

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 3, 1957

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.

The SPEAKER: At this time, the Chair wishes to announce the appointment of certain House Standing Committees.

The Clerk will read the appointments.

The Clerk:

House Standing Committees**Ways and Means**

TURNER of Auburn
CHRISTIE of Presque Isle
CASWELL of New Sharon
SHEPARD of Stonington
ALLEN of Chelsea
WADE of Auburn
CORMIER of Rumford

Leave of Absence

SMITH of Falmouth
HATFIELD of Orrington
MAXWELL of Winthrop
BAIRD of North Haven
FOSS of Chapman
COLE of Sumner
PORELL of Westbrook

Rules and Business of the House

The SPEAKER ex officio

BROWNE of Bangor
EARLES of South Portland
TEVANIAN of Portland

Bills in the Third Reading

TOTMAN of Bangor
WALTER of Waldoboro
BROCKWAY of Milo
HUGHES of St. Albans
HANCOCK of York
BLANCHARD of Wilton
NADEAU of Biddeford

Engrossed Bills

STANLEY of Bangor
MANN of Paris
CALL of Cumberland
SHAW of Bingham
ROSS of Bath
DAVIS of Westbrook
LETOURNEAU of Sanford

County Estimates

CHILDS of Portland
ERVIN of Houlton
HATCH of Minot
CARVILLE of Eustis
PIERCE of Bucksport
HANSON of Gardiner
WINCHENPAW
of Friendship
FARMER of Wiscasset
LaCASCE of Fryeburg
CARTER of Newport
ROSS of Brownville
COUTURE of Bath
WHITING of Skowhegan
BEAN of Winterport
DENBOW of Lubec
FLYNN of South Berwick

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, 1957 and 1958. (S. P. 8)

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

Senators:

BOUCHER of Androscoggin
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:

Messrs. NADEAU of Biddeford
EDWARDS of Raymond
DUDLEY of Enfield
LaCASCE of Fryeburg
CHILDS of Portland
QUINN of Bangor
BEAN of Winterport

Subsequently Mr. Nadeau 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 Hon-

orables Carleton S. Fuller, Robert L. Travis, Currier C. Holman, Arthur N. Gosline, George D. Bearce, Roswell P. Bates and Harley D. Welch 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. Totman of Bangor, 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.

House at Ease

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 Carleton S. Fuller, Robert L. Travis, Currier C. Holman, Arthur N. Gosline, George D. Bearce, Roswell P. Bates, and Harley D. Welch, accompanied

by the outgoing Councilors, entered the Hall.

CHAIRMAN HASKELL: The Chair welcomes to this convention the seven distinguished citizens of Maine who have served their State faithfully for the last two political years as members of the Governor's Council, and, on behalf of this convention, expresses our gratitude to you. The Chair also welcomes to this convention those seven distinguished citizens who are about to take their oath as members of the Governor's Executive Council for the next two years.

The Chair now asks that each of these newly elected Councilors raise their right hand and repeat after me the oath.

Thereupon, in the presence of both branches of the Legislature, in Convention assembled, before the President of the Senate, they 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 Silsby of Hancock, 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: SILSBY of Hancock
WOODCOCK of Penobscot
LESSARD
of Androscoggin

Representatives:

BROWNE of Bangor
EMMONS of Kennebunk
BEYER of Cape Elizabeth
WALKER of Auburn
HANCOCK of York
TEVANIAN of Portland
BEANE of Augusta

Senator Silsby for the Committee subsequently reported that the Com-

mittee 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.

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

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 Chairman appointed:

Senators:

BOUCHER of Androscoggin
CARPENTER of Somerset
REED of Aroostook

Representatives:

WALSH of Brunswick
ELWELL of Brooks
CORMIER of Rumford
TOTMAN of Bangor
ROSS of Bath
WADE of Auburn
WINCHENPAW
of Friendship

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.

Convention at Ease

The Convention was called to order by Chairman Haskell.

The Honorable Edmund S. Muskie, Governor-elect, announced by Lt.

Robert Packard, and escorted by Honorable Harold I. Goss, Secretary of State, and attended by Ex-Governors Honorables Percival P. Baxter, Ralph O. Brewster and Sumner Sewall; Bernard L. Cratty, State Commander of the American Legion, Albert E. Moulton, State Commander of the Veterans of Foreign Wars, Adjutant General George M. Carter, distinguished guests, members and staff, Department Heads and Heads of Commissions, entered the Hall of the House amid prolonged applause, the audience rising.

CHAIRMAN HASKELL: In the minute or two that this Convention has prior to the radio time commitment, the Chair would like to note the presence in the Hall of a distinguished lady citizen of the State of Maine, the gracious mother of his Excellency, Governor Muskie, and the Chair would ask Mrs. Muskie to please rise. (Prolonged applause, Convention rising)

Prayer was then offered by the Reverend Father Lee Burns 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 10th 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 assem-

bled, 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.

CHAIRMAN HASKELL: Ladies and Gentlemen of this Convention, distinguished guests and people of the State of Maine, I present your Governor, Edmund S. Muskie. (Prolonged applause, Convention rising.)

