

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, March 5, 1963

Prayer by Rev. Alton E. Maxell of Augusta.

Senate called to order by the President.

On motion by Mr. Reed of Sagadahoc, the Journal of February 28 was read and approved.

**Paper from the House
Non-concurrent matter**

Joint Order, Relative to Investigation of Discrimination by Department of Labor. (S. P. 503)

In Senate, February 27, Senate Amendment "A" (S-36) read and adopted and the Joint Order passed, as amended.

Sent down for concurrence.

Comes from the House, referred to the Committee on State Government in non-concurrence.

In the Senate, that Body voted to recede and concur.

The PRESIDENT: The Chair is happy to welcome in the Senate Gallery today forty-eight students from the Martell School in Lewiston, with their teacher, Miss Joan Beathe, and Mrs. Bates, Mrs. Bouchard, Mrs. Gordon, Mrs. Sprague and Mrs. Hodgkins. They are the guests of the Senator from Androscoggin, Senator Jacques. You are welcome here and we hope that you enjoy these proceedings and will witness some democracy in action. May I introduce to you the Senators from your County: The Senator from Androscoggin, Senator Jacques, the Senator from Androscoggin, Senator Couture, and the Senator from Androscoggin, Senator Boisvert. (Applause)

The PRESIDENT: The Chair is honored to recognize in the Senate Chamber the Honorable Frederick G. Payne, former Governor of the State of Maine. (Applause, members rising)

The Chair is likewise honored to recognize in the Senate Chamber the Honorable Cyril M. Joly, of Waterville, who just retired as Chairman of the Maine Industrial Accident Commission. (Applause)

House Papers

Resolve, Proposing an Amendment to the Constitution Eliminating the Requirement that the Governor Communicate Pardons to the Legislature. (H. P. 987) (L. D. 1330)

Resolve, Proposing an Amendment to the Constitution to Provide for Taking Oaths of Senators and Representatives in Absence of Governor and Council. (H. P. 988) (L. D. 1431)

Resolve, Proposing an Amendment to the Constitution Relating to Power of Governor to Nominate and Appoint Civil and Judicial Officers. (H. P. 989) (L. D. 1432)

Resolve, Proposing an Amendment to the Constitution Relative to Examination of Returns for Senators and to Provide for Election of Senators to Fill Vacancies. (H. P. 990) (L. D. 1433)

Resolve, Proposing an Amendment to the Constitution Eliminating Requirements Relating to Warrants for Public Money and Publication of Receipts and Expenditures. (H. P. 991) (L. D. 1434)

Resolve, Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House. (H. P. 992) (L. D. 1435)

Which were severally referred to the Committee on Constitutional Amendments and Legislative Reapportionment in concurrence.

Communication**STATE OF MAINE
SUPREME JUDICIAL COURT
Augusta**

February 28, 1963

Hon. Chester T. Winslow
Secretary of the Senate
State House
Augusta, Maine

Dear Mr. Winslow:

There are enclosed the Answers of the Justices to the Questions of February 14, 1963, relative to "An Act Providing Expense Reimbursement for Members of the Legislature" (L. D. 435).

Respectfully yours,

ROBERT B. WILLIAMSON

Enclosure

ANSWERS OF THE JUSTICES

To the Honorable Senate
of the State of Maine:

In compliance with the provisions of Section 3 of Article VI of the Constitution of Maine, we, the undersigned Justices of the Supreme Judicial Court, have the honor to submit the following answers to the questions propounded on February 14, 1963.

QUESTION (1): Is it within the power of the Legislature to provide for the reimbursement of Senators and Representatives for expenses, other than travel, in attendance at daily sessions?

ANSWER: We answer in the affirmative.

QUESTION (2): If the answer to the first question is in the affirmative, would the bill, "An Act Providing Expense Reimbursement for Members of the Legislature" (S. P. 159) (L. D. 435), as amended by Senate Amendment "A", if enacted by the Legislature, be constitutional?

ANSWER: We answer in the negative.

L. D. 435 as amended by Senate Amendment "A" provides that "Each member of the Senate and House of Representatives shall be reimbursed for expense, other than travel, in attending the daily sessions of the Legislature in an amount not to exceed \$10 for each day in attendance. Payment shall be made monthly upon vouchers approved by the majority leader of the respective body." The Act carries an Emergency Clause and is made retroactive to January 2, 1963.

