

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fifth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Monday, May 21, 1951

Senate called to order by the President.

Prayer by the Rev. David W. Flower of Augusta.

Journal of Saturday, May 19th, 1951 read and approved.

## From the House

Joint Order relating to adjustment upwards by \$600,000 within the two fiscal years and the estimate of revenue from the sales and use tax.

In the Senate on May 19 read and passed.

Comes from the House indefinitely postponed in non-concurrence.

Mr. CROSBY of Franklin: Mr. President, I move that we concur with the House in the indefinite postponement of this order. I have another order here that I will introduce that is identical with the one that was used two years ago. The same type order is being introduced, I suppose, at the present time in the other branch and this order, I believe, will be satisfactory to all concerned.

Thereupon, the original order was indefinitely postponed in concurrence.

Mr. Crosby of Franklin presented the following order and moved its passage:

ORDERED, it is the considered judgement of the Senate that such General Fund Appropriation bills as have been passed or enacted by the Senate are not in excess of the estimated General Fund revenue and it is

FURTHERMORE ORDERED that the Commissioner of Finance and his accounting determinations so establish the final General Fund tabulations as to indicate a balanced General Fund Budget.

The order received a passage.

Sent down for concurrence.

Veto Message from the Governor  
STATE OF MAINE  
Office of the Governor

May 21, 1951

To the Honorable Senate and  
House of Representatives  
95th Legislature:

There is returned, herewith, with-  
out my approval L. D. 1232, Resolve

Providing for Indexing and Filing Old Probate Records. My objections to signing this measure are as follows:

The resolve calls for a total expenditure of \$3,000.00, which funds shall not lapse but remain a continuing carrying account to reimburse the County of Lincoln for one-half of the cost of re-filing, docketing and indexing probate records which exist in that County and pertaining to matters prior to the year 1860.

It is seldom necessary to refer to probate records pertaining to matters over 90 years old. Therefore, I can not conceive of the necessity for the expenditure of this amount of money.

I am advised by competent counsel that any matter which would require the consultation of records of the Probate Court earlier than 1860 would most probably involve matters of sufficient importance so that the parties litigant could well afford to pay the cost of searching through the old records, which old records, of course, should be preserved.

But it is not demonstrated to me that expenditure of funds for the docketing and indexing of these records is of sufficient importance to either the state or parties litigant to warrant the expenditure of the funds called for in the resolve.

I, therefore, do not approve this resolve.

/s/ FREDERICK G. PAYNE,  
Respectfully,  
Governor of Maine.

The veto message was received and placed on file.

The PRESIDENT: The bill having been read by the Governor with his objections to the same, the question before this Senate is: Shall this bill become law notwithstanding the objections of the Governor?

Mr. PALMER of Lincoln: Mr. President and members of the Senate this bill was introduced by the Senator from Lincoln at the request of several of the county officers. I want to say at this time that, realizing as I do the validity of the reasons of the Governor in refusing to sign it, and considering the fact that it is a new service for the State of Maine, not rendered before, and that there is no real

urgency to the matter, I shall vote to sustain the Governor on his veto.

The PRESIDENT: The question before the Senate is "Shall this bill become a law notwithstanding the objections of the Governor?" A vote of Yea is a vote to over-ride the Governor; a vote of Nay is to sustain him.

The Secretary called the roll:

YEA: None.

NAY: Allen, Barnes, Boyker, Christensen, Collins, Crosby, Dennett, Ela, Fuller, Greeley, Haskell of Cumberland, Kavanagh, Leavitt, Marshall, McKusick, Noyes, Palmer, Reid, Sleeper, Tabb, Ward, Weeks, Wight—23.

ABSENT: Boucher, Brewer, Broggy, Brown, Haskell of Penobscot, Larrabee, Savage, Smart, Turgeon—9.

Twenty-three having voted in the affirmative and none opposed, the veto of the Governor was sustained and the bill failed to become a law.

Mr. SLEEPER of Knox: Mr. President, at the request of interested parties I am about to make a motion which ought to be quite popular at this late hour. I move that we reconsider our former action on L. D. 462, bill, An Act Relating to Stipend to Agricultural Societies, upon which this Body accepted the Ought Not to Pass report of the Committee after the bill had been substituted for the report, in the House. I so move.

A viva voce vote being had,  
The motion did not prevail.