Governor Muskie then addressed the Convention as follows:

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

Someone much wiser than I has said: "Law is the road-map to happiness. It maps out the direction human acts must take if they are to reach their proper goal. But maps are the products of minds. They are a work of intelligence, a work of reason. Before a map can exist there must be a mind capable of recognizing destinations and the road or roads that lead to them. So it is with the map of human life. There must be a mind capable of recognizing the true goals of human life and the roads that lead to those goals. Law then is always a command or a direction of reason ordering a human act to its proper goal. The goal of all human acts is happiness."

During the winter months which lie ahead of us, we shall be fashioning a map for the guidance of our State in the years to come. To that task we should summon all of the intelligence which we can muster in order that we may clearly recognize our proper destinations and firmly direct our actions toward them.

In a democratic society, we consider that this work is done most effectively if it is the product of government working together with all citizens to achieve goals which will serve the common good. In a

very real sense, then, the people of Maine will be working with us and through us in these legislative days to develop a program which will enable us to step forward with confidence on the right road to a brighter future.

Conscious of the responsibility which this imposes upon us. I have listened long and carefully to the advice and suggestions of many citizens, groups, and public officials who have concerned themselves with the improvement of our State. Thus equipped, I have tried to pinpoint the destinations toward which we should move and the means we should immediately adopt to get us there. I shall submit the conclusions which I have reached in these respects to you in this inaugural message and in the budget message which will be delivered next week. It will be your responsibility, of course, to test my conclusions in the light of your own evaluation of public opinion and of the part which State government should play in shaping the Maine of tomorrow.

As I see them, our destinations or objectives have not changed in the past two years. They have been affirmed and reaffirmed to the point that there is virtually universal agreement among us as to their nature and importance.

We agree that State government has a proper function, in partnership with private initiative and enterprise, in stimulating the pace of economic activity within the State to the end that our people may realize to the maximum the fruits of their labors. We recognize that our success in this respect is basic to the expansion of our capacity to provide needed services.

We agree that the conservation and intelligent use of our natural resources calls for enlightened measures designed to preserve them for the long years and the generations ahead.

We agree that the State's future, as well as that of our young people, depends upon our equipping them, by education and training, to realize to the full their potential in material, intellectual, and spiritual satisfactions.

We agree that the unfortunate among us, institutionalized and otherwise, who, because of economic, physical, moral, or mental disabilities, can not advance themselves out of their own resources, have a legitimate claim upon our compassion.

We agree that the machinery of government should be so designed and organized as to be readily responsive to the will of our people and to render the services required of it efficiently, effectively, and economically.

We realize that the attainment of each of these objectives is vital to the attainment of all of them; and that we must constantly make progress toward each if, in the long run, we wish to assure continued progress toward all.

In the past two years, we have taken important steps toward these objectives and we have made responsible and constructive analyses of the next steps we should take. Our immediate task is to apply the conclusions which have been indicated in such a way as to assure the maximum advances possible within the limits of our resources without neglecting any of the objectives just described.

As differences of opinion are disclosed—and they will be—they can be resolved if we will bear in mind that we are in agreement as to where we want to go, and that each of us honestly wishes to get there by the most effective and practicable means possible.

Economic Development

One of the first subjects which should engage our attention is that of economic development.

Beginning with the creation of the Department of Development of Industry and Commerce, we have been in the process of reorganizing our efforts and equipping ourselves with new tools in this field. Our purposes have been as follows:

1. To mobilize a substantial, hard-hitting force of salesmen for Maine, consisting of an expanded core of trained technicians and leaders on the State level working with organized groups of deter-

mined and persevering citizens on the community level.

2. The evaluation of our resources in every area of the State in order to direct our efforts most productively toward those industries whose needs we can hope to meet. The new Division of Research and Planning has assumed the leadership in this phase of the work and, despite its limitations in manpower, has made an effective beginning in stimulating local and regional planning, and in the compilation of data basic to a comprehensive knowledge of our assets. Working under similar limitations, the Geology Division is charting the exploration of our mineral resources.

3. The development of "leads" to industrial prospects by direct selling and by use of the various media and channels available to the Division of Public Relations.

4. Continuing, and unflagging promotion of our vacationland resources and of the products of the soil and sea, all of which should be increasingly identified with Maine and quality across the country.

The results to date can be described as encouraging beginnings, sufficient to stimulate our greater efforts in the same directions, but insufficient for any measure of complacency and self-satisfaction. We have had, and will continue to have, our set-backs; but there is no reason, short of a reversal of national economic trends, why we should not make substantial and steady progress.

You will be asked to consider the following recommendations designed to strengthen our program:

1. Provision for additional personnel in the Divisions of Development, Research and Planning, and Geology. The work in the latter two divisions, particularly, is handicapped by manpower limitations. Research, exploration, and intelligent planning are vital to a state searching for productive areas for industrial growth; and our rate of progress, long-range, will be influenced greatly by what we do today and tomorrow in these fields. This recommendation is designed to increase our ability to

serve the needs of existing industries as well as to attract new ones.