The decisive point in our consideration is whether or not reimbursement for expense, other than travel, is compensation within the meaning of our Constitution.

If compensation, an Act providing therefor would clearly fall within the prohibition of the Constitution, which reads:

"The senators and representatives shall receive such compensation, as shall be established by law; but no law increasing their compensation shall take effect during the existence of the legislature, which enacted it. The expenses of the members of the house of representatives in

traveling to the legislature, and returning therefrom, once in each week of each session and no more, shall be paid by the state out of the public treasury to every member, who shall seasonably attend, in the judgment of the house, and does not depart therefrom without leave." Article IV, Part Third, Section.

In an Opinion of the Justices of the Supreme Judicial Court in 1953 (148 Me. 528), the Justices said that the Legislature could not constitutionally by Order provide for reimbursement of expense, other than travel, in attending the daily sessions of the Legislature in the amount of \$7 for each day in attendance. The Justices pointed out that the expenses, being personal in nature, could not be authorized or payment thereof directed by joint legislative Order.

In an Opinion of the Justices in 1957 (152 Me. 302), the Justices were of the view that travel expense is a personal expense which may be provided only by an Act or Resolve passed as a law and not by a legislative Order. The Justices pointed out that the travel expense sought in the Order, that is to say, mileage at an increased rate retroactive to the commencement of the session, was not compensation within the meaning of the Constitution. Provision therefor may properly be made by Act or Resolve.

In our opinion expenses other than travel, for which reimbursement is here proposed, are living or subsistence expenses and come within the meaning of compensation under the Constitution. *Jones v. Hoss*, 285 P. 205 (Ore. 1930); *State v. Turner*, 233 P. 510 (Kan. 1925); *Dixon v. Shaw*, 253 P. 500 (Okla. 1927); *State v. Clausen*, 253 P. 805 (Wash. 1927); *Ashton v. Ferguson*, 261 S.W. 624 (Ark. 1925); *Hall v. Blan*, 148 So. 601 (Ala. 1933); *Peay v. Nolan*, 7 S. W. ed 815 (Tenn. 1928); *Ferris v. Aten*, 28 N.W. ed 899 (Mich. 1947); *State v. Tracy*, 190 N.E. 463 (Ohio 1933); *Opinion of the Justices*, 64 A. 2d 204 (N. H. 1949), and to the same conclusion the courts of last resort in Colorado, Florida, Idaho, Iowa, Illinois, and South Carolina. Expenses of this type are distinguishable factually and constitutionally from travel expenses.

It is implicit in our Constitution that the amount paid to members of the House and Senate for the regular sessions and for attendance at extra sessions is intended to cover all personal expenses except expense of travel.

We are strengthened in this view by the practice since Maine became a State. The constitutional provision in question has remained unchanged since 1820, except that travel expense since the 1947 amendment is paid weekly and not once in each session. From at least 1823 Senators and Representatives have received a sum for attendance plus mileage. Expense of travel from home to the Legislature has always been set apart from compensation.

We are aware of the ever increasing burden of time and expense falling on members of the Legislature over the years. The question for us is not whether the proposed expense may be needed or justified, but solely whether the Legislature may constitutionally provide therefor by the Act before us.

Since we have determined that reimbursement for expense, other than travel, is compensation, the mandate of the Constitution becomes applicable. "No law increasing their compensation shall take effect during the existence of the Legislature which enacted it."

In view of the fact that our answer to the second question is in the negative for the reasons above set forth, we deem it unnecessary to determine here whether or not the proposed statute could lawfully be enacted as emergency legislation within the limitations imposed by the Constitution. Article IV, Part Third, Sec. 16.

Dated at Augusta, Maine, this twenty-seventh day of February, 1963.

Respectfully submitted:
 ROBERT B. WILLIAMSON
 DONALD W. WEBBER
 WALTER M. TAPLEY, Jr.
 FRANCIS W. SULLIVAN
 CECIL J. SIDDALL
 HAROLD C. MARDEN

Which was read and placed on file.

