

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 12, 1963

The Senate was called to order by the President.

Prayer by Rev. Edwin F. Allen of Augusta.

On motion by Senator Cram of Cumberland,

Journal of yesterday was read and approved.

The PRESIDENT: The Chair congratulates the Senator from Waldo, Senator Cole and the Joint Standing Committee on Highways for having completed its schedule of public hearings.

The PRESIDENT: With respect to S. P. 255, L. D. 629, Resolve Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens, the Chair appoints as Senate Conferees on the Committee of Conference

Senators:

SPROUL of Lincoln
ATHERTON of Penobscot
BOISVERT of Androscoggin

On motion by Mr. Edmunds of Aroostook,

ORDERED that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 16, 1963.

Which was read and passed.

Sent down for concurrence.

House Papers

Non-concurrent matter

Bill, "An Act Relating to Penalty for Furnishing Liquor to Certain Persons." (S. P. 328) (L. D. 993)

In Senate, March 26, passed to be engrossed as amended by Committee Amendment A, and by Senate Amendment A (S-88) (S-101)

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

In the Senate:

Mr. KIMBALL of Hancock: Mr. President, as a companion bill to this, L. D. 667 has not yet been reported out of committee and I would move that this item be tabled.

The motion prevailed and the bill was tabled pending consideration.

Bill, "An Act Relating to Claims of Municipalities Against State for Taxes Lost from Veterans Property

Tax Exemptions." (S. P. 339) (L. D. 1004)

In Senate, March 27, passed to be engrossed.

Comes from the House Indefinitely postponed in Non-concurrence.

In the Senate, on motion by Mr. Wyman of Washington, the bill was tabled unassigned pending consideration.

Bill, "An Act Relating to Requirements, Appointment and Term of the Adjutant General." (H. P. 250) (L. D. 319)

In House, passed to be engrossed—Feb. 12.

In Senate, April 3, passed to be engrossed as amended by Senate Amendment A, in non-concurrence. (S-125)

Comes from the House, passage to be engrossed reconsidered, and re-committed to the Committee on State Government in non-concurrence.

In the Senate, on motion by Mr. Whittaker, the Senate voted to recede and concur.

Resolve for Reference

Resolve, Providing State Pension for Guy C. Brown of Portland. (H. P. 1042) (L. D. 1513)

Referred to the Committee on Retirements and Pensions in concurrence.

Joint Resolution

WHEREAS, this Legislature has been deeply shocked to learn of the tragic loss of the USS Thresher; now, therefore, be it

RESOLVED, that this Legislature, on behalf of the people of the State of Maine, express its profound sympathy to the families and relatives of those who gave their lives in the service of their country. (H. P. 1047)

Comes from the House, unanimously adopted.

The PRESIDENT: The Chair can speak in behalf of the entire Senate of this State in expressing our loss as well as the loss to all of the State of Maine.

The people of Maine have always been close to the sea. We have learned to expect these things.

The record should indicate the particular loss and the particular

feeling of regret expressed by the Senator from York, Senator Lovell, Senator Letourneau and Senator Brewster, who particularly feel this loss for their area.

Thereupon, the Resolution was unanimously accepted and unanimously adopted in concurrence.

Committee Reports — House

Leave to Withdraw

The Committee on Inland Fisheries and Game on Recommended Bill, "An Act Relating to Sale of Publications of Department of Inland Fisheries and Game." (H. P. 589) (L. D. 827) reported that the same should be granted Leave to Withdraw.

The Committee on Judiciary on Bill, "An Act to Authorize the Building of a Private Road Across a Portion of Square Pond in Shapleigh." (H. P. 291) (L. D. 385) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

The Committee on Labor on Bill, "An Act Relating to Employment of Persons Because of Age." (H. P. 929) (L. D. 1363) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Legal Affairs on Bill, "An Act Creating a State Lottery for the State of Maine" (H. P. 932) (L. D. 1366) reported that the same Ought not to pass.

Mr. COUTURE of Androscoggin: Mr. President, I move that this bill be tabled.

Mr. EDMUNDS of Aroostook: Mr. President, I ask for a division on the tabling motion.

A division of the Senate was had. Seven having voted in the affirmative and twenty-two opposed, the motion did not prevail.

Mr. COUTURE: Mr. President, if I am in order, I now move that the bill be tabled and especially assigned for two weeks from today.

Mr. EDMUNDS: Mr. President, again I request a division.

A division of the Senate was had.

Six having voted in the affirmative and twenty-three opposed, the motion to table and assign did not prevail.

Thereupon, the Ought Not to Pass report was read and accepted in concurrence.

