

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

SENATE

Wednesday, January 5, 1955

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the Ninety-seventh Legislature convened in the Senate Chamber and were called to order by Chester T. Winslow, Secretary of the Senate of the Ninety-sixth Legislature.

Prayer was offered by Rev. Arthur G. Christopher of Augusta.

Communication from the Secretary of State:

STATE OF MAINE OFFICE OF THE SECRETARY OF STATE

To Chester T. Winslow, Secretary of the Senate of the Ninety-sixth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that the following are the names and residences of the Senators-elect to the Ninety-seventh Legislature, as appears by the report of the Governor and Council under date of October 6, 1954:

First Senatorial District: Peter J. Farley of Biddeford, Andrew J. Fournier of Saco, Andrew J. Hall of North Berwick.

Second Senatorial District: Earle W. Albee of Portland, Philip F. Chapman, Jr. of Portland, Hazel C. Lord of Portland, George W. Weeks of South Portland.

Third Senatorial District: Henry W. Boyker of Bethel, Carleton S. Fuller of Buckfield.

Fourth Senatorial District: Jean Charles Boucher of Lewiston, Alton A. Lessard of Lewiston, Leo St. Pierre of Lewiston.

Fifth Senatorial District: Benjamin Butler of Farmington.

Sixth Senatorial District: Charles F. Cummings of Bath.

Seventh Senatorial District: Ralph W. Farris, Jr. of Gardiner, Robert Martin of Augusta, James L. Reid of Hallowell.

Eighth Senatorial District: Miles F. Carpenter of Skowhegan, Roy U. Sinclair of Pittsfield.

Ninth Senatorial District: Clarence W. Parker of Sebec.

Tenth Senatorial District: Robert N. Haskell of Bangor, Earle M. Hillman of Bangor, Allan Woodcock, Jr. of Bangor.

Eleventh Senatorial District: Wilmot S. Dow of Waldoboro.

Twelfth Senatorial District: Seth Low of Rockland.

Thirteenth Senatorial District: William R. Cole of Liberty.

Fourteenth Senatorial District: Lloyd T. Dunham of Ellsworth, William S. Silsby of Aurora.

Fifteenth Senatorial District: Oscar H. Brown of Eastport, J. Hollis Wyman of Milbridge.

Sixteenth Senatorial District: Samuel W. Collins of Caribou, Paul L. Crabtree of Island Falls, Charles A. Jamieson of Presque Isle.

IN TESTIMONY WHEREOF

I have caused the seal of the State to be herewith affixed at Augusta this fifth day of January, A.D., 1955, and of the Independence of the United States of America the one hundred and seventy-ninth.

(SEAL) HAROLD I. GOSS
Secretary of State

Which was read and placed on file.

Roll Call

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

Albee, Boucher, Boyker, Brown, Butler, Carpenter, Chapman, Cole, Collins, Crabtree, Cummings, Dow, Dunham, Farley, Farris, Fournier, Fuller, Hall, Haskell, Hillman, Jamieson, Lessard, Lord, Low, Martin, Parker, Reid, Silsby, Sinclair, St. Pierre, Weeks, Woodcock, Wyman.

On motion by Mr. Sinclair of Somerset, that Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect was present in the Senate Chamber ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Mr. Sinclair reported that he had delivered the message with which he was charged and the Governor was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Thereupon, the Governor, the Honorable Burton M. Cross, attended by the Executive Council, came in, before whom the Senators-elect took and subscribed the oaths of office required by the Constitution.

GOVERNOR CROSS: Gentlemen: It is certainly a pleasure for me to stand once more on the rostrum of the Senate and to have the pleasure of swearing in as fine a group of Senators as are before me today.

If I might indulge in just a moment of personal discussion with you.

You have many problems facing you as other Senators and other legislatures have had. I know you will solve them as they have always been solved in the past in the best interests of the people of Maine. I wish you every success. I know what your problems are going to be, I sympathize with you in regard to them, and if I can help in any way as "Burt" Cross, a citizen, I shall be available to each and every one of you. So good luck and Godspeed in your discussions, debates and interests. (Applause)

On motion by Mr. Jamieson of Aroostook, the Secretary appointed the following committee to receive, sort and count ballots for the office of President of the Senate:

Senators: JAMIESON of Aroostook
REID of Kennebec
ST. PIERRE
of Androscoggin

Subsequently the committee reported as follows:

Total number of votes cast 32
Robert N. Haskell 26
Jean Charles Boucher 6

Which report was accepted, and Robert N. Haskell having received a majority of all the votes cast was declared elected President of the Senate for the political years 1955-1956.

Thereupon, the Honorable Robert N. Haskell was escorted to the Chair

by the Senator from Androscoggin, Senator Boucher.

