

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 23, 1951

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

Prayer by the Rev. Mr. Christopher of Augusta.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Creating the Maine Economic Poisons Law" (S. P. 342) (L. D. 808)

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 Operating a Motor Vehicle Negligently" (S. P. 343) (L. D. 809)

Bill "An Act relating to Change of Purposes of Corporations Without Capital Stock" (S. P. 344) (L. D. 811)

Bill "An Act relating to the Taking of Certain Property by the Town of Naples by Right of Eminent Domain" (S. P. 345) (L. D. 810)

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 Creating a Zoning Board for the City of Lewiston" (S. P. 346) (L. D. 812)

Bill "An Act Creating the Rockland Port District" (S. P. 347) (L. D. 813)

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 Changing the Town of Blanchard, Piscataquis County, to a Plantation" (S. P. 348) (L. D. 814)

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:

Resolve Authorizing Forest Commissioner to Renew Lease to Pas-samaquoddy Lumber Company (S. P. 327) (L. D. 816)

Bill "An Act relating to Sale and Lease of Lands in Indian Township" (S. P. 328) (L. D. 815)

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 to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Voters in Unincorporated Places" (S. P. 99) (L. D. 158)

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

In the House, Report was read and accepted in concurrence and the Bill read twice and assigned for third reading next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Filing of Liens on Buildings and Lots, Wharves and Piers" (S. P. 132) (L. D. 237) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A"
to S. P. 132, L. D. 237, Bill "An Act relating to Filing of Liens on Buildings and Lots, Wharves and Piers."

Amend said bill by inserting after the underlined word "county" in the 9th line thereof the underlined words 'or registry district'

Further amend said bill by inserting after the underlined word

"county" in the 15th line thereof the underlined words 'or registry district'

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

Non-Concurrent Matter

Joint Order relative to Marker or Tags for Number Plates (H. P. 790) which was passed in the House on February 6th.

Came from the Senate passed as amended by Senate Amendment "A" in non-concurrence.

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

SENATE AMENDMENT "A" to H. P. 790, "Joint Order Relating to Automobile Markers for Members and Officers."

Amend said Order by striking out all after the word "concurring" in the first line thereof, and inserting in place the following:

'that the Secretary of State provide to each member of the Senate and House of the 95th Legislature, in addition to the regular automobile registration plates issued to him, suitable plates to be attached by such member to his automobile, and be it further

ORDERED, that such plates shall designate 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 plates not to exceed \$2.00 per member, and such money shall be credited to the Motor Vehicle Appropriation of the Secretary of State, and be it further

ORDERED, that the Secretary of State provide to the President of the Senate, the Speaker of the House, the Secretary of the Senate, and the Clerk of the House similar plates designating their official positions.'

In the House, under suspension of the rules, the House voted to reconsider its former action taken on February 6 whereby the Order received passage.

Thereupon, Senate Amendment "A" was adopted and the Order received passage as amended 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 27, 1951, at eleven o'clock in the morning. (S. P. 369)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

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 relating to Subjects to be Taught in Public Schools" (H. P. 1339) (Presented by Mr. Lacharite of Brunswick)
(Ordered Printed)

Bill "An Act Granting Additional Powers to Portland University" (H. P. 1340) (Presented by Mr. Robbins of Houlton)
(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Designation of Through Ways by Highway Commission" (H. P. 1341) (Presented by Mr. Jacoby of Dixmont)
(Ordered Printed)

Bill "An Act relating to Controlled Access Highways" (H. P. 1342) (Presented by Mr. Knapp of Yarmouth)
(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Trappers Licenses" (H. P. 1343) (Presented by Mr. Bearce of Caribou)
(Ordered Printed)

Bill "An Act Prohibiting Possession of Lights in Woods While in Possession of Firearms" (H. P. 1344) (Presented by Mr. Jones of Bowdoinham by request)
(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to the Financial Responsibility Law" (H. P. 1345) (Presented by Mr. Davis of Harrison)

(Ordered Printed)

Bill "An Act relating to Undischarged Real Estate Mortgages" (H. P. 1346) (Presented by Mrs. Fay of Portland)

(Ordered Printed)

Bill "An Act relating to Disclosure Hearings" (H. P. 1347) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Bill "An Act relating to the Recorder of the Brewer Municipal Court" (H. P. 1348) (Presented by Mr. Grover of Brewer)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Permitting Roller Skating on Sunday" (H. P. 1349) (Presented by Mr. Pierce of Bucksport)

