

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 16, 1963

The Senate was called to order by the President.

Prayer by Rev. Malcolm A. MacDuffie, Jr., of Hallowell.

On motion by Senator Cyr of Aroostook, the Journal of April 12 was read and approved.

The PRESIDENT: The Chair is happy and proud to recognize in the Senate chamber today Susan, Prudence and Abigail Reed. They are the children of our Senator from Sagadahoc, Senator Carleton Reed, Jr.

It is indeed a pleasure to have you with us today, and the Chair would like to appoint each of you who may wish to serve as an honorary page in the Senate today. Would you rise and be recognized, please? (Applause)

The Chair congratulates the Senator from Kennebec, Senator Farris and the Committee on Judiciary on completing their public hearings except for the omnibus bill.

House Papers

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the law governing motor carriers of property for hire (R. S., c. 48, Sec. 19-32) to determine whether it should provide for regulation of contract carriers, and for the regulation of carriers over irregular routes in the same manner as common carriers; and be it further

ORDERED, that the committee report the results of its study to the 102nd Legislature. (H. P. 1048)

In the Senate, on motion by Mr. Brown of Hancock, tabled pending passage.

Non-concurrent matter

Bill, "An Act Relating to Inspection of Motor Vehicles." (S. P. 39) (L. D. 32)

In Senate, March 20, passed to be engrossed as amended by Com. Amendment A (S-72)

Comes from the House Recommitted to the Committee on Transportation in non-concurrence.

In the Senate, on motion by Mr. Johnson of Somerset, the Senate voted to recede and concur.

Communication

STATE OF MAINE
HOUSE OF REPRESENTATIVES
Office of the Clerk
Augusta

April 12, 1963

Hon. Chester T. Winslow
Secretary of the Senate
101st Legislature

Sir:

The Speaker has appointed the following Committees of Conference on the Disagreeing Actions of the two branches of the Legislature on:

Bill, "An Act Limiting the Amount of Salary of Certain State Officers." (H. P. 830) (L. D. 1217)

Messrs. ANDERSON of Ellsworth
WADE of Skowhegan
COOKSON of Glenburn

Bill, "An Act Providing for Separate Voting Place for Connor." (H. P. 728) (L. D. 1057)

Messrs. ALBAIR of Caribou
BINNETTE of Old Town
LEVESQUE of Madawaska

Bill, "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities." (H. P. 97) (L. D. 141)

Messrs. VILES of Anson
BINNETTE of Old Town
WILLIAMS of Hodgdon

Resolve, Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens. (S. P. 255) (L. D. 629)

Messrs. WADE of Skowhegan
JALBERT of Lewiston
ROSS of Brownville
Very truly yours,
HARVEY R. PEASE
Clerk of the House

HRP/sr

Which was read and placed on file.

Committee Reports — House

Leave to Withdraw

The Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Increasing Limitation of Number of Representatives from One City from

Seven to Twelve. (H. P. 199) (L. D. 268) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve, Proposing an Amendment to the Constitution Permitting the People to Determine the Question of Whether a Constitutional Convention shall be Called. (H. P. 433) (L. D. 638) reported that the same should be granted Leave to Withdraw.

The Committee on Highways on Bill, "An Act Relating to Improvement of Town Ways to Ski Areas." (H. P. 805) (L. D. 1192) reported that the same should be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act to Provide an Examination Fee and Increase Certain Renewal Fees for Electricians' Licenses." (H. P. 664) (L. D. 920) reported that the same should be granted Leave to Withdraw.

(On motion by Mr. Edmunds of Aroostook, tabled pending acceptance of the report, and especially assigned for tomorrow.)

The Committee on Towns and Counties on Bill, "An Act Increasing Temporary Loans of Washington County." (H. P. 260) (L. D. 329) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for Improvements at Indian Reservation at Pleasant Point. (H. P. 90) (L. D. 134) reported that the same Ought not to pass.

The same Committee on Resolve, Appropriating Funds to Construct Warehouse in Eastport. (H. P. 180) (L. D. 149) reported that the same Ought not to pass.

The same Committee on Resolve, Appropriating Funds to Match Federal Funds to Study Chemical and Physical Quality of Water in Maine. (H. P. 525) (L. D. 742) reported that the same Ought not to pass.

The Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Relating to Apportionment of Representatives from Penobscot County. (H. P. 573) (L. D. 811) reported that the same Ought not to pass — covered by other Legislation.

The Committee on Judiciary on Bill, "An Act Increasing Certain Fees to Registers of Deeds." (H. P. 913) (L. D. 1320) reported that the same Ought not to pass.

(On motion by Mr. Cram of Cumberland, tabled pending acceptance of the report and especially assigned for Friday next.)

The Committee on Legal Affairs on Bill, "An Act Requiring Safeguards for Public Beaches." (H. P. 61) (L. D. 85) reported that the same Ought not to pass.

The same Committee on Recommitted Bill, "An Act Providing for Registration of Land Surveyors." (H. P. 157) (L. D. 208) reported that the same Ought not to pass.

The same Committee on Recommitted Bill, "An Act Requiring Registers of Deeds to Record from Originals Only." (H. P. 230) (L. D. 318) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on Resolve, to Provide Retirement Credit for Seth A. Whitcomb of Readfield. (H. P. 396) (L. D. 595) reported that the same Ought not to pass.