Ought to Pass

The Committee on Education on Bill, "An Act to Authorize the Municipalities of Oakfield, Island Falls, Dyer Brook, Merrill, Smyrna and Crystal to Form a School Administrative District." (H. P. 1007) (L. D. 1458) reported that the same Ought to Pass.

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

The Committee on State Government on Bill, "An Act to Clarify and Revise Laws of Department of Economic Development." (H. P. 834) (L. D. 1221) reported that the same Ought to pass.

Comes from the House, referred to the Committee on Industrial and Recreational Development.

In the Senate, the bill was referred in concurrence.

Ought to Pass — As Amended

The Committee on Education on Bill, "An Act Relating to Courses of Study at and Degrees by the State Teachers' Colleges." (H. P. 636) (L. D. 892) reported that the same Ought to pass, as amended by Committee Amendment A (H-214)

The Committee on Municipal Affairs on Bill, "An Act Repealing Laws Requiring Fences Around Burying Grounds." (H. P. 876) (L. D. 1416) reported that the same Ought to pass, as amended by Committee Amendment A (H-184)

The Committee on Retirements and Pensions on Bill, "An Act to Increase the Pensions of Certain Retired Teachers." (H. P. 246) (L. D. 314) reported that the same Ought to pass, as amended by Committee Amendment A. (H-215)

The Committee on State Government on Bill, "An Act Increasing Salary of Members of Public Utilities Commission." (H. P. 505) (L. D. 707) reported that the same Ought to pass, as amended by Committee Amendment A (H-166)

Which reports were read and accepted in concurrence, Committee

Amendments A were read and adopted in concurrence the Bills read once and tomorrow assigned for second reading.

On motion by Mr. Edmunds of Aroostook, the Senate voted to reconsider its action just taken where by it assigned for second reading on the next legislative day, Item 6-10, bill, "An Act to Increase the Pensions of Certain Retired Teachers" (H. P. 246) (L. D. 314); and on further motion by the same Senator, the bill was tabled pending assignment for second reading.

The Committee on Transportation on Bill, "An Act Relating to Operation of Farm Trailers Without Registration." (H. P. 620) (L. D. 855) reported that the same Ought to pass, as amended by Committee Amendment A (H-208)

Comes from the House, Committee Amendment A Indefinitely Postponed, and the Bill passed to be engrossed without amendment.

In the Senate, on motion by Mr. Johnson of Somerset, tabled pending acceptance of the report, and especially assigned for Wednesday next.

The Committee on Education on Bill, "An Act to Reconstitute School Administrative District No. 17." (H. P. 272) (L. D. 366) reported that the same Ought to pass, as amended by Committee Amendment A (H-194)

Comes from the House, Indefinitely postponed.

In the Senate, on motion by Mr. Whittaker of Penobscot, tabled pending acceptance of the report and especially assigned for Thursday, April 18.

The Committee on Municipal Affairs on Bill, "An Act Regulating the Pledging of Credit of the City of Biddeford" reported that the same Ought to pass, as amended by Committee Amendment A (H-196)

Comes from the House, Indefinitely Postponed.

In the Senate, the ought to pass report was accepted in non-concurrence, the bill read once, Committee Amendment A read and adopted

and the bill as amended tomorrow assigned for second reading.

The Committee on Taxation on Bill, "An Act Increasing Exemption of Veteran's Property from Taxation." (H. P. 695) (L. D. 951) reported that the same Ought to pass as amended by Committee Amendment A (H-148)

Comes from the House, Indefinitely Postponed.

In the Senate, on motion by Mr. Farris of Kennebec, indefinitely postponed in concurrence.

Ought to Pass in New Draft — New Title

The Committee on Legal Affairs on Bill, "An Act Repealing Certain Laws Relating to Bowling Alleys and Billiard Rooms." (H. P. 780) (L. D. 1133) reported that the same Ought to pass in New Draft under New Title: "An Act Repealing Certain Laws Relating to Bowling Alleys and Billiard Rooms and Relating to Minors Therein." (H. P. 1039) (L. D. 1506)

The same Committee on Bill, "An Act Relating to Recording of a Memorandum of Lease of Real Estate." (H. P. 933) (L. D. 1367) reported that the same Ought to pass in New Draft under same title (H. P. 1040) (L. D. 1507)

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

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

The Majority of the Committee on Judiciary on Bill, "An Act Providing that the Legislative Research Committee Study the Creation of a District Court System for Probate Courts." (H. P. 466) (L. D. 670) reported that the same Ought not to pass.