On motion by Mr. Boardman of Washington

ORDERED the House concurring, that there be paid to John S. Nelson, Representative of the Penobscot Tribe of Indians, and Joseph A. Nicolas, Representative of the Passamaquoddy Tribe of Indians, on account of compensation, the sum of \$100.

Which was read and passed.

Sent down for concurrence.

Committee Reports

House — Leave to Withdraw

The Committee on Election Laws on Bill, "An Act Relating to Payment for Notices of a Municipal Caucus." (H. P. 729) (L. D. 1058) reported that the same should be granted Leave to Withdraw.

The Committee on Highways on Bill, "An Act Providing Area Directional Signs for Brewer." (H. P. 806) (L. D. 1193) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve, in Favor of the Town of Burlington. (H. P. 370) (L. D. 543) reported that the same should be granted Leave to Withdraw.

The Committee on Inland Fisheries and Game on Bill, "An Act Repealing Bounty on Bobcats and Lynx." (H. P. 285) (L. D. 379) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Relating to Open Season on Muskrat in Washington County." (H. P. 642) (L. D. 898) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve, Regulating Fishing in Six Mile Lake, Washington County. (H. P. 337) (L. D. 464) reported that the same should be granted Leave to Withdraw.

The Committee on Sea and Shore Fisheries on Bill, "An Act Providing for Licensing of Salt Water Sports Fishermen." (H. P. 748) (L. D. 1077) reported that the same should be granted Leave to Withdraw.

The Committee on State Government on Bill, "An Act Relating to Salary of the Insurance Commissioner." (H. P. 686) (L. D. 942) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass — Covered by Other Legislation

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Night Hunting of Skunks and Raccoons." (H. P. 808) (L. D. 1195) reported that the same Ought not to pass, As Covered by Other Legislation.

The Committee on State Government on Resolve, Reclassifying Photographer II, Department of Economic Development, as Exhibit Director. (H. P. 555) (L. D. 770) reported that the same Ought not to pass, As Covered by Other Legislation.

Which reports were read and accepted in concurrence.

Referred to Legal Affairs from Judiciary

The Committee on Judiciary on the following Bills: Bill, "An Act Relating to Neglect of Children." (H. P. 652) (L. D. 908)

Bill, "An Act Relating to Penalties for Possessing a Falsified Certificate of Birth." (H. P. 658) (L. D. 914)

Bill, "An Act Increasing Fees of Bail Commissioners." (H. P. 735) (L. D. 1064)

Bill, "An Act Relating to Penalties for Carelessly Shooting a Human Being While Hunting." (H. P. 777) (L. D. 1131)

Bill, "An Act Prohibiting Throwing of Rocks at any Public or Private Transportation Conveyance." (H. P. 870) (L. D. 1257)

Bill, "An Act Relating to Jurisdiction of Constables to Serve Process." (H. P. 912) (L. D. 1319)

Bill, "An Act Relating to Transmittal to Secretary of State of Court Record of Appeal from Conviction Relative to Motor Vehicles." (H. P. 926) (L. D. 1360)

Bill, "An Act Relating to the Down East Christmas Tree Association." (H. P. 969) (L. D. 1408) reported that the same should be referred to the Committee on Legal Affairs.

Which reports were read and accepted in concurrence.

Ought to Pass

The Committee on State Government on Resolve, Granting a Right

of Way by the State to Catherine L. Howell of Cape Elizabeth. (H. P. 509) (L. D. 711) reported that the same Ought to pass.

Comes from the House passed to be engrossed, as amended by House Amendment "A" (H-68)

In the Senate, the report was accepted in concurrence, the bill read once, House Amendment A read and adopted, and the bill as amended was tomorrow assigned for second reading.

Ought to Pass — As Amended

The Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Pleasant Pond, Island Falls and Township 4, Range 3, Aroostook County. (H. P. 536) (L. D. 753) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-57)

Comes from the House passed to be engrossed, as amended by Committee Amendment "A" (H-57), as amended by House Amendment "A" thereto.

In the Senate, the report was read and accepted in concurrence, the bill read once, House Amendment A read and adopted in concurrence, Committee Amendment A as amended, read and adopted in concurrence and the bill as amended tomorrow assigned for second reading.