The Committee on Towns and Counties on Bill, "An Act Relating to Duties of County Commissioners Concerning Bridle Paths and Trails in the Unorganized Territory." (H. P. 849) (L. D. 1236) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

Ought to Pass

The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Moneys for Spruce Budworm Control. (H. P. 89) (L. D. 133) reported that the same Ought to pass.

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

Ought to Pass — As Amended

The Committee on Municipal Affairs on Bill, "An Act Providing for a Council Manager Form of Government for Town of Gorham." (H. P. 161) (L. D. 223) reported that the same Ought to pass, as amended by Committee Amendment A (H-221)

The Committee on State Government on Bill, "An Act Increasing Compensation of Members of State Personnel Board." (H. P. 685) (L. D. 941) reported that the same Ought to pass as amended by Committee Amendment A (H-168)

Which reports were read and accepted in Concurrence; Committee Amendments A, read and adopted, in concurrence, and the Bill, as amended, read once and tomorrow assigned for second reading.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Deficiency Appropriation for State Treasury." (H. P. 264) (L. D. 358) reported that the same Ought to pass as amended by Committee Amendment A (H-228)

Comes from the House recommitted to the Committee on Appropriations and Financial Affairs.

In the Senate, recommitted in concurrence.

Ought to Pass in New Draft

The Committee on Legal Affairs on Bill, "An Act Prohibiting Employment of Funeral Directors by Cemeteries." (H. P. 935) (L. D. 1369) reported that the same Ought to pass in New Draft — same title (H. P. 1043) (L. D. 1510)

The Committee on Transportation on Bill, "An Act Relating to Binders on Pulpwood, Logs or Bolts Hauled in Motor Vehicles." (H. P. 797) (L. D. 1150) reported that the same Ought to pass in New Draft — same title (H. P. 1045) (L. D. 1512)

Which reports were read and accepted in concurrence; the Bills, 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 Appropriations and Financial Affairs on Resolve, Appropriating Funds for Use of Capitol Park Snow Dump. (H. P. 179) (L. D. 248) reported that the same Ought not to pass. (Signed)

Senators:

EDMUNDS of Aroostook
PORTEOUS of Cumberland
CAMPBELL of Kennebec

Representatives:

JALBERT of Lewiston
BRAGDON of Perham
PIERCE of Bucksport
MINSKY of Bangor
EDWARDS of Raymond
SMITH of Falmouth

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

(Signed)

Representative:

HUMPHREY of Augusta

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

In the Senate, on motion by Mr. Edmunds of Aroostook, the Majority Ought not to pass report was 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 to Reimburse Town of Warren for Cost of Municipal Services Provided by the State." (H. P. 623) (L. D. 879) reported that the same Ought not to pass.

(Signed)

Senators:

EDMUNDS of Aroostook
PORTEOUS of Cumberland
CAMPBELL of Augusta

Representatives:

JALBERT of Lewiston
BRAGDON of Perham
PIERCE of Bucksport
MINSKY of Bangor
SMITH of Falmouth
EDWARDS of Raymond

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

(Signed)

Representative:

HUMPHREY of Augusta

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

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

Majority — Ought to Pass
Minority — Ought Not to Pass

The Majority of the Committee on Labor on Bill, "An Act Relating to Employment of Females in Certain Occupations." (H. P. 469) (L. D. 673) reported that the same Ought to pass.

(Signed)

Senators:

COUTURE of Androscoggin

Representatives:

PRINCE of Oakfield

GIFFORD of Manchester

NOEL of Waterville

DUNN of Denmark

EWER of Bangor

BROWN of South Portland

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

(Signed)

Senators:

JOHNSON of Somerset

HINDS of Cumberland

Representative:

MENDES of Topsham

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

In the Senate:

Mr. COUTURE of Androscoggin: Mr. President, I move the acceptance of the Majority Ought to Pass report.

Thereupon, on motion by Mr. Johnson of Somerset,

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

Thereupon, on motion by Mr. Johnson of Somerset, the Minority Ought Not to Pass report was accepted in non-concurrence.

Sent down for concurrence.

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

The Majority of the Committee on Legal Affairs on Bill, "An Act Increasing Fees of Bail Commissioners." (H. P. 735) (L. D. 1064) reported that the same Ought not to pass.

(Signed)

Senators:

STITHAM of Somerset

SPROUL of Lincoln

ATHERTON of Penobscot

Representatives:

BOISSONNEAU

of Westbrook

GILBERT of Edgington

WHITE of Guilford

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass, as amended by Committee Amendment A (H-237)

(Signed)

Representatives:

COTE of Lewiston

COPE of Portland

WELLMAN of Bangor

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

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

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Municipal Affairs on Bill, "An Act Relating to Annual Municipal Reports." (H. P. 676) (L. D. 932) reported that the same Ought not to pass.

