The development of our natural and industrial resources and the preservation of human values through our institutional and educational services. There is still a third field for progress: The machinery of government itself.

So far in these remarks, the ideas submitted to you can be fitted into the existing structure of our state government. Much good can be accomplished by their adoption. But I am convinced that the time has come when we need to take a long and deliberate look at a structure which is the result of the accumulated statutes of the 96 legislatures which have met since 1820. There is need to study this structure in the light of modern laws and practices and the experience not only of this state but of the remaining 47 states. In this way we can effectively evaluate our administrative organization and methods, to determine whether they

are suited to carrying on state functions in the most effective manner and to getting the work of state government done in the most economical way.

Such a study is neither a new nor radical idea. It was suggested in 1929 by Governor Gardiner. In 1930 the National Institute of Public Administration submitted an exhaustive survey report covering every phase of state government. Unfortunately, this report was never as fully exploited as it deserved to be. Although recognized as both progressive and authoritative in other states, it remains in large part as an agenda of unfinished business. To bring such a survey up to date and then to carry into effect its most important recommendations are two of the most constructive objectives which any legislature and state administration can pursue. Accordingly, I urge that such a survey be undertaken and the necessary funds provided.

The survey should include an inquiry into the advisability of consolidating the conservation departments into a new department of conservation, the reorganization of the Department of Institutional Services, and other organizational problems. It ought also to evaluate the effectiveness of programs dealing with pollution, conservation, highways, and others. It can review our tax structure. The field of inquiry would be as broad as government itself.

In the course of such a survey it will be both helpful and necessary for committees of citizens and public officials to consult with the survey staff, so that the final recommendations will reflect proper solutions to our own problems.

In no area of state government will such a committee be more helpful than in that of constitutional revision. For many years students of our state government have pointed out the need to winnow out the wheat from the chaff of our constitution and its many amendments. Such a committee would study such proposals as a four year term for governor, annual sessions of the legislature, reduction of the voting age, abolition or popular election of the executive council, the method of reapportionment, the proper procedure and agency for the consideration of peti-

tions for pardons, and the appointment or election of various officials.

If a survey of our state government is authorized by the legislature, I suggest that the governor be empowered to appoint such necessary citizens' committees, including a committee on constitutional revision, to assist in this vast but fruitful project.

In all candor, however, I consider it my duty to suggest certain steps that should be taken immediately. Perhaps the foremost of these is the compliance by the legislature with the existing mandate to reapportion in accordance with the constitution. A second such project is the long discussed proposal to change the election date to conform with that of the other states of the nation. A suggestion with much apparent merit is that Maine elect its governor for a four year term, such election to be in November in a non-presidential year, so that it will be possible for state and national issues to be more effectively distinguished by the electorate when they go to the polls.

A third step meriting your immediate attention is the revision of your own procedures with the objective of expediting the transaction of legislative business.

In conjunction with these suggestions for the improvement of this all important business of government, it is my intention to expand the activities of the newly created Judicial Council to the end that our system of justice shall be made even more effective. Such matters as the review of rules of procedure, our practices in imposing sentences and in the administration of our probation and parole systems, and the creation of specialized courts are possible subjects of study and recommendation.

Civil Defense

In these days of international tensions and cold war, I feel it is imperative to emphasize the need for strengthening and expanding our civil defense effort. Public apathy and indifference constitutes a threat to effective work in this respect. As public officials we must take it upon ourselves to promote widespread interest in and cooperation with the state, county and local organizations. Our planning for the future will not be complete nor realistic if we do not

guard against the disasters which can strike suddenly and unexpectedly.

Conclusion

These, then, are the broad objectives as I see them. You will note that I have not discussed taxation and highway problems and policy. Inasmuch as these are largely financial matters, I have chosen to discuss them at length in the budget message which will be presented next week.

Progress and constructive achievement are possible only if we set our sights on high-minded objectives and work constantly toward them. I am sure we can agree that the people of Maine do not want to stand still while the rest of the country forges ahead. Someone has said, "The road that stretches before the feet of a man is a challenge to his heart long before it tests the strength of his legs."

Working together, with God's help, we can meet this challenge and start down the broad road to a brighter future for all our people.

At the conclusion of the address, the Governor and his suite then withdrew, amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by Speaker Trafton.

From the Senate: The following communication: (S. P. 6)

STATE OF MAINE EXECUTIVE CHAMBER

Augusta, Maine
January 5, 1955

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, 1953 and 1954, 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.

(Signed) BURTON M. CROSS
Governor

Came from the Senate read and ordered placed on file.

In the House, the communication was read and ordered placed on file in concurrence.