2. Appropriation of State funds to match federal and local funds for the purpose of encouraging and implementing local and regional planning.

3. Use of the State's credit to attract risk capital for construction of new industrial buildings.

This proposal merits some detailed discussion. Briefly, it is based upon the following assumptions:

a. That many areas of the State, otherwise potentially attractive to new industries, lack available industrial space and the resources to provide the equity capital necessary to finance its construction;

b. That, under current conditions nationally, capital for this purpose is in short supply and, consequently, becomes selective and gravitates toward only the best loans;

c. That the availability of suitable industrial space or the necessary risk capital to build it will often be the determining factor in attracting a new industry suited to the economy of a particular community or area in the State, and

d. That use of the State's credit will offset the absence of local equity capital and greatly reduce, or even eliminate the risk, on industrial development loans to such effect as to attract risk capital.

The proposal, based on these assumptions, is that an appropriate state agency, backed by the state's credit, insure mortgages on industrial properties. Further details will be spelled out in the legislation to be submitted. However, it might be well to point out that the proposal does not provide for gifts or subsidies to new industries. It is a way for us to place our full faith and credit as a State behind our belief in Maine's economic possibilities, and as such, merits your serious attention.

This proposal is not intended to slight the valuable contribution made by the Maine Development Credit Corporation in this field. Without the use of the state's credit, that agency has performed an eminently useful service. On the

other hand, there is need for the greatly expanded credit resources which the new proposal should provide.

No discussion of economic development in Maine would be complete without reference to our coast-line and the work of the Maine Port Authority. We have some of the finest natural harbors on the Atlantic sea-board. The Federal government has spent and is spending millions of dollars on dredging so that these ports can be used by the most modern ships. Private capital has spent large sums in developing port facilities. The Maine Port Authority has demonstrated that waterborne commerce can be increased with an active port solicitation and promotion program. I unhesitatingly recommend the expansion of this program. I recommend further the appropriation of the funds necessary to rehabilitate the Maine State Pier—a project which is essential if this valuable state property is to remain operational.

Natural Resources

The intelligent utilization and conservation of our natural resources are as much a part of our economic development program as are the essentially promotional activities which I have just discussed. As a matter of fact, unless they are carefully husbanded to assure a continuing supply of the products which they yield, there is little sense to talk of an expanded industrial base.

1. Forests: Probably our greatest natural resource is our forests. Their importance is highlighted by the fact that industries using wood employ about one-third of our people. The extent of our supply is indicated by the fact that we have the largest amount of commercial forest land per capita in the country. In industry, in recreation, for water storage, they are an indispensable, yet often taken-for-granted, asset which can be wasted overnight, but replenished only with the passage of years. We must continue and strengthen our programs to protect them from fire, insects, disease, and improper use.

Your attention is particularly called to the following recommendations:

a. The need to improve forest practices on small wood-lots, considered a major problem.

b. Expansion of the state forest nursery, particularly in cooperation with the Federal Soil Bank Nursery Program, which aims at production of ten million trees per year to be used on soil bank acreage.

c. Completion of the aerial survey of our forest lands, considered important as a basis to determine policies of expansion, or new uses and locations for industries using wood.

2. Agriculture: A healthy agriculture is essential to the vitality of hundreds of communities in our State and to the prosperity of our whole economy. The number of our farms has been dwindling at an alarming rate. This trend has been influenced, of course, by market conditions nationally or regionally which are beyond the control of a single state. At the same time, we should not overlook possible improvements of those services which can contribute to the well-being of our farm economy.

One of the brightest spots in the farm picture in Maine is the poultry industry which has experienced a tremendous growth. The incidence of poultry disease in our flocks has inevitably increased in proportion to the numbers of poultry on our farms. The investigation, control, and eradication of these diseases is properly a function of state government; and our services in this connection, both in the department and at the University of Maine, should be expanded commensurate with the needs of this growing industry.

We are requested to assume one half the costs of maintaining a Federal-State Market News Office in Presque Isle. This office is the only source of impartial and accurate daily market information for Maine potato producers and shippers, and is an invaluable aid to intelligent marketing of the Maine potato crop. I recommend that we assume these costs.

You will be asked to consider again the advisability of continuing milk price controls. All are agreed that we need policies which will expand the market for milk produced on Maine farms at prices which will bring a fair return to the producer. There is disagreement as to what these policies should be. There is merit to the suggestion that elimination of retail price controls, or, at the very least, more liberal resale pricing policies, will accomplish the results desired.

The marketing and promotional efforts of several segments of Maine agriculture have been stepped up in recent years. Illustrative is the work of the Maine Dairy Council Committee and the Maine Potato Commission which operate with the proceeds of special industry taxes. It is understood that the poultry industry is considering a similar program. Our policy should be to cooperate with the indicated wishes of the industry in each instance, and, once such a program is enacted into law, to safeguard its sources of revenue. These are constructive and productive efforts and should be encouraged.