(Signed)

Senators:

CRAM of Cumberland

Representatives:

WELLMAN of Bangor

DUDLEY of W. Enfield

HARDY of Hope

MacGREGOR of Eastport

LINCOLN of Bethel

CHOATE of Windsor

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

(Signed)

Senators:

JACQUES of Androscoggin

CYR of Aroostook

Representative:

KILROY of Portland

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

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

The PRESIDENT: The Chair is happy to recognize in the Senate gallery a group of 37 from the Honor Safety Patrol from Green Street School, Thomaston, Maine. The trip is sponsored by the Thomaston PTA. The Chaperons are: Mrs. Roger F. Erdman, Mrs. James Mayo, Mr. and Mrs. Paul Hilton, Mr. Joseph Richards.

We are happy indeed to have you here. We hope your stay is not only enjoyable but educational. We would like to introduce to you the Senator who represents your area: the good Senator from Knox, Senator Stilphen. (Applause)

The Chair is pleased to recognize in the Senate Chamber Mrs. Allen M. Small of Freedom. Has she left? The Chair is sorry that he did not recognize her prior to her departure. She is a former member of the Executive Council.

Committee Reports — Senate

Leave to Withdraw

Mr. Porteous from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Providing for Legislative Approval for the Issuance of Bonds of the State of Maine. (S. P. 173) (L. D. 472) reported that the same should be granted Leave to Withdraw.

The same Senator from the same Committee on Resolve, Proposing an Amendment to the Constitution to Provide for the Apportionment of the House of Representatives. (S. P. 10) (L. D. 20) reported that the same should be granted Leave to Withdraw.

Mr. Boardman from the Committee on Judiciary on Bill, "An Act Relating to Civil Actions Against Heads of Institutions Under the Control of the Department of Mental Health and Corrections." (S. P. 297) (L. D. 870) reported that the same should be granted Leave to Withdraw.

The same Senator from the same Committee on Bill, "An Act Relating to Nonjudicial Involuntary Admission Procedure of Mentally Ill." (S. P. 290) (L. D. 863) reported that the same should be granted Leave to Withdraw.

The same Senator from the same Committee on Bill, "An Act Extending Time for Filing Actions to Enforce Lien Claims." (S. P. 36) (L. D. 29) reported that the same should be granted Leave to Withdraw.

Mr. Atherton from the Committee on Legal Affairs on Bill, "An Act Relating to Amount of Property Held by Senior Citizens Association Incorporated of Portland." (S. P. 277) (L. D. 791) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

Mr. Campbell from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for a Survey of Maine's Transportation Needs." (S. P. 7) (L. D. 16) reported that the same Ought not to pass.

(On motion by Mr. Lovell of York, tabled pending acceptance of the report and especially assigned for April 26.)

Mr. Edmunds from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds to Increase Certain Assistance Grants by Ten Per Cent." (S. P. 170) (L. D. 469) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Ferguson from the Committee on Highways on Bill, "An Act Relating to Fixing the Boundaries of Highways and Town Ways." (S. P. 420) (L. D. 1163) reported that the same Ought not to pass.

(On motion by Mr. Cram of Cumberland, tabled pending acceptance of the report and especially assigned for one week from today.)

Mr. Farris from the Committee on Judiciary on Bill, "An Act Relating to Chemical Tests in Fatal Motor Vehicle Collisions." (S. P. 476) (L. D. 1328) reported that the same Ought not to pass.

On motion by Mr. Whittaker of Penobscot, tabled pending acceptance of the report, and especially assigned for Wednesday, April 24.

Ought Not to Pass — Covered by Other Legislation

Mr. Porteous from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (S. P. 272) (L. D. 786) reported that the same Ought not to pass — Covered by Other Legislation.

The same Senator from the same Committee on Resolve, Proposing an Amendment to the Constitution to Provide for the Apportionment of the Senate. (S. P. 99) (L. D. 236) reported that the same Ought not to pass, Covered by Other Legislation.

Mr. Couture from the Committee on Labor on Bill, "An Act Relating to Weekly Benefit for Partial Unemployment Under Employment Security Law." (S. P. 80) (L. D. 188) reported that the same Ought not to pass, Covered by Other Legislation.

Mr. Hinds from the Committee on Labor on Bill, "An Act Amending Certain Provisions of the Employment Security Law." (S. P. 453) (L. D. 1345) reported that the same Ought not to pass — Covered by Other Legislation.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Farris from the Committee on Judiciary on Bill, "An Act Relating to Quorum of Maine Sardine Council." (S. P. 338) (L. D. 1003) reported that the same Ought to pass.

Mrs. Harrington from the Committee on Public Utilities on Bill, "An Act to Update Validation of Street Installations." (S. P. 369) (L. D. 1035) reported that the same Ought to pass.

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

Ought to Pass — As Amended

Mrs. Harrington from the Committee on Agriculture on Bill, "An Act Providing for Trademarks Un-

der Potato Tax Law." (S. P. 550) (L. D. 1482) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Johnson from the Committee on Labor on Bill, "An Act Revising Laws Relating to Elevators." (S. P. 181) (L. D. 480) reported that the same Ought to pass as amended by Committee Amendment A.