THE PRESIDENT: I am humbly appreciative of the honor that you have given to me this morning. Almost without exception we are a Senate made up of Legislators who have worked together through many sessions. Nearly all of us have been co-workers through at least one session and several of us have worked together through three, four, or five sessions. I hope, through those sessions that I have demonstrated a willingness to work and I certainly pledge to all of you this morning, a sincere pledge that if time and effort is an important part of the responsibilities of your presiding officer, you will not find me unwilling to match time with any of you at any time of your convenience. I shall make every effort to preside over this Senate with complete fairness, always recognizing that it is your Senate.

For the first time in twenty years we are to have bi-partisan government in this State House. Our Governor is to be of one political party—our Legislative majority of another. It is within the power of the leadership of either or both of our political parties to stifle, effectively, the desire of the vast majority of Maine citizens that our work be marked by sound decisions and effective accomplishments. Good results must come from careful considerations and painstaking studies of whatever may be the complex problems presented to this General Court of the State of Maine, the Legislature.

Let us be citizens first—partisans second. Let us be legislators impelled by the common desire for legislation that will improve the welfare of all of the people of our State. I am confident that the Senate treatment of party issues will serve as clean cut proof that party affiliation differences are secondary to the common desire for good legislation.

Thursday we shall hear the Governor's Inaugural message. Next week we shall hear his Budget message. Let all of us of the majority party be prepared to give to him the same degree of cooperation that we would give to a Governor of our own party. Such of his recommendations as seem properly designed for the

common good should have the support of the Majority Party.

Let us establish a Legislative record marked by cooperative effort and one that will be free from partisan aggressiveness to the end that the people of the State of Maine will conclude "Good legislation came out of the 97th Legislature." And in working out a bi-partisan program Republicans and Democrats alike may well recognize that there is an ample area in which both political philosophies can gain strength between this day and the next day of voter judgment in Maine.

Only for this moment I shall assume to speak for the Republican majority in this 97th Legislature and speak to the man who will be our Chief Executive on Thursday. We of the majority party shall do the things that need to be done, in a sincere and forthright manner, recognizing at all times that we do not have a full mandate but one which we hold in common with him. We shall proceed with our work, not independently, but in full recognition of the concurrent rights and responsibilities of the Chief Executive.

To these objectives I pledge my sincere efforts, still humble in my thanks for the honor that you have given to me.

The Chair now awaits the pleasure of the Senate.

The Senator from Androscoggin, Senator Boucher, was granted unanimous consent to address the Senate.

Mr. BOUCHER: Mr. President, it is with great pleasure that we have received your message, and we of the minority party want to assure you that we shall be a loyal opposition and try to concur entirely with your expressions of this morning.

PRESIDENT HASKELL: The Chair is sure he shares with the Republican majority the appreciation of the minority party.

On motion by Mr. Weeks of Cumberland, Mr. Fuller of Oxford was authorized to cast one ballot on the part of the Senate in favor of

Chester T. Winslow for Secretary of the Senate. This was done, and Chester T. Winslow of Raymond was declared duly elected Secretary of

the Senate for the political years 1955 and 1956.

At the request of the President, Mr. Weeks of Cumberland escorted the Secretary-elect to the Council Chamber for the purpose of taking and subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Secretary of the Senate.

The PRESIDENT: While we are waiting for the action of the Governor and Council in administering the oath, the Chair notes in the Senate the presence of a former presiding officer of this body, and the Chair would ask the Senator from Somerset, Senator Sinclair, to escort the distinguished gentleman to the rostrum.

Thereupon the Hon. John E. Ward, former President of the Senate, was escorted to the rostrum amid the applause of the Senate.

The PRESIDENT: Senator Ward, I would like, before this Senate, to express to you my appreciation for all the fine cooperation you have shown to this body. I would particularly ask that you take this gavel in your hand so that I may personally and before the Senate thank you for the thoughtfulness of you and your good wife in presenting this fine gavel to me. Thank you very much. (Applause)

Subsequently, Mr. Weeks reported to the Senate that he had attended to the duty assigned to him, and that Chester T. Winslow had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the discharge of the duties of the Secretary of the Senate.

On motion by Mr. Dow of Lincoln, Mr. Cole of Waldo was authorized to cast one ballot on the part of the Senate in favor of Waldo H. Clark for Assistant Secretary of the Senate. This was done, and Waldo H. Clark of Jefferson was declared duly elected Assistant Secretary of the Senate for the political years 1955 and 1956.

Mr. Clark subsequently appeared before James F. Frost, Dedimus Justice, and took and subscribed the oaths of office.

