

# 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**

Tuesday, February 6, 1951

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

Prayer by the Rev. Mr. William H. Johnson of Rumford.

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

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate:

Bill "An Act relating to the Assets of the Farm Rehabilitation Corporation of Maine" (S. P. 153) (L. D. 327)

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 Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement" (S. P. 155) (L. D. 328)

Bill "An Act relating to Clerical Assistance for Justices of the Supreme Judicial Court" (S. P. 154) (L. D. 329)

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 the Alumni Trustee of the University of Maine" (S. P. 156) (L. D. 331)

Bill "An Act relating to Renewal of Certificates by Certain Teachers" (S. P. 157) (L. D. 330)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Resolve in favor of the Town of Sedgwick (S. P. 196)

Resolve in favor of the Town of Bucksport (S. P. 197)

Resolve in favor of the Town of Orland (S. P. 198)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Resolve Regulating Fishing in DeMeyers Brook, in the County of Hancock (S. P. 158) (L. D. 334)

Resolve Closing Certain Ponds in York County to Fishing (S. P. 159) (L. D. 335)

Resolve Providing for a Fish Screen at Outlet of Coffee Pond in the Town of Casco (S. P. 160) (L. D. 332)

Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County (S. P. 161) (L. D. 333)

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 Limiting Trustee of Wages" (S. P. 162) (L. D. 337)

Bill "An Act relating to Trustee of Wages" (S. P. 163) (L. D. 339)

Bill "An Act relating to Trustee Process" (S. P. 164) (L. D. 338)

Bill "An Act relating to Ballots" (S. P. 165) (L. D. 336)

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 Permitting Trustees of Robert W. Traip Academy to Issue Bonds" (S. P. 168) (L. D. 340)

Bill "An Act to Clarify the Plumbing Laws" (S. P. 166) (L. D. 341)

Bill "An Act Permitting Certificate of Records of Department of Health and Welfare as Evidence" (S. P. 167) (L. D. 342)

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 Licenses for Consumption Sale" (S. P. 169) (L. D. 343)

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 Street Openings by Public Utility Corporations" (S. P. 170) (L. D. 344)

Bill "An Act to Incorporate the Kittery Sewer District" (S. P. 171) (L. D. 345)

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:

Resolve Regulating Fishing in Sheepscot Bay (S. P. 172) (L. D. 347)

Bill "An Act relating to the Propagation and Cultivation of Clams, Quahogs and Mussels" (S. P. 173) (L. D. 348)

Bill "An Act relating to Sea and Shore Fisheries Laws" (S. P. 174) (L. D. 346)

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 relating to the salary of Sheriff of Kennebec County" (S. P. 175) (L. D. 349)

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.

#### **Senate Reports of Committees Ought Not To Pass**

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to the marking of Ballots" (S. P. 49) (L. D. 59)

Came from the Senate read and accepted.

In the House, read and accepted 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:

#### **Appropriations and Financial Affairs**

Bill "An Act relating to Stipend to Agricultural Societies" (H. P. 774) (Presented by Mr. Jamieson of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

#### **Claims**

Resolve in favor of George Parks of Woodland for Damages to his Automobile Through a Highway Defect (H. P. 775) (Presented by Mr. Brown of Baileyville)

Sent up for concurrence.

#### **Highways**

Resolve in favor of the Town of Temple (H. P. 776) (Presented by Mr. Caswell of New Sharon)

Resolve in favor of the Town of Temple (H. P. 777) (Presented by same gentleman)

Resolve in favor of the Town of Portage Lake (H. P. 778) (Presented by Mrs. Daggett of Ashland)

Resolve in favor of the Town of Masardis (H. P. 779) (Presented by same member)

Resolve in favor of the Town of Clifton (H. P. 780) (Presented by Mr. DeBeck of Holden)

Resolve in favor of the Town of Otis (H. P. 781) (Presented by Mr. Dunham of Ellsworth)

Sent up for concurrence.

#### **Inland Fisheries and Game**

Resolve Closing Certain Ponds in Aroostook County to Fly Fishing (H. P. 782) (Presented by Mrs. Daggett of Ashland)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act to Include World War 1 Veterans in Maine State Retirement System" (H. P. 783) (Presented by Mr. Fuller of So. Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Liquor Control**

Bill "An Act Prohibiting the Procuring of Liquor for Certain Persons" (H. P. 784) (Presented by Mr. Caswell of New Sharon)

(Ordered Printed)

Bill "An Act relating to Definitions and Location of Licensed Premises in Liquor Law" (H. P. 785) (Presented by Mr. Roundy of Portland)

(Ordered Printed)

Sent up for concurrence.