Ought to Pass — New Draft, Same Title

The Committee on Judiciary on Bill, "An Act Relating to Escapes from Custody of Police Officers." (H. P. 467) (L. D. 671) reported that the same Ought to pass in New Draft, Under Same Title (H. P. 982) (L. D. 1421)

Which report was read and accepted in concurrence, and the Bill, in New Draft, was read once and tomorrow assigned for second reading.

**Majority — Ought Not to Pass
Minority — Ought to Pass**

The Majority of the Committee on Education on Bill, "An Act Relating to Attendance and Tuition at Approved Secondary Schools." (H.

P. 26) (L. D. 50) reported that the same Ought not to pass.

(Signed)

Senators:

BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis

Representatives:

McGEE of Auburn
TREWORGY of Gorham
LEVESQUE of Madawaska
BRADEEN of Waterboro
SNOW of Jonesboro
CURTIS of Bowdoinham

The Minority of the same Committee on the same subject matter, reported that the same Ought to pass, as amended by Committee Amendment "A" (H-38)

(Signed)

Representative:

EASTON of Winterport

Comes from the House, Majority—Ought not to pass Report read and accepted.

In the Senate, on motion by Mr. Edmunds of Aroostook tabled pending acceptance of either report, and especially assigned for later in today's session.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Education on Bill, "An Act Relating to Certificates for Teaching." (H. P. 24) (L. D. 48) reported that the same Ought not to pass.

(Signed)

Senators:

BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis

Representatives:

McGEE of Auburn
TREWORGY of Gorham
LEVESQUE of Madawaska
BRADEEN of Waterboro

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)

Representatives:

SNOW of Jonesboro
EASTON of Winterport
CURTIS of Bowdoinham

Comes from the House recommitted to the Committee on Education.

In the Senate, on motion by Mr. Edmunds of Aroostook the bill was recommitted in concurrence.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on State Government on Bill, "An Act Removing Exemption of State Board of Education from Authority of State Purchasing Agent." (H. P. 253) (L. D. 322) reported that the same Ought not to pass.

(Signed)

Senators:

WHITTAKER of Penobscot
LOVELL of York
CHRISTIE of Aroostook

Representatives:

DENNETT of Kittery
BERMAN of Houlton
THAANUM of Winthrop
SMITH of Strong
DOSTIE of Lewiston
CARTIER of Biddeford

The Minority of the same Committee on the same subject matter, reported that the same Ought to pass.

(Signed)

Representative:

BERRY of Cape Elizabeth

Comes from the House, Majority, Ought Not to Pass Report read and accepted.

In the Senate, on motion by Mr. Whittaker of Penobscot, the Majority Ought Not to Pass Report was accepted in concurrence.

Majority — Ought to Pass As Amended by Committee Amendment "A"

Minority — Ought Not to Pass

The Majority of the Committee on State Government on Bill, "An Act to Create a Recess Committee to Study the Desirability and Need of Establishing a Department of Vocational Rehabilitation." (H. P. 501) (L. D. 703) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-69)

(Signed)

Senators:

WHITTAKER of Penobscot
LOVELL of York
CHRISTIE of Aroostook

Representatives:

DENNETT of Kittery

BERMAN of Houlton
 THAANUM of Winthrop
 BERRY of Cape Elizabeth
 DOSTIE of Lewiston
 CARTIER of Biddeford

The Minority of the same Committee on the same subject matter, reported that the same Ought not to pass.

(Signed)

Representatives:

ERNEST D. SMITH
 of Strong

Comes from the House, Majority—Ought to Pass As Amended report read and accepted.

In the Senate, on motion by Mr. Whittaker of Penobscot, the Majority Ought to Pass report was accepted in concurrence, the bill read once, Committee Amendment A read and adopted, and the bill as amended tomorrow assigned for second reading.

Senate — Ought Not to Pass

Mr. Hinds from the Committee on Health and Institutional Services on Bill, "An Act Relating to Sale of Certain Biologics to Registered Pharmacies." (S. P. 176) (L. D. 475) reported that the same Ought not to pass.

Mr. Stitham from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Use of Walkie-Talkies in Hunting Deer Prohibited." (S. P. 103) (L. D. 240) reported that the same Ought not to pass.

