

# 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 27, 1951

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

Prayer by the Rev. Mr. Orville O. Lozier, Associate Minister of Congregational Christian Conference of Maine, of Portland.

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 Indemnities for Control and Eradication of Bang's Disease" (S. P. 351) (L. D. 868)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Resolve in favor of Morton Furber, of Melrose, Massachusetts (S. P. 371)

Resolve in favor of Edwin M. Hutchinson, jr., of Portland (S. P. 372)

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 Education in Unorganized Territory" (S. P. 352) (L. D. 880)

Bill "An Act relating to Schooling in Unorganized Territory" (S. P. 353) (L. D. 881)

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 Construction of State Aid Highways" (S. P. 354) (L. D. 869)

Bill "An Act relating to Reclassification of Highways" (S. P. 355) (L. D. 870)

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 the Tagging of Beaver" (S. P. 356) (L. D. 871)

Bill "An Act relating to Open Season for Hunting Deer With Bow and Arrow" (S. P. 357) (L. D. 872)

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 Election of Commissioner of Agriculture and State Auditor by the People" (S. P. 360) (L. D. 875)

Bill "An Act relating to Attorney's Fee for Foreclosure of a Mortgage" (S. P. 362) (L. D. 876)

Resolve Proposing an Amendment to the Constitution to Elect Members of the Executive's Council by the People (S. P. 358) (L. D. 873)

Resolve Proposing an Amendment to the Constitution to Elect Secretary of State, Treasurer of State and Attorney - General by the People (S. P. 359) (L. D. 874)

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 Advisory Committee on State Budget" (S. P. 363) (L. D. 877)

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 Lobster and Crab Fishing in Part of York River, County of York" (S. P. 364) (L. D. 878)

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 Licensing of Antique Motor Vehicles" (S. P. 365) (L. D. 879)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation 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 relating to Limitations of Liquor Licenses" (S. P. 208) (L. D. 457)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to the Caribou Utilities District" (S. P. 27) (L. D. 149)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Ought To Pass**

Report of the Committee on Natural Resources reporting "Ought to pass" on Bill "An Act relating to Membership of Maine Development Commission" (S. P. 242) (L. D. 512)

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 tomorrow assigned.

**Ought To Pass With Committee Amendment**

Report of the Committee on Natural Resources on Bill "An Act relating to Slash and Brush Disposal" (S. P. 257) (L. D. 555) 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. 257, L. D. 555, Bill "An Act Relating to Slash and Brush Disposal."

Amend said Bill by striking out the period after the underlined word "owner" at the end of the third paragraph therein and inserting the following, 'or the public authority having custody or maintenance responsibility of such land.'

Committee Amendment "A" was adopted in concurrence and tomorrow assigned for third reading of the Bill.

**Messages and Documents**

The following Communication:

DEPARTMENT OF STATE  
STATE OF MAINE  
AUGUSTA

February 27, 1951

To the Honorable William S. Silsby, Speaker of the House of Representatives of the Ninety-fifth Legislature:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Representative to the Legislature in the City of Waterville at a special election held February 21, 1951 to fill the vacancy caused by the resignation of Edmund S. Muskie.

Respectfully,

(Signed)

HAROLD I. GOSS  
Secretary of State.

Was read and referred to the Committee on Elections.

The following Communication:

STATE OF MAINE  
OFFICE OF  
SECRETARY OF STATE

February 27, 1951

To Harvey R. Pease, Clerk of the House of Representatives of the Ninety-fifth Legislature:

In compliance with Section 1 of Chapter 9 of the Revised Statutes, I hereby certify that in accordance with the provisions of Section 58 of Chapter 5 of the Revised Statutes, a special election was held in the City of Waterville on February 21, 1951 for the purpose of electing a Representative to the Ninety-fifth Legislature to fill the vacancy caused by the resignation of Edmund S. Muskie;

that at said election John L. Thomas, Jr. of Waterville having received a plurality of all votes cast in said election according to a canvass of the returns received from the City of Waterville and made by the Governor and Council under date of February 27, 1951 appears to have been elected a Representative to the Ninety-fifth Legislature.

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereto affixed this twenty-seventh day of February in the year of our Lord one thousand nine hundred and fifty-one and of the Independence of the United States the one hundred and seventy-fifth.

(Signed)

HAROLD I. GOSS,  
Secretary of State.

(SEAL)

Was read and ordered placed on file.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Castonguay.

