

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

Thursday, February 26, 1953

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

Prayer by the Rev. Edmund J. Soucy of Brunswick.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Licenses for Buying and Selling Poultry" (S. P. 367) (L. D. 1031)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Bill "An Act relating to Retiring Allowances or Life Insurance for Officers and Employees of Savings Banks" (S. P. 368) (L. D. 1034)

Bill "An Act relating to the Revocation of an Insurance Agent's License" (S. P. 369) (L. D. 1035)

Bill "An Act relating to the Establishment of a Fund for Fire Fighters" (S. P. 370) (L. D. 1033)

Bill "An Act relating to the Advertising of Sale of Real Property by Brokers and Salesmen" (S. P. 371) (L. D. 1032)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Three Hundred and Fifteen Thousand Dollars on Behalf of the State of Maine for the Purpose of Taking Over the Westport - Wiscasset Bridge" (S. P. 372) (L. D. 1036)

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 Membership in State Retirement System" (S. P. 374) (L. D. 1037)

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 relating to Sale of Ammunition to Minors" (S. P. 375) (L. D. 1038)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Disposal of State Property Not Needed for Purposes of Department of Inland Fisheries and Game" (S. P. 352) (L. D. 1046)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

Tabled and Assigned

Bill "An Act relating to Lights on Boats" (S. P. 376) (L. D. 1039)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

Subsequently, on motion of Mr. Totman of Bangor, the House voted to reconsider its action whereby it referred this Bill to the Committee on Natural Resources in concurrence; and on further motion by the same gentleman the Bill was tabled pending reference in concurrence and was specially assigned for Wednesday, March 4th.

From the Senate:

Bill "An Act relating to Members of Penobscot Valley Water Commission and Extension of Powers" (S. P. 377) (L. D. 1040)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act relating to Meetings by Towns to Regulate Taking of Clams" (S. P. 378) (L. D. 1041)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Repealing Tax on Oleomargarine" (S. P. 379) (L. D. 1042)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act relating to Employment of Prisoners in County Jails" (S. P. 380) (L. D. 1044)

Bill "An Act relating to Fees of Sheriffs and Deputies" (S. P. 381) (L. D. 1043)

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 relating to Junior Operators' Licenses for Motor Vehicles" (S. P. 382) (L. D. 1045)

Came from the Senate referred to the Committee on Transportation.

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

From the Senate:

Resolve providing for an Increase in State Pension for Nancy A. Gilbert of Belfast (S. P. 425)

Came from the Senate referred to the Committee on Welfare.

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

From the Senate: The following Communication: (S. P. 426)

STATE OF MAINE

Director of Legislative Research
Augusta

February 24, 1953

Honorable Chester T. Winslow
Secretary of the Maine Senate
State House

Augusta, Maine

Dear Mr. Winslow:

In accordance with Joint Order (S. P. 29) I submit herewith a list of bills and resolves in process of

preparation by the office of the Director of Legislative Research.

Respectfully,

(Signed) SAMUEL H. SLOSBERG
Director

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and with accompanying papers ordered placed on file in concurrence.

**Senate Reports of Committees
Ought to Pass**

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Regulating Fishing in Parmachenee Lake in Oxford County (S. P. 109) (L. D. 309)

Report of the Committee on Judiciary reporting same on Bill "An Act Authorizing Appointment of Special Guardian" (S. P. 42) (L. D. 55)

Report of the Committee on Labor reporting same on Bill "An Act relating to Employment of Females in Certain Employment" (S. P. 51) (L. D. 79)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice, the Resolve read once, and the next legislative day assigned for third reading of the Bills and second reading of the Resolve.

**Ought to Pass in New Draft
Tabled**

Report of the Committee on Liquor Control on Bill "An Act relating to Billboard Advertising of Liquor in Dry Municipalities" (S. P. 138) (L. D. 326) reporting same in new draft (S. P. 343) (L. D. 843) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McLaughlin.

Mr. McGLAUF LIN: Mr. Speaker, I would like to table this matter,

pending consideration of another bill that is before this House.

The **SPEAKER**: The gentleman from Portland, Mr. McGlauffin, moves that the Report of the Committee on Liquor Control on Bill "An Act relating to Billboard Advertising of Liquor in Dry Municipalities" (S. P. 138) (L. D. 326) as reported in a new draft (S. P. 343) (L. D. 843) under same title and that it "Ought to pass" lie on the table pending acceptance in concurrence. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was so tabled.