(Signed)

Senators:

FARRIS of Kennebec
CAMPBELL of Kennebec

Representatives:

BERMAN of Houlton
RUST of York
SMITH of Bar Harbor
THORNTON of Belfast
CHILDS of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought to pass in New Draft under New Title: "An Act Providing for a Committee on Probate Courts to study the Creation of an Integrated Probate Court System." (H. P. 1044) (L. D. 1511)

(Signed)

Senator:

BOARDMAN of Washington

Representatives:

PEASE of Wiscasset
KNIGHT of Rockland

Comes from the House Majority Report read and accepted.

In the Senate, on motion by Mr. Campbell of Kennebec, the Majority Ought Not to Pass report was read and accepted in concurrence.

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

The Majority of the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Money to Match Funds for Elimination of Aquatic Growth." (H. P. 88) (L. D. 132) reported that the same Ought not to pass.

(Signed)

Sensors:

EDMUNDS of Aroostook
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, Indefinitely postponed.

In the Senate, on motion by Mr. Edmunds of Aroostook, the Majority Ought Not to Pass report was accepted.

Report A — Ought to Pass

Report B — Ought Not to Pass

Five members of the Committee on Liquor Control on Bill, "An Act Relating to Operation of Retail

Store and Restaurant Prior to Application to Sell Malt Liquor." (H. P. 826) (L. D. 1213) reported in Report A that the same Ought to pass.

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

TOWNSEND of Baileyville
WADE of Skowhegan
BERNARD of Sanford
OAKES of Portland

Four members of the same Committee on the same subject matter reported in Report B that the same Ought not to pass.

(Signed)

Sensors:

KIMBALL of Hancock
CHRISTIE of Aroostook

Representatives:

CHAPMAN of Norway
MEISNER

of Dover-Foxcroft

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

In the Senate:

Mr. JACQUES of Androscoggin: Mr. President, I move that the bill be tabled and especially assigned for Tuesday, April 16 pending acceptance of either report.

On motion by Mrs. Christie of Aroostook,

A division of the Senate was had. Nineteen having voted in the affirmative and eight opposed, the motion to so table and assign prevailed.

Committee Reports — Senate

Mr. Edmunds from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Pilot Study of Forest Land Valuations." (S. P. 223) (L. D. 607) reported that the same Ought not to pass.

(On motion by Mr. Johnson of Somerset, tabled pending acceptance of the report.)

Mr. Campbell from the same Committee on Bill, "An Act to Provide Aerial Photos of Maine's Forest Lands in Organized Towns." (S. P. 444) (L. D. 1273) reported that the same Ought not to pass.

Mr. Atherton from the Committee on Retirements and Pensions on Re-

committed Bill, "An Act Relating to Credit for Military Service Under State Retirement Law." (S. P. 334) (L. D. 999) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Cyr from the Committee on Municipal Affairs on Bill, "An Act to Permit to Choose Single Assessor and Permit Certain Cities and Towns to Create Boards of Assessment Review." (S. P. 561) (L. D. 1501) reported that the same Ought to pass, as amended by Committee Amendment A (S-145)

The same Senator from the same Committee on Bill, "An Act Appropriating Funds for Grants-in-Aid for Construction of Municipal Sewage Treatment Facilities." (S. P. 90) (L. D. 227) reported that the same Ought to pass as amended by Committee Amendment A (S-144)

Mr. Campbell from the Committee on Appropriations and Financial Affairs on "Resolve Appropriating Moneys for Stocking Baxter State Park with Caribou" (S. P. 137) (L. D. 414) reported that the same ought to pass as amended by Committee Amendment A. (S-141)

Mr. STILPHEN of Knox: Mr. President, at this time I would like to make a motion that Committee Amendment "A" be indefinitely postponed and I would like to speak on it.

I have no opposition to the bill; I think that the stocking of Caribou for the Baxter State Park — I happened to be there that day when the bill was presented to the Committee on Appropriations, and it was proposed that this would be a great tourist attraction, that it would help the tourist industry in Maine to have this fine animal stocked on an experimental basis in Baxter State Park. For that reason, I feel that the bill is justified and I think the report of the committee was justified, but I do not think that one department should stand this particular cost. I feel that all of the people of Maine, inasmuch as it is a tourist attraction, should stand the cost of this experiment. If it has been proposed that this was to be a game animal, that the sportsmen of Maine who are paying the

cost of this department would have the right at some time to shoot these caribou, that would be another matter, but it is not brought in that they are going to have an opportunity to ever hunt them or anything. It is only a sight-seeing attraction for the tourists of Maine. Inasmuch as the Fish and Game Department is solely supported by hunting and fishing license fees and by sportsmen, I feel that they should not be penalized to the extent of helping to pay for this. I feel that this should come from the general fund, and that is my reason for moving that this amendment be indefinitely postponed.