Mr. CASTONGUAY: Mr. Speaker, I note the presence in the Hall of the House of Mr. John L. Thomas, Jr., and I move that he be conducted to the Governor's Office, there to receive the oath of office which will entitle him to his seat in the House.

The SPEAKER: The gentleman from Waterville, Mr. Castonguay, moves that the gentleman from Waterville, Mr. Thomas, be escorted to the office of the Governor, there to be given the oath of office which will entitle him to his seat on the floor of the House. Is this the pleasure of the House?

The motion prevailed and the Chair appointed the gentleman from Waterville, Mr. Castonguay, as a committee of one to escort the gentleman from Waterville, Mr. Thomas, to the office of the Governor, where he could take and subscribe to the oath of office.

Subsequently, Mr. Castonguay reported to the House that he had attended to the duty assigned him and that Mr. Thomas had been escorted to the Governor's office, where he had taken and subscribed to the oath of office required to qualify him for the discharge of

his official duties as Representative to the Legislature.

The SPEAKER: The Chair hears the message and thanks the messenger.

The gentleman from Waterville, Mr. Thomas, is entitled to Seat No. 150 and the gentleman from Waterville, Mr. Castonguay, will escort him to his chair and, on behalf of the House, the Chair welcomes Mr. Thomas. (Applause)

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

The following Communication:

State of Maine  
HOUSE OF REPRESENTATIVES  
Augusta

February 26, 1951

Hon. William S. Silsby, Speaker  
House of Representatives  
State House  
Augusta, Maine

Dear Sir:

I herewith tender my resignation as a member of the Joint Standing Committee on Legal Affairs, which resignation is to take effect immediately.

In offering this resignation, I would be remiss if I were not to pay tribute to the gentlemen on the Legal Affairs Committee with which I have had the pleasure of serving since the commencement of this Ninety-fifth Legislative Session. Each member of the Committee has accepted the delegated responsibility and their work will do much to cause this session of the Legislature to be eminently successful.

And to you, Sir, I appreciate the opportunity of serving as a member of the Committee on Legal Affairs and shall long cherish the appointment and opportunity for such service.

Very truly yours,

(Signed)

THOMAS E. DELAHANTY

Was read and ordered placed on file.

The SPEAKER: The Chair at this time, will appoint the gentleman from Waterville, Mr. Thomas, to the Committee on Legal Affairs.

The SPEAKER: The Chair, at this time, will appoint the gentleman from Lewiston, Mr. Delahanty, to the Committee on Judiciary.

P. 1368) (Presented by Mr. Delahanty of Lewiston)  
(Ordered Printed)  
Sent up for 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:

The SPEAKER: The Chair, at this time, will appoint the gentleman from Cape Elizabeth, Mr. Chase, to be Speaker pro tem and the Sergeant-at-Arms will escort the gentleman to the rostrum.

Thereupon, Mr. Chase was escorted to the rostrum by the Sergeant-at-Arms and assumed the Chair amid the applause of the House. Speaker Silsby then retired.

**Claims**

Resolve in favor of Dr. Arnold W. Moore, of Augusta (H. P. 1362) (Presented by Mr. Martin of Augusta)

Sent up for concurrence.

**Natural Resources**

Resolve Permitting the Building of a Fish Pond in Chapman (H. P. 1369) (Presented by Mr. Lovely of Westfield)

(Ordered Printed)

Sent up for concurrence

**Highways**

Bill "An Act relating to Temporary Borrowing by State" (H. P. 1363) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Resolve Authorizing State Highway Commission to Delay Action on Fore River Bridge (H. P. 1364) (Presented by Mr. Rollins of Greenville)

(Ordered Printed)

**Public Utilities**

Bill "An Act relating to Interstate Carriers" (H. P. 1370) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Sent up for concurrence.

Resolve in favor of the Town of Blanchard (H. P. 1365) (Presented by Mr. Rollins of Greenville)

Sent up for concurrence.

**Taxation**

Bill "An Act to Increase the Taxing Powers of Municipalities" (H. P. 1371) (Presented by Mr. Woodworth of Fairfield)

(750 Copies Ordered Printed)

Sent up for concurrence.

