

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME II

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

House

Bill, "An Act Relating to Automobile Travel by State Employees." (H. P. 892) (L. D. 1278)

(On motion by Mr. Low of Knox, tabled pending passage to be engrossed.)

House — as amended

Bill, "An Act Relating to Gifts of Securities and Money to Minors." (H. P. 9) (L. D. 8)

Bill, "An Act Relating to Facilities Furnished by Public Utilities for Rate Fixing Purposes." (H. P. 186) (L. D. 249)

Which were severally read a second time and passed to be engrossed as amended, in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Eliminate Discrimination Between Purchasers." (H. P. 1070) (L. D. 1530)

Mr. LOW of Knox: Mr. President and members of the Senate, this bill is really a new bill covering an important matter, an important subject and I think it comes to us too late in this session for us to act on it intelligently. I therefore move that it be indefinitely postponed.

Mr. CHARLES of Cumberland: Mr. President, I move that the bill be laid upon the table.

The motion prevailed and the bill was laid upon the table pending motion by Senator Low of Knox to indefinitely postpone.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills and Resolves:

Bill, "An Act Relating to State Owned Cars for Supervising State Fire Inspectors." (H. P. 26) (L. D. 31)

(In the Senate on motion by Mr. Rogerson of Aroostook, tabled pending passage to be enacted.)

Bill, "An Act Relating to Property Tax Exemption for Benevolent and Charitable Institutions." (H. P. 1036) (L. D. 1467)

Bill, "An Act Relating to Lights on Rear of Trucks." (S. P. 546) (L. D. 1532)

Which Bills were Passed to be Enacted.

Emergency

Bill, "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1958 and June 30, 1959." (S. P. 533) (L. D. 1503)

(On motion by Mr. Parker of Piscataquis, tabled pending passage to be enacted.

Emergency

Bill, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958, and June 30, 1959." (S. P. 541) (L. D. 1520)

(On motion by Mr. Sinclair of Somerset, tabled pending passage to be enacted.

"Resolve Proposing An Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms" (H. P. 157) (L. D. 204)

Mr. LOW of Knox: Mr. President, I move that this resolve now pass to be enacted.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I realize that it is futile for me to oppose the enactment of this resolve which will change the tenure of office of the Governor to four years.

Nevertheless I feel I have a duty to perform as representing some of the voters of this state and even though I probably will not make any motion at the end of my remarks, I do feel that I would like to have spread upon the records just how I feel about this amendment which proposes a four year term for Governor and then possibly another four years, making eight years.

Again, I do not enjoy opposing our most able Floor Leader, my good friend, Senator Low of Knox, but again I have to follow the dictates of my convictions.

In the first instance I am opposed to the amendment because it does not limit the Governor after the first four years, to succeed himself for another four years. I do not approve of the amendment because if we are going to give the governor four years, then to me it is just as logical that we give senators and rep-

representatives longer terms, also. And third, I believe that it is very important for the people of this state to get acquainted with the governor and I think that his term of office should be predicated upon his performance and whether or not the people can get acquainted with him. To be sure he campaigns for the nominations and the elections, and as the law is today he has two years and then he goes out and gets acquainted with the people again and they have the opportunity to register their protests or approval, and I say to each and every one of you that there isn't one of us in a campaign when we talk with our constituents but what we get some good ideas for the better government. And I don't like to see it taken away from the people to that extent and I still feel that the citizens of the State of Maine have a right to expect that they will have an opportunity to sit down and register their protest whether we are Senators or Representatives or Governors. We are public servants of the State of Maine and this is a large corporation and I for one, although I happen to be now perhaps a director of the corporation and also a stockholder, I believe that the people have a right to come to the polls and register their approval or rejection and were it I who happened to be the Governor of the State of Maine, I should welcome the idea of the people after two years, approving the administration and disapproving it if the criticism were constructive. I am always open to constructive criticism. I have no use for malicious criticism.