Ought to Pass (cont'd.)

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Amending the Charter of the Kittery Electric Light Company" (S. P. 71) (L. D. 155)

Report of the Committee on Towns and Counties reporting same on Bill "An Act to Increase the Salary of Judge of Probate of Hancock County" (S. P. 100) (L. D. 235)

Report of same Committee reporting same on Bill "An Act relating to Payment to York County Law Library" (S. P. 101) (L. D. 236)

Report of same Committee reporting same on Bill "An Act relating to the Salary of the Register of Deeds of Hancock County" (S. P. 144) (L. D. 344)

Report of same Committee reporting same on Bill "An Act relating to the Salary of the County Treasurer of Hancock County" (S. P. 145) (L. D. 345)

Report of same Committee reporting same on Bill "An Act relating to the Hancock County Law Library" (S. P. 146) (L. D. 346)

Report of same Committee reporting same on Bill "An Act to Increase the Salary of the Recorder of the Waterville Municipal Court" (S. P. 147) (L. D. 347)

Report of same Committee reporting same on Bill "An Act relating to Fees of Deputy Sheriffs" (S. P. 149) (L. D. 349)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice, and assigned for third reading the next legislative day.

Ought to Pass With Committee Amendment

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Big Magalloway River in Oxford County (S. P. 108) (L. D. 308) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Resolve read once.

Committee Amendment "A" was read by the Clerks as follows:

COMMITTEE AMENDMENT "A"
to S. P. 108, L. D. 308, Resolve Regulating Fishing in Big Magalloway River in Oxford County.

Amend said Resolve by striking out the word "Azischohos" in the third line of said Resolve and inserting the word 'Parmachenee' in place thereof.

Thereupon, Committee Amendment "A" was adopted in concurrence and the Resolve was assigned for second reading the next legislative day.

Non-Concurrent Matter

Resolve in favor of Carroll L. McKusick of Parkman (H. P. 159) (L. D. 733) which was passed to be engrossed in the House on February 18.

Came from the Senate recommitted to the Committee on Claims in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Resolve Appropriating Money for the Continued Study of the Maine State Liquor Monopoly Operations (H. P. 479) (L. D. 450) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 5.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: It is my feeling that the general opinion of the House, speaking in behalf of their constituents, is to see the accomplishment of justice and the further investigation of the so-called Liquor Probe if it is warranted by the evidence in the hands of the Attorney General. I believe that we, as House Members, have confidence in the ability and integrity of our Governor, and inasmuch as the Attorney General's department is part of the Executive Branch and this probe is part of the duty of the Executive Department, I move that we recede and concur.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House recede and concur with the Senate. Is this the pleasure of the House?

Thereupon, the motion prevailed.

The SPEAKER: The Chair notes the presence in the balcony of the Hall of the House of a Sunday School Class from the Jay Baptist Church, in charge of Mrs. H. C. Schjweland.

In behalf of the House, the Chair extends to you a cordial and hearty welcome. (Applause)

From the Senate: The following Communication:

**STATE OF MAINE
SENATE CHAMBER**

February 25, 1953

Honorable Harvey R. Pease, Clerk
House of Representatives
96th Legislature
State House
Augusta, Maine
Sir:

The President today appointed the following members from the Senate of the 96th Legislature to serve on the Committee on Apportionment:

Senators: BUTLER of Franklin
FULLER of Oxford
CHASE of Cumberland
COLLINS of Aroostook
SQUIRE of Kennebec

HARDING of Knox
BOUCHER of Andros-
coggin

Respectfully,

(Signed) Chester T. Winslow
Secretary

The Communication was read and ordered placed on file.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 3, 1953, at ten o'clock in the forenoon. (S. P. 432)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The SPEAKER: At this time the Chair requests the Sergeant-at-Arms to escort the gentleman from South Portland, Mr. Fuller, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from South Portland, Mr. Fuller, to the rostrum, where he assumed the Chair, amid the applause of the House, and Speaker Bates retired.

**Bills and Resolves Requiring
Reference**

The following Bills and Resolves (transmitted by the Director of Legislative Research pursuant to Joint Order, S. P. 29) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes" (H. P. 1032) (Presented by Mr. Bailey of Woolwich)
(750 Copies Ordered Printed)

Bill "An Act Limiting Milk Control to Producers" (H. P. 1033) (Presented by Mr. Riley of Livermore Falls)
(750 Copies Ordered Printed)

Sent up for concurrence.