3. Inland Fisheries and Game: Our incomparable lakes, streams, and forests constitute the habitat for a profusion of fish and wildlife which serve as a major attraction for our thousands of visitors as well as wholesome recreation and sport for our citizens. It is the responsibility of the department to so manage these resources as to insure a continuing annual harvest of fish and game, sufficient to maintain and, if possible, raise the level of returns to the sportsman. This task is made more difficult by the growth in population nationwide, the increasing number of those who wish to fish and hunt, the decentralization of industry, and factors tending to reduce the extent of land and water areas which will support the production of fish and game.

We must, therefore, constantly review our efforts and redirect them as new practices and programs are indicated. In this connection it is suggested that you study methods which could mate-

rially reduce the numbers of special laws now on the books, giving due consideration, of course, to the dictates of sound conservation.

It is suggested, also, that you consider giving the department more specific authority over dams, fishways, screens, and water level controls. It is felt that obstructions in our streams, unless removed or by-passed, are a serious detriment to any program designed to encourage the natural reproduction of fish.

4. Sea and Shore Fisheries: It is estimated that our commercial fishing industry produces nearly 300,000,000 pounds of seafood products valued at \$75,000,000. These figures establish it as an important segment of the State's economy calling for wise management to insure its source of supply.

The department's activities consist of enforcement, research, and promotion. Its program should be strengthened as follows:

a. Intensification of the seed lobster program with appropriation of sufficient funds to stimulate the impounding of female lobsters.

b. Utilization of the laboratory facilities at Boothbay Harbor to study lobster diseases and to develop methods of reducing the adverse influences of these diseases on the industry.

c. A resumption of scallop research to develop life history studies and techniques to predict scallop abundance.

d. Continuation of the program to survey closed clam areas for the purpose of salvaging shellfish from these areas; and the addition of a program to carry on bacteriological surveys of open areas in order that the public's health may be more adequately safeguarded and to meet the requirements of the U. S. Public Health Service.

5. Water Resources: The pollution of these clam flats is a part of the broader problem of water pollution which touches almost every area of the State, and which must find a solution within reasonable time limits if we are to derive maximum benefits from our water resources.

Surely it is beyond argument

that an abundant supply of clean water is essential to our industrial growth, to meet our domestic needs, to encourage the natural reproduction of fish in our streams, and to our coastal economy. We are relatively favored as among the forty-eight states in our possession of this resource, but we should improve our position as rapidly as we can.

This imposes responsibilities upon industry and upon our communities. Each must make progress to the maximum extent possible in the light of technological advances and reasonable financial requirements. We cannot afford to be rigid, nor can we afford to be lax.

We must really face up to these alternatives in this session of the Legislature. The Water Improvement Commission reports that approximately 15,000 miles of streams will have been studied, covered in public hearings, and prepared for submission to you in its recommendations for classification. If you should adopt these recommendations, the extension of classification then authorized will present problems to nearly every community. Thus, you will be confronted with a sobering responsibility.

With respect to the community problem, the Congress of the United States has enacted legislation appropriating funds to assist municipalities in the construction of sewage treatment works. Under the Act grants are limited to 30 per cent of the estimated cost of the works or \$250,000, whichever is the smaller. Maine's allotment for the current fiscal year is \$627,125. In addition, we are allotted \$19,331 in the current fiscal year to assist us in meeting the costs of our program for pollution control. Each project seeking to qualify for the federal funds must be approved by the Water Improvement Commission and must be part of a comprehensive State water pollution control plan.

I recommend that we participate in the federal program and that we supplement the federal funds available to municipalities by the appropriation of State matching funds to the extent of two-thirds of the federal grant.

An alternative to this proposal has been suggested. It would provide a revolving fund from which municipalities could borrow, interest free, funds necessary to construct, not only sewage treatment plants, but also other sewage works. This alternative has considerable merit but would not appear to go as far toward solving the financial problem of municipalities as the matching fund proposal.

I recommend further that the Commission be given the necessary funds to provide consulting and planning services for municipalities, and to employ the technical and enforcement staff needed if the recommended classifications are adopted.

Another suggestion of considerable merit has been advanced. Briefly, it proposes that enabling legislation be adopted providing for the creation of municipal sewage districts under model charters spelled out in the law. Implementation of this suggestion will require considerable study and research, for which appropriate provision should be made. Such legislation would provide a more flexible and ready tool for financing municipal sewage projects.

It is evident that financial and technological limitations dictate caution in the imposition of time limits for compliance if we are to avoid back-breaking burdens upon municipalities and industries. At the same time, let no one mistake our intention to bring this problem under control.

Two other recommendations touching upon our water resources, should be considered:

a. An adequate water supply is almost assumed in Maine except during occasional extremely dry summer months. We know that this supply and its management are important to industry, to the generation of hydro-electric power, to the control of pollution, to agriculture, to the breeding and feeding of fish life, and to our domestic needs. To obtain more of the facts bearing upon these two factors, I recommend that we establish a ground waters survey program to be conducted by the Department of Development of Indus-

try and Commerce in cooperation with the United States Geological Survey.

b. The question of utility rates is one which, biennially, for several years, has attracted widespread public interest, and rightly so. They affect the household budget of every citizen and the competitive position of our industries.