The SPEAKER: At this time, the Chair wishes to announce the appointments of members of two additional Standing Committees of the House not appointed yesterday and also the appointments to the Joint Standing Committees.

The Clerk will read the appointments together with the appointments of Senate members to the same Joint Committees.

House Standing Committees

County Estimates

Kimball of Dayton
Hilton of Bremen
McCluskey of Warren
Call of Cumberland
Sanford of Dover-Foxcroft
Roberts of Dexter
Reynolds of Mt. Desert
Gardner of Hartland
Palmer of Meddybemps
Jennings of Strong
Greene of Belfast
Foster of Mechanic Falls
Olpe of Brownfield
Storm of Sherman
Couture of Bath
Allen of Chelsea

Rules and Business of the House

The Speaker ex officio
McGlaflin of Portland
Needham of Orono
Bernier of Waterville

Joint Standing Committees

Agriculture

Senate: Fuller of Oxford
Jamieson of Aroostook
Dow of Lincoln
House: Caswell of New Sharon
Brockway of Milo
Roberts of Dexter
Bowie of Durham
Soule of Merrill

Foss of Chapman
Elwell of Brooks

Appropriations and Financial Affairs

Senate: Collins of Aroostook
Sinclair of Somerset
Chapman of Portland
House: Jacobs of Auburn
Cates of East Machias
Henry of North Yarmouth
Rogerson of Houlton
Stanley of Bangor
Bean of Winterport
Edwards of Raymond

Business Legislation

Senate: Cummings of Sagadahoc
Albee of Cumberland
Farris of Kennebec
House: Wade of Auburn
Walter of Waldoboro
Blanchard of Wilton
Fay of Portland
Edgar of Bar Harbor
Pike of Waterford
Kinch of Livermore Falls

Claims

Senate: Silsby of Hancock
Low of Knox
Fournier of York
House: Alden of Gorham
Anderson of Greenville
Getchell of Limestone
Fuller of China
Jack of Topsham
Cote of Madison
Courtois of Saco

Correctional Institutions

Senate: Cummings of Sagadahoc
Lord of Cumberland
Boyker of Oxford
House: Finemore of Bridgewater
Reynolds of Mount Desert
Whiting of Skowhegan
Couture of Bath
Stilphen of Rockland
Couture of Lewiston
Davis of Westbrook

Education

Senate: Dow of Lincoln
Fuller of Oxford
Crabtree of Aroostook
House: Fuller of South Portland
Roundy of Portland
Evans of Cornish
Mann of Paris
Carter of Newport
Knight of Searsmont
Cormier of Rumford

Highways

Senate: Parker of Piscataquis
Jamieson of Aroostook
Cole of Waldo

House: Ferguson of Hanover
Pullen of Oakland
Carter of Etna
Denbow of Lubec
Higgins of Scarborough
Dunn of Poland
Nadeau of Biddeford

Inland Fisheries and Game

Senate: Carpenter of Somerset
Hillman of Penobscot
Hall of York

House: Potter of Medway
Harnden of Rangeley
Butler of Franklin
Gardner of Hartland
Ross of Brownville
Briggs of Caribou
Dudley of Enfield

Judiciary

Senate: Reid of Kennebec
Silsby of Hancock
Weeks of Cumberland

House: McGlaulin of Portland
Needham of Orono
Earles of South Portland
Browne of Bangor
Davis of Calais
Hancock of York
MacDonald of Rumford

Labor

Senate: Farris of Kennebec
Hillman of Penobscot
St. Pierre of Androscoggin

House: Winchenpaw of Friendship
Call of Cumberland
Ross of Bath
Jones of South Portland
Brown of Baileyville
Letourneau of Sanford
Walls of Millinocket

Legal Affairs

Senate: Woodcock of Penobscot
Martin of Kennebec
Lessard of Androscoggin

House: Childs of Portland
Quinn of Bangor
Foster of Mechanic Falls
Lord of Augusta
Bragdon of Perham
Thomas of Anson
Martin of Eagle Lake

Liquor Control

Senate: Crabtree of Aroostook
Carpenter of Somerset
Boucher of Androscoggin

House: Pierce of Bucksport
Christie of Presque Isle
Rich of Charleston
Charles of Portland
Anthoine of Windham
Dostie of Winslow
Cote of Lewiston

Natural Resources

Senate: Butler of Franklin
Wyman of Washington
Farley of York

House: Williams of Hodgdon
Crockett of Freeport
Howard of Dixfield
Martin of West Gardiner
Libby of Camden
Beal of Lisbon
Lamb of Eastport