**Inland Fisheries and Game**

Resolve Closing Certain Ponds in Dedham, Penobscot County, to Fishing (H. P. 1388) (Presented by Mr. Grover of Brewer)

(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act Providing for the Placing of the Names of Owners and Lessees on Commercial Vehicles" (H. P. 1372) (Presented by Mr. Carter of Bethel)

(Ordered Printed)

Bill "An Act Providing for Safety Equipment for Large Trucks" (H. P. 1373) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act relating to the County Law Library of Franklin County" (H. P. 1366) (Presented by Mr. Caswell of New Sharon)

(Ordered Printed)

Bill "An Act Creating the Youth Service Commission" (H. P. 1367) (Presented by Mr. Jacobs of Auburn)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years (H.

**Towns and Counties**

Bill "An Act relating to Salaries of Sheriffs of All Counties" (H. P. 1374) (Presented by Mr. Dennison of East Machias by request)

(Ordered Printed)

Bill "An Act relating to Salaries of County Commissioners and County Treasurer of York County"

(H. P. 1375) (Presented by Mr. Taylor of Lyman)  
(Ordered Printed)  
Sent up for concurrence.

### Welfare

Resolve Providing for State Pension for Mrs. Blanche Dyer, of Belfast (H. P. 1376) (Presented by Mr. Clements of Belfast)

Resolve Providing for State Pension for Mrs. Edith Woodard, of Springfield (H. P. 1377) (Presented by Mr. Cobb of Lee)

Resolve Providing for State Pension for Mary Ann Begert, of Lewiston (H. P. 1378) (Presented by Mr. Delahanty of Lewiston)

Resolve Providing for State Pension for Elizabeth Kavanagh, of Lewiston (H. P. 1379) (Presented by same gentleman)

Resolve Providing for State Pension for Mrs. Lovina Brush, of Unity (H. P. 1380) (Presented by Mr. Dickey of Brooks)

Resolve Providing for State Pension for Donald M. Laughlin, of Plantation No. 33 (H. P. 1381) (Presented by Mr. Dunham of Ellsworth)

Resolve Providing for State Pension for Mrs. Nellie Kimball, of Albion (H. P. 1382) (Presented by Mr. Keene of Clinton)

Resolve Providing for State Pension for John Melanson, of Old Town (H. P. 1383) (Presented by Mr. Latno of Old Town)

Resolve Providing for State Pension for Mrs. Agnes Melanson, of Old Town (H. P. 1384) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Miss Lillian M. Sterling, of Hallowell (H. P. 1385) (Presented by Mr. Martin of Augusta)

Resolve Providing for State Pension for Alfred Pelletier, of Madawaska (H. P. 1386) (Presented by Mr. Martin of Frenchville)

Resolve Providing for State Pension for Adrien Albert, of Sinclair (H. P. 1387) (Presented by same gentleman)

Sent up for concurrence.

### Orders

On motion of Mr. Jacobs of Auburn, it was

ORDERED, that there be printed for the use of the Legislature 1000

copies in pamphlet form of the Report of the Liquor Research Commission to the 95th Maine Legislature.

### House Reports of Committees Ought to Pass in New Draft

Mr. Carter from the Committee on Taxation on Bill "An Act relating to Exemption of Parsonages from Taxation" (H. P. 337) (L. D. 195) reported same in a new draft (H. P. 1389) (L. D. 934) under same title and that it "Ought to pass"

### Ought to Pass Printed Bill and Resolve

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relative to Game Preserve, Limington, Hollis and Waterboro" (H. P. 629) (L. D. 380)

Mr. Carville from same Committee reported same on Resolve Regulating Fishing in the Tributaries to Bemis Stream in the County of Franklin (H. P. 736) (L. D. 435)

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

At this point, Speaker Silsby resumed the Chair.

The SPEAKER: Mr. Chase, in order that you may have something with which to remember this occasion, may I present you with this little gavel.

Thank you very much.

Thereupon, Mr. Chase retired as Speaker pro-tem and was conducted by the Sergeant-at-Arms to his seat on the floor, amid the applause of the House.

### Passed to be Engrossed

Bill "An Act relating to Voters in Unincorporated Places" (S. P. 99) (L. D. 158)

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

### Tabled

Bill "An Act to Amend the Character of the Brunswick Sewer District" (H. P. 164) (L. D. 95)

Was reported by the Committee on Bills in the Third Reading.

(On motion of the gentleman from Brunswick, Mr. Lacharite, tabled pending third reading.)