Mrs. Harrington from the Committee on Public Utilities on Bill, "An Act Relating to Election of Trustees of and Meetings of East Boothbay Water District." (S. P. 252) (L. D. 626) reported that the same Ought not to pass.

Mr. Hinds from the Committee on Health and Institutional Services on Bill, "An Act Relating to Non-judicial Involuntary Admission Procedure of Mentally Ill." (S. P. 290) (L. D. 863) reported that the same should be referred to the Committee on Judiciary.

Which reports were read and accepted. Sent down for concurrence.

Ought to Pass

Mr. Hinds from the Committee on Health and Institutional Services on Bill, "An Act Relating to Hours

of Employment in Nursing Homes." (S. P. 177) (L. D. 476) reported that the same Ought to pass.

Mr. Couture from the same Committee on Bill, "An Act Relating to the Governor Baxter State School for the Deaf." (S. P. 289) (L. D. 862) reported that the same Ought to pass.

Mr. Whittaker from the same Committee on Bill, "An Act Relating to Place of Residence of Superintendents of State Hospitals." (S. P. 291) (L. D. 864) reported that the same Ought to pass.

Mr. Cram from the Committee on Municipal Affairs on Bill, "An Act to Amend the Charter of the City of Calais to Provide for the Acquisition of a Water System by the City of Calais." (S. P. 118) (L. D. 346) reported that the same Ought to pass.

Mrs. Harrington from the Committee on Public Utilities on Bill, "An Act Relating to Permits for Contract Carriers." (S. P. 332) (L. D. 997) reported that the same Ought to pass.

Mr. Philbrick from the same Committee on Bill, "An Act to Allow Temporary Authority for Motor Carrier Operations on Assignment and Transfer." (S. P. 333) (L. D. 998) reported that the same Ought to pass.

Mrs. Harrington from the same Committee on Bill, "An Act Relating to Identification of Authorized Carrier Vehicles." (S. P. 431) (L. D. 1174) reported that the same Ought to pass.

Mr. Atherton from the Committee on Retirements and Pensions on Bill, "An Act Relating to State Police Retirement Benefits Under the Maine State Retirement System." (S. P. 357) (L. D. 1284) reported that the same Ought to pass.

Mr. Wyman from the Committee on Taxation on Bill, "An Act Relating to the Taxation of Railroad Land and Buildings." (S. P. 192) (L. D. 491) reported that the same Ought to pass.

Mr. Johnson from the Committee on Transportation on Bill, "An Act Relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents." (S. P. 345) (L. D. 1010) reported that the same Ought to pass.

Which reports were severally read and accepted, the Bills read once and tomorrow assigned for second reading.

Ought to Pass — As Amended

Mr. Brown from the Committee on Business Legislation on Bill, "An Act Amending Certain Statutes Relating to Licensed Small Loan Agencies." (S. P. 353) (L. D. 1019) reported that the same Ought to pass as amended by Committee Amendment "A" (S-41)

Mr. Philbrick from the Committee on Public Utilities on Bill, "An Act Creating the Damariscotta Sewage District." (S. P. 253) (L. D. 627) reported that the same Ought to pass as amended by Committee Amendment "A" (S-44)

Which reports were read and accepted. Committee Amendments "A" were read and adopted, and the Bills, as amended, read once and tomorrow assigned for second reading.

Ought to Pass — New Draft — New Title

Mrs. Sproul from the Committee on Business Legislation on Bill, "An Act Prohibiting a General Contractor to Bid Unless Able to Perform Part of Work with Own Employees." (S. P. 356) (L. D. 1022) reported that the same Ought to pass in New Draft under title of "An Act Prohibiting a General Contractor to Bid Unless Able to Perform Part of Work." (S. P. 523) (L. D. 1438)

Which report was read and accepted and the bill in new draft read once and tomorrow assigned for second reading.

Mr. Cyr from the Committee on Inland Fisheries and Game on Bill, "An Act Regulating Fishing in Certain Waters in York County." (S. P. 143) (L. D. 420) reported that the same Ought to pass in New Draft under the same Title. (S. P. 524) (L. D. 1439)

On motion by Mr. Lovell of York, tabled pending acceptance of the report, and especially assigned for Thursday next.