Mrs. Harrington from the Committee on Public Utilities on Bill, "An Act to Incorporate the Calais Water District." (S. P. 165) (L. D. 441) reported that the same Ought to pass as amended by Committee Amendment A (S-146)

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

Mr. Brown from the Committee on Highways on Bill, "An Act Providing Access Roads to Recreational Areas." (S. P. 1) (L. D. 1) reported that the same Ought to pass in New Draft under New Title: Providing Access Roads to Ski Areas Open to General Public. (S. P. 570) (L. D. 1515)

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

**Majority — Ought Not to Pass
Minority — Be Referred to the 102nd Legislature**

The Majority of the Committee on Legal Affairs on Bill, "An Act Transferring Probation of Juveniles in Cumberland County to State Probation Administration." (S. P. 427) (L. D. 1170) reported that the same Ought not to pass.

(Signed)

Senators:

STITHAM of Somerset
SPOUL of Lincoln

Representatives

COTE of Lewiston
WHITE of Guilford
WELLMAN of Bangor
GILBERT of Eddington

The Minority of the same Committee on the same subject matter,

reported that the same should be referred to the 102nd Legislature. (Signed)

Senator:

ATHERTON of Penobscot

Representatives:

FOSTER of Mechanic Falls
BOISSONNEAU

of Westbrook

COPE of Lewiston

On motion by Mr. Brooks of Cumberland, tabled pending acceptance of either report.

The PRESIDENT: The Chair would like to recognize on behalf of the Senate the good wife and two children of the Senator from Piscataquis, Senator Hichborn. Mrs. Hichborn and her two sons with the wonderful names of "Pat" and "Mike." (Applause.)

The PRESIDENT: The Chair is happy to recognize a filled gallery of young people of this State. They are Girl Scouts, Troop 360 from Bucksport, Maine, and nine Scouts under the direction of Mrs. Edna Meigs. Also 45 students from the 7th and 8th grades of Greene Central School, attended by Mr. Savage, the Principal and Mr. Lee, the 8th grade teacher.

You are observing the Senate of the State of Maine in action. This is only part of the legislative branch of government and undoubtedly you have or you will visit the other end of this building where the House of Representatives is in session. These two bodies which you are observing today are only one part of the governmental process, however, and you must know by now that of equal importance to all of us as citizens is the Executive branch of government and the Judicial.

This particular Legislative branch of government in the State of Maine meets once every two years unless there is a special session and each of these legislators is paid the magnificent sum of \$1600 for this service, for which they consider roughly 1500 bills and resolves. They do this with the assistance of 25 standing committees.

It is hoped that this legislature is a mirror of the wishes of Maine citizens such as yourself. This legis-

lature establishes state policy, it makes and amends the state laws, appropriates state money and decides the manner in which state taxes will be levied and collected.

One of the common questions asked by students who visit here is: What is the difference between a bill and a resolve. Both a bill and a resolve have the force of law, however a resolve is of a non-recurring nature. A bill is of recurring nature and becomes a permanent part of the state's law. Both the bill and the resolve must be sent through the same process before they can become law.

You are indeed welcome here. We hope you find your stay enjoyable and educational and that some day you may take your place in these chambers. It is nice to have you here. (Applause)

Second Readers

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

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)

Bill, "An Act Repealing Certain Laws Relating to Bowling Alleys and Billiard Rooms and Relating to Minors Therein." (H. P. 1039) (L. D. 1506)

Bill, "An Act Relating to Recording of a Memorandum of Lease of Real Estate." (H. P. 1040) (L. D. 1507)

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

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)

Comes from the House Indefinitely Postponed.

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

Sent down for concurrence.

As Amended

Bill, "An Act Relating to Courses of Study at and Degrees by the

State Teachers' Colleges." (H. P. 636) (L. D. 892)

Bill, "An Act Repealing Laws Requiring Fences Around Burying Grounds." (H. P. 876) (L. D. 1416)

Bill, "An Act Increasing Salary of Members of Public Utilities Commission." (H. P. 505) (L. D. 707)

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

Bill, "An Act Relating to Appointment of Chief Engineer of Fire Department of Westbrook." (H. P. 384) (L. D. 583)

Which was read a second time and tabled pending passage to be engrossed and especially assigned for April 18.

Bill, "An Act Regulating the Pledging of Credit of the City of Biddeford." (H. P. 123) (L. D. 167)

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

Sent down for concurrence.

Senate

Bill, "An Act Providing for an Insurance Reserve Fund for City of Portland." (S. P. 540) (L. D. 1465)

Bill, "An Act to Create Water Conservation Districts and to Expand Powers of Soil Conservation Districts." (S. P. 553) (L. D. 1490)

(Which was read a second time, and on motion by Mr. Edmunds of Aroostook was tabled pending passage to be engrossed and was especially assigned for tomorrow.)

Bill, "An Act Relating to Motor Vehicle Registration Plates." (S. P. 569) (L. D. 1514)

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

Sent down for concurrence.

As Amended

Bill, "An Act to Permit Towns to Choose Single Assessors and to Permit Certain Cities and Towns to Create Boards of Assessment Review." (S. P. 561) (L. D. 1501)

Bill, "An Act Appropriating Funds for Grants-in-Aid for Construction of Municipal Sewage Treatment Facilities." (S. P. 90) (L. D. 227)

The PRESIDENT: The Chair is happy again to recognize 12 stu-

dents from Cheverus High School, Government and History students, from Portland, Maine in Cumberland County.

