

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, January 27, 1953

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

Prayer by the Rev. Mr. Edwin Barton of Augusta.

The Members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

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:

Appropriations and Financial Affairs

Resolve in favor of Indians at Peter Dana Point Reservation for Building and Repair of Homes (H. P. 135) (Presented by Mr. O'Dell of Eastport)

(Ordered Printed)

Resolve in favor of Indians at Pleasant Point Reservation for Building and Repair of Homes (H. P. 136) (Presented by same gentleman)

(Ordered Printed)

Resolve in favor of Hampden Academy (H. P. 137) (Presented by Mr. Stanley of Hampden)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of John Morin of the Unorganized Township of Connor (H. P. 138) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Resolve in favor of Clyde Moores of Springfield (H. P. 139) (Presented by Mr. Dicker of Lakeville Pl.)

Resolve in favor of Henry J. Deabay of Ashland (H. P. 140) (Presented by Mr. Morris of Portage Lake)

Sent up for concurrence.

Highways

Resolve Appropriating Money for Construction of Bridge Over Carra-

basset Stream (H. P. 141) (Presented by Mr. Gardner of Hartland)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Penalty for Carelessly Shooting a Human Being While Hunting" (H. P. 142) (Presented by Mr. DeBeck of Holden)

(Ordered Printed)

Bill "An Act relating to Retirement of Coastal Wardens Under Maine State Retirement Law" (H. P. 143) (Presented by Mr. McCluskey of Warren)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Election of Members of School Board in Town of Camden" (H. P. 144) (Presented by Mr. Ludwig of Hope)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 145) (Presented by Mr. Osborne of Fairfield)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory (H. P. 146) (Presented by Mr. Moulton of Sweden)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to the Law of Manufacture and Sale of Bedding and Upholstered Furniture" (H. P. 147) (Presented by Mr. Ford of Waterford)

(Ordered Printed)

Bill "An Act Repealing Law of Manufacture and Sale of Bedding and Upholstered Furniture" (H. P. 148) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Classification of Coastal Wardens" (H. P. 149) (Presented by Mr. McCluskey of Warren by request)

(Ordered Printed)

Bill "An Act Regulating the Dragging of Scallops in Harrington River and Bay and Pleasant River, Washington County" (H. P. 150) (Presented by Mr. Stanwood of Steuben by request)

(Ordered Printed)

Bill "An Act relating to the Biennial Revision of Sea and Shore Fisheries Laws" (H. P. 151) (Presented by Mr. Tupper of Boothbay Harbor)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Provide a Credit Against the Sales Tax when the Price is Not Paid" (H. P. 152) (Presented by Mr. Albee of Portland) (750 copies Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act Increasing the Salary of the Mayor of the City of Augusta" (H. P. 153) (Presented by Mr. Albert of Augusta)

(Ordered Printed)

Bill "An Act to Increase the Salary of the Judge of the Westbrook Municipal Court" (H. P. 154) (Presented by Mr. Travis of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Welfare

Resolve Providing for State Pension for John Commeau of Orono (H. P. 155) (Presented by Mr. Clements of Belfast)

Resolve Providing for State Pension for Isabella M. Johnson of Orono (H. P. 156) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Milton Connors of Hampden (H. P. 157) (Presented by Mr. Stanley of Hampden)

Sent up for concurrence.

Orders

On motion of Mr. Small of Mexico, it was

ORDERED, that Rev. Lewis W. Mills of Dixfield be invited to officiate as Chaplain of the House on Tuesday, March 3, 1953; and that

Rev. Thomas DeWolfe of Mexico be invited to officiate as Chaplain of the House on February 10, 1953.

On motion of Mr. Low of South Portland, it was

ORDERED, that the Legislative Research Committee is hereby authorized and directed

To collect information concerning the constitution, jurisdiction, powers, sessions, terms, salaries, pensions or retirement benefits, efficiency, economy, functioning and adequacy of the Supreme Judicial and Superior Courts;

To examine the effects of constitutional provisions and previously enacted statutes with reference to the terms of office of the Justices of the Supreme Judicial and Superior Courts, their salaries, pension or retirement benefits, the method of their appointment to office and their retirement from office; with reference to the jurisdiction, powers, constitution, sessions, terms and functioning of the Supreme Judicial and Superior Courts;

To assist the legislature by providing its members with impartial and accurate information and reports as to the matters herein enumerated and by independent and cooperative study to prepare data, plans and recommendations for future legislative and electoral action;

To submit a report of such information, examination, studies, data, plans and recommendations at the next regular session of the Legislature in 1955.

On motion of Mr. Senter of Brunswick, it was

ORDERED, that Lt. Commander George Thomas, Chaplain Corps, U.S.N., Brunswick, be invited to officiate as Chaplain of the House on Wednesday, February 4, 1953.

On motion of Mr. Pullen of Oakland, it was

ORDERED, that Rev. Samuel A. Bowman of Oakland be invited to officiate as Chaplain of the House on Wednesday, February 11, 1953.

The SPEAKER: The House is continuing under Orders.

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

Mr. STEWART: Mr. Speaker, I rise to a point of information concerning an item in the notices. Would that be in order at this time?

The SPEAKER: The Chair will ask the gentleman to defer his inquiry until we come to Orders of the Day.

Orders of the Day

The gentleman from South Portland, Mr. Fuller, was granted unanimous consent to address the House off the record.

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: On your desks this morning you will find copies of the Fourth Report to the Ninety-sixth Legislature of the Legislative Research Committee. The first part of this report is the report of the committee itself pertaining to county government. Following this will come the full Professor Dow report that he made at the request of the Legislative Research Committee who hired him to follow up on this work.

On Page 11 of the report, the last paragraph states:

"The foregoing recommendations in some instances reflect the views of a majority of the committee. It is understood that members holding other views are free to differ herein or hereafter from the majority opinion, and to add to this report an expression of their own views or a record of their dissent from particular recommendations."

The reason that paragraph is there is that at the meeting of the committee that finally drew this report, it happened to be the very last meeting on the 29th of December, it was the opinion of the committee

that if minority reports were included in it it might further delay the printing of this report, and that consequently those members on the committee—and I am one of them—who do not go along with this report should be free and privileged to voice their opinions. However, I feel that before this is done we should have the Dow report before us, and that the membership of this House should be allowed to digest this phase of the County Government report and the phase pertaining to the Professor Dow report.

Before I sit down, as the only hold-over on the committee, the members of the Research Committee of the 95th Legislature asked me to voice the chagrin of the committee in hearing of the resignation of Representative David Fuller of Bangor. The only comment I will make pertaining to Representative Fuller, because it would cover a bookful, is that he is or was certainly a credit to the committee for his hard work, a credit to his community, and certainly a credit to the State. (Applause)

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

If there is no further business to come before the House, the Clerk will read the notices.

Does the gentleman from Portland (Mr. Stewart) have an inquiry to address to the Chair at this time?

Mr. STEWART: My inquiry has been answered, Mr. Speaker.

The SPEAKER: The Chair thanks the gentleman.

On motion of Mr. Ferguson of Hanover,

Adjourned until ten o'clock tomorrow morning.