

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Eighth Legislature*

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Wednesday, January 9, 1957

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

Prayer by the Rev. Alice T. Hart of Hallowell.

The journal of the previous session was read and approved.

### Petitions, 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 to Reimburse the Town of Limestone for Aid Extended to Frederick Bell (H. P. 3) (Presented by Mr. Johnson of Stockholm)  
(Ordered Printed)

Resolve to Reimburse the Town of Limestone for Aid Extended to Family of Ines Bradley (H. P. 4) (Presented by same gentleman)  
(Ordered Printed)  
Sent up for concurrence.

#### Highways

Resolve Designating Part of Route 111 as Carl Broggi Memorial Highway (H. P. 5) (Presented by Mr. Day of Shapleigh)  
(Ordered Printed)  
Sent up for concurrence.

#### Inland Fisheries and Game

Bill "An Act relating to Closed Time on Deer in Franklin County" (H. P. 6) (Presented by Mr. Hutchinson of Carthage)  
(Ordered Printed)

Resolve Closing Saddleback Mountain Ponds in Franklin County to Fishing Except Fly Fishing (H. P. 7) (Presented by same gentleman by request)  
(Ordered Printed)  
Sent up for concurrence.

#### Judiciary

Bill "An Act relating to Aid from Federal Government Under Maine Housing Authorities Law" (H. P. 8)

(Presented by Mr. Miller of Portland)

(Ordered Printed)

Bill "An Act relating to Gifts of Securities and Money to Minors" (H. P. 9) (Presented by Mr. Pierce of Bucksport)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act relating to Election and Salaries of Council Members of City of Portland" (H. P. 10) (Presented by Mr. Miller of Portland)  
(750 copies Ordered Printed)  
Sent up for concurrence.

#### Natural Resources

Bill "An Act to Change the Name of Independence Island, Lincoln County, to Cabbage Island" (H. P. 11) (Presented by Mr. Rankin of Southport)  
(Ordered Printed)  
Sent up for concurrence.

#### Public Health

Bill "An Act relating to Fees for Licenses of Funeral Directors and Embalmers" (H. P. 12) (Presented by Mr. Hanson of Gardiner)  
(Ordered Printed)

Bill "An Act relating to Definitions of Narcotic Drugs" (H. P. 13) (Presented by Mr. Pierce of Bucksport)  
(Ordered Printed)  
Sent up for concurrence.

#### Sea and Shore Fisheries

Bill "An Act relating to the Taking of Quahogs" (H. P. 14) (Presented by Mr. Miller of Portland)  
(Ordered Printed)  
Sent up for concurrence.

#### House at Ease

The gentleman from Bath, Mr. Ross, was granted unanimous consent to address the House off the record.

Called to order by the Speaker.

#### Reports of Committees

The following report:

The Committee on Elections to which was referred the returns of the votes cast for Representatives to the Legislature, and the commun-

ication from the Secretary of State transmitting the letter of Samuel L. Pitts, have had the same under consideration and beg leave to report that;

It appears from their canvass of said returns that the several persons named in the communication of the Secretary of State addressed to Harvey R. Pease, Clerk of the House of Representatives of the Ninety-seventh Legislature, and dated January 2, 1957, made in compliance with Section 1, Chapter 10 of the Revised Statutes, were duly elected Representatives to the Legislature and should be declared to be legal members of the Legislature, with the exception of the Representative representing the class towns of Harrison, Naples and Otisfield;

That the Committee has canvassed the votes cast in the class towns of Harrison, Naples and Otisfield and concludes that by the original returns filed with the Secretary of State and transmitted to the House, Gardner R. Morrill of Harrison had 562; Samuel L. Pitts of Harrison had 572.

The Committee finds further that upon examination of the ballots as provided by law, it appeared that Gardner R. Morrill had 521 and Samuel L. Pitts 525 ballots, which said Gardner R. Morrill and Samuel L. Pitts agreed should be so counted;

And that in addition to absent voting ballots one ballot was in dispute. That there was cast in the several towns in the class 69 absent voting ballots of which 40 were for Gardner R. Morrill and 29 for Samuel L. Pitts. All absent voting ballots were challenged by Samuel L. Pitts for the reason that election officials failed to preserve and forward to the Secretary of State, on request, documents relating thereto. Your Committee taking into consideration the answers of the Justices of the Supreme Judicial Court to certain questions propounded to the Court by the Governor and Council relating to exactly the same situation with regard to absent voting ballots, finds that 40 such absent voting ballots should be counted for Gardner R. Morrill and 29 for Samuel L. Pitts, making a total of ballots found to be legal, based on the said

answers of the Justices, of 561 for Gardner R. Morrill and 554 for Samuel L. Pitts.

Your Committee recommends, therefore, that the House declare as legal members of the House all persons listed in the communication of the Secretary of State made in compliance with Section 1, Chapter 10, except Samuel L. Pitts, who has filed a concession that Mr. Morrill was elected; and that the House declare Gardner R. Morrill to be the Representative elected in the class towns of Harrison, Naples and Otisfield.