It is clear that, whatever the rate statute may be, utility companies must be provided with sufficient revenues to perform their duty to the public, to operate successfully, to maintain their financial integrity, and to attract capital at a reasonable rate. To set a lower standard than this would be to deprive ourselves of the quality of service which we ought to have.

At the same time, the consumer has a right to expect that the Public Utilities Commission has the authority to fix minimum rates consistent with the foregoing. The present rate statute imposes a formula upon the Commission in its determination of the value of a utility's investment requiring it to give consideration to the "current value" of its properties as opposed to its actual investment. In times of inflation, this requirement tends to permit a utility to obtain a return on money not actually invested. Moreover, the Commission, which cannot compete with private utilities in the recruitment of trained technical staff, is confronted with the uncertain and cumbersome administrative task of determining reproduction cost and other factors which are matters of opinion and not subject to exact, factual verification.

For these reasons, I recommend that the rate statute be amended to provide an exact accounting rate base which will give due weight to the utility's prudent investment. I firmly believe that the requirements of the utility and the consumer's interest can both be safeguarded under such a statute.

6. Parks: Over the past four years, visitor attendance at all State and Federal parks and recreation areas in Maine has increased by more than thirty per cent. This is a reflection of the great demand for outdoor recrea-

tion facilities, which nature has equipped Maine to provide in such abundance. The increasing visitor use, which we welcome, is overcrowding our existing park facilities.

The expansion of our parks and recreation areas should have the enthusiastic endorsement of all who are conscious of the economic value of our vacationland resources. The Maine State Park Commission has prepared a long-range program for expansion which, in its basic outlines, should be implemented as rapidly as available funds permit. As is the case with other demands for capital funds, our progress will depend upon our approach to the financial problem involved. This problem will be discussed in the budget message.

The State parks are showcases of Maine's physical beauties and of our hospitality. In the same category should be included various State memorials, the improvement and maintenance of State buildings and grounds here in Augusta, and restoration of a State museum. All of them should receive our attention.

Labor

Any balanced view of our responsibilities here this winter requires that we give attention to the welfare of the laboring men and women of the State. Their contribution to our economic well-being is an indispensable one and should be recognized by realistic and enlightened legislation designed to insure their equitable participation in the gains which we hope to make.

I recommend the following:

1. A minimum wage law to supplement federal legislation, and a fair labor relations law keyed to our requirements.

2. Extension of coverage and a more favorable benefit schedule in the Employment Security and Workmen's Compensation Laws, and the removal of certain inequities governing disqualification in the Employment Security Law.

Education

Up to this point, I have discussed our material resources and what we must do to make them productive of a better life for ourselves and our children. The realization of what we hope to be as a State depends as much upon what we do with our human resources.

One of the basic needs of a democratic society is popular education. It has been said that, "Only the full light of learning could—liberate the human mind for self-government." To those who believe this—and I take it that includes all of us—higher educational standards in our schools will equip those who follow after us to work more effectively for that richer and more abundant life which is our goal.

If we accept these conclusions, then we must be concerned with the deficiencies of an educational system which finds itself near the bottom of the ladder of states. There is an explanation for our status in our relatively sparse and scattered population and our comparatively limited financial resources. We should not, however, fall back upon these limitations as excuses for exerting less than our maximum effort.

It is indeed encouraging that, over the past two years, an unprecedented amount of attention has been given to our educational problems. The conferences which were held in connection with the White House Conference on Education, the Jacobs report on school finances and needs, the survey of state government by the Public Administration Service, the Committee on Educational Television, plus the continuing studies and planning of educators on every level, have equipped us, as seldom before, to take constructive steps to improve our educational standards.

The recommendations contained in the Jacobs report, if implemented, will advance us toward sound objectives. These objectives may be described as follows:

1. The determination and distribution of state school aid on the basis of a foundation program of school financing, the foundation

program being defined as the minimum educational program which the State seeks to assure for all children, and in which the State will participate financially. This minimum program may, of course, be exceeded in municipalities according to their initiative and resources. The recommended formula for state aid will provide some state aid for all municipalities, thus recognizing the principles of shared taxes, and it will also continue the emphasis on the principle of equalization.

2. The establishment of more effective minimum teachers' salary schedules.

3. The establishment of a school district reorganization commission to study the school conditions and needs in each community, to determine specific plans for the establishment of appropriate, larger school districts, and to report its recommendations to the next session of the legislature.

4. The provision of a financial incentive for proper school district reorganization by an increase of 10 per cent in state aid on the foundation formula for a consolidated district.

5. The provision of state financial assistance on school construction required in connection with proper school district reorganization.

These objectives cannot all be achieved immediately, but I recommend that they be adopted in principle and that the necessary funds be appropriated to get us started toward their realization.

The pressing need for an adequate supply of well qualified teachers also commands our attention. The teacher-training institutions constitute our principal source of supply and it is necessary that we act to improve the attractiveness of their educational programs and physical plant. Their capacity should be increased from an estimated 1200 at present to 2900 in the near future.