On motion of Mrs. Lord of Portland, House Rule 25 was suspend-

ed for the remainder of today's session, in order to permit smoking.

Appropriations and Financial Affairs

Tabled

Bill "An Act to Provide Facilities for Expansion of Research and Study in the Fields of Agriculture and Industry and Student Housing and Appropriating Moneys Therefor" (H. P. 1034) (Presented by Mr. Brockway of Milo)

(On motion of Mr. Brockway of Milo, tabled pending reference to a committee and ordered printed)

Bill "An Act relating to Salaries of Certain Department Heads" (H. P. 1035) (Presented by Mr. Fickett of Naples)

(Ordered Printed)

Resolve Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute (H. P. 1036) (Presented by Mr. Fuller of South Portland)

(Ordered Printed)

Resolve Creating a Fund for Scholarships for Vocational and Technical Training (H. P. 1037) (Presented by same gentleman)

(Ordered Printed)

Resolve in favor of the Town of Garland (H. P. 1038) (Presented by Mr. Roberts of Dexter)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Payments of Death Benefits by Fraternal Beneficiary Societies" (H. P. 1039) (Presented by Mr. Tardif of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to General-Purpose Educational Aid" (H. P. 1040) (Presented by Mr. Brockway of Milo)

(750 Copies Ordered Printed)

Sent up for concurrence.

Highways

Resolve in favor of the Town of Harpswell (H. P. 1041) (Presented by Mr. Fickett of Naples)

Sent up for concurrence.

(Ordered Printed)

Inland Fisheries and Game

Bill "An Act relating to Free Hunting and Fishing Licenses for Indians" (H. P. 1042) (Presented by Mr. Clements of Belfast by request)

(Ordered Printed)

Bill "An Act relating to Bounty on Bears" (H. P. 1043) (Presented by Mr. Crabtree of Island Falls)

(Ordered Printed)

Bill "An Act relating to Rabbit Hunting in Androscoggin County" (H. P. 1044) (Presented by Mr. Tardif of Lewiston)

(Ordered Printed)

Bill "An Act relating to Hunting Cock Pheasants in Androscoggin County" (H. P. 1045) (Presented by same gentleman)

(Ordered Printed)

Resolve Closing Thompson Pond to Ice Fishing for Salmon (H. P. 1046) (Presented by Mr. Fickett of Naples by request)

(Ordered Printed)

Resolve Regulating White Perch Fishing in Lake Auburn (H. P. 1047) (Presented by Mr. Tardif of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relative to Prerequisite to Recording Deeds" (H. P. 1048) (Presented by Mr. Bibber of Kennebunkport)

(Ordered Printed)

Bill "An Act relating to Pensions for Firemen and Their Dependents Under the Maine State Retirement System" (H. P. 1049) (Presented by Mr. Trafton of Auburn)

(Ordered Printed)

Bill "An Act relating to Fines and Costs for Violation of Truck Weight Laws" (H. P. 1050) (Presented by Mr. Travis of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to the York Beach Village Corporation" (H. P. 1051) (Presented by Mrs. Downing of North Kennebunkport by request)

(Ordered Printed)

Bill "An Act relating to Organization of Police Department of City of Lewiston" (H. P. 1052) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Westbrook" (H.

P. 1053) (Presented by Mr. Larrabee of Westbrook)

(Ordered Printed)

Bill "An Act to Incorporate the Augusta School District" (H. P. 1054) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Auburn" (H. P. 1055) (Presented by Mr. Trafton of Auburn)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to the Sale of Liquor on May Thirtieth" (H. P. 1056) (Presented by Mr. Chase of Whitefield by request)

(750 Copies Ordered Printed)

Bill "An Act relating to Credit Sales and Other Sales Forbidden in Liquor Laws" (H. P. 1057) (Presented by Mr. Jalbert of Lewiston)

(750 Copies Ordered Printed)

Bill "An Act relating to Expenses of Towns and Counties Relative to Hearings for Liquor Licenses" (H. P. 1058) (Presented by Mr. Riley of Livermore Falls)

(750 Copies Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Authorizing the Commissioner of Education to Convey Certain Interest of the State to Town of Unity (H. P. 1059) (Presented by Mr. Dickey of Brooks)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to Apprentices in Hairdressing and Beauty Culture Shops" (H. P. 1060) (Presented by Mr. Brown of Bangor by request)

