

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

Friday, April 5, 1963

The Senate was called to order by the President.

Prayer by the Rev. Kenneth Brookes of Augusta.

On motion by Mr. Cole of Waldo, the Journal of yesterday was read and approved.

The PRESIDENT: The Chair would ask the Sergeant-at-Arms to escort the Senator from Cumberland, Senator Brooks to the well before the rostrum.

Senator Brooks of Cumberland was escorted to the well before the rostrum by the Sergeant-at-Arms.

The PRESIDENT: The Chair would inquire of the Senator his birthplace.

Mr. BROOKS: Mars Hill, Maine.

The PRESIDENT: And would you, Senator, give us the date of your birth?

Mr. BROOKS: April 5, 1920, sir.

The PRESIDENT: Is it a fact then that this is your birthday?

Mr. BROOKS: Yes, Mr. President.

The PRESIDENT: The Senate of this state is cognizant of this fact and could not let this day go by without the proper recognition. Therefore I ask that the Senate Majority Leader enter the chamber.

Senator Edmunds of Aroostook entered the chamber.

The PRESIDENT: We have a gift for you, Senator Brooks, which symbolizes and will help you consider the future education problems of this State. We hope you will be able to use this as you consider our future financial problems in the field of education. Not only this, but we have an additional gift for you which we hope you will likewise appreciate. This is symbolic of your many future years ahead of you, and we want you to take this home with you too, Senator. In addition to this, we understand that you are a boating enthusiast but you have no means by which to secure your boat at the dock and that you also have a rowboat along with your regular boat and we give you these gifts to help you out in this direction.

We notice that you are visibly affected by these gifts. Lastly, our

esteem is represented by a flag of this State indicating your sincere devotion to your effort. (Applause)

SENATOR BROOKS: Thank you very much, Mr. President. The gifts do overwhelm me emotionally and I am just rather speechless, but I do appreciate such a fine array of gifts from this illustrious body.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Edmunds.

Mr. EDMUNDS: Mr. President, I think in the interests of the decorum of the Senate that the Senator should remove his gifts from the Senate Chamber.

The PRESIDENT: The Senator will forthwith remove his gifts from the Senate Chamber.

Mr. BROOKS: Thank you, sir. I have a compact car, gentlemen.

On motion by Mr. Edmunds, out of order and under suspension of the rules

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, April 9, at ten o'clock in the morning. (S. P. 563)

Which was read and passed.

Sent down for concurrence.

House Papers

Papers from the House

Joint Order—Relative to Legislative Research Study of Salaries of State Officials. (H. P. 1035)

Comes from the House Referred to the Committee on State Government and ordered reproduced.

In the Senate:

On motion by Mr. Brown of Hancock, tabled unassigned pending passage.

Bill, "An Act Relating to Employment of Minors Under Sixteen Years of Age." (S. P. 214) (L. D. 524)

In Senate, March 19, passed to be engrossed, as amended by Committee Amendment A (S-30) and by Senate Amendment B (S-71)

In House, March 22, passed to be engrossed, as amended in concurrence.

Comes from the House Indefinitely postponed.

In the Senate:

On motion by Mr. Johnson of Somerset, under suspension of the

rules the Senate voted to reconsider its action whereby the bill was passed to be engrossed. The same Senator then presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read, and on further motion by the same senator the bill was tabled pending adoption of Senate Amendment "A".

Non-concurrent matters

Joint Order Recalling from Legislative Files, Judiciary Committee Report on I.B 1 (Cousins' Island) (S. P. 533)

In Senate, March 6, read and passed.

Comes from the House, Indefinitely postponed in non-concurrence.

In the Senate:

Mr. FARRIS of Kennebec: In view of the fact that the questions which were raised have now been resolved, I would move that this body recede and concur with the action of the House.

The motion prevailed and the Senate voted to recede and concur.

Bill, "An Act Relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations, Partnership and Charitable Institutions." (S. P. 464) (L. D. 1291)

In Senate, March 20, passed to be engrossed.

Comes from the House, passed to be engrossed, as amended by House Amendment A (H-154) in Non-concurrence.

In the Senate:

On motion by Mr. Wyman of Washington, the bill was tabled pending consideration.

Bill, "An Act Requiring Line Budget for County Appropriations for York County." (H. P. 953) (L. D. 1387)

In Senate, March 22, passed to be engrossed, as amended by Senate Amendment A (S-79) in non-concurrence.

Comes from the House, passed to be engrossed, as amended by Senate Amendment A in concurrence, and by House Amendment A (H-152) in Non-concurrence.

In the Senate:

On motion by Mr. Lovell of York, the Senate voted to reconsider its action whereby the bill was passed to be engrossed, and further motion

by the same senator the Senate voted to recede and concur and the bill was passed to be engrossed as amended.

Resolve, Appropriating Money for an Additional Public Relations Representative, Department of Economic Development. (S. P. 294) (L. D. 867)

In Senate, referred to Committee on Appropriations and Financial Affairs.

Comes from the House, Indefinitely postponed in non-concurrence.

In the Senate:

On motion by Mr. Lovell of York, the Senate voted to insist on its former action.

Communications

STATE OF MAINE
DEPARTMENT OF STATE
Augusta

March 13, 1963

Chester T. Winslow
Secretary of the Senate
101st Legislature
Augusta, Maine

Dear Mr. Winslow:

In accordance with the request of Niels P. Jensen, Secretary of the Senate of the State of South Dakota, I am enclosing a certified copy of a Concurrent Resolution No. 13 from that state with reference to a proposed amendment to the Constitution of the United States relating to the appointment of Electors of President and Vice President.