Thereupon, on motion by Mr. Edmunds of Aroostook, the bill was tabled pending motion by Mr. Stilphen of Knox that the amendment be indefinitely postponed, and the bill was especially assigned for Thursday next.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Increasing Salary of Superior Court Messenger of Cumberland County." (S. P. 404) (L. D. 1107) reported that the same Ought to pass as amended by Committee Amendment A (S-140)

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

Mr. Philbrick from the Committee on Transportation on Bill, "An Act Relating to Minimum Standards for Dealers in New or Used Motor Vehicles." (S. P. 470) (L. D. 1322) reported that the same Ought to pass in New Draft under New Title: "An Act Relating to Motor Vehicle Registration Plates." (S. P. 569) Which report was read and accepted, the Bill in New Draft read once and tomorrow assigned for second reading.

Majority — Ought to Pass, as Amended

Minority — Ought Not to Pass

The Majority of the Committee on Towns and Counties on Bill, "An Act Providing for County Industrial and Recreational Development Per-

sonnel." (S. P. 126) (L. D. 443) reported that the same Ought to pass, as amended by Committee Amendment A (S-139)

(Signed)

Senators:

WYMAN of Washington
PIKE of Oxford
CRAM of Cumberland

Representatives:

WIGHT of Presque Isle
MacPHAIL of Owl's Head
SHAW of Chelsea
HAMMOND of Paris

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

(Signed)

Representatives:

POIRIER of Lewiston
CROMMETT of Millinocket
PHILBRICK of Augusta

On motion by Mr. Wyman of Washington, the Majority Ought to Pass report was accepted, the bill read once, and Committee Amendment A was read.

Thereupon, on motion by Mr. Lovell of York, the bill was tabled pending adoption of Committee Amendment A, and was especially assigned for Friday next.

Second Readers

House

Resolve, Increasing Pension of Maurice Albert of Madawaska. (H. P. 348) (L. D. 502)

Bill, "An Act Relating to Payments to Sagadahoc County Law Library." (H. P. 755) (L. D. 1084)

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

House — As Amended

Bill, "An Act to Revise the Civil Defense and Public Safety Council Law." (H. P. 832) (L. D. 1219)

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

Senate

Bill, "An Act Providing for Permanent Identification Cards to be Issued by the Secretary of State." (S. P. 475) (L. D. 1327)

Bill, "An Act Relating to Transfer of Certain Land to the State by

the City of Portland." (S. P. 218) (L. D. 527)

(On motion by Mr. Edmunds of Aroostook, tabled pending passage to be engrossed.)

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

Sent down for concurrence.

Enactors

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

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

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

Bill, "An Act Relating to the Beginning of Standard Time." (H. P. 156) (L. D. 207)

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 Disposal of Certain Municipal Records." (H. P. 746) (L. D. 1075)

Bill, "An Act Relating to Vacancy in the Office of County Commissioner and Appointment of Clerks of Courts and Clerks Pro Tempore." (H. P. 816) (L. D. 1203)

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

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

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

Resolve, to Change the Name of Crockertown, Franklin County, to

Sugarloaf Township. (H. P. 973) (L. D. 1412)

Bill, "An Act Directing Review of Maine Criminal Statutes and Model Penal Code." (S. P. 273) (L. D. 787)

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

Bill, "An Act Amending the Act of Incorporation of the Associated Hospital Service of Maine." (S. P. 276) (L. D. 790)

Bill, "An Act Relating to Definition of Potatoes and Shipper Under the Potato Tax Law." (S. P. 306) (L. D. 972)

Bill, "An Act Relating to Request for Arraignment in Vacation." (S. P. 363) (L. D. 1029)

Bill, "An Act Relating to Placing Objects on Utility Poles Without Consent." (S. P. 450) (L. D. 1279)

Bill, "An Act to Establish and Regulate Commercial Driver Education Schools and Instructors." (S. P. 478) (L. D. 1330)

(On motion by Mr. Brown of Hancock, tabled pending enactment.)

Bill, "An Act to Repeal the Act Creating the South Paris Village Corporation." (S. P. 501) (L. D. 1398)

Which Bills were passed to be enacted and the Resolve finally passed.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (S. P. 183) (L. D. 482) Bill, "An Act Revising the Minimum Wage Law"; tabled on April 3 by Senator Johnson of Somerset; pending assignment for second reading; and the same Senator presented Senate Amendment A and moved its adoption.