(750 Copies Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Number and Salary of Trustees of Brunswick and Topsham Water District" (H. P. 1061) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Sales Tax on Farm Machinery" (H. P. 1062)

(Presented by Mr. Gardner of Hartland)

(Ordered Printed)

Bill "An Act Exempting from Sales Tax Motor Vehicles Not to be Registered in State" (H. P. 1063) (Presented by Mr. Seaward of Kittery)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Costs of Children in Maine School for the Deaf" (H. P. 1064) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Weight of Commercial Vehicles" (H. P. 1065) (Presented by Mr. Fickett of Naples)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act relating to Leases of Island Shores for Penobscot Tribe of Indians" (H. P. 1066) (Presented by Mr. Clements of Belfast by request)

(Ordered Printed)

Bill "An Act relating to Dividends and Interest for Penobscot Tribe of Indians" (H. P. 1067) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act relating to Medical Aid for Penobscot Tribe of Indians" (H. P. 1068) (Presented by same gentleman by request)

(Ordered Printed)

Resolve providing for an Increase in State Pension for Lloyd L. Arnold of Randolph (H. P. 1069) (Presented by Mr. Hussey of Windsor)

Resolve providing for State Pension for Victor J. Dehetre of Brunswick (H. P. 1070) (Presented by Mr. Senter of Brunswick)

Sent up for concurrence.

Orders

Mr. Albert of Augusta presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Joint Rule 10 be amended by inserting in the first line after the word "resolve" the words

"not already printed", so that the first sentence shall read as follows: "Every bill or resolve not already printed reported in either house by a committee, or laid upon the table by leave, shall be printed and distributed in both houses, before having its first reading." (H. P. 1122)

The Order received passage and was sent up for concurrence.

On motion of Mr. Caverly of Bath, it was

ORDERED, that the list of bills and resolves reported to the Legislature by the Director of Legislative Research as required by S. P. 29, on March 3, be reproduced for the use of members of the Legislature.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker, I present an Order, and move that the Order be referred to the Committee on Rules and Business of the House.

The SPEAKER pro tem: The gentleman from Augusta, Mr. Albert, presents an Order and moves that it be referred to the Committee on Rules and Business of the House. The Clerk will read the order.

The CLERK: ORDERED, that under House Rule 26, the 5th item be amended to read as follows:

"Reports of committees and first reading of accompanying bills and resolves."

Thereupon, the Order was referred to the Committee on Rules and Business of the House.

House Reports of Committees Ought to Pass in New Draft

Mr. Hand from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Capitol Island Village Corporation" (H. P. 74) (L. D. 70) reported same in a new draft (H. P. 1071) (L. D. 1150) under same title and that it "Ought to pass"

Report was read and accepted, and the New Draft, having already been printed, was read twice under suspension of the rules and assigned for third reading the next legislative day.

Ought to Pass Printed Bills

Mr. Currier from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Sandy Stream and Heald Stream, in Jackman Plantation, Somerset County (H. P. 218) (L. D. 245)

Same gentleman from same Committee reported same on Resolve Closing Big Benson Pond, County of Piscataquis, to Ice Fishing (H. P. 589) (L. D. 630)

Mr. Frechette from same Committee reported same on Resolve Regulating the Taking of Smelts in Little Big Wood Pond and Long Pond in Somerset County (H. P. 268) (L. D. 303)

Same gentleman from same Committee reported same on Resolve Closing Parker Pond, Cumberland County, to Ice Fishing (H. P. 513) (L. D. 519)

Mr. Harnden from same Committee reported same on Bill "An Act relative to Moosehorn Game Preserve" (H. P. 512) (L. D. 518)

Reports were read and accepted and the Bill and Resolves, having already been printed, the Bill was read twice under suspension of the rules, the Resolves read once under suspension of the rules, and assigned the next legislative day for third reading of the Bill and second reading of the Resolves.

Specially Assigned

Mr. Harnden from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Closing Sourdnahunk Lake, Piscataquis County, to All Fishing (H. P. 414) (L. D. 462)

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules, and, on motion of Mr. Gates of Millinocket, was assigned for second reading on Wednesday, March 4.

