

# 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**

Wednesday, January 12, 1955

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

Prayer by the Rev. Mr. Harvey F. Ammerman of Augusta.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate: The following communication: (S. P. 23)

STATE OF MAINE  
DEPARTMENT OF LABOR AND  
INDUSTRY  
Augusta

January 5, 1955

Hon. Chester T. Winslow  
Secretary of the Senate  
State House  
Augusta, Maine  
My dear Sir:

We have the honor to submit the Final Report of the Special Committee to Study Safeguards in Construction Projects, appointed subject to Chapter 191, Resolves 1953.

Accompanying the Final Report is a Supplemental Statistical Report upon which our findings were based.

Respectfully yours,

William Salter  
Erik K. Sanders  
(Signed) George L. Bates  
Walter Reynolds  
Jean C. Boucher  
Albert West  
Marion E. Martin

Came from the Senate read and ordered placed on file.

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

From the Senate: The following communication (S. P. 19)

STATE OF MAINE  
DEPARTMENT OF THE  
ATTORNEY GENERAL  
Augusta

January 6, 1955

To the Honorable Senate and  
House of Representatives of the  
Ninety-seventh Legislature:

Pursuant to Article V, Part 4, Section 2 of the Constitution I am transmitting herewith two bonds of

the Honorable Frank S. Carpenter, Treasurer of State, each in the amount of \$75,000, one written by The Travelers Indemnity Company of Hartford, Connecticut, bearing date of January 5, 1955, and the other written by Maine Bonding and Casualty Company of Portland, Maine, bearing date of January 5, 1955, each being payable to the State of Maine.

These bonds bear the Deputy's approval as to form and I recommend them for approval by the Legislature.

Respectfully yours,  
(Signed) Frank F. Harding  
Attorney General

Came from the Senate read and with accompanying bonds ordered placed on file with the State Auditor.

In the House, the Communication was read and with accompanying bonds ordered placed on file with the State Auditor in concurrence.

From the Senate: The following Orders:

ORDERED, the House concurring, that the two bonds of the Honorable FRANK S. CARPENTER, Treasurer of State, each in the amount of \$75,000, one written by the Travelers Indemnity Company of Hartford, Connecticut, bearing date of January 5, 1955, and the other written by Maine Bonding and Casualty Company of Portland, Maine, bearing date of January 5, 1955, each being payable to the State of Maine, and each bearing the certificate of approval of the Attorney - General, be and hereby are approved (S. P. 21)

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of one hundred dollars (\$100.00) fortnightly, according to lists certified to the State Controller by the Secretary of the Senate and Clerk of the House respectively; and that the final payrolls bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs (S. P. 22)

ORDERED, the House concurring, that no bill for private or special legislation be received by this legislature after 1 o'clock on the afternoon of Thursday, February 3, 1955,

and that no other bill or resolve be received by this legislature after 1 o'clock on the afternoon of Thursday, February 10, 1955, except by unanimous consent of the body in which it is introduced; and it is further

**ORDERED**, that for the purpose of this Order, all bills and resolves which have been filed with the Director of Legislative Research within the time limits herein established shall be considered as received, provided such bills and resolves shall be properly titled and accompanied by sufficient information and data required for their preparation. The Director of Legislative Research shall communicate to the Senate and House, respectively, on the first legislative day following the respective time limits herein established, a list of all bills and resolves in the process of preparation in his office, and shall report to the Secretary of the Senate and Clerk of the House respectively on the first legislative day of each week beginning February 22nd a list of bills and resolves remaining in process of completion in his office; and it is further

**ORDERED**, that any bill or resolve which shall be received in either body of this Legislature by unanimous consent after the times above set shall stand referred to the Ninety-eighth Legislature if unanimous consent for its reception is not given in the other body in concurrence. This Order shall not apply to bills reported by any joint standing or joint select committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Ninety-seventh Legislature; and it is further

**ORDERED**, that the Secretary of the Senate shall cause to be published notice of the time limits for introduction of Bills and Resolves established by this order in all weekly papers of the State during the weeks ending January 22, 29 and February 5, and once during each of said weeks in all daily newspapers in the State (S. P. 25)

Came from the Senate read and passed.