You are indeed welcome here. I would like to introduce to you the Senators who represent your County: Senator Hinds, Senator Porteous and Senator Cram (Applause)

Bill, "An Act Increasing Salary of Superior Court Messenger of Cumberland County." (S. P. 404) (L. D. 1107)

Bill, "An Act Revising the Minimum Wage Law." (S. P. 183) (L. D. 482)

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

Sent down for concurrence.

Mr. CRAM of Cumberland: Mr. President, I move that the Senate reconsider its action taken earlier today whereby it accepted the Minority Ought Not to Pass report on Item 6-24.

Mr. JOHNSON of Somerset: Mr. President, I request a division on the motion to reconsider.

Mr. WHITTAKER of Penobscot: Mr. President, is this motion debatable?

The PRESIDENT: It is.

Mr. WHITTAKER: Mr. President, it seems to me that the action we took on this particular item should have been taken only after some explanation or debate, so I hope that the motion to reconsider may prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Cram, that the Senate reconsider its action taken earlier in the day, whereby it accepted the Minority Report, Ought Not to Pass on Bill, "An Act Relating to Employment of Females in Certain Occupations" (H. P. 469) (L. D. 673). A division has been requested.

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

Enactors

The Committee on Engrossed Bills reported as truly and strictly en-

grossed the following Bills and Resolve:

Bill, "An Act to Extend Contracts for School Conveyance from Three to Five Years." (H. P. 637) (L. D. 893)

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

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

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)

Bill, "An Act Relating to Income from Ministerial and School Fund in Determining Educational Foundation Program Allowance." (H. P. 762) (L. D. 1116)

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

Bill, "An Act Prohibiting Sale or Purchase of Military Decorations." (H. P. 859) (L. D. 1246)

Bill, "An Act Relating to Expenditures from Unorganized Territory Capital Working Fund." (H. P. 863) (L. D. 1250)

Resolve, Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in the Towns of Kittery and York. (H. P. 975) (L. D. 1347)

Bill, "An Act Relating to the Organization of the Maine State Guard." (S. P. 85) (L. D. 192)

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

Bill, "An Act Relating to Indian Tribal Elections." (S. P. 310) (L. D. 976)

Bill, "An Act to Revise Certain Motor Vehicle Laws." (S. P. 346) (L. D. 1011)

Bill, "An Act Relating to Qualifications for Voting on Indian Reservations." (S. P. 449) (L. D. 1278)

Bill, "An Act Relating to Definition of and Educational Assistance for Orphans of Veterans." (S. P. 466) (L. D. 1293)

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

Bill, "An Act Relating to Interference with or Destruction of Transit Points and Monuments." (S. P. 474) (L. D. 1326)

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

Orders of the Day

The President laid before the Senate Item 6-25, Divided Report from the Committee on Legal Affairs, Majority Report, Ought Not to Pass; Minority Report, Ought to pass as amended by Committee Amendment A, on Bill, "An Act Increasing Fees of Bail Commissioners" (H. P. 735) (L. D. 1064) tabled earlier in today's session by Senator Porteous of Cumberland, pending acceptance of either report.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: The reason I tabled this in the face of the "Ought not to pass" report signed by my good colleagues, three from the Senate and three from the other body, is that a certain bail commissioner in my area spoke to me about this bill and asked that I support its passage. I am a little familiar with his work because I was called about three o'clock in the morning to come down to the police station and go bail on a person that I knew. I won't name the person. It does not happen to be any of the other three senators from Cumberland County—it just didn't happen to be, that is.

If you would refer to Filing H-237, that is the amendment. This bill changes the fee which is presently five dollars to ten dollars, and the fee for the commissioner up to \$15 during the twelve hours from 8:00 to 8:00 A.M. The amendment really changes the time that the fifteen dollar fee takes effect, that is changing it from 5:00 to 8:00 P.M. so that under this bill a bail commissioner could charge a fee up to but not necessarily ten dollars from 8:00 A.M. to 8:00 P.M. and could charge a fee of up to fifteen dollars from 8:00 P.M. to 8:00 A.M.

Our friend from Cumberland County seemed to think that this was fair, that the interruption of his business to go and take care of a person by handling bail seemed to warrant ten dollars rather than five dollars during the daytime; and from the looks of both he and persons who have been temporarily incarcerated it was certainly worth up to fifteen dollars to get that man home at three o'clock in the morning. If any of you have ever gone bail for an acquaintance I think you will feel it is certainly worth it for the commissioner who has to go down there and finally, after several telephone calls, rouse out somebody who will come down there at that time in the morning and drive to the jail. So I would move that the Minority "Ought to pass" report be accepted in non-concurrence.

The PRESIDENT: The Senator from Cumberland, Senator Porteous, moves that the Minority "Ought to pass" report of the committee be accepted.

Mr. ATHERTON of Penobscot: Mr. President and members of the Senate: I would just briefly explain, as may be more or less self-evident, the reason why the majority of the members of the Legal Affairs Committee reported "Ought not to pass" was because of the fact we felt that the present fee was sufficient.