Mr. Caverly from the Committee on Public Health reported "Ought to pass" on Bill "An Act relating to the Use of the Prefix 'Dr.' by Optometrists" (H. P. 76) (L. D. 85)

Mr. Ford from same Committee reported same on Bill "An Act Repealing Law of Manufacture and

Sale of Bedding and Upholstered Furniture" (H. P. 148) (L. D. 145)

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules, and assigned, for third reading the next legislative day.

**Ought to Pass with Committee
Amendment
Specially Assigned**

Mr. Harnden from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Sourdnahunk Lake, Piscataquis County (H. P. 413) (L. D. 461) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 413, L. D. 461, Resolve Regulating Fishing in Sourdnahunk Lake, Piscataquis County."

Amend said Resolve by inserting after the words "Sourdnahunk Lake" in the fourth line thereof the words "and Little Sourdnahunk Lake"

Committee Amendment "A" was adopted.

On motion of Mr. Gates of Millinocket the Resolve was assigned for second reading on Wednesday, March 4.

Mr. Watson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Nubble Pond and Its Tributaries in Cumberland County (H. P. 262) (L. D. 292) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 262, L. D. 292, Resolve Regulating Fishing in Nubble Pond and Its Tributaries in Cumberland County.

Amend said Resolve by adding at the end thereof, after the word "fishing," the following:

'No person shall take, catch or kill in any one day on Nubble Pond in the Town of Raymond, more than four fish, nor shall any one person have in his possession at any time more than 4 fish or 4 pounds in all of salmon, trout, or togue, unless one individual fish caught shall weigh more than 4 pounds, or unless the last fish caught increases the combined weight thereof to more than 4 pounds. Provided, further, that no person shall take, catch, kill or have in his possession at any time except as provided for by the rules and regulations of the department:

I. A salmon or togue less than 14 inches in length.

II. A trout less than 7 inches in length.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading the next legislative day.

Mr. Watson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Coffee Pond, Cumberland County (H. P. 265) (L. D. 295) reported "Ought pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 265, L. D. 295, Resolve Regulating Fishing in Coffee Pond, Cumberland County.

Amend said Resolve by adding after the title the following emergency preamble:

Emergency preamble. Whereas, acts and resolves passed by the legislature do not become effective until 90 days after adjournment; and

Whereas, Coffee Pond is a small pond and there is danger of the fish being depleted between the 15th of April and the time this Resolve would go into effect unless passed as an emergency measure; and

Whereas, in the judgment of the legislature, these facts create an

emergency within the meaning of the constitution and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend said Resolve by adding at the end thereof, before the period, the following: ', all other fish under the general law'

Further amend said Resolve by adding at the end thereof the following emergency clause:

'Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading the next legislative day.

Mr. Hand from the Committee on Legal Affairs on Bill "An Act Establishing a Water Department of the Bridgton Centre Village Corporation" (H. P. 190) (L. D. 201) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 190, L. D. 201, Bill "An Act Establishing a Water Department of the Bridgton Centre Village Corporation."

Amend said Bill by inserting after the underlined word and punctuation "**otherwise,**" appearing in the twelfth line of section 18 the following underlined words '**with or without provisions for calling the same for payment before maturity,**'

Further amend said Bill by striking out the underlined word "**corporation**" appearing in section 22, subsection 2, and adding in place thereof the underlined words '**water department of said corporation.**'

Further amend said Bill by striking out the underlined word "**corporation**" appearing in the second line of Section 22, subsection 3, and the underlined word "**corporation**" appearing in the sixth line of section 22, subsection 3, and inserting in place of each of the underlined

words '**water department of said corporation.**'

Thereupon, Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

At this point, Speaker Bates resumed the Chair.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, I hope it will make you as happy to accept this little memento of the occasion as it does make me happy to present it to you.

Mr. FULLER: Thank you very much, Mr. Speaker.

Mr. Fuller was then presented with a small gavel and was conducted to his seat on the floor of the House by the Sergeant-at-Arms amid the prolonged applause of the Members.)

Passed to Be Engrossed

Bill "An Act relating to Records of Sale of Malt Liquor" (S. P. 136) (L. D. 324)

Bill "An Act relating to Punishment of Liquor Licensees" (S. P. 139) (L. D. 327)

Bill "An Act relating to Recording of Contracts for Conditional Sale of Railroad Equipment" (S. P. 283) (L. D. 759)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Amended

Bill "An Act relating to Payment of Certain County Officers" (S. P. 46) (L. D. 58)

Bill "An Act relating to Transportation of Fish from Moosehead Lake" (H. P. 27) (L. D. 21)

Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory (H. P. 146) (L. D. 144)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An

Act to Incorporate the Town of Stacyville", House Paper 239, Legislative Document 220, tabled on February 25 by the gentleman from Medway, Mr. Potter, pending third reading.