(Ordered Printed)

Bill "An Act relating to License Fees for Harness Horse Racing" (H. P. 1350) (Presented by Mr. Sinclair of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Prohibiting Location of Licensed Premises for the Sale of Liquor Along Turnpikes" (H. P. 1351) (Presented by Mr. Gowell of Berwick by request)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Head and Rear Lights on Railroad Cars" (H. P. 1352) (Presented by Mr. Robbins of Houlton)

(Ordered Printed)

Bill "An Act relating to Windshields and Tops on Railroad Cars" (H. P. 1353) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Stockton Springs Water District" (H. P. 1354) (Presented by Mr. West of Stockton Springs)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Number of Lobster Traps" (H. P. 1355) (Presented by Mr. Barton of Vinalhaven)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Taxation of Boats" (H. P. 1356) (Presented by Mr. Center of Standish)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Special Deputy Sheriffs in Cumberland County" (H. P. 1357) (Presented by Mr. March of Bridgton)

(Ordered Printed)

Sent up for concurrence.

Welfare

Resolve Providing for State Pension for John Gardiner, Sr., of Allagash Plantation (H. P. 1358) (Presented by Mr. Bubar of Blaine)

Resolve Providing for State Pension for Allen Scott, of East Machias (H. P. 1359) (Presented by Mr. Dennison of East Machias)

Resolve Providing for State Pension for Evelyn Chase, of Burnham (H. P. 1360) (Presented by Mr. Dickey of Brooks)

Resolve Providing for State Pension for Edna Bickford, of Richmond (H. P. 1361) (Presented by Mr. Jones of Bowdoinham)

Sent up for concurrence.

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

Orders

On motion of Mr. Carville of Eustis, it was

ORDERED, that Rev. W. E. Brown of Rangeley, be invited to officiate as Chaplain of the House on Friday, March 16, 1951.

**House Reports of Committees
Divided Report**

The Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Sales of Liquor to Minors" (H. P. 848) (L. D. 487)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
of the Senate.
BROWN of Robbinston
MARCH of Bridgton
ALBERT of Augusta
CHASE of Whitefield
WOOD of Webster
of the House.

Minority Report of same Committee reporting "Ought not to pass" on the same Bill.

Report was signed by the following members:

Messrs. BOUCHER of Androscoggin
of the Senate.
DOSTIE of Winslow
PIERCE of Bucksport
of the House.

The SPEAKER: The Chair recognizes the gentleman from Robbinston, Mr. Brown.

Mr. BROWN: Mr. Speaker, in the absence of the sponsor of the bill, Mrs. Moffatt of Bath, I move you that this bill lie upon the table.

The SPEAKER: The gentleman from Robbinston, Mr. Brown, moves that the two reports lie upon the table pending the acceptance of either report. Is this the pleasure of the House?

The motion prevailed and the two reports with accompanying papers were tabled pending acceptance of either report.

Ought to Pass Printed Bills

Mr. Delahanty from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Incorporate the Town of Leeds School District" (H. P. 755) (L. D. 444)

Mr. Hawkes from the same Committee reported same on Bill "An Act to Incorporate the Town of Buxton School District" (H. P. 650) (L. D. 389)

The same gentleman from the same Committee reported same on Bill "An Act to Amend the Charter of the City of Ellsworth School District" (H. P. 644) (L. D. 385)

The same gentleman from the same Committee reported same on Bill "An Act relating to Penalties for Violation of Outdoor Advertising Law" (H. P. 750) (L. D. 440)

Mr. Stewart from the same Committee reported same on Bill "An

Act to Provide for a Town Manager Form of Government for the Town of Rumford" (H. P. 540) (L. D. 325)

The same gentleman from the same Committee reported same on Bill "An Act to Repeal the Act Creating the Rumford Falls Village Corporation" (H. P. 541) (L. D. 326)

Mr. Albert from the Committee on Liquor Control reported same on Bill "An Act relating to Hours of Sale of Liquor" (H. P. 932) (L. D. 542)

Mr. Keene from the Committee on Public Utilities reported same on Bill "An Act to Amend the Charter of the Brunswick Sewer District" (H. P. 164) (L. D. 95)

Mr. Lovely from the same Committee reported same on Bill "An Act to Extend the Charter of the Eliot Water District" (H. P. 1061) (L. D. 641)

Mr. O'Dell from the same Committee reported same on Bill "An Act to Extend the Rights, Powers, and Privileges of the Penobscot Valley Water Commission" (H. P. 547) (L. D. 298)

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

Mr. Burkett from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Trenton School District" (H. P. 646) (L. D. 386) 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. 646, L. D. 386, Bill, "An Act to Incorporate the Town of Trenton School District".