### Communication

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

May 21, 1951

Honorable Chester T. Winslow  
Secretary of the Senate  
95th Legislature

Sir:

The Governor of the State having returned to the House

"An Act Relating to Exemptions from Taxation," (H. P. 336) (L. D. 194) with his objections to the same, the House proceeded to vote on the question

"Shall the bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken: 48 members voted in the affirmative and 72 in the negative, and accordingly the Veto of the Governor was sustained, and the Bill failed to become a law.

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which was read and ordered placed on file.

On motion by Mr. COLLINS of Aroostook, it was

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

The Senator from Aroostook, Mr. Collins, was appointed to convey the message and subsequently reported that he had discharged the duty assigned to him.

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

On motion by Mr. Crosby of Franklin, 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 the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 601)

The President appointed as members of such a Committee on the part of the Senate:

Senators:

CROSBY of Franklin  
WEEKS of Cumberland  
KAVANAGH

of Androscoggin

Sent down for concurrence.

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

Subsequently, Mr. Collins for the Committee reported that they had delivered the message with which they were charged.

**Message from the Governor****STATE OF MAINE**  
**Office of the Governor**

May 21, 1951.

To the Honorable Senate  
and House of Representatives  
95th Legislature.

There is submitted herewith a tabulation of the results of the 95th Legislature: Acts Approved 535; Resolve Approved 187; Vetoes Presented 2.

The 95th Legislature is deserving of the everlasting gratitude of the people of Maine for its forthright approach to and solution of numerous problems of State government.

Few legislatures in the past have had the complexity of issues which faced this body at the outset of deliberations last January. You truly represented the people, and in so doing, each and every one of you has kept faith with them. You met issues fairly and squarely and solved them realistically, always having the welfare of the majority at heart.

It is not an easy task to adopt a major tax measure, for no person likes taxation in any form. Yet this 95th Legislature was equal to the challenge of providing for our children, the aged, the sick and the needy. Your decision to enact a sales tax guarantees that there will be no decrease in assistance which we, the State, now afford those less fortunate than ourselves.

By enacting legislation to remove the State from the property tax field you took a forward step. By your decision, municipalities in the near future will be enabled to establish sound values on property for purposes of taxation. Resultant income will provide the means to improve government on the local level.

You held the line well in not undertaking, at this time, new and expanded services of government which would further increase operational costs during a period when more and more of our resources are being mobilized at the national level. Many projects before you had merit, but your decision to consider only those deemed essential and vital to the progress of our State at this time was noteworthy.

The major steps taken by this 95th Legislature, including approval of the sales tax, removal of the State from the property tax field and providing for the early improvement of our highways, constitute the most constructive and progressive approach to problems of government since adoption of the Administrative Code in 1931.

It will of course take time to properly evaluate results of your action, but we can note with satisfaction that the 95th Legislature was not lacking in courage to solve a problem, once the problem was placed before you.

Unless major emergencies arise, you and I shall not have cause to be working together again as a legislative-executive team, yet it is my hope that in the days and years ahead we shall retain the friendships formed here as we jointly approached many difficult issues.

You may be sure that the laws you and prior legislative bodies have enacted will be administered honestly and fairly. It shall continue to be my aim to effect all possible economies and efficiencies during the remainder of my term. It has indeed been a privilege to work with this 95th Legislature. Each and every one of you has my heartfelt thanks for a good job well done. This I say in the name of the good people of our great State.

Mrs. Payne joins me in thanking you for the many courtesies extended us and we wish you a safe return home with good health and happiness for you and yours in the years ahead.

The PRESIDENT: Now comes the time for which many of us have been looking for many days and even weeks and it is with a great deal of pleasure, and yet with a sense of regret that I now, in accordance with long established custom, for the purpose of making the motion for final adjournment, recognize the Senator from York, Senator Marshall.

Mr. MARSHALL of York: Mr. President, Mr. Secretary and members of the Maine Senate, I hadn't realized it was I who was to receive the honor of moving to adjourn this Senate. Neither was I requested to sing Home Sweet

Home. However, I will say, God have pity on us and God bless us, we are still Americans. In conclusion, may God be with us till we meet again.

I move, Mr. President, that we adjourn without day.

Thereupon, the President of the Senate, the Honorable Burton M. Cross, at 4:52 Eastern Standard Time on Monday, May 21, 1951 declared the Senate of the Ninety-fifth Legislature of Maine adjourned sine die.