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

## Messages and Documents

The following Communication: (H. P. 19)

### STATE OF MAINE DEPARTMENT OF HEALTH AND WELFARE Augusta

January 6, 1955

President of the Senate and  
Speaker of the House of  
Representatives  
Ninety-seventh Legislature  
State House  
Augusta, Maine

Gentlemen:

This is to certify that Joseph A. Nicholas at a tribal election held on October 5, 1954 was elected to represent the Passamaquoddy Tribe of Indians at the Legislature from January 1, 1955 to December 31, 1955; also, Francis Ranco at an election held on September 7, 1954 was elected to represent the Penobscot Tribe of Indians at the Legislature for the same period.

Respectfully submitted,

(Signed) Dean Fisher, M. D.  
Commissioner

The Communication was read.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Roundy.

Mr. ROUNDY: Mr. Speaker, may I ask why that isn't December 31, 1956?

The SPEAKER: The Chair is informed that the information is not at this moment available. A check will be made and while the check is being made, the House may be at ease.

## House at Ease

The House was called to order by the Speaker.

The SPEAKER: The Clerk will make a clerical correction in the Communication just received.

The CLERK: The correction will make the term of office from January 1, 1955 to December 31, 1956.

Thereupon, the Communication, as corrected, was placed on file and sent up for concurrence.

### **Petitions, Bills and Resolves Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

#### **Claims**

Resolve in favor of the Town of Avon (H. P. 5) (Presented by Mr. Jennings of Strong)

Sent up for concurrence.

#### **Inland Fisheries and Game**

Bill "An Act relating to Closed Season on Deer in Town of Isle au Haut, Knox County" (H. P. 6) (Presented by Mr. Baird of North Haven)

(Ordered Printed)

Bill "An Act relating to Open Season on Deer in Vinalhaven" (H. P. 7) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act relating to Rabbit Hunting in Oxford, Franklin and Somerset Counties" (H. P. 8) (Presented by Mr. Jennings of Strong)

(Ordered Printed)

Bill "An Act relating to Closed Time on Deer in Franklin County" (H. P. 9) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Resolve proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (H. P. 10) (Presented by Mr. Denbow of Lubec)

(Ordered Printed)

Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act relating to Membership of the Board of Trustees of the North Haven Port District" (H. P. 11) (Presented by Mr. Baird of North Haven)

(Ordered Printed)

Bill "An Act relating to Definition of 'Elevator' under Board of Elevator Rules and Regulations" (H. P. 12) (Presented by Mr. Curtis of Bowdoinham)

(Ordered Printed)

Bill "An Act Creating a State Athletic Commission and Regulating Wrestling" (H. P. 13) (Presented by Mr. Jacobs of Auburn)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Readfield School District" (H. P. 14) (Presented by Mr. Wadleigh of Mount Vernon)

(Ordered Printed)

Sent up for concurrence.

#### **Natural Resources**

Resolve Changing the Name of Rattlesnake Pond to Pequawket Pond (H. P. 15) (Presented by Mr. Olpe of Brownfield)

(Ordered Printed)

Sent up for concurrence.

#### **Retirements and Pensions**

Resolve providing for State Pension for Harland R. Mace of Orrington (H. P. 16) (Presented by Mr. Hatfield of Orrington)

Sent up for concurrence.

#### **Taxation**

Bill "An Act Exempting Certain Materials Used by Commercial Fishermen from the Sales Tax" (H. P. 17) (Presented by Mr. Baird of North Haven)

(Ordered Printed)

Bill "An Act relating to Exemptions from Taxation of Veterans" (H. P. 4) (Presented by Mr. Lord of Augusta by request)

(750 copies Ordered Printed)

Sent up for concurrence.

#### **Transportation**

Bill "An Act Repealing the Law Prohibiting the Use of Motor Vehicles on a Certain Road in the Town of North Haven" (H. P. 18) (Presented by Mr. Baird of North Haven)

(Ordered Printed)

Sent up for concurrence.

#### **Orders**

On motion of Mr. Sanford of Dover-Foxcroft, it was

ORDERED, that Mr. Roberts of Dexter be excused from attendance for the duration of his illness; and be it further

ORDERED, that the Clerk of the House be directed to send flowers to Mr. Roberts and express to him the

sympathy of the members of the House, together with their hopes for a very speedy recovery.

On motion of Mr. Wadleigh of Mt. Vernon, it was

ORDERED, that Rev. Leo L. Dunn of Mount Vernon, be invited to officiate as Chaplain of the House on Wednesday, January 19, 1955.