The Majority of the signers from the Committee on Election Laws on Joint Resolution Ratifying the Pro-

posed Amendment to the Constitution of the United States Relating to the Qualification of Electors. (S. Ought to be adopted.

(Signed)

Senator:

BROOKS of Cumberland

Representatives:

BROWN of Fairfield

CROCKETT of Freeport

VILES of Anson

BINNETTE of Old Town

The Minority of the signers from the same Committee on the same subject matter reported that the same Ought not to be adopted.

(Signed)

Senators:

STITHAM of Somerset

FARRIS of Kennebec

Representatives:

MATHIESON of Montville

HARRINGTON of Dexter

On motion by Mr. Edmunds of Aroostook, the bill was tabled pending acceptance of either report.

Second Readers

The Committee on Bills in the Second Reading reported the following Bills and Resolves:

House

Bill, "An Act Increasing Indebtedness of Town of Fairfield School District." (H. P. 15) (L. D. 331)

Bill, "An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River." (H. P. 331) (L. D. 45)

(On motion by Mr. Farris of Kennebec, the bill was read a second time and tabled until later in today's session pending passage to be engrossed.)

Bill, "An Act Relating to Election of Constables in City of Portland."

Bill, "An Act Providing for Approval of Bonds or Notes at Special Elections in City of Saco." (H. P. 474) (L. D. 67)

Bill, "An Act Amending Charter of City of Portland Concerning Rotation on Candidates' Names on Ballots." (H. P. 481) (L. D. 684)

Bill, "An Act to Provide Survivor Benefits for Certain Members of the Police and Fire Departments of City of Portland." (H. P. 483) (L. D. 685)

Bill, "An Act Increasing Territorial Limits of Presque Isle Sewer District." (H. P. 166) (L. D. 215)

Bill, "An Act Creating a Sewer District in the Town of Corinna." (H. P. 394) (L. D. 593)

Bill, "An Act to Incorporate the Stonington Water District." (H. P. 395) (L. D. 594)

Resolve, Providing Funds for Windbreaker on Bridge Between Old Town and Indian Island. (H. P. 443) (L. D. 648)

Resolve, Regulating Fishing in Mill Brook, Hanover, Oxford County. (H. P. 533) (L. D. 750)

Resolve, Regulating Fishing on Part of Kennebec River, Somerset County. (H. P. 373) (L. D. 546)

Bill, "An Act to Change the Name of Anonymous Pond, Cumberland County, to Crystal Lake." (H. P. 335) (L. D. 462)

(Which was read a second time, and on motion by Mr. Cram of Cumberland was tabled unassigned pending passage to be engrossed.)

Bill, "An Act Relating to False Report of Deposit of Bombs or Other Infernal Devices." (H. P. 981) (L. D. 1420)

Bill, "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law." (H. P. 983) (L. D. 1422)

Which were read a second time and passed to be engrossed in concurrence.

House — As Amended

Resolve, Authorizing Amanda Moreau to Bring Action Against the State of Maine. (H. P. 112) (L. D. 156)

Resolve, Regulating Fishing in Certain Waters in Piscataquis County. (H. P. 213) (L. D. 282)

Bill, "An Act Relating to Size of Salmon Taken from Waters of Aroostook County." (H. P. 281) (L. D. 375)

Bill, "An Act Revising the Maine Voluntary Apprenticeship Law." (H. P. 340) (L. D. 497)

Bill, "An Act Increasing Indebtedness of Mexico Sewer District." (H. P. 393) (L. D. 592)

Resolve, Regulating Fishing in Certain Waters of Aroostook, Penobscot and Piscataquis Counties. (H. P. 453) (L. D. 657)

Resolve, Correcting Designation of Beneficiary of Mary M. Hanks Un-

der Maine State Retirement System. (H. P. 500) (L. D. 702)

Resolve, Authorizing State Park and Recreation Commission to Convey Certain Land to the Town of Cape Elizabeth. (H. P. 510) (L. D. 712)

Resolve, Regulating Fishing in Jones Pond, Hancock County. (H. P. 594) (L. D. 83)

Which were read a second time and passed to be engrossed, as amended, in concurrence.