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

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 227) (L. D. 297) House Reports from the Committee on Labor on Bill, "An Act Relating to Minimum Wages for Firemen"; Majority Report, Ought to Pass as amended with Committee Amendment A; Minority Report, Ought not

to pass; tabled on April 5 by Senator Christie of Aroostook pending acceptance of either report; and that Senator yielded to the Senator from Aroostook, Senator Edmunds.

Thereupon, on motion by Mr. Edmunds of Aroostook, the bill was retabled and especially assigned for Friday next.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 67) (L. D. 117) Senate Reports from the Committee on Retirements and Pensions on Bill, "An Act Relating to Application of Federal Social Security to Teachers"; Majority report, Ought Not to Pass; Minority Report, Ought to Pass; tabled on April 5 by Senator Whittaker of Penobscot pending motion by Senator Sproul of Lincoln to accept the Majority Ought Not to Pass report; and Senator Whittaker yielded to Senator Hinds of Cumberland.

Mr. HINDS of Cumberland: Mr. President and ladies and gentlemen of the Senate: I submitted this bill to the 101st Legislature because of many requests from teachers in my area for social security. They cannot understand why our local employees — I will give South Portland for an example — our policemen, all our city employees, our clerk and our janitors are allowed to have social security. They are also allowed, if they desire, to come under the State retirement plan. The teachers cannot understand why they too cannot have this permission. At the present time we have two groups of local municipal employees that are exempt: they are teachers and firemen. The 100th Legislature removed the exemption on policemen. Firemen do not want this, because of their early retirement age of 55. That has been discussed before and they opposed it at the last hearing.

My teachers' association in South Portland consists of 265 teachers. They were not quite unanimous but it was a close to unanimous decision that they would like to have this. The Brunswick teachers' association and the Bath teachers' association — I had calls from their presidents, and I understood they were both interested in this, and I believe they went on record the day

of the hearing as in favor of it.

This is simply a piece of permissive legislation. If passed by the legislature this would go back to each individual town, if they wanted to, and the teachers in this town or city could vote, and, by a majority vote of these teachers, if they voted in favor of it they could come under Social Security. However, everyone would have to come under Social Security, all teachers. If they voted against this they would not come under Social Security at all. Then, after this step, the second step is that if the teachers did approve it then your local town council or selectmen would have to approve this also. It requires two separate approvals before it could even become effective for your local teachers.

The objection of some seems to be that some teachers have fallen under Social Security in other categories, but for our newer teachers it seems to me this would be a fine way to keep these people in the teaching profession. We know their pensions are small; we have bills in the legislature every session to increase teachers' pensions. I think by allowing teachers, if they so voted — and this would be a local issue each time; it would not be a statewide referendum; it would be a local issue voted on each time, say in South Portland, Portland, Madawaska, or wherever it happened to be, if they wanted to vote.

This would seem to me to be a good way to perhaps save the legislature money. This is no cost to the state, it is strictly a town or a city affair and an employee affair. This would seem to be an excellent way in future years to save the legislature money in providing increased pensions, because with Social Security and their present state retirement plan they could retire very easily. This is not anything that many others do not have, and the teachers are just asking for this. That is why I submitted this bill and I would hope that the pending motion for the acceptance of the majority "Ought not to pass" report would not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Lincoln, Senator Sproul, that we accept the Ma-

jority "Ought not to pass" report of the committee.

Mrs. SPROUL of Lincoln: Mr. President, all that the Senator from Cumberland, Senator Porteous, has said is quite true. The teachers in South Portland are in favor of this, and I have a signed petition on my desk also from the teachers of Brunswick. But the feeling of the committee was that the majority of the teachers of the state did not want this. We were told that there were 2000 teachers attending 19 regional meetings which recommended further study. Miss Grace Dodge of Boothbay was speaking, I believe, for the Maine Teachers Association. James Lancaster appeared against this. Penobscot County had voted against it, Thurlough Pitts, Ellsworth, voted against it, Representative Jones spoke against it, and there were several others.

It was our feeling that they were afraid that in some cases they might not gain under this legislation, and therefore we reported this out "Ought not to pass."

Mr. ATHERTON of Penobscot: Mr. President and members of the Senate: I just want to explain briefly why I signed the Majority "Ought not to pass" report. It was for a great many of the reasons that Senator Sproul mentioned, and also a great number of those who appeared in opposition stated they felt they wanted the matter postponed for at least two years in order to give them further opportunity to study it. This included, as I understood, representatives from the Maine Teachers Association. It also included a Mrs. Todd from Brewer in my own County of Penobscot, who is very active in teachers' association matters. So for this reason we reported this out "Ought not to pass" to give them an opportunity to come back in two years on this matter.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I do not rise in support of either report, but I would merely like to point out that L. D. 470, presented by myself, "An Act to Create a Recess Committee to Study All Phases of the Maine State Retirement System and Related Titles of the Social Security Act" is being backed by the Maine State Employ-

ees Association and it will include studies of teachers. As a matter of fact, one representative of the Maine Teachers Association, to be selected by the Association, will be on that committee. And I think in reference to the remarks by the Senator from Lincoln, Senator Sproul, that this will probably take care of the situation the way the teachers themselves would best like it to be done.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I realize that there is a difference of opinion concerning the merits of this bill. However, I should like to suggest that it is a good bill, in my opinion.