The retention of our young people in the State, and the extent of their contribution to its future, depend, in no small degree, upon the quality and availability of opportunities for higher education which

we provide. We are appreciative of the important role played so well by our private institutions of learning. At the same time we know that they are not likely to be in a position to increase their enrollments in proportion to the anticipated increase in the college age population. We also know that we should increase the percentage of the Maine college age group who go to college. These premises dictate that we expand the capacity of the University of Maine while maintaining, and, if possible, improving the quality of its performance. Recent projections suggest that its capacity should reach a low of 7500, or, a high of 12,000, by 1970.

As we consider the expansion of the University, we should not ignore the requirements of the young people in southwestern Maine and the possibility of establishing additional state university facilities in that area. There is now under study the possible absorption by the University of Maine of Portland Junior College. Such recommendations as may be forthcoming from the trustees of the two institutions will be deserving of our careful consideration.

There is need for action to provide opportunities in higher education which are not now available in Maine. As a result of authorization two years ago, Maine is now a member of the New England Higher Education Compact under which has been established the New England Board of Higher Education. The purpose of the Board is to increase such educational opportunities through the establishment and maintenance of a coordinated educational program. The Board has concerned itself first with the problem of medical and dental education, facing squarely the facts that we use more doctors than the national average and that we do not produce enough doctors from among our own people to meet our needs.

The Board, therefore, proposes a plan whereby, in accordance with a recommended formula, the member States will under-write part of the difference between tuition-income and the actual cost of

instructing each New England student in the region's medical schools. It is believed that this plan will serve to "Keep the present doors of opportunity open and to encourage the opening of additional doors for New England students." The plan merits our support.

In addition to the foregoing, you will be asked to consider recommendations, detailed in the budget, relative to vocational education, vocational rehabilitation, the Maine Vocational Technical Institute, the State Library, and the Maine Maritime Academy.

Health and Welfare

We in America prize initiative, self-reliance, and the ability to get ahead on our own two feet. We treasure, and will fight, for the right to shape our own destinies as individuals.

At the same time, we recognize that circumstances beyond our control can reduce or destroy our capacity to do so; and we instinctively act to protect and provide for those who are thus incapacitated. Our programs in this respect, because of our limited resources, do not and can not provide a complete cushion against all the blows which misfortune may strike. It is proper and humane, nevertheless, to periodically review the needs and the adequacy of our efforts to meet the most serious ones.

This approach to the problems of those who might be deprived of the necessities of life without our assistance, suggests the following minimum recommendations:

1. In terms of number of recipients and the size of average grants, the public assistance programs for the aged, the blind, the disabled, and for dependent children have had varying histories.

While the number of recipients in the programs for old age assistance and aid to the blind continue to decline steadily, case-loads in the aid to dependent children program have expanded greatly and are continuing to increase. The new program for aid to the disabled already exceeds the aid to the blind program.

Over the past ten years, these programs have been liberalized and the size of the average grants increased, by legislative and administrative action. Nevertheless, the reduced purchasing power of the dollar has wiped out most of the dollar gain in terms of the goods and services the grants will purchase. I recommend, therefore, that the grants of all recipients under these programs be increased by 5 per cent in order to restore some of this loss.

2. I recommend that the citizenship requirement in Old Age Assistance be eliminated. Persons in this group now receive public assistance, but the burden falls almost wholly upon municipalities. If the requirement is eliminated, the burden will be shared by federal funds.

3. There are at least 600 Old Age Assistance recipients at all times in nursing homes, including convalescent homes and rest homes; and it is felt that most old age assistance recipients will have a period during their lives when nursing home care is necessary. In varying degrees, recipients under the aid to the blind, aid to the disabled, and aid to dependent children programs also require the services of such institutions.

The quality of the services in an appreciable number of nursing homes is scaled to the level of grants under these programs. For this and other reasons, as a survey of these homes will disclose, there is need for substantial up-grading in the quality of nursing home care. Indeed, it is felt that this may well be the major need not now included in our welfare program.

Consequently, I recommend that we adopt a program which will meet a significant portion of the cost of nursing home care, thus giving the department a basis on which it can establish the standards of care for which payment will be made.

The program would primarily provide needed care, but, in addition, it will reduce the welfare burden of municipalities, and should diminish, to some degree, the load on the State Hospital Aid Program.

4. The program for board and care of neglected children cries out for our attention. It covers some 2,100 children who have been committed to the department because of gross negligence on the part of the parents. Obviously, it is our responsibility to provide better homes than those from which they have been taken by the courts.

The children are placed in foster homes, and the department pays \$30.00 per month per child for their board and care. In the light of present living costs, this payment cannot be expected to provide the standard of care which it is our obligation, by all humane considerations, to provide. I recommend, therefore, that the payment be increased.

5. Two years ago the hospital aid program was adapted to purchase hospitalization for the recipients of the four categories of assistance programs. Thus, federal funds were claimed to supplement the state's appropriation.

