

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Wednesday, January 24, 1951

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Joseph Bubar of North Vassalboro.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Resolve in favor of Robert W. Traip Academy (S. P. 52) (L. D. 62)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve in favor of the Town of Sanford (S. P. 31)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Bill "An Act relating to the Absent Voting Law in Cities" (S. P. 59) (L. D. 63)

Bill "An Act relating to Additional Appeal from Liquor Commission" (S. P. 53) (L. D. 64)

Bill "An Act relating to Penalty for Refusal to Work by Persons Dependent upon Towns" (S. P. 57) (L. D. 65)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act to Permit Taverns to Sell Wine and Spirits" (S. P. 60) (L. D. 70)

Bill "An Act relating to Consumption Sale of Liquor" (S. P. 61) (L. D. 71)

Bill "An Act relating to Liquor License Credit" (S. P. 63) (L. D. 72)

Bill "An Act defining 'Retail Store' in Liquor Law" (S. P. 62) (L. D. 69)

Bill "An Act relating to Retail Sale of Vinous Liquor" (S. P. 64) (L. D. 67)

Bill "An Act relating to Hours for Sale of Liquor" (S. P. 65) (L. D. 68)

Bill "An Act relating to the Sale of Intoxicating Liquors to Minors" (S. P. 66) (L. D. 66)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Baxter State Park" (S. P. 67) (L. D. 73)

Came from the Senate referred to the Committee on Public Buildings and Parks.

In the House, referred to the Committee on Public Buildings and Parks in concurrence.

From the Senate:

Bill "An Act repealing the Gasoline Road Tax" (S. P. 68) (L. D. 74)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Resolve proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness (S. P. 69) (L. D. 75)

Bill "An Act relating to Initiative and Referendum in the City of South Portland" (S. P. 70) (L. D. 76)

Bill "An Act relating to Salary of Council in City of South Portland" (S. P. 71) (L. D. 77)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act to clarify Certain Provisions of Motor Vehicle Law" (S. P. 72) (L. D. 78)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate:

Bill "An Act relating to Aid to Dependent Children" (S. P. 76) (L. D. 79)

Bill "An Act relating to Old Age Assistance" (S. P. 77) (L. D. 80)

Bill "An Act relating to State Care of Persons in Certain Institutions" (S. P. 78) (L. D. 81)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Claims

Resolve in favor of Clinton J. Abbott, of Kingfield (H. P. 220) (Presented by Mr. Carville of Eustis)
Sent up for concurrence.

Highways

Resolve in favor of the Town of Woolwich (H. P. 221) (Presented by Mr. Bailey of Woolwich)

Resolve in favor of the Town of Woolwich (H. P. 222) (Presented by same gentleman)

Resolve in favor of the Town of Woolwich (H. P. 223) (Presented by same gentleman)

Resolve in favor of Trescott Township (H. P. 224) (Presented by Mr. Bucknam of Whiting)

Resolve in favor of the Town of Lubec (H. P. 225) (Presented by same gentleman)

Resolve in favor of Trescott Township (H. P. 226) (Presented by same gentleman)

Resolve in favor of the Town of Stonington (H. P. 227) (Presented by Mr. Clapp of Brooklin)

Resolve in favor of the Town of Brooklin (H. P. 228) (Presented by same gentleman)

Resolve in favor of the Town of Otisfield (H. P. 229) (Presented by Mr. Davis of Harrison)

Resolve in favor of the Town of Windham (H. P. 230) (Presented by same gentleman)

Resolve in favor of the Town of Harrison (H. P. 231) (Presented by same gentleman)

Resolve in favor of the Town of Edgcomb (H. P. 232) (Presented by Mr. Gay of Damariscotta)

Resolve in favor of the Town of Kennebunkport (H. P. 233) (Presented by Mr. Littlefield of Kennebunk)

Resolve in favor of the Town of Westfield (H. P. 234) (Presented by Mr. Lovely of Westfield)

Resolve in favor of the Town of Chapman (H. P. 235) (Presented by same gentleman)

Resolve in favor of the Town of Mapleton (H. P. 236) (Presented by same gentleman)

Resolve in favor of the Town of Easton (H. P. 237) (Presented by same gentleman)

Resolve in favor of the Town of Winthrop (H. P. 238) (Presented by Mr. Maxwell of Winthrop)

Resolve in favor of the Town of Pownal (H. P. 251) (Presented by Mr. Patterson of Freeport)

Resolve in favor of the Town of Freeport (H. P. 252) (Presented by same gentleman)

Resolve in favor of the Town of Pownal (H. P. 253) (Presented by same gentleman)

Sent up for concurrence.

Judiciary

Bill "An Act to Confer the Right of Eminent Domain upon Wiscasset Water Company" (H. P. 239) (Presented by Mr. Gay of Damariscotta by request)

(Ordered Printed)

Bill "An Act relating to Powers and Duties of Recorder of the Municipal Court of the City of Biddeford (H. P. 240) (Presented by Mr. Hawkes of Saco)

(Ordered Printed)

Bill "An Act relating to the Trustees of the Ministerial Funds of the Town of Bridgton" (H. P. 241) (Presented by Mr. March of Bridgton)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in land with Buildings Thereon in Newcastle, in the County of Lincoln (H. P. 242) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Resolve authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory (H. P. 243) (Presented by same gentleman) (Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act regulating Shooting Seals in Certain Waters of York County" (H. P. 244) (Presented by Mr. Littlefield of Kennebunk) (Ordered Printed)
Sent up for concurrence.