A copy is also being forwarded to Harvey R. Pease, Clerk of the House of Representatives.

Very truly yours,

PAUL A. MacDONALD
Secretary of State

Which, with the accompanying Resolution, was read and ordered placed on file.

DEPARTMENT OF STATE
STATE OF MAINE
Augusta

March 27, 1963

To the Members of the
House and Senate of the
101st Legislature
State House
Augusta, Maine

Dear Members:

The State of Wyoming has sent

seven Memorials to Congress for transmittal to the State Legislature.

The Memorials are submitted herewith.

Very truly yours,
PAUL A. MacDONALD
Secretary of State

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Enclosures

These Memorials relate to the following:

No. 17 — Repeal of Arms Control Act.

No. 9 — Requesting 90 percent of sales of minerals be credited to the State of Wyoming; U. S. controls over 50 percent of land and 70 percent of the minerals in or under the lands of the State.

No. 12 — Opposing creation or extension of wilderness areas.

No. 23 — Opposing federal legislation which would encroach on state's Workmen's Compensation Programs.

No. 8 — Re: Application for federal small loan projects.

No. 7 — Enacting certain legislation to make various areas of reclamation non-reimbursables.

No. 11 — Requesting U. S. to provide legislation recognizing laws of states re control of waters within state's boundaries.

Which communication and accompanying Memorials were read and ordered placed on file.

Committee Reports — House

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Emergency Exit Lights and Signs for State House and Office Building" (H. P. 16) (L. D. 84) reported that the same should be granted Leave to Withdraw — covered by other legislation.

The same Committee on Bill, "An Act to Authorize the Issuance of Bonds in the Amount of One Million Dollars on Behalf of the State for the Purpose of Relocating the Boys Training Center at Presque Isle." (H. P. 409) (L. D. 562) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

The same Committee on Bill, "An Act Relating to Payments to Towns

in State in Lieu of Taxes." (H. P. 86) (L. D. 130) reported that the same Ought not to pass.

The Committee on Natural Resources on Bill, "An Act Relating to the Application of the Christmas Tree Law to Knox, Lincoln and Waldo Counties." (H. P. 939) (L. D. 1373) reported that the same Ought not to pass.

The Committee on State Government on Bill, "An Act Relating to Appointment of Commissioner of Finance and Administration and the State Budget Officer." (H. P. 944) (L. D. 1378) reported that the same Ought not to pass.

The Committee on Appropriations and Financial Affairs on Resolve, Relating to Treatment of a Portion of New Meadows Lake to Eliminate Aquatic Growth. (H. P. 11) (L. D. 21) reported that the same should be referred to the Committee on Highways.

Which reports were read and accepted in concurrence.

The Committee on Taxation on Bill, "An Act Relating to Taxation of Business of Raising Domestic Fowl Exclusively for Meat Purposes." (H. P. 842) (L. D. 1229) reported that the same Ought not to pass.

Comes from the House recommitted to the Committee on Taxation.

In the Senate:

Voted to recede and concur with the House.

Ought to Pass

The Committee on Education on Bill, "An Act to Extend Contracts for School Conveyance from Three to Five Years." (H. P. 637) (L. D. 893) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Income from Ministerial and School Fund in Determining Educational Foundation Program Allowance." (H. P. 762) (L. D. 1116) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Expenditures from Unorganized Territory Capital Working Fund." (H. P. 863) (L. D. 1250) reported that the same Ought to pass.

The Committee on Health and Institutional Services on Bill, "An Act Relating to Licensing of Mortuary Assistants and Rules and Regulations of the Board of Examiners of Funeral Directors and Embalmers." (H. P. 733) (L. D. 1062) reported that the same Ought to pass.

The Committee on Highways on Bill, "An Act Providing for Boothbay Harbor Region Area Sign on Maine Turnpike." (H. P. 103) (L. D. 147) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to County Taxes in Places not Incorporated." (H. P. 689) (L. D. 945) reported that the same Ought to pass.

In the Senate:

On motion by Mr. Cram of Cumberland, the bill was tabled unassigned pending acceptance of the committee report.

The Committee on Veterans and Military Affairs on Bill, "An Act Prohibiting Sale or Purchase of Military Decorations." (H. P. 859) (L. D. 1246) reported that the same Ought to pass.

Which reports were read and accepted, in concurrence the Bills read once and tomorrow assigned for Second Reading.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Application of Federal Social Security to Permit Political Subdivisions to Offer Social Security Benefits to Superintendents of Schools." (H. P. 678) (L. D. 934) reported that the same Ought to pass.

Comes from the House Indefinitely postponed.

In the Senate:

On motion by Mr. Edmunds of Aroostock the bill was tabled and specially assigned for Wednesday next pending acceptance of report.

Ought to Pass — As Amended

The Committee on Municipal Affairs on Bill, "An Act to Provide for a Civil Service Commission for Town of Kittery." (H. P. 78) (L. D. 681) reported that the same Ought to pass, as amended by Committee Amendment A (H-183)

In the Senate:

On motion by Mr. Jacques of An-

droscoggin, the bill was tabled unassigned pending acceptance of report.