The hospital aid pool thus created does not, of course, serve the needs of the medically indigent who are not recipients under those programs; and the aid to public and private hospitals program was continued. Because of increasing hospital costs, the appropriation for this purpose should be increased.

6. The program of alcoholic rehabilitation, which has expanded rapidly, has reached the limit of development under present appropriations. I recommend that a program of direct service by counseling, education, and some clinic care be added.

Institutions

The Public Administration Service, in its report on the survey of state government, says of our mental health program, "No one wishes to see a person committed to a state mental institution and remain there for life no matter how fine the care he may receive there." I am sure that any of us who have had relatives, friends, or neighbors thus afflicted will agree wholeheartedly with that observation.

The report continues: "If only a few, percentage-wise, can be re-

turned to normal home life the monetary savings to the state, not to mention the social and humanitarian benefits, would be real and substantial."

In these two sentences we have a statement of the selfish and the unselfish reasons why we should provide at our mental institutions, first, humane standards of custodial care and, second, intensive treatment and training programs designed to cure as many patients as the advances of science will make possible.

In order to move toward these objectives, each institution must have an increased complement of professional personnel in various categories, including medical, psychiatric, nursing and teaching, as well as an adequate staff of custodial personnel. To attract these people, it is more and more apparent that increased compensation must be offered.

The long-range building programs at these institutions must also be evaluated in terms of a treatment and training program; and, not only must we blueprint the kinds of plants needed, we must also do something about building them.

At our mental institutions we should also formalize and expand the work with respect to out-patient care; and this work might well be coordinated with the community services provided by the Department of Health and Welfare.

A comprehensive approach to the problem of mental health, aimed at prevention, cure, and care, must go beyond the institutional program. Suggestions designed to improve our present program will be contained in the budget; but, in this field, as in others, the organization and coordination of our efforts along program lines would enable us to achieve maximum results from the dollars expended.

The correctional institutions also reveal program deficiencies as well as, in some cases, security deficiencies. New physical facilities and improvements in the occupational, vocational, educational, religious, and recreational as-

pects of their programs are required.

Our goal should be an integrated correctional system aimed at prevention and the rehabilitation of those who are committed as responsible citizens capable of assuming positions in society commensurate with their abilities. Any such system, of course, includes institutions of maximum, medium, and minimum security. In addition, it should include an effective program of probation and parole, the first as a useful tool in salvaging offenders who are not yet hardened criminals, and the second as a tool used after imprisonment to ease the transition back into society.

One of our shortcomings at the moment, in these terms, is lack of a centralized and unified probation system, staffed by fulltime, professional personnel equipped, by training and experience, to give proper guidance to those committed to their custody and to provide competent assistance to the courts.

Such a system, included as a part of our present parole program, would provide an essential service as described, and could also be useful in improving the present method of processing pardon cases; and I recommend its establishment. It might be pointed out that supervision under an effective probation and parole system is much less expensive, and can be productive of greater social benefits, than institutional supervision.

Survey of State Government

I have now discussed what state government is doing and ought to do with respect to maximum utilization of our economic resources and our human resources. The legislative agenda would not be complete if it did not include, as well, items relating to the processes of government.

This brings us to the report on the survey of state government which was completed last June by the Public Administration Service.

The report is based on the principle that the executive branch of government would be a more effective instrument of service to our

people if the Governor were in fact the center of executive authority and responsibility. The report proposes that he be made just that, and that other changes be adopted which will give him the time and the tools to exercise that authority, to delegate it to appropriate subordinates of his choosing, and to enforce the responsibility for proper execution.

I believe that he should have such authority and responsibility, whoever he may be and whatever his political party, because he is elected by the people; and, as their representative, he should be in a position to direct whatever business is entrusted to the executive branch of government by the Constitution and the legislature. They should be able to hold him primarily accountable for the ethics, loyalty, efficiency, frugality, and responsiveness to the public wishes of the thousands of employees in state service.

I believe that, if he is given such authority and responsibility, the limitations of his time and energies in the light of the many demands which are made upon them, should be recognized; and he should be given such assistance, and the executive branch should be so organized, as to enable him to readily and constantly observe and supervise the operations of state government.

I believe that the full realization of these objectives requires the adoption of a four-year term for the governor, the appointment of department heads by the governor for terms co-incident with his own, elimination of the executive council, a reduction in the number of plural bodies which administer the day to day affairs of departments, and consolidation of the 29 major operating agencies and the more than 80 other agencies of state government into a reasonable manageable number of departments.

I believe that the office of the governor and the executive branch of government will fall far short of their maximum contribution to the cause of efficient, effective, and economical government unless the foregoing principles are implemented.

The survey report contains recommendations in these respects and should be used as a guide. In addition, the report ranges over the entire field of state government, its organization, its operations, and its programs, making recommendations and suggesting supplementary studies to fully explore the possibilities for improvements. It contains material which can serve as the basis for constructive action, not only in this session of the Legislature, but also in the years ahead.

I, therefore, suggest the following:

1. That you consider and act upon recommendations which are submitted by the Citizens Committee on the Survey of State Government.