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

Bill "An Act to Repeal the Act Creating the Rumford Falls Village Corporation" (H. P. 541) (L. D. 326)

Bill "An Act to Amend the Charter of the City of Ellsworth School District" (H. P. 644) (L. D. 385)

Bill "An Act to Extend the Rights, Powers and Privileges of the Penobscot Valley Water Commission" (H. P. 547) (L. D. 298)

Bill "An Act to Incorporate the Town of Buxton School District" (H. P. 650) (L. D. 389)

Bill "An Act relating to Penalties for Violation of Outdoor Advertising Law" (H. P. 750) (L. D. 440)

Bill "An Act to Incorporate the Town of Leeds School District" (H. P. 755) (L. D. 444)

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

#### Tabled

Bill "An Act relating to Hours of Sale of Liquor" (H. P. 932) (L. D. 542)

Was reported by the Committee on Bills in the Third Reading.

(On Motion of the gentleman from Ellsworth, Mr. Dunham, tabled pending third reading.)

Bill "An Act to Extend the Charter of the Eliot Water District" (H. P. 1061) (L. D. 641)

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

#### Amended Bills

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

Bill "An Act to Incorporate the Town of Trenton School District" (H. P. 646) (L. D. 386)

Bill "An Act to Create the Limestone School District" (H. P. 747) (L. D. 452)

Bill "An Act to Incorporate the Town of Howland School District" (H. P. 748) (L. D. 439)

Bill "An Act to Incorporate the Town of Frenchville School District" (H. P. 754) (L. D. 443)

Were 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.

#### Order of the Day

On motion of the gentleman from Bridgton, Mr. March, the House voted to take from the table the seventh tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Liquor Control on Bill "An Act Relating to Interlocking Interests in Liquor Licenses" (S. P. 85) (L. D. 109) tabled on February 20th by that gentleman pending acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. March.

Mr. MARCH: Mr. Speaker, I now move that the report of the committee be accepted.

The SPEAKER: The gentleman from Bridgton, Mr. March, now moves that the report of the committee be accepted in concurrence. It is the pleasure of the House?

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

Mr. PIERCE: Mr. Speaker, just to clarify the remarks, does this include the amendment which we have before us?

Mr. MARCH: Mr. Speaker, it does not. I did not intend that it should.

The SPEAKER: The Chair will state, for the information of the gentleman from Bucksport, Mr. Pierce, that the matter now under consideration is the acceptance of the report in concurrence and the matter of the amendment will come up after the second reading. Does that make it clear?

Now, the question before the House is on the acceptance of the committee report in concurrence. Is it the pleasure of the House to accept the report of the committee in concurrence?

The motion prevailed, the committee report was accepted in con-



currence, and the bill was given its two several readings.

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

**SENATE AMENDMENT "A" to S. P. 85, L. D. 109, Bill "An Act Relating to Interlocking Interests in Liquor Licenses."**

Amend said Bill by inserting at the end thereof, before the single quotation mark, the following underlined sentence: **'Minor investment in securities of a corporation engaged in liquor business not amounting to any substantial control shall not be held to be an interest forbidden by the foregoing sentence.'**

On further motion of Mr. March, Senate Amendment "A" was indefinitely postponed in non-concurrence.

Mr. March then offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to S. P. 85, L. D. 109, Bill "An Act Relating to Interlocking Interests in Liquor Licenses."**

Amend said Bill by inserting at the end thereof, before the single quotation mark, the following underlined sentence: **'Minor investment in securities of a corporation engaged in liquor business not amounting to more than 10% shall not be held to be an interest forbidden by the foregoing sentence.'**

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

Mr. TOTMAN: Mr. Speaker, I rise for a point of clarification and information on this amendment. I do not profess to have any personal knowledge of the bill as far as the fine points are concerned but I call the attention of the members of the House to the way this amendment reads. Being a student of English

years ago, it appears to me that the verb in the second sentence "amounting to," the verb "amounting" refers, according to the way this sentence is printed, to liquor business, and I don't think that is the intention of the amendment. I know the intention of the amendment is that the minor investment shall not amount to more than ten per cent, but if you will read that sentence carefully I believe it says "Minor investment in securities of a corporation engaged in liquor business not amounting to more than ten per cent . . ." What does the phrase "not amounting to more than ten per cent" modify? Minor investment or liquor business? I think before we adopt this amendment we had better clear that up.

The SPEAKER: The question before the House is on the adoption of the amendment.

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

Mr. PIERCE: Mr. Speaker, I move that the entire matter lie on the table, and be specifically assigned for tomorrow morning.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the matter lie on the table pending adoption of House Amendment "A" and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the report, with accompanying papers, was so tabled and so assigned.

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.