

# 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

Friday, February 2, 1951.

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

Prayer by the Rev. Mr. Theodore Webb of Dexter.

The journal of the previous session was read and approved.

### Papers from the Senate

From the Senate: Resolve in favor Corinna Union Academy for Construction of an Agricultural Workshop (S. P. 140) (L. D. 264)

Resolve in favor of Corinna Union Academy for Construction of Fireproof Room (S. P. 141) (L. D. 263)

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: Bill "An Act relating to School Tuition for Children Living in Charitable Institutions" (S. P. 145) (L. D. 265)

Came from the Senate referred to the Committee on Education.

In the House referred to the Committee on Education in concurrence.

From the Senate: Bill "An Act relating to Closed Season on Partridge" (S. P. 147) (L. D. 266)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate: Bill "An Act relating to Joint Tenancies in Corporate Securities" (S. P. 148) (L. D. 268)

Bill "An Act relating to Recording of Judgments of Writs of Error" (S. P. 149) (L. D. 267)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate: Resolve authorizing the Forest Commissioner to Grant Permits for Poles and

Wires on Public Lots in Aroostook County (S. P. 150) (L. D. 269)

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

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

From the Senate: Bill "An Act relating to Sea and Shore Fisheries Licenses" (S. P. 151) (L. D. 270)

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: Resolve providing for State Pension for Gilbert Ouellette of Caribou (S. P. 176)

Came from the Senate referred to the Committee on Welfare.

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

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act to Permit Taverns to Sell Wine and Spirits" (S. P. 60) (L. D. 70)

Report of the same Committee reporting same on Bill "An Act relating to Consumption Sale of Liquor" (S. P. 61) (L. D. 71)

Report of the same Committee reporting same on Bill "An Act relating to Liquor License Credit" (S. P. 63) (L. D. 72)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

From the Senate:

The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 6, 1951, at eleven o'clock in the morning. (S. P. 177)

Came from the Senate, in that body read and passed.

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

### Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recom-

mendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act relating to Fees and Duties of State Sealer of Weights and Measures" (H. P. 674) (Presented by Mr. Bearce of Hebron)  
 (Ordered Printed)  
 Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act Appropriating Moneys for Continuation of Civil Defense and Public Safety Agency Due to Insufficient Funds" (H. P. 675) (Presented by Mr. Burkett of Portland)  
 (Ordered Printed)  
 Sent up for concurrence.

**Business Legislation Tabled**

Bill "An Act Designating Silicosis as an Occupational Disease" (H. P. 676) (Presented by Mrs. Fay of Portland)

(On motion of Mr. Woodworth of Fairfield, tabled pending reference to a Committee and ordered printed)

**Tabled**

Bill "An Act Designating Beryllium Poisoning as an Occupational Disease" (H. P. 677) (Presented by same member)

(On motion of Mr. Woodworth of Fairfield, tabled pending reference to a Committee and ordered printed)

Bill "An Act Enlarging the Purposes of Market Square Building Association" (H. P. 678) (Presented by Mr. Stewart of Paris)

(Ordered Printed)  
 Sent up for concurrence.

**Claims**

Resolve in favor of Donald Ward, of LaGrange (H. P. 679) (Presented by Mr. Chaples of Hudson)

Resolve in favor of Eugene Dumont, of Berwick (H. P. 680) (Presented by Mr. Gowell of Berwick)

Resolve in favor of Mrs. Gertrude Durgin, of Skowhegan (H. P. 681) (Presented by Mr. Lessard of Skowhegan)

Resolve in favor of Fern P. Corson, of Skowhegan (H. P. 682) (Presented by same gentleman)  
 Sent up for concurrence.

**Education**

Bill "An Act relating to Conveyance of School Children" (H. P. 683) (Presented by Mr. Chase of Whitefield)  
 (Ordered Printed)  
 Sent up for concurrence.