On motion by Mr. Carpenter of Somerset, Mr. Parker of Piscataquis was authorized to cast one ballot on the part of the Senate in favor of Leland S. King for Sergeant-at-Arms of the Senate. This was done, and Leland S. King of Jefferson was declared Sergeant-at-Arms of the Senate for the political years 1955 and 1956.

On motion by Mr. Crabtree of Aroostook, Mr. Farris of Kennebec was authorized to cast one ballot on the part of the Senate in favor of:

John S. Parker

for Assistant Sergeant-at-Arms
Howard W. Kimball

for Postmaster
Leland F. King for Doorkeeper

Ruth P. Foster for Page

Lois E. Beauchaine for Page

This was done and the President declared the several foregoing officers duly elected.

On motion by Mr. Reid of Kennebec, that Senator was charged with a message to the House of Representatives informing that body that the Senate had organized by the choice of the Honorable Robert N. Haskell as President, the Honorable Chester T. Winslow as Secretary, and Waldo H. Clark as Assistant Secretary.

That Senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

The PRESIDENT: Is it the pleasure of the Senate that we now take up matters relating to organization of the Senate, out of order and under suspension of the rules?

Orders

(Out of Order)

On motion by Mr. Collins of Aroostook, it was

ORDERED, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1955 and 1956 be referred to a joint select committee of seven on the part of the Senate, with such as the House may join. (S. P. 1)

Sent down for concurrence.

The President appointed:

Senators:

COLLINS of Aroostook
CARPENTER of Somerset
CHAPMAN of Cumberland
BROWN of Washington
BOYKER of Oxford
BOUCHER of Androscoggin
FOURNIER of York

On motion by Mr. Butler of Franklin, it was

ORDERED, that a committee of seven be appointed by the President, to whom the returns of votes for Senators for the political years of 1955 and 1956 shall be referred for examination and report.

The President appointed:

Senators:

BUTLER of Franklin
FULLER of Oxford
LOW of Knox
DOW of Lincoln
CRABTREE of Aroostook
LESSARD of Androscoggin
HALL of York

Communication from the Department of State, transmitting the Gubernatorial vote:

STATE OF MAINE

Department of State

Augusta, January 5, 1955

To the President of the Senate and to the Speaker of the House of Representatives of the Ninety-seventh Legislature of the State of Maine

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Governor in the several cities, towns and plantations in the State of Maine at the general election held on September 13, 1954.

Respectfully,

(Signed) HAROLD I. GOSS

Secretary of State

Which communication was referred to the Committee on Gubernatorial Vote.

Sent down for concurrence.

A message was received from the House of Representatives, by Harvey R. Pease, its Clerk, announcing that the House of Representatives had organized by the election of Willis Trafton, Jr., as Speaker, Harvey R.

Pease as Clerk and Mrs. May Chapman as Assistant Clerk.

Communication from the Department of State, transmitting the Senatorial vote:

STATE OF MAINE
OFFICE OF SECRETARY OF
STATE

Augusta, Maine, January 5, 1955
To the President of the Senate:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for State Senators in the several cities, towns and plantations in the State of Maine at the General Election held on September 13, 1954.

Respectfully,

(Signed) HAROLD I. GOSS
Secretary of State

Which communication was read and referred to the Committee on Senatorial Vote.

Orders

On motion by Mr. Low of Knox, it was

ORDERED, that the Secretary of the Senate be directed to invite clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate.

On motion by Mr. Martin of Kennebec, it was

ORDERED, that Ruel C. Hanks of Augusta be appointed Official Reporter of the Senate.

On motion by Mr. Boucher of Androscoggin, it was

ORDERED, that the Official Reporter of the Senate be authorized to procure the services of an assistant reporter and typist during the present session.

On motion by Mr. Farley of York, it was

ORDERED, that subordinate officers of the Senate be appointed as follows: by the President, a Secretary to the President; by the Secretary, a Secretary to the Secretary, a Secretary to the Assistant Secretary, and a Recording Secretary.

On motion by Mr. Wyman of Washington, it was

ORDERED that the Secretary of the Senate be directed to secure uniforms for the subordinate officers of the Senate.

On motion by Mr. Woodcock of Penobscot, it was

ORDERED, that the Secretary of the Senate prepare and have printed one hundred and fifty diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Hall of York, it was

ORDERED, that the rules of the Senate of the Ninety-sixth Legislature be the rules of this Senate.

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

ORDERED, that the Senate hold one session a day commencing at ten o'clock in the forenoon until otherwise ordered.