Ought to Pass — New Draft — New Title

The Committee on Sea and Shore Fisheries on Bill, "An Act relating to Taking Shellfish by Commercial Shellfish and Marine Worm Licensee." (H. P. 77) (L. D. 1076) reported that the same Ought to pass in New Draft under New Title: "An Act Repealing the Town Clam Laws and Authorizing Special Privileges for Cooperating Towns." (H. P. 103) (L. D. 198)

Comes from the House recommitted to the Committee on Sea and Shore Fisheries.

In the Senate:

The bill was recommitted to the Committee on Sea and Shore Fisheries in concurrence.

Majority — Ought Not to Pass Minority — Ought to Pass

The Majority of the Committee on Appropriations and Financial Affairs on Resolve, Relating to Treatment of Lakes Sabattus and Annabessacook to Eliminate Aquatic Growth. (H. P. 360) (L. D. 534) reported that the same Ought not to pass.

(Signed)

Senators:

EDMUNDS of Aroostock
PORTEOUS of Cumberland
CAMPBELL of Kennebec

Representatives:

HUMPHREY of Augusta
BRAGDON of Perham
SMITH of Falmouth
MINSKY of Bangor

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

(Signed)

Representatives:

PIERCE of Bucksport
EDWARDS of Raymond
JALBERT of Lewiston

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

In the Senate:

Mr. Edmunds of Aroostock moved that the Majority "Ought not to pass" report of the committee be accepted.

On motion by Mr. Jacques of Androscoggin the bill was tabled and specially assigned for Wednesday next pending motion of Mr. Edmunds to accept the majority "Ought not to pass" report.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Highways on Bill, "An Act Relating to Services of State Police on Maine Turnpike." (H. P. 441) (L. D. 646) reported that the same Ought not to pass.

(Signed)

Senators:

COLE of Waldo
FERGUSON of Oxford
BROWN of Hancock

Representatives:

TURNER of Auburn
ROSS of Brownville
NADEAU of Biddeford
DRAKE of Bath
CARTER of Etna
DENBOW of Lubec

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

(Signed)

Representative:

CROCKETT of Freeport

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

In the Senate:

On motion by Mr. Cole of Waldo, the Majority "Ought not to pass" report was accepted in concurrence.

Majority — Ought to Pass As Amended
Minority — Ought Not to Pass

The Majority of the Committee on Labor on Bill, "An Act Relating to Minimum Wages for Firemen." (H. P. 227) (L. D. 297) reported that the same Ought to pass, as amended by Committee Amendment A (H-150)

(Signed)

Senators:

JOHNSON of Somerset
HINDS of Cumberland
COUTURE of Androscoggin

Representatives:

BROWN of South Portland
PRINCE of Oakfield

EWER of Bangor
NOEL of Wasterville

The Minority of the Committee on Labor on Bill, "An Act Relating to Minimum Wages for Firemen." (H. P. 227) (L. D. 297) reported that the same Ought not to pass.

(Signed)

Representatives:

MENDES of Topsham
GIFFORD of Manchester
DUNN of Denmark

Comes from the House, Majority — Ought to pass as amended report accepted.

In the Senate:

On motion by Mrs. Christie of Aroostook, the bill was tabled until Friday next pending acceptance of either report.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on State Government on Bill, "An Act Limiting the Amount of Salary of Certain State Officers." (H. P. 830) (L. D. 1217) reported that the same Ought not to pass.

(Signed)

Senators:

WHITTAKER of Penobscot
LOVELL of York

Representatives:

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 to pass.

(Signed)

Senator:

CHRISTIE of Aroostook

Representatives:

DENNETT of Kittery
BERMAN of Houlton
SMITH of Strong

Comes from the House, passed to be engrossed as amended by House Amendment B (H-191)

In the Senate:

On motion by Mr. Whittaker of Penobscot, the Majority "Ought not to pass" report was accepted in non-concurrence.

Committee Reports — Senate

Mr. Pike from the Committee on Towns and Counties on Bill, "An Act Increasing Salary of County Treasurer of Washington County." (S. P. 344) (L. D. 1009) reported that the same should be granted Leave to Withdraw — covered by other legislation.

Mrs. Sproul from the Committee on Retirements and Pensions on Resolve Relating to Retirement Benefit for Lona A. Tower of Warren. (S. P. 282) (L. D. 796) reported that the same Ought not to pass. Which report was read and accepted.

Mr. Cram from the Committee on Sea and Shore Fisheries on Bill, "An Act Repealing the Regulation of Herring for Canning Purposes from December 1st to April 15th." (S. P. 189) (L. D. 488) reported that the same Ought not to pass.

On motion by Mr. Wyman of Washington, the bill was tabled unassigned pending acceptance of report.

Mr. Brewster from the Committee on Sea and Shore Fisheries on Bill, "An Act to Extend the Sardine Canning Season." (S. P. 190) (L. D. 489) reported that the same Ought not to pass.

On motion by Mr. Wyman of Washington, the bill was tabled unassigned pending acceptance of report.

Mrs. Christie from the Committee on State Government on Bill, "An Act Providing for a Full-time Chairman of the Liquor Commission and Increasing the Compensation." (S. P. 157) (L. D. 433) reported that the same Ought not to pass.

On motion by Mr. Edmunds of Aroostook, tabled unassigned pending acceptance of report.

