

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Tuesday, February 13, 1951

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

Prayer by the Rev. Mr. M. T. Storms of Yarmouth.

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 State Liquor Stock" (S. P. 219) (L. D. 494)

Bill "An Act relating to Court Stenographers" (S. P. 221) (L. D. 496)

Bill "An Act relating to Salaries of the Members of the Industrial Accident Commission" (S. P. 222) (L. D. 497)

Bill "An Act relating to Salary of the Forest Commissioner" (S. P. 223) (L. D. 498)

Resolve Appropriating Moneys for Wing at State Police Building, in Augusta (S. P. 220) (L. D. 495)

Resolve Providing Funds for Maintenance at Teachers Colleges and Normal Schools (S. P. 224) (L. D. 499)

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 Oil Burning and Liquefied Gas Equipment" (S. P. 225) (L. D. 500)

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:

Resolve to Reimburse the Town of Parkman for Support of Llewellyn Woodward and Family (S. P. 249)

Resolve to Reimburse the Town of Blaine for Assistance to Non-Settled or General Relief Cases (S. P. 250)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act relating to State Aid to Towns Maintaining Evening Schools" (S. P. 229) (L. D. 501)

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 Southwest Harbor (S. P. 254)

Resolve in favor of the Town of Buckfield (S. P. 253)

Resolve in favor of the Town of Sumner (S. P. 252)

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 Number of Catch of Certain Fish" (S. P. 231) (L. D. 502)

Bill "An Act relating to Weight of Catch of Certain Fish" (S. P. 232) (L. D. 503)

Resolve Regulating Fishing in Sourdnaunk and Little Sourdnaunk in the County of Piscataquis (S. P. 233) (L. D. 504)

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 Membership in State Employees' Retirement System" (S. P. 234) (L. D. 505)

Bill "An Act relating to Definition of 'Average Final Compensation' under State Employees' Retirement Law" (S. P. 235) (L. D. 506)

Bill "An Act relating to Optional Allowances on Retirement under State Retirement Law" (S. P. 236) (L. D. 507)

Bill "An Act relating to Service Retirement Benefits under State Employees' Retirement Law" (S. P. 237) (L. D. 508)

Bill "An Act to Allow State, City and Town Employees to Receive Federal Social Security Benefits" (S. P. 238) (L. D. 515)

Bill "An Act relating to Financing Conditional Sales or Mortgages of Personal Property" (S. P. 239) (L. D. 509)

Bill "An Act relating to Conditional Sales Agreements" (S. P. 240) (L. D. 510)

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 Repealing Industrial Homework" (S. P. 241) (L. D. 511)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act relating to Membership of Maine Development Commission" (S. P. 242) (L. D. 512)

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 Board of Registration in Medicine" (S. P. 243) (L. D. 514)

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

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

From the Senate:

Bill "An Act relating to Use Fuel Tax" (S. P. 244) (L. D. 513)

Came from the Senate referred to the Committee on Taxation.

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

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Hours of Sunday Sports" (S. P. 25)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Seventh Grade of the North Grammar School of Bath, in charge of Maurice Clark.

The Chair also notes the presence of a group of sixty students from Deering High School, from the Class on Problems of American Democracy, in charge of Mr. Elliott.

On behalf of the House, the Chair bids you welcome. (Applause)

Bills and Resolves Requiring Reference

The following Bills and Resolves, transmitted by the Director of Legislative Research pursuant to Joint Orders were received and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees.

Education

Bill "An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns" (H. P. 1050) (Presented by Mr. Lacharite of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Ratify and Confirm the Incorporation of East Ed-dington Public Hall Company" (H. P. 1051) (Presented by Mr. DeBeck of Holden)

(Ordered Printed)

Bill "An Act to Incorporate the Exchange Finance Corporation" (H. P. 1052) (Presented by Mr. Turner of Auburn)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Amending the Charter of the City of Waterville to provide an Indefinite Term for the City Engineer" (H. P. 1053) (Presented by Mr. Castonguay of Waterville)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Waterville to Allow Red Blinker Lights on Motor Vehicles of Callmen of the

Fire Department" (H. P. 1054)
(Presented by same gentleman)
(Ordered Printed)

Bill "An Act to Amend the Charter of the City of Waterville to Provide Compensation for Municipal Officers, Board of Aldermen and City Council" (H. P. 1055)
(Presented by same gentleman)
(Ordered Printed)

Bill "An Act to Amend the Charter of the City of Waterville to Increase the Salary of the Mayor" (H. P. 1056) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act to Amend the Charter of the City of Presque Isle" (H. P. 1057) (Presented by Mr. Jamieson of Presque Isle)
(Ordered Printed)

Bill "An Act Creating the Town of Albion School District" (H. P. 1058) (Presented by Mr. Keene of Clinton)
(Ordered Printed)

Bill "An Act Amending the Charter of the Town of Bar Harbor" (H. P. 1059) (Presented by Mr. Peterson of Bar Harbor)
(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Amending the Charter of the Waterville Sewerage District" (H. P. 1060) (Presented by Mr. Castonguay of Waterville)
(Ordered Printed)