It was not many years ago that the bail commissioner's fee was increased from five dollars to ten dollars in the event that he was called out to bail somebody out after eight o'clock in the evening. Many of us on the committee are lawyers and we have had some experience or familiarity with the work of bail commissioners. We felt that the present fee was sufficient under all the circumstances for what they had to do, therefore we felt the bill ought not to pass. I request a division when the vote is taken.

Mr. CAMPBELL of Kennebec: Mr. President and Members of the Senate, I am a bail commissioner and I am going to support the Ought not to pass report.

Mr. BROOKS of Cumberland: Mr.

President, I am not a bail commissioner and I am not going to support the "Ought not to pass" report. I must concur with the Senator from Cumberland, Senator Porteous. It seems to me that certainly the gentlemen in our county whom we are familiar with deserve an additional fee after hours, so I would stand behind my good colleague from Cumberland and hope that we accept the minority "Ought to pass" report.

Mr. HINDS of Cumberland: Mr. President and ladies and gentlemen of the Senate: I would just concur with my two good friends and colleagues from Cumberland County. I have had several contacts with bail commissioners in regard to this bill, and I think that many times bail commissioners are hesitant about going out at two or three o'clock in the morning to bail somebody out when they are nestled snugly in their bed, and perhaps by increasing the fee here it would make it a little more beneficial for them to go out. Therefore I will support Senator Porteous's motion.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I am not a bail commissioner and I certainly support the "Ought not to pass" report of the Legal Affairs committee.

We gave this matter deep consideration. I have personally been acquainted with the duties and responsibilities of bail commissioners. I think that most of us know that the office of bail commissioner is highly sought after in most counties. If a bail commissioner runs his affairs well it takes about ten or fifteen minutes at the very most, and quite often there is a series of bail to be taken at the same time. I have known of a bail commissioner after eight o'clock on a Saturday night having eight to a dozen people to bail out. This is not a job that takes full time; it is something they can do and perform their other duties and their regular occupation. I would like to say too that I have known of a number of people who have had to stay in jail over night for the simple reason that they did not have the five dollars or the ten dollars but they did have people come who had prop-

erty that was sufficient for their appearance the next day in that court.

The whole purpose of a bail commissioner is to insure that people will be in court when they are required, and it was for their benefit that bail was originally provided for. It is not for the benefit of the bail commissioner. I believe that the fees as they are adequate and I support the motion for the acceptance of the "Ought not to pass" report.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I would like to pose a question through the Chair to my friend from Cumberland, Senator Porteous, regarding this bill. Does this bill provide any credit rating for the accused in case he is not able to pay the five, ten or fifteen dollars, whatever the case may be?

The PRESIDENT: The Senator from Oxford, Senator Ferguson, 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, I will have to confer with my legal counsel on this, and therefore I would rather not answer the question at this time.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Porteous, that the Senate accept the Minority Ought to Pass report of the committee. A division has been requested.

A division of the Senate was had.

Five having voted in the affirmative and twenty-eight opposed, the motion did not prevail.

Thereupon, on motion by Mr. Stitham of Somerset, the Ought Not to Pass report was accepted.

The President laid before the Senate the 1st tabled and today assigned item (S. P. 386) (L. D. 1089) Senate Reports from the Committee on Highways on Bill, "An Act Continuing Use of State Aid and Town Road Improvement Funds"; Majority Report, Ought to Pass; Minority Report, Ought Not to Pass; tabled on April 9 by Senator Ferguson of

Oxford pending acceptance of either report.

Mr. FERGUSON of Oxford: Mr. President, my motion is that we accept the Ought to Pass report of the Committee, and I would like to have the Secretary of the Senate read who signed the Committee reports.

The Secretary read the status of the bill.

Mr. FARRIS of Kennebec: Mr. President would a member of the Highway Committee be so kind as to explain how the operating of these funds now works in the administration and exactly what the change would be if we accepted this report.

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question through the Chair to any member of the Committee on Highways who may answer if he chooses.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I am somewhat familiar with the operation of the present program and what we tried to do with this piece of legislation. As you know now the Town Road Improvement Fund with its million and a half can be spent only for town roads. This would provide for the municipal officers to make it a two year program and would make it possible after the approval of the Highway Commission, at the request of the municipal officers, to make a combined joint fund out of both town road improvements and state aid. This would allow them to spend it on either town roads or state aid.

The purpose of this bill shows in the title of the bill "Continuing Use." You have a good many municipalities now that are working themselves out of this fund. It is going to become more so in years to come. When we had \$200 thousand in this fund it wasn't any problem. The funds were more or less available and towns were getting their share of funds but as we go along and more funds become available and we went from \$200 thousand to \$500 thousand in 1947. In 1953 we went to the million and then in 1955—a few of us here were in the House at that time—

I think there are five of us in the Senate now who were in the House then—and we had a battle over that bill. We did not write in the safeguard at that time. I myself was House Chairman of the Committee at that time and I certainly did not anticipate that we were going to work ourselves right out of that fund in years to come.

The various municipal officers wholly are in favor of this bill. A few of them come in and out of office but certainly most of your municipal officers who are elected serve over the years, and this is something you have to live with and understand and you have to have a workable knowledge of it. The bill was well supported in committee. We had an association of upholsterers and the farm bureau who made a token opposition to it but I hope that the Senate will go along with the ought to pass report and if I have not explained to the Senator from Kennebec, Senator Farris, what we are trying to accomplish here, I will try to go along with further details. I did get away from the question but I did want to give a little of the background of this piece of legislation.