On motion of Mr. Potter of Medway the Bill was given its third reading.

The same gentleman then offered House Amendment "A" and moved its adoption. House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 239, L. D. 220, Bill, "An Act to Incorporate the Town of Stacyville."

Amend said Bill by striking out the words "or special" at the end of the 4th line of the last paragraph thereof.

House Amendment "A" was adopted and the Bill as amended was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, An Act relating to Removal of Parked Motor Vehicles, House Paper 289, Legislative Document 274, tabled on February 25 by the gentleman from Limestone, Mr. Burgess, pending passage to be enacted.

On motion of the gentleman from New Limerick, Mr. Hand, the House voted under suspension of the rules to reconsider its action of February 17 whereby this Bill was passed to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from New Limerick, Mr. Hand.

Mr. HAND: Mr. Speaker, in the absence of the gentleman from Limestone, Mr. Burgess, I offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from New Limerick, Mr. Hand, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

The CLERK:

HOUSE AMENDMENT "A" to H. P. 289, L. D. 274, Bill, "An Act Relating to Removal of Parked Motor Vehicles."

Amend said bill by inserting after the underlined word "state" in next to the last line thereof the following underlined words:

'or political subdivisions thereof'

House Amendment "A" was adopted and the Bill as amended was passed to be engrossed in non-concurrence and sent up for concurrence.

Mr. JALBERT (of Lewiston): Mr. Speaker—

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

Mr. JALBERT: Mr. Speaker and Members of the House: I ask unanimous consent to address the House for a moment—

The SPEAKER: For what purpose does the gentleman rise? The Chair will state that the House has not finished with the second tabled and today assigned matter.

The question before the House is the vote on the passage to be engrossed of Bill "An Act relating to Removal of Parked Motor Vehicles", House Paper 289, Legislative Document 274, as amended by House Amendment "A".

Thereupon the Bill as amended was passed to be engrossed in non-concurrence and sent up for concurrence.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: Needless to say, every member of the House and citizen of Maine is now aware of the fact that on this coming Friday a court-forced P.U.C. edict will bring additional revenues to the New England Telephone & Telegraph Company to the tune of \$2,575,000. You are also aware of the fact that when this decision was handed down by the Court the Chairman of the Public Utilities Commission called the decision "simply awful".

I speak now not as a member of any political party but as a citizen of Maine and a Member of this House representing Maine people who are being asked involuntarily to contribute to a monopoly for the fourth time in five years. New England Telephone & Telegraph is a subsidiary of the A. T. & T. — Western Electric Corporation is a subsidiary of A. T. & T.—Western Electric Corporation conducts research

and develops various items in the field of communications.

I have no quarrel with that but what sort of an octopus are we raising? We are forced to take whatever is given us in the telephone field whether we want to or not — whether we can afford it or not and told to pay and pay in the name of better service. We have no choice in the matter.

We, as Legislators, must realize that the telephone is no longer a luxury; the telephone is as much a necessity as the clothes you wear. Let us consider: Many of you are business men. If you ask for a two, three or five per cent increase for your products, the public jumps on you, ordinarily down comes your price. Here, sixteen per cent is asked, granted, with no control, so you pay. Bear in mind that at rate hearings the telephone company in this instance spent a great deal more than the State. At any rate, the public is charged for both of those bills, the first by the increase in rates, the second by public service.

Under this fair value proposition as understood, it simply means, in my opinion, that all utilities of any kind that are subject to Commission regulation will undoubtedly be subject to an increase based on this Supreme Court decision. It practically makes the Commission a useless body.

The reason I am bringing these remarks to the floor of the House is simply that, without doubt, many of you upon reaching home will be asked, possibly heatedly, what can be done about this and what do you intend to do about it as my Representative? I would quote from Colonel Southard, the now resigned Chairman of the Public Utilities Commission, when he appeared before the Appropriations Committee on January 30. I might, at this time, state that in the loss of Colonel Southard by resignation and also the expected resignation of Honorable George Hill, Maine is losing two great and absolutely incorruptible public servants. This is a "verbatim" quote by Colonel Southard on that date: "Since the hearing on the Department appropriation in October, 1952, the Law Court has ruled that 'current costs' must be considered

in a utility rate case. The Commission had gone along for nearly twenty years on the basis of 'net investment'. It has no staff to give even a look-see at 'current costs'. Such a staff must be set up and quickly, if the Department is to do anything more than wave at the Company figures as they will be presented. *Something in the order of \$114,000 additional to present requests would seem* to be required, in order for the Commission to protect the public interest."