I have here a letter from a teacher who puts the matter squarely before us: "An adequate retirement certainly increases the incentive to go into teaching in Maine."

I feel we should do everything possible to increase this incentive. This is permissive legislation. The teachers in any given community, or the officers, can wait two years if they wish until a study has been made, but I feel very strongly that this legislation ought to be on the statutes now so that those who want it in any given locality may vote for it.

Mr. BOISVERT of Androscoggin: Mr. President and members of the Senate: I too signed the "Ought not to pass" report and for a very good reason. Certainly I will agree with those favoring this bill that it could create an incentive for the teaching profession; but at the time of the hearing, from what was said before our committee we had to deduct that the majority of the teachers were not ready to accept social security.

As you know, once this is voted on by local option all teachers have to accept it. For that reason it is permissive legislation but it is not optional so far as the teachers are concerned, because once voted by the municipality they have to accept it.

Now they have requested the opportunity to make a further study, and I do feel that we should support that, and in two years from now certainly the teachers' association will be ready to accept or reject the proposal. Two years is not

too long to wait, and I do feel we should grant the teaching profession that time in order to make a further study of this proposal. Therefore, I would like to see the Senate support the "Ought not to pass" report recommended by the committee.

Mr. HINDS of Cumberland: Mr. President, one or two more brief remarks.

I might say that many of your younger teachers, because of the requirements of the Department of Education, do not have the opportunity to work under Social Security which many of the older ones have. This bill is not a state-wide referendum; it is just simply if the City of Lewiston or the City of Bangor want to vote no on it they do not have to accept it. There is no expense to the state; it is simply between the towns and the teachers themselves. And I can see their point: it is difficult to understand why everyone working around you has both, including the policemen, the janitors and the clerks and what have you, and yet you, because of one little word in the state law, are not allowed to have this. Mr. President, I would request a division on the motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Lincoln, Senator Sproul that the Senate accept the Majority Ought Not to Pass report. A division has been requested.

A division of the Senate was had. Twenty-two having voted in the affirmative and six opposed, the motion prevailed.

Sent down for concurrence.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 9) (L. D. 19) Senate Reports from the Committee on State Government on Bill, "An Act Relating to Term of Office of Department Heads Appointed by Governor"; Majority Report, Ought Not to Pass; Minority Report, Ought to Pass; tabled on April 9 by Senator Edmunds of Aroostook pending motion by Senator Lovell of York to accept the Minority Ought to Pass report; and Senator Edmunds yielded to Senator Whittaker of Penobscot.

Thereupon, on motion by Mr. Whittaker of Penobscot, the bill was retabled and especially assigned for Tuesday, April 16.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 678) (L. D. 934) House Report, Ought to Pass from 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; tabled on April 10 by Senator Edmunds of Aroostook pending acceptance of the report; and that Senator yielded to Senator Whittaker of Penobscot.

Mr. WHITTAKER of Penobscot: Mr. President, I move acceptance of the Ought to Pass committee report in non-concurrence.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire, through the Chair, of Senator Whittaker of Penobscot, or any member of the committee just what this particular bill does in relation to social security benefits for superintendents of schools.

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question through the Chair to the Senator from Penobscot or any member of the committee, who may answer if they choose.

Mr. HINDS of Cumberland: Mr. President, I am not a member of the committee but I might say this is exactly the same bill that you just voted on except that this would only apply to superintendents of schools. In other words, superintendents of schools have no chance whatsoever to work, because they are forbidden to work at anything besides their job of superintendent of schools. This is very similar to legislation that you just turned down except that it only applies to superintendents of schools.

Mr. BOISVERT of Androscoggin: Mr. President, as a member of the committee, Senator Hinds from Cumberland has just explained the reason why we reported this bill "Ought to pass," after we had heard the proponents of that bill giving their reasons. As has just been mentioned, superintendents of schools cannot, during vaca-

tion time, earn money to become eligible under social security, which is possible for all teachers. That is the reason why we supported that bill, and of course there was no opposition to that bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Whittaker, to accept the Ought to Pass report.