I feel that of all of the constitutional amendments that have been talked about so much by the people all over the state, that this is the least important of them all. I think it has no significance. I don't believe the people care whether they have this come to them or not, and I want to say to you again that when we pass a Constitutional Amendment out to the people, that we in substance have said that we as members of the legislature, we believe in it by a two-thirds vote and it is just the same thing as sending to the people a referendum

asking do they want war or peace. Everybody will vote for peace. Everyone is interested in it. And everybody who wants a four year term will vote for it but the people who are not interested will stay home and it isn't a fair test and I strenuously object to this amendment and I am going on record as voting against it.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, I too feel that this is legislation which we should look carefully into before we enact. As my good friend, the Senator from Hancock, Senator Silsby has stated, we are saying to the people, this is what we believe. At the hearing the people who should be interested in this particular item were not present. At that hearing the room was three-quarters empty. Now we have been criticized by the papers to the effect that we are barring the people. We are not barring the people from voting upon anything. If the people really want something they have another method in which they can request the legislature to act if the legislature does not see fit to take steps itself, and that other method has not been chosen.

This particular bit of legislation is not the original bill which came before the committee for hearing. The original bill which was heard was for a single four year term. The committee came out with several reports as you may recall. First the four year term. Second a proposal for two four year terms and third, an unlimited number of terms, and so what in effect did we do? We in effect are simply saying that the public bills that we had we don't like and we are going to give the governor two four-year terms; we are ignoring the people who might wish to change it for a single four-year term and if we are really going to give the people something I feel that we should give them a choice rather than simply stating that this is what we believe. Accordingly I shall vote against the resolve as I feel that the people are not being given an opportunity to intelligently express their opinion as to what they really wish, because we have not made it possible for them to do so.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate, I would like to call the attention of the Senate at this time that we are discussing this matter, that this was one of the first matters taken up by the citizens committee of the PAS. As you well know, this committee was comprised of some forty members, from every walk of life here in our great state, from labor, management, government, education, practically every phase and from every county and this matter was seriously considered by the subcommittee, was reported to the general committee and was unanimously recommended that at this legislature it should be introduced. I think that these people who perhaps are not directors, but are stockholders in our state, people who came here to give of their time without pay on many occasions gave serious thought to this matter and I think they do represent a cross section of our people. I believe that their recommendation should be sent to the people for their approval or disapproval.

Mr. PIKE of Oxford: Mr. President and members of the Senate, I know I am very old fashioned because there are lots of things in the PAS report that I don't agree with and I am greatly in the minority. I know I am in the minority here when I say that I sincerely and honestly believe that a good governor can be elected again for another two year term or perhaps three two year terms but if we have a poor Governor by chance, two years is long enough. I am glad for once this session to be able to agree with the Senator from Franklin, Senator Butler.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Low, that the resolve be finally passed.

This being a Constitutional Amendment

A division of the Senate was had.

The PRESIDENT: The Chair votes in the affirmative.

Twenty-two having voted in the affirmative and nine opposed, the resolve was finally passed.

Bill "An Act to Authorize the Issuance of Bonds in the Amount of

Twenty-four Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways." (H. P. 1056) (L. D. 1504)

On motion by Mr. Parker of Piscataquis, tabled pending passage to be enacted.

Mr. Low of Knox was granted unanimous consent to remove from the table, out of order and under suspension of the rules, the 56th tabled matter being, "Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 66) (L. D. 93) tabled by that Senator on May 17 pending final passage; and the same Senator moved the pending question.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, again I rise in opposition to the motion of my good friend, Senator Low of Knox. When we look at this bit of legislation and the arguments which you have heard for it many times, we are ignoring the fact that when we tie our state election into our federal election sooner or later, we are going to so interweave these two that the elements of one will overcome the elements of the other and that our state policy will go along with our federal policy. We have seen this happen in the past and we have been thankful that we have a September election.

We have had argument that it is costing us more. Is it costing more for us to stand up and properly handle our own affairs in deference to what may be handed to us. Are we attempting to ride in on the coattails of the popular party of the time? I am not having reference either to a Republican administration or a Democratic administration because those terms are merely words. I do have a feeling that if we are going to keep a sound government here in Maine we should not permit arguments relative to what is being done on a national scale involve what we do on a state scale and for that reason I feel that it is not good legislation and I shall vote against it.

Mr. SILSBY of Hancock: Mr. President, again it appears that perhaps I am barking up the wrong tree so to speak but somehow I want to go on record that this old chest-