Mr. Lovell from the same Committee on Joint Order Relative to Investigation of Discrimination by Department of Labor. (S. P. 503) reported that the same Ought not to pass. Which report was read and accepted.

Mr. Ferguson from the Committee on Transportation on Bill, "An

Act Relating to Safety Requirements for Operation of Certain Motor Vehicles." (S. P. 438) (L. D. 1181) reported that the same Ought not to pass.

On motion by Mr. Stitham of Somerset, the bill was tabled and specially assigned for Wednesday next pending acceptance of report.

Ought to Pass

Mr. Boisvert from the Committee on Retirements and Pensions on Resolve Increasing Retirement Benefits of Irving W. Small of Milbridge. (S. P. 256) (L. D. 630) reported that the same Ought to pass.

Mr. Reed from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Unexpended Excise Taxes on Sardines." (S. P. 335) (L. D. 1000) reported that the same Ought to pass.

Which reports were read and accepted, the Bill and Resolve read once and tomorrow assigned for second reading.

Mr. Boisvert from the Committee on Public Utilities on Bill, "An Act to Correct the Name of Heron Lake Dam Company and Relating to its Powers." (S. P. 281) (L. D. 795) reported that the same Ought to pass as amended by Committee Amendment A (S-131)

Which report was read and accepted; Committee Amendment A was read and adopted, and the Bill, as amended, read once and tomorrow assigned for second reading.

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

The Majority of the Committee on Retirements and Pensions on Bill, "An Act Relating to Application of Federal Social Security to Teachers." (S. P. 67) (L. D. 117) reported that the same Ought not to pass. (Signed)

Senators:

BOISVERT of Androscoggin
SPROUL of Lincoln
ATHERTON of Penobscot

Representatives:

LINCOLN of Bethel
HENDSBEE of Madison
HENDRICKS of Portland

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

(Signed)

Representatives:

GUSTAFSON
of South Portland
PRINCE of Oakfield
WOOD of Brooks

Mrs. Sproul of Lincoln moved that the "Ought not to pass" report of the committee be accepted.

On motion by Mr. Whittaker of Penobscot, tabled and specially assigned for Friday, April 12th pending motion of Mrs. Sproul of Lincoln to accept the Majority "Ought not to pass" report of the committee.

Passed to Be Engrossed

House

Bill, "An Act Empowering the Supreme Judicial Court of Maine to Prescribe Rules in Criminal Cases." (H. P. 654) (L. D. 910)

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 Territorial Limits, Quorum and Powers of South Freeport Water District." (H. P. 550) (L. D. 765)

Bill, "An Act Relating to Duty of State Historian in Submitting Names for Designating Memorial Bridges or Highways." (H. P. 831) (L. D. 1218)

Bill, "An Act Providing for Fire Protection for Certain Townships in Franklin County." (H. P. 73) (L. D. 35)

Bill, "An Act Relating to Fee for Sheriff's Service in Hand and Attachment of Personal Property or Writ of Replevin." (H. P. 848) (L. D. 1235)

Resolve, to Change the Name of Crockertown, Franklin County, to Sugarloaf Township. (H. P. 973) (L. D. 1412)

Bill, "An Act Relating to Archaeological Excavations." (H. P. 1028) (L. D. 1491)

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

As Amended

Bill, "An Act Relating to Appointment of Clerks of Courts and Clerks Pro Tempore." (H. P. 816) (L. D. 1203)

Bill, "An Act Providing for Public Dumps for Jerusalem and Crockertown, Franklin County." (H. P. 74) (L. D. 36)

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

Bill, "An Act Providing an Additional Reporter for Industrial Accident Commission." (H. P. 683) (L. D. 939)

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

Sent down for concurrence.

Senate

Resolve, for Purchase of Copies of "Maine Province and Court Records, Volume V." (S. P. 169) (L. D. 468)

Bill, "An Act Relating to Salaries Fixed by Governor and Council." (S. P. 462) (L. D. 1289)

Bill, "An Act Transferring Duties of Commissioner of Agriculture Relating to Shellfish to Commissioner of Sea and Shore Fisheries and Revising Laws Thereto." (S. P. 553) (L. D. 1489)

Resolve, Relating to Research and Experimental Work in Relation to the Culture of Sugar Beets in Maine. (S. P. 559) (L. D. 1499)

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

Sent down for concurrence.

As Amended

Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (S. P. 97) (L. D. 234)

Mr. Campbell of Kennebec, presented Senate Amendment "A" which was read and adopted.

Bill, "An Act Providing for Area Directional Sign on Maine Turnpike for Rumford." (S. P. 360) (L. D. 1026)

Bill, "An Act to Clarify Granting of Water Pipe Location Permits." (S. P. 432) (L. D. 1175)

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

Sent down for concurrence.

The PRESIDENT: The Chair recognizes in the gallery of the Senate 27 8th grade students from the Dr. Louis Libby Elementary School of Milford, accompanied by the principal, Edward DiCenzo, and 20 8th grade students from Viola R and Elementary School of Bradley, accompanied by the principal Peter Benson, who happens to be the brother of Representative David Benson. This is a Penobscot County delegation.