Amend Sec. 1. of said bill by deleting therefrom the clause "for the purpose of completing, grading, furnishing, rebuilding, renovating and otherwise bettering the condition of any or all buildings within said town used for school purposes or which may hereafter be used for school purposes;"

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

Mr. Burkett from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Howland School District" (H. P. 748) (L. D. 439) 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. 748, L. D. 439, Bill "An Act to Incorporate the Town of Howland School District."

Amend said Bill by striking out in the fifth line of Sec. 4, the figures "\$125,000" and inserting in place thereof the figures '\$115,000'.

Further amend said Bill by striking out in the fifth line of Section 10, the figure "4" and inserting in place thereof the figure '8'.

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

Mr. Hand from the Committee on Legal Affairs on Bill "An Act to Create the Limestone School District" (H. P. 747) (L. D. 452) 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. 747, L. D. 452, Bill "An Act to Create the Limestone School District."

Amend Sec. 1. of said Bill by striking out the clause "for the purpose of completing, grading, furnishing, rebuilding, renovating and otherwise bettering the condition of any or all buildings within said town used for school purposes or which may hereafter be used for school purposes;"

Further amend said Bill by striking out the figures "\$200,000"

in the fifth line of Sec. 4, and inserting in place thereof the figures '\$125,000.'

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

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Frenchville School District" (H. P. 754) (L. D. 443) 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. 754, L. D. 443, Bill "An Act to Incorporate the Town of Frenchville School District."

Amend said Bill by striking out in the fifth line of Sec. 8, the figure "4" and inserting in place thereof the figure '8'.

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

Passed to be Engrossed

Bill "An Act relating to the Government Employees Credit Union of Maine" (S. P. 330) (L. D. 715)

Bill "An Act to Amend the Charter of Continental Mills" (H. P. 447) (L. D. 276)

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

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 and sent to the Senate.

Amended Bill

Bill "An Act relating to the Sale of Intoxicating Liquors to Minors" (S. P. 65) (L. D. 66)

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

Orders of the Day

On motion of Mr. Totman of Bangor, the House voted to take from the table the fourth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Transportation on Bill "An Act relating to Signals for Stopping and Turning Motor Vehicles" (H. P. 93) (L. D. 38) tabled by that gentleman on February 14th pending acceptance of report.

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

Mr. TOTMAN: Mr. Speaker, the Committee on Transportation, at the risk of setting a dangerous precedent possibly, but perhaps out of sympathy for a freshman's enthusiasm, has very graciously and charitably offered to allow this bill to be recommitted, and at this time I move that the bill be recommitted to the Committee on Transportation.

The SPEAKER: The gentleman from Bangor, Mr. Totman, now moves that the fourth tabled and unassigned matter be recommitted to the Committee on Transportation. Is this the pleasure of the House?

The motion prevailed, and the bill and report were recommitted to the Committee on Transportation and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: Yesterday, this House referred to the Committee on Judiciary H. P. 1320, Bill "An Act Creating the Bangor Recreation Center." I now move that the House reconsider its action whereby the Bill was so referred.

The SPEAKER: The gentleman from Augusta, Mr. Martin, moves

that the House reconsider its action of yesterday whereby Bill "An Act Creating the Bangor Recreation Center" (H. P. 1320) was referred to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed; and on further motion by the same gentleman the Bill was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

On motion of Mr. Sanborn of Gorham, the House voted to take from the table the twelfth tabled and unassigned matter, Bill "An Act relating to the Banking Department" (H. P. 1282) (L. D. 848) tabled on February 21st by that gentleman pending reference; and on further motion of the same gentleman the Bill was referred to the Committee on Taxation and sent up for concurrence.

On motion of Mr. Brown of Robbinston, the House voted to take from the table the 19th tabled and unassigned matter, Bill "An Act relating to the Enforcement of the Liquor Laws" (H. P. 1321) (L. D. 882) tabled on February 22 by that gentleman pending reference; and on further motion of the same gentleman the Bill was referred to the Committee on Legal Affairs 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 Tuesday, February 27th, at 11:00 o'clock in the forenoon.