

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

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accountable for its actions. There is no one person to point the finger of blame at. In other words, the Legislature cannot be pressured by public opinion, as a Governor can, into making superior selections. A built-in weakness of the present system is that the Legislature cannot help giving undue consideration to former legislators, especially when it picks an attorney general. The Legislature cannot recruit talent, but waits until lawyers who have served in the House or Senate come around asking for the job.

"As for the danger of granting the Governor too much power, this argument holds no water at all. We now trust him to appoint high court judges, the chief justice, highway and institutional commissioners, etc. Certainly he is equally competent to pick the three officials mentioned above.

"The Legislature is not serving the best interests of good state government by clinging to its power to elect the attorney general the secretary of state and the commissioner of agriculture."

The PRESIDENT: The pending question is on the motion of the Senator from Penobscot, Senator Hillman to accept the Majority ought not to pass report of the committee on L. D. 155.

A division of the Senate was had.

Fifteen having voted in the affirmative and fourteen opposed, the motion prevailed.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table the 4th tabled item, being, Senate Reports from the Committee on State Government: Majority Report, ought not to pass; Minority Report, ought to pass; on "Resolve, Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate." (S. P. 84) (L. D. 156) tabled by that Senator on March 18 pending motion by Senator Hillman of Penobscot to accept the Majority Report.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: As I stated before, about the same points I made in the previous debate could be applied to this particular piece of legislation,

the only difference being, of course, that it is the Secretary of State rather than the Commissioner of Agriculture.

Now before I have to get up and admit that our Secretary of State is one of the finest gentlemen I have ever known as efficient a gentleman as you could find—these things I want to go on record. I have known our Secretary of State for some twenty-five or thirty years and have been closely associated with him in my practice of the law, and there exists among the officials of Maine no more efficient man than we have in Harold Goss. I love the man; I always have and always will. Again I say, that is not a matter which is involved here: the matter is again that of executive responsibility, bringing the Governor closer to the people. That is the same argument I made before, that he should be appointed by the Governor rather than be elected by the Legislature.

I ask that when the vote is taken it be taken by a division.

Mr. ROSS of Sagadahoc: Mr. President and members of the Senate: Like the Senator from Androscoggin, Senator Lessard, certainly my remarks that applied to the last bill apply to this one also.

At the hearing on the last bill, when he was debating that, he said that we should take these appointments out of politics, and he said that we were using erroneous arguments, because if any things were political plums they were political plums.

Now of course I will admit that when the legislature elects them as they do now it is putting it in the hands of politics, but I never said "take it out of the hands of politics," I said "do away with political patronage."

I have no further debate on this question, because my remarks on the last bill apply to this one. It has been said that our great country is the cradle of liberty. That must be so, because many politicians are asleep in it. Now I maintain that it cannot be the Republicans, as Senator MacDonald thinks, because we have to be constantly awake to counter with facts the sentimental oratory of the Democrats which is used to gain press

fame and to tell those who are less informed than some others are of the things that we are trying to do up here.

Mr. MacDONALD of Oxford: Mr. President, I will say that the Senator from Sagadahoc should get an alarm clock so that he can wake up at the proper time. (Laughter)

Mr. FARLEY of York: Mr. President and members of the Senate: While reading here, I was listening to the debate back and forth, and it seems to me that no one wants to have any changes in the State of Maine. I just wonder where the Republican Party of the State of Maine is going to fit into this new program from national headquarters in trying to get back into political life. As you know, they are now starting a political campaign and trying to do something. I think that is one of the things they are trying to do here: get Maine back into the fold of the Republican Party.

Mr. PIERCE of Hancock: Mr. President, I was one of the members of the Citizens Survey Committee two years ago and this last term. The statement was made in the debate on the previous question that the Governor would be too busy at the start of his term of office with his budget and his message to properly appoint these suggested officials. I have before me the report of the Citizens Committee refuting that point. The recommendation of the committee was: "The appointments should be for a duration of four years, but the appointments should be staggered during the term of each Governor so that there would not be a complete change of top-level administrative posts throughout the state coincident with the arrival of each new chief executive." I merely want to inject that into the record, in view of some of the previous statements by senators.

The PRESIDENT: The pending question is on the motion of Senator Hillman of Penobscot, to accept the Majority ought not to pass report; and a division has been requested.

A division of the Senate was had.

Sixteen having voted in the affirmative and fourteen opposed, the motion prevailed.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table the 12th tabled item, being House Reports from the Committee on State Government: Majority report, ought not to pass; Minority report, ought to pass; on "Resolve, Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State." (H. P. 883) (L. D. 1257) tabled by that Senator on April 22 pending motion by Senator Hillman of Penobscot to Indefinitely postpone.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: Here is a little different one: this is doing away with the office completely. We do not ask to have this one appointed by the Governor, we are asking to do away with it.

Here again we have a very fine State Treasurer, here again we have a very, very fine and friendly and capable man who occupies this position. I do not want to be forced to debate on that issue, because I will disagree with anyone who says that he isn't. Everybody knows and loves Frank Carpenter, and I count him among my best friends, of course.

However, I would like to refer back to the debate the other day on the executive council, which was very ably carried on by the Senator from Aroostook, Senator Rogerson. I think that some of the reasoning that he advanced in his debate would apply to this very same bill before us today. I think Senator Rogerson said — I cannot quote him verbatim — but I think that what he said was along the line that this change which is being proposed by this bill is a change which the legislature itself has brought about by the creation of a department, by assigning to it all of the duties that were formerly carried out by the State Treasurer's department. These duties have been assigned to other departments, and, as a result, the State Treasurer is now really something in name only. I think just recently the Governor's Council took away one of his duties when they proposed to change the depository for certain state bonds, so that now practically all of the duties of the State Treasurer are