May we pause in the Senate to point out to you students that you have just seen with one motion of the gavel 28 laws be passed, but it would be entirely wrong for you to get the idea that they are passed that easily, because this group has been sitting here since the first day of January of this year considering these things. As you know, any laws which are passed in this building start out as someone's idea, and this idea goes to one of these Senators or one of the members of the House of Representatives in the hall at the other end of the building. This idea is put on paper and is sent to a Reference of Bills Committee and this committee decides which one of several committees this bill should be considered by. And even this decision has to be acted upon and approved by both the Senate and the House of Representatives. Once they have agreed on it goes to this committee and the committee holds a public hearing on the subject matter. They discuss the pros and cons, and if they decide it is still a good idea the committee reports it out either to the House of Representatives or to this Senate for further action. Once again, both the House of Representatives and the Senate of this State have to agree and approve this idea. In spite of all this, it must have two readings, so-called, in this body and it must have three readings in the House of Representatives. Following all this, if this idea still seems to be a good one it is passed to be engrossed. And nobody is ever quite sure what this means but I best can show you.

As this idea goes through the process of legislation it takes several forms on paper and it becomes marked up with a variety of notations indicating its course of travel

and it is not a very artistic sight by the time it gets to the point where it can become a law. Within this elastic are several pages of just what I am suggesting to you and it is completely marked up. When it appears that it is just about ready to become a law this idea in writing is completely reviewed for grammatical corrections, for typographical errors, and is finally put into printed form, much better to look at, with a cellophane window-face, and it is now in a position for final consideration. Having gone through this entire process, it then goes back to the House or Senate for final enactment. Once more, the House and Senate consider this idea, and if it is finally enacted then it must be signed by the Governor of the State.

Now lest you think that this is a ridiculous, inefficient system — and it may be — we would point out to you that this legislative process is like a giant sifting process, and we hope with all the strength we have that as a result of this sifting process only good legislation comes through and that in the end justice is done.

To you students from Penobscot County: You are welcome here, and may I introduce to you the Senators from your county who are representing your area here today. There are three out of four: Senator Harrington, Senator Whittaker and Senator Atherton. (Applause)

Enactors

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

Bill, "An Act Relating to Reporting by Those Who Treat Gunshot Wounds." (H. P. 116) (L. D. 160)

Bill, "An Act to Reconstitute School Administrative District No. 18." (H. P. 328) (L. D. 455)

Bill, "An Act to Reconstitute School Administrative District No. 24." (H. P. 366) (L. D. 539)

Bill, "An Act to Create the Fort Kent Sewerage District." (H. P. 489) (L. D. 691)

Bill, "An Act Amending Charter of Augusta Sewerage District." (H. P. 495) (L. D. 697)

Bill, "An Act Increasing Compensation of Trustees of York Water District." (H. P. 498) (L. D. 700)

Bill, "An Act Relating to Authority Under Non-resident Insurance Agent's License." (H. P. 625) (L. D. 881)

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 Relating to Appointment of a Chief Insurance Examiner." (H. P. 687) (L. D. 943)

Bill, "An Act Increasing the Number of Medical Examiners for Oxford County." (H. P. 700) (L. D. 956)

Bill, "An Act Relating to Microfilming Records." (H. P. 741) (L. D. 1070)

Bill, "An Act Relating to Instruction in High Schools on American Freedoms." (H. P. 763) (L. D. 1117)

Bill, "An Act Providing Fire Protection for Rockwood Township in Somerset County." (H. P. 856) (L. D. 1243)

Bill, "An Act Relating to the Down East Christmas Tree Association." (H. P. 969) (L. D. 1408)

Bill, "An Act Relating to Report of Department of Health and Welfare in Child Custody Cases." (H. P. 1013) (L. D. 1466)

Bill, "An Act Relating to Investigation of Hunting Accidents." (S. P. 112) (L. D. 339)

Bill, "An Act Relating to Penalty for Non-compliance by Owners of Property of Orders for Proper Fire Safeguards." (S. P. 115) (L. D. 343)

Bill, "An Act to Reconstitute School Administrative District No. 19." (S. P. 174) (L. D. 473)

Bill, "An Act Relating to Compensation and Expenses of Out-of-State Witnesses in Criminal Cases." (S. P. 321) (L. D. 987)

Bill, "An Act Relating to Pecuniary Interest by Municipal Officials in Municipal Contracts." (S. P. 324) (L. D. 990)

Bill, "An Act Relating to Proof of Municipal Ordinances." (S. P. 325) (L. D. 991)

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

Bill, "An Act Relating to Registration and Transportation of Deer." (S. P. 388) (L. D. 1091)

Bill, "An Act Relating to Penalty for Violation of Liquor Laws." (S. P. 389) (L. D. 1092)

Bill, "An Act Relating to Automobile Junk Yards." (S. P. 393) (L. D. 1096)

Bill, "An Act Relating to Dogs Brought to Veterinarian." (S. P. 428) (L. D. 1171)

Bill, "An Act Relating to Fees in Disclosure Proceedings." (S. P. 429) (L. D. 1172)

Which Bills were passed to be enacted.

Orders of the Day

Mr. BOARDMAN of Washington: Mr. President, I would inquire if L. D. 1428, "An Act Increasing the Number of Superintending School Committee of Town of Baileyville" is in the possession of the Senate?

The PRESIDENT: The Chair answers the Senator in the affirmative, the House having returned the document to the Senate.

On motion by Mr. Boardman, under suspension of the rules, the Senate voted to reconsider its action whereby the bill was passed to be engrossed, and on further motion by the same Senator the bill was recommitted to the Committee on Municipal Affairs.