Welfare

Resolve providing for State Pension for Wilfred Duffy, of Benedicta (H. P. 245) (Presented by Mr. Crabtree of Island Falls)

Resolve providing for State Pension for Donald Forbes, of Brooks (H. P. 246) (Presented by Mr. Dickey of Brooks)

Resolve providing for State Pension for Joyce Teeney, of Brooks (H. P. 247) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Clarence Thomas, of Rumford Point (H. P. 248) (Presented by Mr. Parent of Rumford)

Resolve providing for State Pension for Francis E. Moddix, of East Andover (H. P. 249) (Presented by same gentleman)

Resolve providing for State Pension for Joseph A. Pratt, of East Andover (H. P. 250) (Presented by same gentleman)

Sent up for concurrence.

Orders

On motion of Mr. Travis of Westbrook, it was

ORDERED, that First Lt. Gilbert A. Patenaude of St. Hyacinth Church of Westbrook, be invited to officiate as Chaplain of the House Tuesday, January 30, 1951.

On motion of the gentlewoman from Ashland, Mrs. Daggett, House Rule Number 25 was suspended for the remainder of today's session in order to permit smoking.

Orders Of The Day

The **SPEAKER**: The Chair lays before the House as a Special Order of business for today the matter

of the Report from the Committee on Appropriations and Financial Affairs.

The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. **JACOBS**: Mr. Speaker, pursuant to the order recently passed by this House and as House Chairman of the Appropriations Committee, I am pleased to report a state of progress. It is our duty as a committee to receive the requests for money from each Commissioner to carry on some forty departments of State Government.

To date, we have had before us the Secretary of the Senate, the Clerk of the House, the Commissioners of Taxation, Accounts and Controls, Finance and the Budget, Audit, Legislative Research Committee, Insurance, Library, Public Utilities Commission, Banks and Banking, Liquor Commission, Veterans Affairs, Maine State Retirement System, and the Treasury.

As we have had no executive sessions, we are unable at this time to report our findings to this House of any of these. You will find these reports of the Commissioners in your Budget Book, the amounts asked by each and also the recommendations of the Governor and the Budget Committee. That is about all, Mr. Speaker, that I am able to report at this time.

The **SPEAKER**: The Chair will announce that under the order it is permissible for any member to ask questions through the Chair.

The Chair recognizes the gentleman from Portland, Mr. Roundy.

Mr. **ROUNDY**: Mr. Speaker, I rise to inquire from Mr. Jacobs, if he will answer as to the amount approved by the Budget Committee of the recommendations from the different departments as to the amount that they require. Perhaps he can tell us something about the action that the Budget Committee took in reference to the requests and what the Budget Committee thought would be reasonable in these particulars.

The **SPEAKER**: The gentleman from Portland, Mr. Roundy, makes an inquiry through the Chair of the gentleman from Auburn, Mr. Jacobs. The gentleman may answer if he chooses.

Mr. **JACOBS**: Mr. Speaker, in reply to the question, the Budget

Committee's function has been, for the past several years, to look over and discuss the amounts asked by the Department Heads or Commissioners, so-called. In doing so, the committee has found sometimes, in their judgment, that these Department Heads could carry on without as much as they have asked for, the Committee believing that in so doing we could save the State money. Of course, it is a question of judgment. If we have expenditures more than our income, it is quite natural in State affairs as well as in individuals' affairs, that they cut down their expenditures to the amount they have on hand. We have done this in many instances in years gone by, and these departments have functioned with reduced expenditures or appropriations less than the amount asked for. We have continued on this line since last October.

Of course in the final analysis the Appropriations Committee, after due deliberation on all these questions of money asked for by the Department Heads, will render you their verdict as to what they should have according to the minds of the members of the Appropriations Committee, and when they do come in here we will all have an ample opportunity to say what we believe they should have, because what we do in our Appropriations Committee must be passed not unanimously but by a majority vote.

I think that is all I can say at this time, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, with respect to the Department of Banking, in view of the fact that many of our State banks are now subject to federal examination in the Federal Reserve and the Federal Deposit Insurance Corporation, has the suggestion ever been advanced that the Banking Department might be able to dispense with some of the functions of examination which it now exercises at some possible saving to the State?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, inquires from the gentleman from Auburn, Mr. Jacobs, and the gentleman may answer if he chooses.

Mr. JACOBS: I do not choose to answer, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: In answer to Mr. Chase, I believe Mr. Robinson yesterday told us that unless his departmental request was met in accordance with the budget recommendations he would have to dispense with the services of one assistant examiner, as he put it. However, the suggestion of Mr. Chase is a good one. It might be advisable, if the committee sees fit, to recall Mr. Robinson and also ask Mr. Chase to attend and bring whatever plan he may have to the committee.

I will also, just in passing, state that Mr. Robinson told us before the budget hearing and he told us yesterday also that the major problem was that in view of the fact he was tied in with the Personnel Board he would like to divorce himself from the Personnel Board and could take care of it better himself. He said that it handicapped him from getting the help he would like to have. For instance, he feels and has felt, he told us, for four years, that at times there are young men who are going to college, and if he were allowed possibly to hire one or two of them and train them, that after four years of college and four years of working summers, that this boy might be a valuable man in his department. Consequently, he was very frank in his opinion that he would very much like to be divorced from the Personnel Board law.

However, in answer to the question, I would suggest that it possibly might be advisable to recall Mr. Robinson and have Mr. Chase be present.

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair at this time will make appointments to the Joint Standing Committees vacated by the gentleman from Old Town, Mr. Nahra, and the gentleman from St. Agatha, Mr. Michaud.

The gentleman from Old Town, Mr. Latno, is assigned to the Committee on Public Buildings and Parks, and the gentleman from

Frenchville, Mr. Martin, is assigned to the Committee on Public Health.

On motion of Mr. Chase of Cape Elizabeth,

If there is no further business for the House to consider, the Clerk will read the notices.

Adjourned until 10:00 o'clock tomorrow morning.