**Highways**

Bill "An Act relating to combination Highway and Railroad Bridge Across Fore River" (H. P. 684) (Presented by Mr. Rollins of Greenville)  
 (Ordered Printed)

Bill "An Act amending the Act Creating the Maine Turnpike Authority" (H. P. 685) (Presented by Mr. Sinclair of Pittsfield)

(Ordered Printed)  
 Bill "An Act to Facilitate Extension of the Maine Turnpike" (H. P. 686) (Presented by same gentleman)  
 (Ordered Printed)

Resolve in favor of the Town of Hebron (H. P. 687) (Presented by Mr. Bearce of Hebron)

Resolve in favor of the Town of Hartford (H. P. 688) (Presented by same gentleman)

Resolve in favor of the Town of Hartford (H. P. 689) (Presented by same gentleman)

Resolve in favor of the Town of Canton (H. P. 690) (Presented by same gentleman)

Resolve in favor of the Town of Hebron (H. P. 691) (Presented by same gentleman)

Resolve in favor of the Town of Standish (H. P. 692) (Presented by Mr. Center of Standish)

Resolve in favor of the Town of Alna (H. P. 693) (Presented by Mr. Chase of Whitefield)

Resolve in favor of the Town of Newcastle (H. P. 694) (Presented by same gentleman)

Resolve in favor of the Town of Waldoboro (H. P. 695) (Presented by same gentleman)

Resolve in favor of Somerville Plantation (H. P. 696) (Presented by same gentleman)

Resolve in favor of the Town of Whitefield (H. P. 697) (Presented by same gentleman)

Resolve in favor of the Town of

Surry (H. P. 698) (Presented by Mr. Dunham of Ellsworth)

Resolve in favor of the Town of Damariscotta (H. P. 699) (Presented by Mr. Gay of Damariscotta)

Resolve in favor of the Town of North Kennebunkport (H. P. 700) (Presented by Mr. Gerrish of Old Orchard Beach)

Resolve in favor of the Town of York (H. P. 701) (Presented by same gentleman)

Resolve in favor of the Town of Old Orchard Beach (H. P. 702) (Presented by same gentleman)

Resolve in favor of the Town of Dover-Foxcroft (H. P. 703) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in favor of the Town of Sangerville (H. P. 704) (Presented by same gentleman)

Resolve in favor of the Town of Union (H. P. 705) (Presented by Mr. Ingraham of Rockport)

Resolve in favor of the City of Old Town (H. P. 706) (Presented by Mr. Latno of Old Town)

Resolve in favor of the Town of Skowhegan (H. P. 707) (Presented by Mr. Lessard of Skowhegan)

Resolve in favor of the Town of Van Buren (H. P. 708) (Presented by Mr. Madore of Van Buren)

Resolve in favor of the Town of Van Buren (H. P. 709) (Presented by same gentleman)

Resolve in favor of the Town of Patten (H. P. 710) (Presented by Mr. Potter of Medway)

Resolve in favor of Mount Chase Plantation (H. P. 711) (Presented by same gentleman)

Resolve in favor of the Town of Stockton Springs (H. P. 712) (Presented by Mr. West of Stockton Springs)

Resolve in favor of the Town of Frankfort (H. P. 713) (Presented by same gentleman)

Resolve in favor of the Town of Searsport (H. P. 714) (Presented by same gentleman)

Resolve in favor of the Town of Prospect (H. P. 715) (Presented by same gentleman)

Resolve in favor of the Town of Winterport (H. P. 716) (Presented by same gentleman)

Resolve in favor of the Town of Bancroft (H. P. 717) (Presented by Mr. Williams of Hodgdon)

Resolve in favor of the Town of

Weston (H. P. 718) (Presented by same gentleman)

Resolve in favor of Cary Plantation (H. P. 719) (Presented by same gentleman)

Resolve in favor of the Town of Haynesville (H. P. 720) (Presented by same gentleman)

Resolve in favor of the Town of Hodgdon (H. P. 721) (Presented by same gentleman)

Resolve in favor of the Town of Linneus (H. P. 722) (Presented by same gentleman)

Resolve in favor of the Town of Durham (H. P. 723) (Presented by Mr. Wood of Webster)

Resolve in favor of the Town of Leeds (H. P. 724) (Presented by same gentleman)

Resolve in favor of the Town of Webster (H. P. 725) (Presented by same gentleman)

Sent up for concurrence.