Senate

Bill, "An Act Relating to Lapsing of Funds Appropriated to Construct a Fishway at Aroostook." (S. P. 163) (L. D. 439)

Bill, "An Act Relating to Insurance for U-Drive Motor Vehicles." (S. P. 351) (L. D. 1017)

Bill, "An Act Relating to Capital Stock of Industrial Banks." (S. P. 352) (L. D. 1018)

Bill, "An Act Relating to Municipal Forest Fire Suppression Costs." (S. P. 408) (L. D. 1111)

Bill, "An Act Relating to Participation Loans, Other Than Real Estate, by Savings Banks." (S. P. 357) (L. D. 1023)

Bill, "An Act Providing for Adult Identification Cards Under Liquor Law." (S. P. 300) (L. D. 873)

Bill, "An Act Providing for Issuance of Warnings to Licensees for Liquor Violations." (S. P. 329) (L. D. 994)

Bill, "An Act Relating to Time of Salary Payments to County Commissioners." (S. P. 284) (L. D. 798)

Which were read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Revising the Savings and Loan Laws." (S. P. 350) (L. D. 1016)

Bill, "An Act Relating to Sale of Negotiable Checks and Money Orders." (S. P. 354) (L. D. 1020)

Which were read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills and Resolves:

Bill, "An Act Relating to Pre-marital Medical Examinations." (S. P. 143) (L. D. 421)

Bill, "An Act Relating to Supplemental Tax Assessments." (S. P. 191) (L. D. 490)

Bill, "An Act Relating to Definition of Case Under Excise Tax Law on Sardines." (S. P. 193) (L. D. 492)

Bill, "An Act to Provide for Acceptance of Federal Funds by State Park and Recreation Commission." (H. P. 131) (L. D. 174)

Bill, "An Act to Increase the Borrowing Capacity of the Topsham Sewer District, to Authorize the Town to Contribute to Construction Costs and Otherwise Amend the Charter." (H. P. 303) (L. D. 396)

Bill, "An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Bagaduce River." (H. P. 330) (L. D. 457)

(On motion by Mr. Edmunds of Aroostook, the bill was placed upon the Special Appropriations Table pending enactment.)

Bill, "An Act Relating to Revocation of Sellers' Certificates Under Sales and Use Tax Law." (H. P. 351) (L. D. 505)

Bill, "An Act to Repeal the Dry Bean Tax." (H. P. 352) (L. D. 506)

Bill, "An Act Relating to Meaning of Letters Used in State Valuation." (H. P. 354) (L. D. 507)

Bill, "An Act Permitting Public Commission to Extend Time for Filing Public Utility Balance Sheets." (H. P. 391) (L. D. 590)

Bill, "An Act Relating to Incorporation of Maine Hereford Association." (H. P. 419) (L. D. 572)

Bill, "An Act Releasing Interest of State in Certain Land in Poland, Androscoggin County." (H. P. 601) (L. D. 836)

Bill, "An Act Relating to Issuance of Certificates of Shares." (H. P. 666) (L. D. 922)

Resolve, Regulating Fishing in Hatcase Pond in Penobscot and Hancock Counties. (H. P. 976) (L. D. 1348)

Resolve, Regulating Fishing in Kennebec River, Franklin County. (S. P. 210) (L. D. 520)

Which bills were passed to be enacted and resolves were finally passed.

Emergency

Bill, "An Act to Amend the Charter of the Oxford Water District Relative to Rates." (S. P. 186) (L. D. 485)

Received the affirmative vote of 31 members.

Emergency

Bill, "An Act Amending the Charter of the Presque Isle Water District." (H. P. 67) (L. D. 91)

Received the affirmative vote of 31 members.

Which Bills, being emergency measures, and having received the affirmative vote of the Senate members as indicated, were passed to be enacted.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (S. P. 60) (L. D. 110) Bill, "An Act Relating to Rules and Regulations in Fishing"; tabled on February 19 by Senator Stiphen of Knox pending enactment; and that Senator moved the pending question.

This being an emergency measure,

A division of the Senate was had.