Bill "An Act to Extend the Charter of the Eliot Water District" (H. P. 1061) (Presented by Mr. Dow of Eliot)
(Ordered Printed)

Bill "An Act relating to Gardiner Water District" (H. P. 1062) (Presented by Mr. Gosline of Gardiner)
(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Taking of Alewives in the Town of Arrowsic" (H. P. 1063) (Presented by Mr. Bailey of Woolwich)
(Ordered Printed)

Bill "An Act relating to Digging of Clams in Northport Village Corporation" (H. P. 1064) (Presented by Mr. Cole of Liberty)
(Ordered Printed)

Bill "An Act relating to the Protection of Alewives in East Machias River in the Town of East Machias"

(H. P. 1065) (Presented by Mr. Denison of East Machias)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Appropriating Monneys for Revision of State Valuation" (H. P. 1066) (Presented by Mr. Chase of Cape Elizabeth)
(Ordered Printed)

Sent up for concurrence.

Town and Counties

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Western Washington Municipal Court" (H. P. 1067) (Presented by Mr. Hall of Calais)
(Ordered Printed)

Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court" (H. P. 1068) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Expenses of the Brunswick Municipal Court" (H. P. 1069) (Presented by Mr. Senter of Brunswick)
(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Kelly of Rumford, it was

ORDERED, that Rev. Clayton E. Richards of Mexico, be invited to officiate as Chaplain of the House on Thursday, February 15, 1951.

On motion of Mr. Turner of Auburn, it was

ORDERED, that Rev. Ellis J. Holt of the Court Street Baptist Church in Auburn, be invited to officiate as Chaplain of the House on Thursday, March 22, 1951.

On motion of Mr. Ricker of Turner, it was

ORDERED, that Rev. Wilmer Potter of Turner, be invited to officiate as Chaplain of the House Tuesday, March 20, 1951.

On motion of Mrs. Moffatt of Bath, the House voted to suspend House Rule Number 25 for the remainder of today's session in order to permit smoking.

House Reports of Committees Referred to Committee on Claims

Mr. Lackee from the Committee

on Highways on Resolve in Favor of the Town of Pownal (H. P. 253) reported that it be referred to the Committee on Claims.

Report was read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
Indefinitely Postponed**

Mr. Burkett from the Committee on Legal Affairs on Bill "An Act relating to Greely Institute" (H. P. 322) (L. D. 180) reported same in a new draft (H. P. 1070) (L. D. 604) 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 tomorrow assigned.

On motion of Mr. Dow of Falmouth, the House voted to reconsider its action whereby the Bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker, I now move that the bill be indefinitely postponed because it does not meet the wishes of the voters of the town nor the majority wish even of the trustees. I thank you.

The SPEAKER: The gentleman from Falmouth, Mr. Dow, moves that Bill "An Act relating to Greely Institute" (H. P. 1070) (L. D. 604), appearing on your calendar as Item No. 2, be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the bill was indefinitely postponed and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve "Closing Limestone Stream to Fishing" (H. P. 316) (L. D. 174)

Mr. Kelly from the Committee on Transportation reported same on Bill "An Act relating to the Aeronautical Fund" (H. P. 210) (L. D. 132)

Mr. Maguire from same Committee reported same on Bill "An

Act relating to Abandoned Airports" (H. P. 209) (L. D. 131)

Mr. Nowell from the same Committee reported same on Bill "An Act relating to Turning Vehicles at Intersections" (H. P. 342) (L. D. 199)

Mr. Perry from the same Committee reported same on Bill "An Act to Clarify the Aviation Laws" (H. P. 208) (L. D. 130)

Mr. Turner from the same Committee reported same on Bill "An Act relating to Fees for Non-Resident Airmen and Aircraft" (H. P. 207) (L. D. 129)

Mr. Sinclair from the Committee on Taxation reported same on Bill "An Act relative to Poll-Taxes in Unorganized Territory" (H. P. 204) (L. D. 126)

Reports were read and accepted, and the Bills and Resolves having already been printed, the Bills were read twice under suspension of the rules, the Resolves read once, and tomorrow assigned.

**Ought to Pass with Committee
Amendment**

Mr. Jones from the Committee on Transportation on Bill "An Act Relating to Sirens on Automobiles Operated by Fire Chiefs and Their Deputies" (H. P. 33) (L. D. 9) 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. 33, L. D. 9 Bill "An Act Relating to Sirens on Automobiles Operated by Fire Chiefs and Their Deputies."

Amend said Bill by deleting in the 8th and 9th lines thereof the underlined words "deputy and assistant fire chiefs."

Committee Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

Tabled

Mr. Jones from the Committee on Transportation on Bill "An Act relating to Opaque Substances for Windows in Motor Vehicles" (H.

P. 343) (L. D. 200) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Jones of Bowdoinham, tabled pending acceptance of the Committee Report.)