Thereupon, the Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 6th tabled and today assigned item (H. P. 384) (L. D. 583) House Report, Ought to Pass as amended by Committee Amendment A, from the Committee on Municipal Affairs on Bill, "An Act Relating to Appointment of Chief Engineer of Fire Department of City of Westbrook"; tabled on April 10 by Senator Cram of Cumberland pending acceptance of the report; and on further motion by the same Senator, the Ought to Pass report was accepted, the bill read once, Committee Amendment A read and indefinitely postponed.

The same Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A (S-148)

The President declared a five minute recess.

After Recess

The Senate was called to order by the President.

Thereupon, Senate Amendment A (S-148) to (L. D. 583) was adopted, and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 1015) (L. D. 1469) Bill, "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds"; tabled on April 10 by Senator Stitham of Somerset pending adoption of House Amendment B; and that Senator moved the indefinite postponement of the bill.

The PRESIDENT: The Chair would inform the Senator that the motion to amend now pending has

precedence over the motion to indefinitely postpone.

Mr. STITHAM of Somerset: Mr. President, I move the indefinite postponement of House Amendment B.

The motion prevailed and House Amendment B was indefinitely postponed.

Mr. STITHAM: Mr. President, I now move the indefinite postponement of the bill.

Thereupon, on motion by Mr. Ferguson of Oxford, the bill was laid upon the table pending motion by Mr. Stitham that it be indefinitely postponed; and the bill was assigned for Thursday next.

On motion by Mr. Farris of Kennebec, the Senate voted to reconsider its action taken earlier in today's session whereby it passed to be engrossed Item 7-4, Bill, "An Act Providing for Permanent Identification Cards to be Issued by the Secretary of State" (S. P. 475) (L. D. 1327); and on further motion by the same Senator, the bill was tabled pending passage to be engrossed and was especially assigned for one week from today.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 56th tabled and unassigned item (S. P. 345) (L. D. 1010) Bill, "An Act Relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents"; tabled on April 10 by Senator Wyman of Washington pending consideration; and on further motion by the same Senator, the Senate voted to insist on its former action and ask for a Committee of Conference; and the President appointed as Senate conferees on such committee, Senators: Wyman of Washington, Brown of Hancock and Cole of Waldo.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table the 37th tabled and unassigned item (S. P. 558) (L. D. 1500) Bill, "An Act to Provide Marine or Tidal Water Classifications"; tabled on April 3 by Senator Cole of Waldo pending assignment for second reading; and further moved that the bill be tabled pending his motion to adopt Senate Amendment A; and

the bill was especially assigned for Wednesday next.

On motion by Mr. Brown of Hancock, the Senate voted to take from the table the 18th tabled and unassigned item (S. P. 405) (L. D. 1108) Senate Report, Ought to Pass in New Draft, New Title (S. P. 540) (L. D. 1465) from the Committee on Towns and Counties on Bill, "An Act Permitting Municipalities to Establish Insurance Reserve Funds"; tabled on March 14 by Senator Brown of Hancock pending acceptance of the report; and that Senator moved the pending question.

Thereupon, the report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 45th tabled and unassigned item (S. P. 45) (L. D. 125) Senate Report, Ought to Pass in New Draft under same title submitted herewith; from the Committee on Agriculture on Bill "An Act to Create Water Conservation Districts and to Expand Powers of Soil Conservation Districts"; tabled on April 3 by Senator Farris of Kennebec pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mrs. Harrington of Penobscot, the Senate voted to take from the table the 52nd tabled and unassigned item (S. P. 281) (L. D. 795) Bill, "An Act to Correct the Name of Heron Lake Dam Company and Relating to Its Powers"; tabled on April 9 by Senator Harrington of Penobscot pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Porteous of Cumberland, the Senate voted to take from the table the 54th tabled and unassigned item (S. P. 492) (L. D. 1344) Bill, "An Act Relating to Research Studies to Reduce Morbidity or Mortality in Motor Vehicles"; tabled on April 9 by that Senator pending enactment.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: What I am about to do is to entirely correct the title and I intend to ask that the committee amendment be indefinitely postponed, the amendment which changed the title at my request in the first place, and which the committee was kind enough to do. The Secretary of State has asked me to change it one more time so there will be no question at all as to what "morbidity" in motor vehicles means. The new amendment will finally read in the title "An Act Relating to Research Studies to Reduce Morbidity or Mortality in Motor Vehicle Accidents." The correction, as you can see, is to strike out the "s" on the end of "vehicles" and add the word "accidents," so that there is no question about any motor vehicle in itself being morbid.