The President laid before the Senate the first tabled and specially assigned matter (H. P. 975) (L. D. 1347) Resolve, Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in towns of Kittery and York, which was tabled on March 29 by Mr. Porteous of Cumberland pending passage to be engrossed.

Mr. COLE of Waldo: Mr. President and members of the Senate: In making inquiry of the Senator from Cumberland, Senator Porteous as to his interest in this particular bill I was informed by Senator Porteous that his only interest was the fact that he would possibly like to amend the bill in regard to the removal of the Publicity Bureau at the entrance of the Interstate system at Kittery. Since that time, Mr. Johnson from the

Maine Publicity Bureau and his directors have had a meeting with the Highway Commission, and at this time they have no further interest in the bill, and Mr. Portecus has informed me through the Maine Publicity Bureau that he also has no further interest in the bill. So, Mr. President, may I have permission to proceed with the normal process of this bill.

The PRESIDENT: The Senator from Waldo, Senator Cole, requests permission to proceed with the normal process of the bill. The Chair hears no objection and the Senator may proceed.

Mr. COLE: Mr. President, I now offer Senate Amendment "A" and move its adoption.

I might add in the way of explanation that this is a technical amendment clarifying the agreement that would be signed between the State Highway Commission and the Maine Turnpike Authority.

Senate Amendment "A" was read and adopted and the resolve was passed to be engrossed as amended and sent down for concurrence.

The President laid before the Senate the 2nd tabled and specially assigned matter, (H. P. 156) (L. D. 207) Bill, "An Act Relating to the Beginning of Standard Time," which was tabled on March 29th by Mr. Ferguson of Oxford, pending passage to be engrossed.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I have no personal strong feeling about this bill either one way or the other, but I have had several calls in regard to the changing of Daylight Saving Time from the last Sunday in April to the last Sunday in February, which extends Daylight Saving Time by two months. Therefore I feel I would be remiss in my duties if I did not bring this before the Senate, I would like to ask the Secretary of the Senate the status of the bill now. I have no record to show that there is any amendment to this bill.

The PRESIDENT: The Secretary will read the status of the bill.

The SECRETARY: In the House of Representatives, read a third time and passed to be engrossed as amended by Committee Amendment "A" on March 26th. In the

Senate on March 27th Committee Amendment "A" adopted, read once and tomorrow assigned. In the Senate, read a second time and tabled by Senator Ferguson pending passage to be engrossed as amended.

The PRESIDENT: It would appear that Committee Amendment "A" to the bill has been read and adopted by both branches.

Mr. FERGUSON: Then I move the pending question.

Thereupon the bill was passed to be engrossed as amended.

The President laid before the Senate the 3rd tabled and unassigned matter, (H. P. 957) (L. D. 1391) House Report "Ought not to pass" from the Committee on Welfare on Bill, "An Act Relating to Definition of Dependent Child Under Aid to Dependent Children," which was tabled on April 2nd by the Senator from Penobscot, Senator Harrington, pending acceptance of report.

On motion by Senator Harrington of Penobscot, the "Ought not to pass" report of the Committee was accepted.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 38th tabled and unassigned matter, (H. P. 673) (L. D. 929) House Reports, from the Committee on Liquor Control on Bill, "An Act Permitting Sale of Liquor by Passenger Boat "Ought to pass"; Minority Report, "Ought not to pass," which was tabled on March 29th by that Senator pending acceptance of either report.

Mr. EDMUNDS: Mr. President, I now yield to the Senator from Aroostook, Senator Christie.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: Ten years ago when I first became a legislator the attitude of most law-makers was to hold the line, no liberalizing of the liquor laws. In 1950 Maine was 41st among the states in the rate of per capita consumption of alcoholic beverages. In 1955 a law was enacted permitting the sale of bottled malt beverages in chain stores. In 1957 a bill was enacted permitting sale

of liquor in Class "A" restaurants. Per capita drinking climbed until we rose from 41st place to 20th place among the states in per capita consumption.

Perhaps you wonder what this has to do with this bill. It has just this: if we pass this bill we are authorizing a new avenue of sale of this dangerous product. I am still greatly concerned at the drive to let down the bars, and with good reason. We are being asked to provide 25 additional state police in an attempt to reduce highway accidents, which last year took 176 lives, 62 of them in accidents where alcohol was involved. Of the fourteen families of children now living at the Bath Children's Home nine of them are there because of broken homes due to alcohol. Washington, D. C. has the highest rate of alcohol consumption of any city in our country. Today it is a city of thugs. Mae Craig, in last Sunday's Telegram, told of the terrible crime conditions there and said it is not safe to be on the streets or parks of that city day or night unless close to the police and their trained dogs. Congressman Tupper, speaking on TV Thursday night, warned people to stay away from Washington because of the terrible crime conditions there. I would not say that the entire crime condition in Washington is due to alcohol but I would say that it plays a large part in the criminal conditions that exist in Washington today.

But to come back to Maine. Early in 1959 I read in an editorial in the Portland Sunday Telegram the tragic story of a group of teenage Alcoholics Anonymous recently organized in that city. How would you like to have your child a member of such a group? You are certainly making it easier for such things to happen when you vote to sell more liquor.

Someone questioned recently the definition of an alcoholic. No doubt he knows the definition. An alcoholic is a compulsive drinker, one who is unable to control his drinking. Their number is increasing in Maine. If you want to contribute to this increase by making more liquor available let's not let the

dollar sign blind our eyes; let's hold the line on liquor. We need less, not more. Let's defeat this bill.