The PRESIDENT: Does the Senator from Kennebec, Senator Farris, consider his question answered.

Mr. FARRIS: I do, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator Ferguson, that the Senate accept the Majority Ought to Pass report of the committee.

The motion prevailed, the bill was read once and tomorrow assigned for second reading.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 826) (L. D. 1213) House Reports from the Committee on Liquor Control on Bill, "An Act Relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor"; Report "B" Ought Not to Pass; Report "A", Ought to Pass; tabled on April 12 by Senator Jacques of Androscoggin pending acceptance of either report.

Mr. JACQUES of Androscoggin: Mr. President and members of the

Senate, I move the acceptance of the Majority Report A, Ought to Pass.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, the thing this bill does is to remove the waiting period for stores that want a license to sell malt beverages. I feel that the waiting period is only fair and reasonable, that a store should prove that it is a store for the purpose of selling merchandise before they are granted a liquor license and so I feel that this waiting period should be continued.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, we had a hearing on this bill. It was well attended. The bill came out of the committee five to four in favor of the bill.

Let me say this. We had a store in Portland, the name was Shaw and they wanted a liquor license. They had to wait ninety days before they could get their malt liquor license. We had an establishment in Auburn which opened up also in Lewiston and had to wait ninety days.

The amendment I want to present would leave this at the discretion of the Liquor Commission. They could give them a license or have them wait ninety days. If the people weren't reliable persons then the commission would say they would have to wait the ninety days. This is one reason I wish the bill could be passed so that I could present this amendment.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I concur with the Senator from Androscoggin, Senator Jacques that consideration of this bill as he proposes to amend it should be given. The George Shaw Company to which he referred is a privately owned supermarket chain in the city of Portland and one in South Portland. They had at the time of application five locations in the greater Portland area and were doing a gross business of ten million dollars and this is run by one of the most responsible people in the city of Portland, Mr. Halsey Smith being the President. He is also Past

President of the Chamber of Commerce, is on the Board at the Maine General Hospital, is President of the Maine Savings Bank and they opened a new market in the town of Falmouth right near where I live, in the so-called Falmouth shopping center. In their other locations they own their own real estate. They have the Mill Creek shopping center in the West Gate and in the North Gate they are the actual owners and developers. In the Falmouth location, however, they did not own their own real estate and to keep that separate from their other real estate holdings they formed a new corporation. As a new corporation they were then required to wait ninety days for a malt liquor license — not a liquor license, but a malt beverage license to sell as a package store.

The Assistant Treasurer at the time spoke to me about it and there was nothing they could do. There was no appeal from the ruling through the Liquor Commission and they had to wait the three months before they could put into operation the sale of beer in cans and beer in bottles. If the Liquor Commission could have done it, it would of course have been in their judgment to grant the license on the opening of the store, because these people, responsible business men, were selling it in five other stores. This bill would give to the Commission the discretion of whether or not persons having business in other locations were responsible persons to do this.

To kill this bill or to kill the intention of Senator Jacques of Androscoggin, has no useful purpose as far as keeping the control of liquor or to diminish the use of it or diminish the use of beer as we are talking about in this case. It is only a matter of practical business that a person already in business could open up without waiting the ninety days.

Mrs. CHRISTIE of Aroostook: Mr. President, I request a division on the motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin,

that the Senate accept Report A Ought to Pass.

Mr. PHILBRICK of Penobscot: Mr. President, I was unable to attend the public hearing on this bill, and for my own information I would like to know what is the purpose of the ninety day waiting period.

The PRESIDENT: The Senator from Penobscot, Senator Philbrick has posed a question through the Chair to any member of the Senate who may answer if they choose.

Mr. KIMBALL of Hancock: Mr. President as I understand the reason for the ninety day waiting period is to establish, particularly with new businesses, whether or not they will be the type of business that will be eligible to apply for and receive a license to sell by package.

As it happened, I was a member of the committee who signed Report B or the Ought Not to Pass report. I would still go along with that view point as far as the bill itself is concerned. However, I do have a change of feeling in looking over the amendment and the way it is worded, I do not think this has been called to the Senate as of this moment. Might I suggest that we have a few minutes for the Senate to look over S-151. I think if that is considered in connection with the bill it will be quite worthwhile.

The PRESIDENT: The Senate will be in recess for five minutes, but before we recess may I welcome on behalf of the Senate, 40 girls from the city of Waterville, Troop 68 and everybody knows that this is the greatest city in the State of Maine. You are certainly welcome here. These girl scouts are the guests of Representative Joseph Miller, with Mrs. Ethel Bates. This being Kennebec County, may I introduce to you girls, the Senators from this county, Senator Farris, Senator Campbell and myself. (Applause)

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber a former senator from Cumberland County, Senator Paul Slocum. (Applause)

The Chair is also happy to recognize in the Senate Chamber a troop of Cub Scouts from Lewiston, Maine, in Androscoggin County, Troop 158. We are glad to have you here and to introduce to you the Senators from your county: Senator Boisvert, Senator Couture and Senator Jacques. (Applause)

One of your senators, Senator Jacques, has just made a motion that we accept the "Ought to pass" report of the committee on one of the bills we are considering, and he has in mind offering an amendment, so we just took a five-minute recess—and you are familiar with the word "recess" — so we could have a chance to look at it.