Therefore I would like to ask that the Senate reconsider our action whereby we passed L. D. 1344 to be engrossed as amended by Committee Amendment "A".

Thereupon, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A.

Mr. PORTEOUS: Mr. President, I want to apologize for not explaining the bill itself and I would have to relate a little of the history of why I introduced this legislation in this 101st Legislature.

Last October I served on a panel of the Maine Medical Association in discussing motor vehicle accidents and related medical problems in Portland and on this panel, and along with the Secretary of State and the Governor's Highway Safety Committee was a man by the name of Alfred Moseley who is the Director of Research at Harvard Medical School for this particular line of work — research into motor vehicle accidents to find what causes the injuries to the occupants of the automobile.

The fact that we had the trailer out here yesterday just happens to be a coincidence. The exhibit is on the moves that the automobile industry has made to make automobiles safer to ride in. The outfit

that sponsored the trailer exhibit is the same group that, of all the automobile manufacturers, sponsors the fellowship or funds whereby Mr. Moseley's studies are made. From time to time they will run into a problem of authorization in finding out just what has caused a motor vehicle accident. Sometimes the investigating officers will give a hasty decision — that it was due to driving under the influence, or the person had a heart attack, or the brakes failed, or the accelerator got stuck and these are not always factual. The exhibit yesterday showed many pictures of the kind of tests that the automobile manufacturers make on their own proving ground. These are all controlled tests. But in addition to this it is necessary to examine actual accidents and thereby make determinations from them as to what has happened.

There are sometimes circumstances in an accident which if it were to be revealed in court could be used as evidence against the person who had the accident, or it could be used as a judgment against the person in some way. Mr. Moseley asked me if I would introduce this legislation which is in effect in several other states and which I sent to the Legislative Research Office last fall to have it drawn up. I sent all three bills that had been sent to me.

How they finally in the Legislative Research Office finally came up with this title is curious. As a matter of fact it led almost to the loss of the bill because in looking through the file I didn't recognize the title when I was looking for my own bill. But the reason, and one of my colleagues asked me why in the first title that the Department of Health and Welfare is named, the reason is that this research center at Harvard Medical School in coming into the State of Maine must work through one or several departments to do their work. They can work through the Department of Health and Welfare, and I have covered this with Dr. Fisher who would be glad to have them work through his department. The State Police also favor it and the Secretary of State is in favor

of this cooperation with this very fine research group and its really eminent director. He is a leader in his field in this attempt to find out from experience the cause of motor vehicle accidents. That is why I have done this.

I believe, Mr. President, that the motion before the Senate should be to indefinitely postpone Committee Amendment A which changed the title in the first place.

Thereupon, Committee Amendment A was indefinitely postponed.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire through the Chair as to why the Health and Welfare Department was selected for the depositing of such investigation rather than the State Police, for the reason that the State Police investigate all serious accidents and also maintain files for that purpose.

The PRESIDENT: The Senator from Kennebec, Senator FARRIS, poses a question through the Chair to the Senator from Cumberland, Senator Porteous, who may answer if he chooses.

Mr. PORTEOUS of Cumberland: Mr. President, the answer to that is that in the legislation which I sent to the Legislative Research office this was the department head they named. However, I believe in the body of the bill that it is authorized in the last paragraph:

"This section shall not prevent the disclosure by the department of such information, records, reports, statements, notes, memoranda or other data so far as needed by the Department of Health and Welfare, Maine Highway Safety Committee, Secretary of State and Maine Medical Association for the purposes of medical or scientific research conducted independently by each agen-

cy or organization or jointly with each other or with other persons, agencies or organizations cooperating or participating in such medical or scientific research."

Now the State Police could be used as well, I believe, but there is precedent in the Department of Health and Welfare for secret records, and that could possibly be why they named that in the first place.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Porteous, that Senate Amendment A be adopted.

Thereupon, on motion by Mr. Stitham of Somerset, the bill was laid upon the table pending motion by Senator Porteous of Cumberland to adopt Senate Amendment A, and the bill was especially assigned for Friday next.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 59th tabled and unassigned item (S. P. 394) (L. D. 1097) Bill, "An Act Relating to Illegal Manufacture of Liquor"; tabled on April 10 by Senator Farris of Kennebec pending consideration; and that Senator moved that the Senate insist and ask for a Committee of Conference.

Thereupon, on motion by Mr. Edmunds of Aroostook, the bill was tabled pending Mr. Farris' motion to insist and ask for a Committee of Conference, and the bill was especially assigned for Tuesday next.

The Adjournment Order having been received from the House, read and passed in concurrence, the Senate

Adjourned until Tuesday next at ten o'clock in the morning.