I move for the acceptance of the Minority "Ought not to pass" report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Senate accept the Minority, "Ought not to pass" report of the committee.

Mr. JACQUES of Androscoggin: Mr. President, as a member of the Liquor Control Committee I wish to stand up here.

As you will notice in L. D. 929, this only brings us back to the passenger boat service. We have it on steamboats now; we have it on the Pullman train, we have it on everything else, but we have not changed the law for passenger boats, and that is all that this is doing.

Mr. President, I would like to know what the status of the bill is right now.

The PRESIDENT: The Secretary will read the passage of the bill.

The SECRETARY: In the House of Representatives, Majority "Ought to pass" report accepted on March 12th. On March 27th the bill was passed to be engrossed as amended by House Amendment "A." Tabled in the Senate pending acceptance of either report.

Mr. JACQUES of Androscoggin: Mr. President, when the vote is taken I move that it be taken by a division.

The PRESIDENT: A division has been requested.

Mr. LOVELL of York: Mr. President and members of the Senate: I have no particular interest in this bill but I would like to answer the good Senator from Aroostook, Senator Christie, on a couple of things she mentioned.

This certainly will not cause any deaths on the highway, as she mentioned, because this is on the water, and I do not think we need to worry about that portion. Also, in regard to relaxing or curbing liquor laws, if you will note the budget, a good person in this building has recommended \$500,000 for more liquor for liquor stores so that

Maine people can have more liquor. Now maybe the good Senator will probably oppose that bill.

(On motion by Mr. Farris of Kennebec, certain remarks were ordered expunged from the record)

I would hope that this Senate would go along with the majority report.

I would also request that the remarks of the good Senator from Aroostook be stricken from the record, saying that Washington had a bunch of thugs.

The PRESIDENT: The Senator is out of order.

The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Minority "Ought not to pass" report of the committee be accepted. A division has been requested.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I rise to support the motion of the Senator from Aroostook, Senator Christie, I should like to do so, briefly, on somewhat different grounds.

I am interested in the reference made here to the sale of liquor in Pullman cars. This is a past issue, I believe, at the present time.

I would like to suggest that this is legislation which should not be passed because it would permit the sale of alcoholic beverages on passenger boats, which, if I understand the situation correctly, would involve largely so-called sight-seeing boats. I understand that the amendment calls for sale on boats carrying not fewer than fifty passengers, but even this amendment does not appeal to me as sufficient to warrant support of the bill. If you will imagine the situation in which liquor would be sold on a passenger-carrying boat, I am sure that you will realize that there would in most cases be a large number of young people and perhaps children involved in such boating activity. This would be comparable to the selling of liquor on a highway bus. It has been facetiously suggested to me that there might be some difficulty in this permission, if it were granted, in that passenger-carrying boats when they entered the territorial waters of a town might have to stop selling the liquor. I have re-

strained myself from arising every time a liquor bill is on the floor of this Senate, but this is one which I feel should be defeated.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Senate accept the Minority "Ought not to pass" report of the committee. A division has been requested. All those in favor of the motion of the Senator from Aroostook, Senator Christie that the Senate accept the Minority "Ought not to pass" report of the committee will rise and stand in their places until counted.

A division was had.

19 having voted in the affirmative and 10 in the negative, the motion prevailed and the Minority "Ought not to pass" report of the committee was accepted.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 15th tabled and unassigned matter, (H. P. 589) (L. D. 827) House Report, "Ought not to pass" from the Committee on Bill, "An Act Relating to Sale of Publications of Department of Inland Fisheries and Game," which was tabled on March 27th by that Senator pending acceptance of report.

Mr. STILPHEN: Mr. President, I took notice that the table was getting a little heavy and that I had two items on the table here in the Senate, so I thought I would take one off today and one is automatically coming off next Wednesday. At this time I would like to move that this be recommitted to the Committee on Inland Fisheries and Game.

The motion prevailed and the bill was recommitted to the Committee on Inland Fisheries and Game.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Item 1-4, Bill, "An Act Relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations, Partnerships and Charitable institutions," (S. P. 464) (L. D. 1291) which was tabled by that Senator earlier in today's session.

Mr. WYMAN: Mr. President, I now move the pending question.

House Amendment "A" was read by the Secretary.

The Senate thereupon voted to recede and concur.

On motion by Mr. Brown of Hancock, the Senate voted to take from the table the 18th tabled and unassigned matter, (S. P. 403) (L. D. 1106) Bill, "An Act to Provide for Special Deputy Clerks of Court," which was tabled by that Senator on March 12th pending passage to be engrossed.

On further motion by the same senator the bill was passed to be engrossed and sent down for concurrence.

On motion by Mr. Stitham of Somerset, the Senate voted to take from the table the 6th tabled and unassigned matter, (H. P. 38) (L. D. 61) Bill, "An Act Providing for Transportation of Deer by Maine Members of Armed Forces," which was tabled by that senator on February 21st pending enactment.

Mr. STITHAM: Mr. President, the original purpose for my tabling this particular bill was that it was to be included in other legislation which we have today enacted as Item 8 24, so this subject matter is covered by the enacted bill. For that reason, I now move that this bill be indefinitely postponed as covered by other legislation.

The motion prevailed and the bill was indefinitely postponed.