On motion of Mr. Bibber of Kennebunkport, it was

ORDERED, that permission is hereby granted for speakers to be connected to the House Public Address System and located in the office of the President of the Senate, the Secretary of the Senate, the Executive Department, the Council Chamber and Newspaper Room until the House shall otherwise order.

On motion of the gentlewoman from Presque Isle, Mrs. Christie, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

#### Orders of the Day

The following papers from the Senate were taken up out of order and under suspension of the rules:

From the Senate: The following communication: (S. P. 26)

#### STATE OF MAINE

Office of the Governor  
Augusta

January 11, 1955

The Honorable President  
The Honorable Speaker of the House  
Ninety-seventh Legislature  
Gentlemen:

I consider it a privilege to transmit herewith a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 2000 acres of land in the Baxter State Park area for public purposes. He also requests that the legislature ratify the January 20, 1954 acceptance by the Governor and the Executive Council of 14,005 acres of land in Township 6, Range 9.

In recognition of the legitimate interests of citizens in the surrounding areas who operate stores and camps, Mr. Baxter thoughtfully imposes no hunting restrictions in connection with his most recent gift, and he proposes removal of such re-

strictions in connection with his gift of January 20, 1954.

In another generous concession, Mr. Baxter proposes legislation under which the State's powers relating to the care and management of the Park are broadened and made more flexible.

I submit Mr. Baxter's generous offer and these several pieces of legislation to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE  
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.

From the Senate: The following Communication: (S. P. 27)

Portland, Maine  
January 11, 1955

To the Honorable Edmund S. Muskie, Governor and the Honorable Senate and House of Representatives of the 97th Legislature of Maine.

In this communication I submit for your consideration certain matters relating to Baxter State Park, an area which now comprises 166,676 acres of wild forest land forever to be held by the State of Maine IN TRUST for the PEOPLE OF MAINE. These Acts are four in number.

The FIRST Act ratifies and confirms the former Acceptance on January 20, 1954 by the Governor and Executive Council of my gifts of three parcels of wild land in the Katahdin area which were acquired by me when the Legislature was not in Session. As I was about to journey to foreign lands I deemed it wise to place this area in the safe ownership of the State in case I should not return. Moreover all my gifts to the State over the years have been accepted by the several Legislatures and so have been published in the Laws of Maine. I wish these gifts to conform to that plan.

The SECOND Act is a new gift of two thousand (2000) acres in township six (6) range nine (9) Trout Brook Township so called. This completes the gift of the entire township except about 3402 acres and the

1/6th of the Public Lot both of which I hope to acquire from the Great Northern Paper Company so that later I can donate it to the State. In this gift of two thousand (2000) acres hunting is not forbidden.

The THIRD Act is an Act interpreting certain provisions relating to the care and management of this State Park. In consultation with our Forest and Game officials and with the Attorney General's Department it seems desirable to provide for an understanding as to what is required under the Trust Deeds. Under the Act now submitted to you the powers of the State management are broadened and made more flexible in order that the Trusts will not be violated in the years to come. As all my Trusts have been made for perpetuity great care has to be taken to make them understandable and enforceable.

The FOURTH Act relates to a distinct concession on my part in regard to the "No Hunting" or "Sanctuary" provisions in the Deed of Gift of the fourteen thousand five (14005) acres and of the five-sixths (5/6ths) of the Public Lot north of Trout Brook in township six (6) range nine (9). Under the original Deed to this area which was accepted by the Governor and Executive Council on January 20, 1954 hunting was forever prohibited. However, when I learned that the closing of this area might be detrimental to the citizens in Patten and surrounding territory who operate stores and camps I was pleased to yield to their appeals. This Act accomplishes that purpose and the people in that area are well satisfied. The "No hunting" clause is removed by this Act.

In 1917 I first proposed that the State make a beginning in creating a Park at Katahdin. From that date until now I have worked diligently and patiently upon this project and have seen it grow from small beginnings to its present ample proportions. In the years to come when the Forests of our State have been cut off and disappeared, when civilization has encroached upon the land we now refer to as "Wild Land," this Park will give the people of succeeding generations a living example of what the State of Maine was "in the good old days" before

the song of the woodman's axe and the whine of the power saw was heard in the land. I am confident that the people of Maine as time passes will appreciate this Park and that the State never will break these Trusts. I know the conscience and the Soul of Maine. The word of this State as given in Acts passed by its Legislatures and signed by its Governors is as sacred a pledge and trust as Man can make.