Thirty having voted in the affirmative and one opposed, the bill was passed to be enacted.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table Item 6-22 Divided House Report from the Committee on Education on Bill, "An Act Relating to Attendance and Tuition at Approved Secondary Schools" (H. P. 26) (L. D. 50); Majority Report Ought Not to Pass, Minority Report, Ought to Pass As Amended by Committee Amendment A.

On further motion by the same Senator, the Majority Ought Not to Pass report was accepted in concurrence.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 28th tabled and unassigned item (H. P. 153) (L. D. 204) Bill, "An Act Relating to Reciprocity under Financial Responsibility Law"; tabled on February 21 by that Senator pending passage to be engrossed; and on further mo-

tion by the same Senator, the bill was passed to be engrossed in concurrence.

The President laid before the Senate the 3rd tabled and today assigned item, Item 7-2 bill, "An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River (H. P. 331) (L. D. 453) tabled earlier in today's session by the Senator from Kennebec, S e n a t o r Farris pending passage to be engrossed.

Mr. FARRIS: Mr. President, I note that this bill, being L. D. 453, and also another bill, being L. D. 457, which now lies upon the Special Appropriations Table relate to authorizing the Bureau of Public Improvements to study the desirability of dams in two separate rivers; and I would very much appreciate it if someone on the Industrial and Recreational Committee would explain the purpose of this bill and why the Bureau of Public Improvements is involved in studies of dams on our waterways.

The PRESIDENT: The Senator from Kennebec, Senator F a r r i s, poses a question through the Chair to any Senator on the Committee on Recreational and Industrial Development, who may answer if he chooses.

Mr. LOVELL of York: Mr. President, actually at the hearing on the testimony on this bill in which these communities are going to match funds with the State — and possibly the State won't need to put up any money where this particular area comes under the Area Development Act — when the bill came before the committee there was no particular question as to what department of State Government should make the study. There were simply two bills that came in that were drawn up by two representatives in another body in this building. Evidently it must have gotten permission from this bureau to make the study. Now I do not think anyone has any objection if there is some other bureau or some other department that is more capable of making the study.

These two dams will generate a good deal of shore line in these particular areas, I believe thirty or

forty miles of shore line which can be developed into tourist resorts and the land sold for cottages and development. As far as it going to the Bureau of Public Improvements, I do not think there is any objection one way or the other.

I do not know as that answers the Senator's question, but that is my conception of the testimony at the hearing, that this study should be done by the Bureau of Public Improvements. If the Senator has some other division he would like to have do the study, I am sure there will be no objection.

On motion by Mr. Farris of Kennebec, the bill was tabled unassigned pending passage to be engrossed.

On motion by Mr. Porteous of Cumberland, the Senate voted to take from the table the 26th tabled and unassigned matter (S. P. 139) (L. D. 416) Bill, "An Act to Incorporate the Seaboard F i n a n c e Company," which was tabled on February 21 by that Senator pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Porteous of Cumberland, the Senate voted to take from the table the 27th tabled and unassigned matter, (S. P. 138) (L. D. 415) Bill, "An Act to Incorporate the Seaboard F i n a n c e Company of Pine Tree," which was tabled by that Senator on February 21st pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Porteous of Cumberland, the Senate voted to take from the table the 32nd tabled and unassigned item (S. P. 359) (L. D. 1025) Senate Report, Ought to Pass, from the Committee on Highways on Bill, "An Act Relating to Certain Advertising Signs Erected on the Interstate System; tabled on February 26 by that Senator pending acceptance of the report; and on further motion by the same Senator, the ought to pass report was accepted and the bill read once.

Mr. Cole of Waldo presented Senate Amendment A and moved its adoption.

Which Amendment (S-38) was read and adopted, and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 33rd tabled and unassigned item (S. P. 507) (L. D. 1423) bill, "An Act Relating to Counsel for Indigent Persons in Criminal Cases"; tabled by that Senator on February 26 pending assignment for second reading.

Mr. FARRIS of Kennebec: Mr. President, I present Senate Amend-

ment A and move its adoption, and by way of explanation I might say this is S-42 and is merely a technical amendment so that where counsel is appointed in the district court it will be without any expense to the state or the county.

Thereupon, Senate Amendment A was adopted, and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at ten o'clock.