Public Health

Senate: Lord of Cumberland
Boyker of Oxford
St. Pierre of Androscoggin

House: Bibber of Kennebunkport
Dicker of Lakeville
Plantation
Curtis of Bowdoinham
Stilphen of Rockland
Michaud of Madawaska
Malenfant of Lewiston
Coyne of Waterville

Public Utilities

Senate: Martin of Kennebec
Silsby of Hancock
Lessard of Androscoggin

House: Osborne of Fairfield
Gilmartin of Portland
Cook of Portage Lake
Skolfield of Harpswell
Haughn of Bridgton
Cyr of Fort Kent
Bernier of Waterville

Retirements and Pensions

Senate: Butler of Franklin
Dunham of Hancock
Sinclair of Somerset

House: Albert of Augusta
Shaw of Bingham
Lindsay of Brewer
Flynn of South Berwick
Olpe of Brownfield
Cormier of Rumford
Sansoucy of Biddeford

Sea and Shore Fisheries

- Senate: Brown of Washington
Dow of Lincoln
Fournier of York
- House: McCluskey of Warren
Stanwood of Steuben
Greenleaf of Boothbay Harbor
Baird of North Haven
Roberts of Brooklyn
Brewster of Wells
Hanson of Machiasport

Taxation

- Senate: Low of Knox
Cummings of Sagadahoc
Albee of Cumberland
- House: Sanford of Dover-Foxcroft
Seaward of Kittery
Wiley of Ellsworth
Reed of Fort Fairfield
Hanson of Gardiner
Duquette of Biddeford
Walsh of Brunswick

Towns and Counties

- Senate: Wyman of Washington
Farris of Kennebec
Farley of York
- House: Stanley of Hampden
Hilton of Bremen
Staples of Newfield
Wadleigh of Mount Vernon
Woodworth of Benton
Cianchette of Pittsfield
Porell of Westbrook

Transportation

- Senate: Cole of Waldo
Wyman of Washington
Hall of York
- House: Totman of Bangor
Finemore of Bridgewater
Greene of Belfast
Palmer of Meddybemps
Allen of Chelsea
Madore of Van Buren
Jacques of Lewiston

Veterans and Military Affairs

- Senate: Weeks of Cumberland
Brown of Washington
Fuller of Oxford
- House: Jennings of Strong
Kimball of Dayton
Butler of Franklin
Maxwell of Winthrop
Hatfield of Orrington
Valley of Sanford
Dumais of Lewiston

Welfare

- Senate: Dunham of Hancock
Cole of Waldo
Boucher of Androscoggin
- House: Lawry of Rockland
Storm of Sherman
Cole of Sumner
Files of Portland
Sanborn of Baldwin
Latno of Old Town
Babineau of Brunswick

Reference of Bills

- Senate: The President ex officio
Reid of Kennebec
Boucher of Androscoggin
- House: The Speaker ex officio
Childs of Portland
Bibber of Kennebunkport
Edwards of Raymond

The SPEAKER: At this time the Chair would like to state that it has tried as hard as possible to satisfy all of the members in committee assignments. Some members are not satisfied, inevitably, and to those members who could not have the committee of their choice, the Chair extends sincere apologies.

It has been called to the Chair's attention that some members of the Legislature may not have received invitations to the Governor's Ball tonight. Invitations, the Chair is informed, were sent to all members of the Legislature.

The House is waiting at the moment for papers from the Senate.

At this time, the Clerk will give certain notices.

House at Ease

Called to order by the Speaker.

From the Senate: The following Orders:

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of 50 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 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; and be it further

ORDERED, that free telegraph service be provided to each member and officer of the Senate and House to the number of twenty messages of reasonable length, 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 by the Secretary of the Senate and Clerk of the House; the cost of this service to be paid to Western Union Telegraph Company at regular tariff rates (S. P. 12)

ORDERED, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding \$5.00 for each member and officer thereof, and that such transportation be furnished and expended under the direction of the Secretary of the Senate and the Clerk of the House, respectively, and the unexpended balance at the close of the year 1955 shall be available for use in 1957 (S. P. 14)

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives as advances on account of compensation, amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, and that the final payrolls of such officers at the end of the session bear the approval of the Joint Standing Committee on Appro-

priations and Financial Affairs (S. P. 16)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to legislative expense (S. P. 13)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House, not exceeding \$6.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State (S. P. 15)

ORDERED, the House concurring, that the desk, chair, table, and personal files of Burton M. Cross, used by him as Governor of Maine, be presented to him as a gift from the Ninety-seventh Legislature (S. P. 18)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

On motion of Mr. Childs of Portland,

Adjourned until Tuesday, January 11, at 10:00 o'clock in the morning.