#### Welfare

Resolve Providing for State Pension for Earle Beaulieu, of Orono (H. P. 786) (Presented by Mr. Bates of Orono)

Resolve Providing for State Pension for Frank LeRoy Weir, of Richmond (H. P. 787) (Presented by Mr. Jones of Bowdoinham)

Resolve Providing for State Pension for Helen E. Easler, of Richmond (H. P. 788) (Presented by same gentleman)

Resolve Providing for State Pension for Westley Dow, of Richmond (H. P. 789) (Presented by same gentleman)

Sent up for concurrence.

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

#### Orders

Mr. Littlefield of Kennebunk presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Secretary of the State provide for each member of the Senate and House of the 95th Legislature one suitable marker or tag to be attached by such member to his automobile or regular registration plate; and be it further

ORDERED, that such marker or tag shall indicate membership in the Maine Legislature and shall not be used after the first Wednesday of January 1953; and be it further

ORDERED, that the expenses incurred under the provisions of this order shall be apportioned among the members ordering such marker or tag not to exceed \$2.00 per member, and such money received shall be credited to the motor vehicle appropriation of the Secretary of State; and be it further

ORDERED, that the Secretary of State provide for the President of the Senate, the Speaker of the House, the Secretary of the Senate

and the Clerk of the House each a suitable marker or tag designating his official position, to be attached by such Officer to his automobile or regular registration plate.

The Order received passage and was sent up for concurrence.

#### Passed to Be Engrossed Tabled

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

(Was reported by the Committee on Bills in the Third Reading, and on motion of Mr. Jones of Bowdoinham, tabled pending third reading.)

Bill "An Act relating to Speed of Motor Vehicles" (H. P. 96) (L. D. 41)

Bill "An Act relating to Passing Motor Vehicles on Grades" (H. P. 97) (L. D. 42)

Bill "An Act relating to Election Returns" (H. P. 154) (L. D. 86)

Bill "An Act relating to Neglected Children" (H. P. 156) (L. D. 87)

Bill "An Act Relating to Transfer of Certificates of Motor Vehicles for Hire" (H. P. 170) (L. D. 101)

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

On motion of Mr. Sanborn of Gorham, the House voted to take from the table the third tabled and unassigned matter, House Report "Ought to pass" of the Committee on Business Legislation on Bill "An Act relating to Group Accident, Sickness and Life Insurance" (H. P. 69) (L. D. 33) tabled by that gentleman on January 30th pending acceptance of report.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

Mr. SANBORN: Mr. Speaker, when the committee held its public hearing on this bill there was only one party who appeared. Since that time, various members of the committee have been approached and they would like to be heard; so the Committee on Business Legislation feels that this matter should be re-committed and another public hearing held. I therefore move that this bill be recommitted to the Committee on Business Legislation.

The motion prevailed and the bill was recommitted to the Committee on Business Legislation and sent up for concurrence.

On motion of Mr. Woodworth of Fairfield, the House voted to take from the table the fourth tabled and unassigned matter, Bill "An Act Designating Silicosis as an Occupational Disease" (H. P. 676) (L. D. 408) tabled on February 2nd by that gentleman pending reference.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker, I move that Bill, "An Act Designating Silicosis as an Occupational Disease" (H. P. 676) (L. D. 408) be now referred to the Committee on Labor.

The SPEAKER: The gentlewoman from Portland, Mrs. Fay, moves that Item 4 on the Calendar, Bill "An Act Designating Silicosis as an Occupational Disease" be referred to the Committee on Labor. Is this the pleasure of the House?

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

Mr. CHASE: Mr. Speaker, when this item and the subsequent item, the 5th tabled and unassigned matter, were in the Reference Committee it was our erroneous recollection that these bills had previously been referred to the Committee on Judiciary. They were referred in the last session to the Committee on Labor, and I believe that this item and the next item, too, should be referred to that committee as is moved by the gentlewoman from Portland, Mrs. Fay.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Portland, Mrs. Fay, that the 4th tabled and unassigned matter be referred to the Committee on Labor. Is this the pleasure of the House?

The motion prevailed and the bill was referred to the Committee on Labor and sent up for concurrence.

On motion of Mr. Woodworth of Fairfield, the House voted to take from the table the 5th tabled and unassigned matter, Bill "An Act Designating Beryllium Poisoning as an Occupational Disease" (H. P. 677) (L. D. 409) tabled on February 2nd by that gentleman pending reference; and on further motion by the same gentleman, the bill was referred to the Committee on Labor and sent up for concurrence.

On motion of Mrs. Moffatt of Bath, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to Retirement of Teachers" (H. P. 89) (L. D. 35) tabled on January 25th by that gentlewoman pending acceptance of the report.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker, at the time I had this matter placed upon the table I was anxious to obtain more information. Since that time, I have been able to obtain the information. I now move acceptance of the "Ought not to pass" report.

The SPEAKER: The gentlewoman from Bath, Mrs. Moffatt, now moves that the House accept the "Ought not to pass" report. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

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.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.