#### Inland Fisheries and Game

Bill "An Act relative to Complimentary Fishing Licenses for Members of Canadian Immigration Customs Forces" (H. P. 726) (Presented by Mr. Bearce of Caribou) (Ordered Printed)

Bill "An Act relative to Fishing Contests" (H. P. 727) (Presented by same gentleman) (Ordered Printed)

Bill "An Act relating to Transportation of Deer Skins Beyond Limits of the State (H. P. 728) (Presented by same gentleman) (Ordered Printed)

Bill "An Act relating to Open Season on Otter" (H. P. 729) (Presented by same gentleman) (Ordered Printed)

Bill "An Act relating to Non-Resident and Alien Trapping Licenses" (H. P. 730) (Presented by same gentleman) (Ordered Printed)

Bill "An Act Changing the Date of Open Season on Muskrats" (H. P. 731) (Presented by Mr. Dennison of East Machias) (Ordered Printed)

Bill "An Act relating to use and possession of Gill Nets in the Fish River Chain of Lakes" (H. P. 732) (Presented by Mr. Martin of Frenchville) (Ordered Printed)

Bill "An Act relative to Complimentary Licenses for Members of Canadian Immigration and Cus-

toms Forces" (H. P. 733) (Presented by Mr. Rollins of Greenville)

(Ordered Printed)

Resolve Regulating Fishing in Horne Pond in the Town of Limington, in the County of York (H. P. 734) (Presented by Mr. Center of Standish)

(Ordered Printed)

Resolve Regulating Fishing on Sebago Lake in the County of Cumberland (H. P. 735) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in the Tributaries to Bemis Stream in the County of Franklin (H. P. 736) (Presented by Mr. Jennings of Strong)

Resolve Regulating Fishing on Rangeley Stream in the County of Franklin (H. P. 737) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, with regard to House Paper 726 and House Paper 733, I believe these are the same identical bills. In that case, I would like permission to withdraw House Paper 726.

The SPEAKER: The gentleman from Caribou, Mr. Bearce, rises for a point of information. His point of information is that House Paper 726 and House Paper 733 are identical. It appears on the face of the two bills that they are identical, but the Chair will state that when they are examined, there is a difference; they cover different subjects. One pertains to hunting and one pertains to fishing.

### Judiciary

Bill "An Act relating to Elderly Teachers' Pensions" (H. P. 738) (Presented by Mr. Dunham of Ellsworth)

(Ordered Printed)

Bill "An Act relating to Presumption of Death" (H. P. 739) (Presented by Mr. Hayes of Dover-Foxcroft)

(Ordered Printed)

Bill "An Act relating to East Limington Improvement Society" (H. P. 740) (Presented by Mr. Leavitt of Parsonfield)

(Ordered Printed)

Bill "An Act relating to Northern Maine General Hospital of Eagle Lake" (H. P. 741) (Presented to Mr. Martin of Eagle Lake)

(Ordered Printed)

Bill "An Act to Incorporate the Public Loan Corporation of Portland" (H. P. 742) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Bill "An Act to Incorporate the Public Loan Corporation of Bangor" (H. P. 743) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Public Loan Corporation of Lewiston" (H. P. 744) (Presented by same gentleman)

(Ordered Printed)

Resolve in favor of Lester Munsey, of Bath (H. P. 745) (Presented by Mrs. Moffatt of Bath)

(Ordered Printed)

Bill "An Act relating to Eastern Maine Orphans' Home" (H. P. 746) (Presented by Mr. Totman of Bangor)

(Ordered Printed)

Sent up for concurrence.