The Appropriations Committee, of which I am a member, is presently at work seriously considering all departmental requests for State operations. It is certainly not my intention to divulge before you receive for study and approval or disapproval the appropriations bill that will be submitted to you. It is my fervent hope that this item will be included as far as operating expenses of this Department are concerned. I have no quarrel with any utilities company which has a perfect right, at any time, to submit requests for rate increases but I feel very definitely that the public's interests would be better served if the Public Utilities Commission would be satisfied that by the granting of these monies the Department would be far better equipped to take issue with what they think might be unjust rate boosts. Thank you.

The gentleman from Portland, Mr. Stewart, was granted unanimous consent to address the House.

Mr. STEWART: Mr. Speaker and Members of the House: At the request of a reverend gentleman from Waterford I prepared a bill, "An Act Prohibiting the Sale of Malt Beverages in Unincorporated Places." I took up this bill with a gentleman who represents a number of incorporated places, Mr. Williams of Hodgdon, and he graciously agreed to introduce the bill under his name. The bill was in the possession of the Director of Legislative Research for drafting, and when the drafting was completed the Director of Legislative Research gave the document to the gentleman from Hodgdon, Mr. Williams. The bill bears the stamp "Transmitted by Director of Legis-

lative Research pursuant to joint order." This bill was in the possession of that gentleman for the purpose of checking the accuracy of statutory citations and for the purpose of checking punctuation and wording — as I say, was in his possession at the time when the Director of Legislative Research, pursuant to order of this Legislature, made up a list of bills which were involved in the cloture order. As a result of it being in the possession of the gentleman from Hodgdon (Mr. Williams) at that time, when the list was made up, it is my understanding that this particular bill is not before this Legislature for consideration.

It is my understanding that there are a number of matters similar to this that were in the possession of members of this House and perhaps of another body for the purpose of checking statutory citations and wording. It is my hope that the members of this House will look favorably upon the introduction of this bill at this time. It is my feeling that although we have many bills before the Legislature on the liquor problem nevertheless it is my hope that you will consider this in the same light as you might consider your own bill for a highway or for a bridge that had been similarly not in the possession of the Director of Legislative Research, although it had been drafted by him and had been out of his possession merely for the purpose of checking when the order was made out.

I request unanimous consent to introduce Bill "An Act Prohibiting the Sale of Malt Beverages in Unincorporated Places."

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Stewart, requests unanimous consent to introduce a bill. Will the gentleman present the bill to the Page so that the Clerk may have it in his possession.

Mr. FULLER of South Portland: Mr. Speaker - - -

The SPEAKER: For what purpose does the gentleman rise?

Mr. FULLER: To ask a point of inquiry, Mr. Speaker.

The SPEAKER: The gentleman may make a parliamentary inquiry.

Mr. FULLER: I would like to ask you, Mr. Speaker, if a motion may be tabled.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, requests information as to the tabling of a motion.

The matter before the House is on the introduction of a bill by unanimous consent, and therefore the Chair rules the inquiry as being out of order.

The House is proceeding on the request of the gentleman from Portland, Mr. Stewart, for unanimous consent to introduce a bill.

The Clerk will read the title of the bill.

The CLERK: Bill "An Act Prohibiting the Sale of Malt Beverages in Unincorporated Places."

The SPEAKER: Is there any objection to the reception of this bill?

The Chair hears objection and the bill is not received.

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

The Chair recognizes the gentleman from South Portland, Mr. Fuller.

Mr. FULLER: Mr. Speaker, I would like unanimous consent to address the House for just a few minutes on a matter which I think is of importance to all of us.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, requests unanimous consent to address the House. Is this the pleasure of the House? The gentleman may proceed.