On motion by Mr. Jacques of Androscoggin, the Senate voted to take from the table the 56th tabled and unassigned matter, (H. P. 299) (L. D. 393) Bill, "An Act Relating to Definition of 'Hotel' Under Liquor Law," which was tabled by that Senator on April 3rd pending assignment for second reading.

Mr. JACQUES: Mr. President, I was a little confused the other day when this bill was given its second reading. This bill came out of committee 9 to 1 "Ought not to pass." If this bill is enacted it would put 460 poor people out of work in the State of Maine. It would close up 65 establishments. We were told that by the Liquor Commission. For this reason, Mr. President, I move

that this bill be indefinitely postponed.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: I hate to rise a second time on a liquor bill today but I cannot refrain from making comment on this one.

This bill would require that one-third of the rental receipts and one-third of the amount received for food should be required in order for the business to be called a hotel. It seems to me that if a place of business cannot make one-third of its receipts from food or rentals it is not deserving of the name "hotel." I feel that one-third is a very small amount. In my opinion it should be more, but I feel that we should at least hold it to this line.

Mr. NOYES of Franklin: Mr. President, I have been informed by the Liquor Commission that some thirty or forty hotels in this state would be closed if we passed this law.

Mr. WHITTAKER of Penobscot: Mr. President, when the vote is taken I request a division.

Mr. LOVELL of York: Mr. President, may I inquire as to the status of this bill.

The PRESIDENT: The Senator may:

I think the Chair is prepared to inform the senator of the status, he having previously inquired.

The committee report was "Ought not to pass." It went to the House and the bill was substituted for the report and House Amendment "A" was adopted. In the Senate we accepted the "Ought not to pass" report of the committee. It was returned to the House and they insisted. When this bill was returned to the Senate it was tabled, and when it came off the table we should have either insisted or have asked for a committee of conference. Instead, we substituted the bill for the report, which was a procedural error. It is now off the table, having been tabled by the Senator from Androscoggin, Senator Jacques, pending assignment for second reading.

Does this answer the question of the Senator from York, Senator Lovell?

Mr. LOVELL: Thank you, Mr. President. And I would hope that the Senate would go along with the unanimous "Ought not to pass" report in defeating this bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Jacques, that the bill be indefinitely postponed. A division has been requested.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: I want to correct one remark of the Senator from York, Senator Lovell. It was not a unanimous report.

A division was had.

Twenty having voted in the affirmative and nine in the negative, the motion prevailed and the bill and accompanying papers were indefinitely postponed.

On motion by Mr. Kimball of Hancock, the Senate voted to take from the table (S. P. 300) (L. D. 873) Bill, "An Act Providing for Adult Identification Cards Under Liquor Law," which was tabled by that Senator on March 14th pending consideration. (In Senate Passed to be Engrossed) (In the House Indefinitely Postponed)

Mr. KIMBALL: Mr. President and members of the Senate: I now move that we insist on our original action on this particular bill.

This bill is one that came out of our committee as unanimous report. It had a very complete support. It had the support of all elements in our meeting, including the so-called wets and the so-called dries, the liquor interests, and any other interests you like. It had the support of the Liquor Commission. It had support generally all the way through and went through safely here in the Senate and has come back to us with an indefinite postponement from the other body.

In inquiring why, I found that one of the major reasons that it came back was because they believed that the present automobile drivers' license on the new permanent status would cover this. This is not the feeling of, for example, the counsel of the Liquor Commission, that it would do this, because, for one reason, it does not include

a photograph as this suggests. One thing that particularly calls it to my mind is an item in today's that has been picked up for selling false identification cards under the military identification card grouping that he had prepared for minors who were using them in procuring alcoholic beverages. The people who have licenses are most anxious not to sell to minors. They need some form of proper identification from those youngsters that is available to them on a free basis, put out by the Liquor Division, and the enforcement areas of that Liquor Commission believe that it is the one sure way that they can keep liquor very largely out of the hands of the under-age persons.

I move that we insist.

The PRESIDENT: The Senator from Hancock, Senator Kimball, moves that we insist on our action. Is this the pleasure of the Senate.

The motion prevailed and the Senate voted to insist.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table Item 1-2 on today's calendar, which was tabled earlier in today's session by that Senator, Bill, "An Act Relating to Employment of Minors Under Sixteen Years of Age," (S. P. 214) (L. D. 524)

Senate Amendment "C" was read by the Secretary.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: This bill is one that has bothered me as it has gone through and I have said nothing up to this point, but if you will look at L. D. 524, you have deleted potato storage houses, you have deleted woods operations, and that leaves farm storage, construction activity and tree surgery. Now probably you think I would be interested in construction activity. It took quite a while to get that one boy I have and maybe I want to get him to work before he is sixteen. I cannot help but think that this type of legislation takes for granted, first of all, that the employer does not have too many brains, and, secondly, that the parent doesn't. Therefore I would like to move that we concur with the House in indefinitely post-

poning this bill, and I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Reed, that the bill and all accompanying papers be indefinitely postponed. A division has been requested. Is the Senate ready for the question.

All those in favor of the motion of the Senator from Sagadahoc, Sen-

ator Reed, that the bill be indefinitely postponed will rise and stand in their places until counted.

A division was had.

Twenty-three having voted in the affirmative and five in the negative, the motion prevailed and the bill was indefinitely postponed.

The adjournment order having been received from the House, the Senate adjourned until Tuesday next at 10:00 A.M.