Mr. Jones from the Committee on Transportation on Bill "An Act Relating to Licenses to Operate Motor Driven Cycles" (H. P. 397) (L. D. 233) 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. 397, L. D. 233 Bill "An Act Relating to Licenses to Operate Motor Driven Cycles."

Amend said Bill by striking out in the 1st line thereof the number "3rd" and inserting in place thereof the number '4th'.

Further amend said bill by adding after the word "statutes" in the 2nd line thereof the words ', as amended,'.

Committee Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Skowhegan Junior High School Freshman Civics Class under the charge and supervision of Mr. Wallace Cunningham.

On behalf of the House, the Chair bids you welcome. (Applause)

Passed To Be Engrossed

Bill "An Act relating to Appeals to Liquor Commission from Decisions of Municipal Officers Disapproving License Applications" (S. P. 83) (L. D. 108)

Bill "An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District" (H. P. 27) (L. D. 10)

Bill "An Act to Amend the Charter of the Boothbay Region Com-

munity School District" (H. P. 28) (L. D. 11)

Bill "An Act to Incorporate the Town of Burnham School District" (H. P. 161) (L. D. 92)

Bill "An Act Amending the Charter of the Sweetser Orphan Asylum" (H. P. 323) (L. D. 181)

Bill "An Act to Incorporate the Town of Perry School District" (H. P. 387) (L. D. 223)

Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Fred A. DeMeyer (S. P. 89) (L. D. 142)

Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Edgar S. Gordon (S. P. 90) (L. D. 143)

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

Amended Bill

Bill "An Act relating to Closed Season on Deer in Swan's Island, Hancock County" (S. P. 48) (L. D. 58)

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

Orders of the Day

The gentleman from Lewiston, Mr. Jalbert, was granted unanimous consent to address the House.

Mr. Speaker and Members of the House: At my suggestion, as a member of the Appropriations Committee, and with the support of many members, Mr. Raymond Mudge, Budget Officer, was invited to explain to us how to decipher the terminology of the budget book. It was a non-policy and non-partisan gathering. It was attended by members of both branches and many interested citizens. It was well received and enlightening, and I think Mr. Mudge deserves a sincere thank-you from the members of the 95th Legislature. (Applause)

There occurred in this House of Representatives last week an incident which adds up to me as an

insult to the intelligence of the people of Maine. I refer to the caucus of the Republican majority last Thursday evening.

The Republicans met behind closed doors and had with them a state official, Mr. Lucius Barrows, Chief Engineer of the State Highway Commission.

I might deviate for a moment to say that as far as I am personally concerned there is no State official for whom I hold any more respect than Mr. Barrows. The purpose was to discuss the Highway Commission's bond issue. Of course, we could enjoy the same privilege, and wrongly, because department heads are neither hired nor elected to sit in or help in the formulating of party policies.

I want to spread upon the records of this House my personal protest, the protest of many Democrats and the protest of many Republicans. We, in Maine, have plunged into a sorry state of affairs when Republicans in the Legislature can discuss state affairs with paid state officials to the exclusion of the Democratic members of this House.

I appreciate the reasons for party caucuses, whether they be Republican or Democrat. Caucuses are necessary; they serve a useful purpose. However, we have before this Legislature a proposal of the State Highway Commission for a \$27,000,000 bond issue which is the business not only of Republicans, but of Democrats and the people at large. Yet, the Republicans bring a state official before them to learn the background of a bond issue; information which apparently is denied the Democrats.

I merely remind the majority party that 42 per cent of the voters of Maine cast their ballots in the Democratic column last year. Numerically, Democrats are few in this House but let me warn you that we represent a growing number of people.

By ignoring the Democrats, by discussing pending legislation behind locked doors, the majority

party insults the intelligence of the Maine voter.

I might remind the majority leadership, speaking as a Democrat, that though we number only 24 in the House, those 24 votes might well be needed on the proposed \$27,000,000 project in the final analysis.

The gentleman from Cape Elizabeth, Mr. Chase, was granted unanimous consent to address the House.

Mr. CHASE: I would like to address my remarks first, Mr. Speaker, to the practice of asking unanimous consent to address the House. It is my belief that when unanimous consent is asked to speak here the remarks should be confined to factual presentation and should not introduce a controversial matter. Controversial matters can be brought up under Orders of the Day in many ways. It seems to me unfair for anyone to ask the courtesy of unanimous consent when any reply to him at the time can be stopped by anyone who raises an objection.

Now to turn to the subject upon which the gentleman (Mr. Jalbert) has spoken, I believe that when the Democrats are as eager to obtain information as the Republicans seem to be that they will have no difficulty in obtaining the fullest cooperation of any State official.

Mr. Barrows came to the Republican caucus at my invitation, in order to clarify a plan which had been presented by a State body. He advocated nothing in regard to the Highway program, but simply tried to explain it. I have no doubt whatever that he will appear at any group which invites him for the same purpose.

The SPEAKER: The House is proceeding under Orders of the Day. If there is no further business, the Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.