2. That you authorize the continuation of the Committee with funds to arrange for appropriate supplementary studies and to draft legislation incorporating its recommendations for submission to the next session of the Legislature.

Over the past two years another problem affecting the machinery of government has become cause for increasing concern. You will agree, I am sure, that the machinery can be only as effective as the personnel who man it. Because of the nationwide shortage of certain skills, the competition of private industry and business, and the rising cost of living, we face ever more serious recruitment problems. The impact of these factors has been noted particularly with respect to engineers, custodial and professional personnel at various institutions, and social workers. The Public Administration Service has given us a report on this situation, covering both classified and unclassified positions, and has recommended selective increases in salaries to meet the problem. It merits our attention and action.

Civil Defense and Highway Safety

In this message, my discussion has been limited to the broad objectives and the highlights of legislation which will be presented to you. There are many other constructive and forward-looking

proposals which are worthy of discussion but which I have omitted, believe it or not, because of considerations of time. Highways and other budget matters will be discussed in the budget message.

Before closing, however, I would like to touch briefly upon two other programs, which are of vital concern to us, in order that I may pay tribute to the dedicated citizens who are giving them vitality and meaning; and I refer to the programs of civil defense and highway safety.

Each of these programs involve the problem of destroying apathy and stimulating action on the part of rank-and-file citizens of Maine. They are often described as "thankless" tasks, and, perhaps they are, in terms of the difficulty of achieving results. And yet, in terms of their immediate and potential impact upon the fortunes and lives of every one of us, they constitute a challenge which, I am sure, is a source of satisfaction to those who are giving of their time and energies to make them work.

In civil defense, the department should have additional personnel, including technical staff, to equip it to deal with the technological phases of civil defense and to make a start toward development of area offices. Recommendations in this connection will be made in the budget message.

In highway safety, the Governor's Highway Safety Committee should be given formal legislative recognition and an operating budget. In addition, the Committee's legislative program, designed to improve our motor vehicle laws from a safety standpoint, deserves your earnest cooperation.

Conclusion

In closing, I would like to leave with you some thoughts expressed by Thomas Jefferson in 1816 in a discussion of the relationship between men and their governments:

"I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with. But I know also

that laws and institutions must go hand in hand with the progress of the human mind. As new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times."

Under divine guidance, and with confidence in the common sense of the people, we will find the wisdom to apply these principles to our own times and circumstances.

At the conclusion of the address, the Governor and his suite then withdrew, amid the 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 retired to the Senate Chamber, amid the applause of the House, the members rising.

In the House

The House was called to order by Speaker Edgar.

Mr. Totman of Bangor announced the presence in the hall of the House of the following members who were absent on the roll call yesterday:

Messrs. ALLEN of Chelsea
CURTIS of Bowdoinham
VAUGHAN of Hallowell
WINCHENPAW

of Friendship

Mr. Walsh of Brunswick announced the presence in the hall of the House of the following member who was absent on the roll call yesterday:

Mr. PLANTE

of Old Orchard Beach

and those gentlemen were appointed to escort these members to the Governor to take and subscribe the necessary oaths to qualify them to enter upon the discharge of their official duties.

Communication

The following communication:
STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
Augusta

January 3, 1957

Honorable Joseph T. Edgar
Speaker of the House
98th Legislature

Sir:

Acting under authority of the House Order passed yesterday, I hereby appoint:

Edna G. Clement of Belgrade Lakes, and Catherine M. Fenderson of Augusta, Secretaries to the Clerk of the House;

Bertha W. Johnson of Baring, Secretary to the Assistant Clerk of the House;

Regis T. Strout of Gardiner, Legislative Docket Clerk;

Virginia P. Fellows of Augusta, Assistant Legislative Docket Clerk; Gladys N. Mathews of Berwick, Journal Copy Clerk;

Elizabeth Lester of Raymond, Messenger to operate the Public Address System.

Respectfully,

(Signed) HARVEY R. PEASE

Clerk of the House

The communication was read and ordered placed on file.

The SPEAKER: In addition to the appointments just announced by the Clerk of the House, the Speaker wishes to announce as an appointment for the office of Secretary to the Speaker, Mrs. Joan Gerald, and the communication is placed on file.

House at Ease

Called to order by the Speaker.

Papers From the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 8, at 10:00 o'clock in the morning (S. P. 7)

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. 9)

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

Messrs. LOW of Knox
ROGERSON of Aroostook
LESSARD of Androscoggin

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. JACQUES of Lewiston
JALBERT of Lewiston
BRODERICK of Portland
WADE of Auburn
Mrs. HARRIMAN of Lovell
Mrs. MANN of Paris
Mr. HAUGHN of Bridgton

From the Senate: The following Orders:

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. 14)

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 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 mem-

ber 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. 11)

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. 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 1957 shall be available for use in 1959. (S. P. 13)

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 the 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 Appropriations and Financial Affairs. (S. P. 15)

Came from the Senate read and passed.

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

On motion of Mr. Ross of Bath,
Adjourned until Tuesday, January 8, at ten o'clock in the morning.