On motion by Mr. Reid of Kennebec, it was

ORDERED, the House concurring, that the Joint Rules of the 96th Legislature be the Joint Rules of this Legislature, with the exception of Joint Rule 1, which shall be amended by adding to the Committee on Reference of Bills one additional member on the part of the Senate, and one additional member on the part of the House. (S. P. 2)

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, it was

ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1955 be printed and bound, one copy for each of the members of the Senate, House of Representatives, and the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and it was further

ORDERED, that four hundred (400) copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk, and it was further

ORDERED, that suitable index be prepared for such Legislative Record under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 3)

Sent down for concurrence.

On motion by Mr. Lessard of Androscoggin, it was

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 4)

Sent down for concurrence.

Communication from Director of Legislative Research:

STATE OF MAINE
DIRECTOR OF LEGISLATIVE
RESEARCH
Augusta

January 3, 1955

To Honorable Chester T. Winslow,
Secretary of the Senate of the
97th Legislature:

In accordance with Subsection IX of Section 27 of the Revised Statutes, I hereby submit the report of the Director of Legislative Research.

Since the last regular legislative session, a new revision of the public laws of Maine has been enacted by the 96th Legislature which convened in Special Session on September 21, 1954. It is suggested that any criticisms of the 1954 Revision, whether constructive or otherwise, be forwarded to the Director for aid in planning future revisions.

In the preparation of the Revised Statutes of 1954, it was agreed by both the Committee on Revision of Statutes and the Director that no substantive changes should be made. Any proposed changes of a substantive nature should be presented to the Legislature in regular session, between revisions of the statutes, to permit due and considerate legislative deliberations. Consequently, matters involving policy or substantive changes will be introduced at this session of the Legislature.

In order to facilitate the work of the Legislature, this office sent letters to each administrative department and each member of the present Legislature urging the use of the available facilities of the office in the preparation of bills to be intro-

duced. Over 175 acts and resolves were drafted before the Legislature was convened and it is hoped that such cooperation may be continued and extended in the future.

The members of the Legislature are reminded that the Senate and House rules provide that the members who present bills, resolves and petitions must sign them.

In order to continue and promote uniformity of procedure, to avoid confusion and to permit an orderly transition from Revision to Revision, all bills, before presentation to the Legislature, should be checked by the office of the Director. The cooperation of the members of the 97th Legislature in this respect is earnestly requested.

Respectfully,

(Signed) SAMUEL H. SLOSBERG

Director

Which was read and placed on file.

On motion by Mr. Cummings of Sagadahoc, it was

ORDERED, the House concurring, that the Superintendent of Public Buildings is hereby given charge of all assignments of rooms for hearings in the Capitol Building, and that all applications for rooms for hearings must be made to him in writing, forty-eight hours previous to the time when said rooms are to be used for that purpose. (S. P. 5)

Sent down for concurrence.

On motion by Mr. Cole of Waldo, it was

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature at 2:30 o'clock this afternoon in the Hall of the House for the purpose of electing a Secretary of State, State Treasurer, Attorney General, and seven Executive Councilors; and for the further purpose of receiving from His Excellency, Governor Burton M. Cross, such communication as he may be pleased to make.

The Secretary delivered the message.

Subsequently, a message was received from the House of Representatives through Mr. Pease its Clerk, announcing that the branch con-

curred in the proposition of the Senate for a Joint Convention for the purposes stated.

On motion by Mr. Reid of Kennebec,

Recessed until 2:30 o'clock this afternoon.

After Recess

The Senate was called to order by the President.

The Senate retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In the Senate

The Senate was called to order by the President

Senate Committee report on Gubernatorial Vote:

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

Read and accepted.

Sent down for concurrence.

Senator Reid of Kennebec was granted unanimous consent to address the Senate.

Mr. REID: Mr. President and Members of the Senate: When I was trying to make my way through college and law school I was very fortunate in having as a close personal friend the man who now sits behind me, who at that time was in the securities business in Boston and who afterwards became Commissioner of Corrections for the Commonwealth of Massachusetts and now is Commissioner of Natural Re-

sources. I believe he is one of the oldest members in public service in the Commonwealth of Massachusetts. Had I known he was to be in town a little earlier I would have introduced him to you before, but if it is proper, Mr. President, at this time it gives me great pleasure to introduce to you and to the Senate Hon. Arthur T. Lyman, Commissioner of Natural Resources of the Commonwealth of Massachusetts. (Applause)

The PRESIDENT: The Chair expresses his apologies for not doing this in a more formal manner, but the Chair requests the Senator to escort the gentleman to the rostrum even though we are close to adjournment. (Applause)

In Senate

Communication from the Governor:

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

(S. P. 6)

At this time, under the Joint Rules of the Senate, the President appointed as members of the Committee on Reference of Bills, the Senator from Kennebec, Senator Reid and the Senator from Androscoggin, Senator Boucher.

On motion by Mr. Reid of Kennebec,

Adjourned until tomorrow morning at ten o'clock.