### Legal Affairs

Bill "An Act to Create the Limestone School District" (H. P. 747) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Howland School District" (H. P. 748) (Presented by Mr. Chaples of Hudson)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Jackson School District" (H. P. 749) (Presented by Mr. Dickey of Brooks)

(Ordered Printed)

Bill "An Act relating to Penalties for Violation of Outdoor Advertising Law" (H. P. 750) (Presented by Mr. Dow of Eliot)

(Ordered Printed)

Bill "An Act to Provide a Council Manager Charter for the Town of Wells" (H. P. 751) (Presented by Mrs. Hanson of Lebanon)

(Ordered Printed)

Bill "An Act Repealing the Incorporation of the City of Old Town Municipal Building District" (H. P. 752) (Presented by Mr. Latno of Old Town)

(Ordered Printed)

Bill "An Act Repealing the Incorporation of the City of Old Town High School District" (H. P. 753) (Presented by same gentleman) (Ordered Printed)

Bill "An Act to Incorporate the Town of Frenchville School District" (H. P. 754) (Presented by Mr. Martin of Frenchville) (Ordered Printed)

Bill "An Act to Incorporate the Town of Leeds School District" (H. P. 755) (Presented by Mr. Wood of Webster) (Ordered Printed) Sent up for concurrence.

#### Public Utilities

Bill "An Act Creating the Lubec Water and Electric District" (H. P. 756) (Presented by Mr. Bucknam of Whiting) (Ordered Printed)

Bill "An Act to Incorporate the Kingfield Water District" (H. P. 757) (Presented by Mr. Carville of Eustis) (Ordered Printed)

Bill "An Act to Incorporate the Lisbon Water District" (H. P. 758) (Presented by Mr. Plummer of Lisbon) (Ordered Printed) Sent up for concurrence.

#### Taxation

Bill "An Act Imposing a Gross Income Tax" (H. P. 759) (Presented by Mr. Bubar of Blaine) (Ordered Printed) Sent up for concurrence

#### Towns and Counties

Bill "An Act relating to Review and Alteration of Ward Lines in the City of Lewiston." (H. P. 760) (Presented by Mr. Delahanty of Lewiston) (Ordered Printed)

Bill "An Act relating to the Charter of the City of Bangor." (H. P. 761) (Presented by Mr. Fuller of Bangor) (Ordered Printed)

Bill "An Act relating to Salary of Clerk of Courts of York County" (H. P. 762) (Presented by Mr. Littlefield of Kennebunk) (Ordered Printed)

Bill "An Act relating to the Salary of the Register of Deeds in Cumberland County" (H. P. 763) (Pre-

sented by Mr. McGlaulin of Portland)

(Ordered Printed) Sent up for concurrence

#### Welfare

Resolve Providing for State Pension for Mrs. Edith Damren, of Mount Vernon (H. P. 764) (Presented by Mr. Brown of Wayne)

Resolve Providing for a Pension for George M. D. Grant of Milbridge (H. P. 765) (Presented by Mr. Fuller of So. Portland)

Resolve Providing for State Pension for Hilda Malcolm, of Wiscasset (H. P. 766) (Presented by Mr. Gay of Damariscotta)

Resolve Providing for State Pension for Allen Malcolm, of Wiscasset (H. P. 767) (Presented by same gentleman)

Resolve Providing for State Pension for Kenneth Martin Hunt, of Clinton (H. P. 768) (Presented by Mr. Keene of Clinton)

Resolve Providing for State Pension for Henry Beaulieu, of Grand Isle (H. P. 770) (Presented by Mr. Madore of Van Buren)

Resolve Providing for An Increase in State Pension for Albert Beaulieu, of Grand Isle (H. P. 771) (Presented by same gentleman)

Resolve Providing for State Pension for Katherine Parks, of Bath (H. P. 772) (Presented by Mrs. Moffatt of Bath)

Resolve Providing for State Pension for Ronald Martin Mosher, of Leeds (H. P. 773) (Presented by Mr. Wood of Webster)

Sent up for concurrence

Bill "An Act relating to the Registering of Dogs by the Penobscot Tribe of Indians" (H. P. 769) (Presented by Mr. Latno of Old Town) (Ordered Printed)

Sent up for concurrence

#### House Reports of Committees Ought Not to Pass

Mr. McGlaulin from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Eliminate the Oath in Absent Voting" (H. P. 155) (L. P. 82)

Report was read and accepted and sent up for concurrence.