The Report was read and accepted.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and members of the House, I move that the report of the committee be accepted and that its recommendations be adopted and that all persons listed in the communication of the Secretary of State made in compliance with Section 1, Chapter 10, except Samuel L. Pitts, who had filed a concession, be declared members of the House, and that Gardner R. Morrill be declared a member of the House representing the class towns of Harrison, Naples and Otisfield.

The SPEAKER: The Chair at this time will appoint the gentleman from Bath, Mr. Ross, to escort the gentleman from Harrison, Mr. Morrill, to the office of the Governor to receive his oath of office.

Subsequently Mr. Ross reported that he had discharged the duty assigned him and that the gentleman from Harrison, Mr. Morrill, had subscribed the necessary oaths to qualify him to enter upon the discharge of his official duties.

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

#### Orders of the Day

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I would like to inquire of the Clerk

if there is in possession of the House Senate Paper 18 relating to advances to members.

The SPEAKER: The Chair is informed that the order is in the possession of the House.

The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I would then move the House reconsider its action of the other day in passing this order.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves the House reconsider its previous action in passing the order relating to advances to the members of the House. Is this the pleasure of the House?

The motion prevailed.

Mr. Totman then presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to Joint Order, S. P. 18, relative to Advance on Account of Compensation to Members of the House and Senate.

Amend said Order by striking out in the fourth line thereof the words and figures "one hundred twenty dollars (\$120)" and inserting in place thereof the words and figures "one hundred twenty-five (\$125)".

House Amendment "A" was adopted and the Joint Order as amended by House Amendment "A" was passed in non-concurrence and sent up for concurrence.

#### Communications

The following communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
Augusta

January 7, 1957

Honorable Joseph T. Edgar  
Speaker of the House  
State House  
Augusta, Maine

Sir:

I hereby tender my resignation as a Member of the Committee on Correctional Institutions.

Respectfully yours,

(Signed)

CATHERINE I. HENDRICKS

The following communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
Augusta

January 9, 1957

Honorable Joseph T. Edgar  
Speaker of the House  
State House  
Augusta, Maine  
Sir:

I hereby tender my resignation as a Member of the Committee on Natural Resources.

Respectfully yours,  
(Signed) FRANCIS J. ROWE

The communications were read and ordered placed on file.

The SPEAKER: The Chair at this time will appoint to fill the two vacancies which now exist on the various joint standing committees, the first appointment being the gentleman from Madawaska, Mr. Rowe, to the Committee on Correctional Institutions, and the second appointment being Mr. Jalbert to the Committee on Natural Resources.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Merely to satisfy myself and correct possibly one of the articles I read yesterday in the papers, I would like to state that when I came to Augusta yesterday morning, I was under the impression, from previous meetings with our own steering committee temporarily, that I would be placed on the Appropriations Committee. I was also told upon inquiry Thursday afternoon in a conversation with you, Mr. Speaker, that that was your decision at least temporarily.

I fully appreciate the fact that you acted justly in going along with the recommendations of the leadership of the Democratic Party and you are to be commended for it. The reasons given to me, and fair enough, was that I was a freshman member of the Legislature, so that seniority prevailed and someone else would replace me on the Appropriations Committee. This all happened between the hours of about twenty minutes of ten to ten o'clock yesterday morning, and I was also aware of the fact that the Speaker

had the list of the committees in his hands, and the squabbles, should I say, in so far as I was concerned, was holding up the convening of the House, so I told the Speaker not to put me on any committee, both in my humble opinion judiciously, and in anger.

I would say, to protect myself, that the reason given to me for taking me off the Appropriations Committee being seniority, I was told by the leadership of the House and my party, I would be placed on the Liquor Control Committee. Being a freshman, I could hardly see the consistency of that action, where the reason to knock me off one committee would be used fairly, yet I would take off on the Liquor Control Committee not only a member who has seniority over me, the gentleman from Lewiston, Mr. Couture, but one of my friends from home, so I refused, and I informed the Speaker yesterday afternoon to put me on any committee he so desired if there was anything open. This morning he told me he was going to put me on Cor-

rectional Institutions but somebody else in my party wanted that, so I said knock me off and put me on Natural Resources, and I am happy about that because I am now on a committee I was first on, Mines and Mining, which is part of that committee now, so you remarried me to my first love. Thank you, Mr. Speaker. (Applause)

The SPEAKER: The Chair is highly pleased to learn that the gentleman from Lewiston, Mr. Jalbert, is happy.

The SPEAKER: Now that the gentleman from Harrison, Mr. Morrill, has qualified for a seat in the House, the Chair will at this time appoint him as a member of the Committee on Natural Resources.

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

The Clerk will read the notices.

On motion of Mr. Ross of Bath,

Adjourned until one o'clock tomorrow afternoon.