Mr. FULLER: Mr. Speaker, this is in regard to the cloture rule, and I am going to read that cloture rule so you will all know it. You will find it, by the way, in your Legislative Record of January 14. This is the way it reads:

"ORDERED, the House concurring, that no bill for private or special legislation be received by this legislature after 1 o'clock on the afternoon of Thursday, February 5, 1953, and that no other bill or resolve be received by this legislature after 1 o'clock on the afternoon of Thursday, February 12, 1953, except by unanimous consent

in the body in which it is introduced; and it is further

ORDERED, that for the purpose of this Order, all bills and resolves which have been filed with the Director of Legislative Research within the time limits herein provided shall be considered as received, provided such bills and resolves shall be properly titled and accompanied by the information required to prepare the bill. Such bills and resolves in process of preparation shall be reported by the Director of Legislative Research to the Legislature on the first legislative day of each week, commencing February 24 and continuing so long as any bills or resolves remain in process of preparation in the office of the Director of Legislative Research; and it is further

ORDERED, that any bill or resolve which shall be received in either body of this Legislature by unanimous consent after the times above set shall stand referred to the Ninety-seventh Legislature if unanimous consent for its reception is not given in the other body in concurrence. This Order shall not apply to bills reported by any joint standing or joint select committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Ninety-sixth Legislature. * * *

When one of us asks for unanimous consent to introduce a bill or resolve, I believe that we should be able to prove that it is a hardship case or presents very unusual circumstances. I do not believe that we as members of this House want to prohibit anyone from introducing a bill or resolve that falls into the above category. I believe that each bill or resolve should stand on its own feet and that the author should be able to prove that it does create unusual circumstances.

I just want to impress on your minds that your leaders do not want to keep any bill or resolve from being introduced if it is really a deserving case. I also want to impress on you that, if we allow bills and resolves to be introduced by unanimous consent, the cloture rule becomes ineffective, and if we are to get through in due time we

must consider very carefully each bill and resolve on its merits and as to whether or not we should allow it to be introduced by unanimous consent, because in each case where the cloture rule is broken it is bound to lengthen the session. Even one objection keeps a bill or resolve from being introduced.

Thank you, Mr. Speaker.

Mr. Chase of Whitefield was granted unanimous consent to address the House.

Mr. CHASE: Mr. Speaker and Members of the House: I arise to add a few words to the remarks of the gentleman from Lewiston, Mr. Jalbert.

I, too, want to emphasize the serious situation that I feel exists in relation to the increase in the New England Telephone & Telegraph Company rates. Do you know that the State of Maine is the only State in New England that is supplied by the New England Telephone & Telegraph Company where the consumer rates are figured on the net production costs instead of the net investment plan? The only State. This is merely a case of discrimination on the part of the New England Telephone & Telegraph Company. Just because there is a loophole in our Public Utilities law, why should we be discriminated against? Let's just stop and think for a moment what the effects of this tremendous increase will have on poor, old John Q. Public. Just how much more can he take?

Ladies and gentlemen, I again ask for your serious consideration of this situation. Thank you. (Applause)

On motion of Mr. Hilton of Bremen, the House voted to take from the table the seventh tabled and unassigned matter, Bill "An Act relating to Digging Clams and Marine Worms in Wiscasset, County of Lincoln" (S. P. 88) (L. D. 195) tabled on February 24 by that gentleman pending second reading.

The SPEAKER: The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker, I would like to have this bill referred back to the Committee on Sea and Shore Fisheries for the reason that

they have another bill on the same thing, which they wish to combine.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that Bill "An Act relating to Digging Clams and Marine Worms in Wiscasset, County of Lincoln" (S. P. 88) (L. D. 195) be recommitted to the Committee on Sea and Shore Fisheries. Is this the pleasure of the House?

The motion prevailed and the Bill was recommitted to the Committee on Sea and Shore Fisheries in non-concurrence and sent up for concurrence.

On motion of Mr. West of Stockton Springs the House voted to take from the table the third tabled and unassigned matter, House Report "Ought to Pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Digging of Marine Worms in the city of Belfast, Waldo County" (H.

P. 193) (L. D. 204) tabled on February 18 by that gentleman pending acceptance of the report.

On further motion of the same gentleman, the Bill with accompanying papers was recommitted to the Committee on Sea and Shore Fisheries and sent up for concurrence.

The SPEAKER: At this time, the Chair will announce a meeting of the House Committee on Rules and Business of the House in the Speaker's office immediately following today's adjournment.

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

On motion of Mr. Stewart of Portland,

Adjourned until Tuesday, March 3, at ten o'clock in the forenoon.