I request you to enact into Law these four documents if you deem it in the public interest so to do.

Respectfully

(Signed) Percival Proctor Baxter

Came from the Senate read and ordered placed on file.

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

From the Senate:

Bill "An Act Ratifying and Confirming the Acceptance by the State of Maine under the Following Resolves of the Governor and Executive Council of the Gifts of Land in Trust made by Percival Proctor Baxter the Same to be Added to Baxter State Park" (S. P. 42)

Bill "An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Two Thousand (2000) Acres in Township Six (6) Range Nine (9) W.E.L.S. Piscataquis County, State of Maine" (S. P. 40)

Bill "An Act Interpreting the Trust Deed of Percival Proctor Baxter to State of Maine January 12, 1954 (Piscataquis Registry Book 309 page 86) and Interpreting the Phrases 'Natural Wild State' and 'Sanctuary for Wild Beasts and Birds' in Deeds from Said Baxter to Said State of Maine" (S. P. 41)

Bill "An Act Amending by Mutual Consent of Percival Proctor Baxter and the State of Maine the Deed of Gift of Lands in Piscataquis County Dated January 12, 1954 of Fourteen Thousand Five (14005) Acres of Land and Five-sixths (5/6ths) of the Public Lot in Township Six (6) Range Nine (9) W.E.L.S. Piscataquis County Recorded in Said Registry Book 309 page 86 Made by Said Percival Proctor Baxter to the Said State as Trustee and Accepted by the Said State IN TRUST by the

Governor and Executive Council Acting Under the Provisions of Section 15, Chapter 11 of the 1944 Revised Statutes Wherein the Governor and Executive Council Are Empowered to Accept Gifts Made to the State of Maine, and Accepting the Deed of Gift of Said Land as Modified and Amended by Deed of Gift of Said Baxter Dated December 1, 1954" (S. P. 43)

Came from the Senate given their several readings under suspension of the rules and passed to be engrossed without reference to a Committee.

In the House:

On motion of Mr. Bibber of Kennebunkport, under suspension of the rules, the Bills were given their three several readings and passed to be engrossed without reference to a Committee in concurrence.

The SPEAKER: Returning to the item of Orders of the Day, the Chair will inquire if there are any items of business under Orders of the Day.

The Clerk will read the notices.

Mr. McGLAUF LIN (of Portland): Mr. Speaker, may I ask for unanimous consent to briefly address the House?

The SPEAKER: The Chair will state that unanimous consent at this time is not necessary. The gentleman may proceed.

Mr. McGLAUF LIN: Mr. Speaker and Members of the House: Since there are more new members in this House than in any other House of my experience I would like to very briefly express my views on a few points that I hope may be helpful to some of you at least.

First: When you address this House, talk into this mike so that you can be heard. You can't convert anybody if they can't hear what you say, and remember that some of us are hard of hearing.

Second: We are all highly honored to be members of this Legislature. Only about one person in 6,000 ever serves in this House at any one time, but with that honor comes great responsibility.

Third: Your first duty next to your obligation to the Almighty is to the State of Maine; it comes ahead of your obligation to your City or Town or District or County and it comes ahead of any obligation to your political party. We are elected as representatives of this State; we are paid by the State. This point is of exceeding great importance and if the members of the Legislature can realize this fact, we would have no trouble whatsoever in passing a reapportionment bill in this House.

Four: Vote, have the courage to vote according to your convictions. Believe it or not I have had several men in my experience tell me that they thought that I was exactly right but they did not dare to vote with me. I say that a man or woman that doesn't have the courage to vote according to his or her convictions is weak indeed and has no place in this Legislature.

Fifth: Make your own decisions, don't try to pass the buck back to the people who sent you here, and don't let politicians or lobbyists tell you what to do; you be the master of your own decision. Since it is my belief that every man possesses possibilities to do things worthwhile of which perhaps he never himself dreamed, I say let each of us try to make the best record for ourselves we can in this House, because the greatest satisfaction that any of us will ever get out of serving in this body is not the acclaim of the multitude or the praise of the newspapers, but the consciousness in our own souls that we did our very best (Applause)

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I believe that not only the new members but also the old members appreciate the words of wisdom from the gentleman from Portland, Mr. McGlaulin.

On motion of Mr. Childs of Portland,

Adjourned until one o'clock tomorrow afternoon.