#### Tabled

Mr. Kelly from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to

Sirens on Automobiles Operated by Fire Chiefs and their Deputies" (H. P. 33) (L. D. 9)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, far be it from me to clutter up the tabling list, but inasmuch as I am the sponsor of this bill I naturally have considerable interest in it. I was informed late last night a similar bill is in process of being introduced. I cannot find who has the bill or what it contains. I have talked with the Chairmen of both bodies on the Committee on Business Legislation with the idea that possibly they might get something out of this bill and thus assist the other bill. As soon as we can determine over the week-end what the other bill is we will naturally go to work on it. I therefore request the privilege of being allowed to table this bill and that it be specially assigned for next Wednesday morning.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that Bill "An Act relating to Sirens on Automobiles Operated by Fire Chiefs and their Deputies" (H. P. 33) (L. D. 9) lie on the table pending acceptance of the report and be especially assigned for next Wednesday.

Is this the pleasure of the House?

The motion prevailed and the bill was so tabled and so assigned.

#### Ought to Pass Printed Bills

Mr. Harding from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Neglected Children" (H. P. 156) (L. D. 87)

Mr. Hayes from same Committee reported same on Bill "An Act relating to Election Returns" (H. P. 154) (L. D. 86)

Mr. Jones from the Committee on Transportation reported same on Bill "An Act relating to Speed of Motor Vehicles" (H. P. 96) (L. D. 41)

Mr. Maguire from same Committee reported same on Bill "An Act relating to Passing Motor Vehicles on Grades" (H. P. 97) (L. D. 42)

Mr. Nowell from same Committee

reported same on Bill "An Act relating to Motor Vehicles Parking in Dangerous Places" (H. P. 95) (L. D. 40)

Mr. Perry from same Committee reported same on Bill "An Act relating to Transfer of Certificates of Motor Vehicles for Hire" (H. P. 170) (L. D. 101)

The 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.

#### Tabled

Mr. Travis from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Overtaking and Passing School Buses" (H. P. 94) (L. D. 39)

(On motion of Mr. Chase of Cape Elizabeth, the Report, with accompanying Bill, was tabled pending acceptance of Committee Report, and specially assigned for Wednesday, February 7, 1951)

#### Passed to be Engrossed

Bill "An Act relating to Corporate Donations to Charity" (S. P. 31) (L. D. 16)

Bill "An Act Validating a Certain Deed Given by the City of Saco to Saco-Lowell Shops" (H. P. 32) (L. D. 8)

Bill "An Act Permitting Municipalities to Raise Money to Assist Historical Societies" (H. P. 64) (L. D. 30)

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

#### Orders of the Day

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I understand that Senate Paper 35, Legislative Document 21, Bill "An Act Relating to the Town of Winthrop School District", which was passed to be engrossed in the House yesterday in concurrence, is still in the hands of the Clerk of the House. This bill, I understand, requires an amendment.

I move, Mr. Speaker, that the House reconsider its action of yesterday, whereby Senate Paper 35, Legislative Document 21, Bill



"An Act Relating to the Town of Winthrop School District", was passed to be engrossed.

The SPEAKER: The gentleman from Winthrop, Mr. Maxwell, moves that the House reconsider its action taken yesterday where it passed Senate Paper 35, Legislative Document 21, to be engrossed. Is this the pleasure of the House.

The motion prevailed.

Mr. MAXWELL: Mr. Speaker, in order that the necessary amendment may be drafted, I move that the bill lie on the table pending passage to be engrossed.

The SPEAKER: The same gentleman now moves that Senate Paper 35, Legislative Document 21, Bill "An Act Relating to the Town of Winthrop School District", lie on the table pending passage to be

engrossed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

On motion of Mrs. Hanson of Lebanon, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

The SPEAKER: If there is no further business for the House to consider this day, the Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until Tuesday, February 6, at 11:00 o'clock in the forenoon.