The question before the Senate is on the motion of the Senator from Androscoggin, Senator Jacques, that we accept the "Ought to pass" report of the committee. A division has been requested.

Mrs. CHRISTIE: Mr. President, in view of the nature of the amendment I withdraw my request for a division.

The PRESIDENT: The request for a division has been withdrawn.

Thereupon, the Ought to Pass report was accepted and the bill read once.

Mr. Jacques of Androscoggin presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A. (S-151)

Which amendment was adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 3rd 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 12 by Senator Whittaker of Penobscot pending motion by Senator Lovell of York to accept the Minority Ought to Pass report.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate, I move that L. D. 19 and

all accompanying papers be indefinitely postponed.

You will recall from previous debate that this bill was considered by the State Government committee and the majority of that committee voted that it ought not to pass. It was our feeling that department heads appointed by the Governor or by the Governor and Council should not be restricted in the tenure of their office to the term of the Governor or to serve at his pleasure; that it would be in the interest of good government and in the securing of competent department heads if they knew that their terms of office did not necessarily depend upon the election or the reelection of the Governor, which seems to be suggested by this bill. I therefore hope that my motion may prevail.

Mr. LOVELL of York: Mr. President and members of the Senate: I think that we debated this bill at some length before, and I think there has been some lobbying done since we debated that bill. I am not quite sure whether it was for or against the bill.

The Senator from Penobscot, Senator Whittaker, is doing a very efficient job as chairman of the State Government committee without any question, but there are certain bills such as this that are progressive bills, that are for the good and betterment of state government, and I think that it is time that Maine adopted them. I do not intend to go into the debate; I do not have that debate with me, and probably I should have tabled the bill but I won't. Nevertheless, the great majority of states now are having their department heads appointed by the Governor serve concurrent terms. There is no question that is good business because that gives the new governor who comes in a chance to keep on the man that does a good job. On the other hand he can put on someone that may have worked for him that he feels will do a good job and he can remove him, if he so wishes, before the end of the four-year term. The departments are now set up so that there are deputy administrators or commissioners down through the line and they can function for a

month or so. We have just had an example on several appointments here recently where perhaps a person didn't have too much experience but they certainly will gain it in a month or so.

The states with the so-called model constitutions, as I pointed out before, such as Alaska and Hawaii, whose constitutions were drawn by the top people on state government in the country, they drew their constitutions up so that the twenty principal department heads served concurrent terms with the governor at his pleasure.

Now the governorship in Maine used to be two years but now it is four years, and where it is four years I think we should certainly have the heads of departments have concurrent terms with the governor. I hope that you will remember the debate that we had on this last week, and I request a division when the vote is taken.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Whittaker, that the bill and accompanying papers be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Twenty-four having voted in the affirmative and nine opposed, the motion prevailed and the bill was indefinitely postponed.

Sent down for concurrence.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 394) (L. D. 1097) Bill, "An Act Relating to Illegal Manufacture of Liquor"; tabled on April 12 by Senator Edmunds of Aroostook pending motion by Senator Farris of Kennebec to insist and ask for a Committee of Conference; Mr. Edmunds moved the pending question.

The motion prevailed and the Senate voted to insist and ask for a Committee of Conference.

On motion by Mr. Atherton of Penobscot, the Senate voted to take from the table the 27th tabled and unassigned item (H. P. 234) (L. D. 302) House Reports from the Committee on Legal Affairs on Bill, "An Act Increasing A m o u n t of

Wages Exempt from Trustee Process"; Majority Report, Ought to Pass; tabled on March 27 by Senator Atherton of Penobscot pending motion by Senator Stitham of Somerset to accept the Majority Ought to Pass Report.

Mr. ATHERTON of Penobscot: Mr. President I now move that the bill be indefinitely postponed.

Mr. STITHAM: Mr. President and members of the Senate, I ask for a division on this when the vote is taken, and I would like to speak briefly on it.

This is not my bill but I am interested in it. As a practicing attorney for some thirty odd years I have had a number of occasions to use this process and I think I am quite familiar with it. I am familiar with the abuses of it. I was not familiar with the history of it, so I have gone to some lengths to find out something about what this is all about.

When this state separated from Massachusetts all wages were exempt from this trustee process. It was not until 1853 that the twenty-dollar exemption was placed on our statute books, and twenty dollars a hundred years ago was a lot more money that it is today. It was not until, I believe, 1953 that the exemption was raised from twenty dollars to thirty dollars, and this bill would raise again the exemption from thirty dollars to forty dollars.

This bill is, I think, a good one, and I think the majority of the committee thought it was good. In my own opinion it does not go far enough, but that is all right.

There are two kinds of process for enforcing collection of a debt: one is by attachment of property and the other the attachment of assets, and I am sure that all of you are familiar with the fact that the legislature from time immemorial have felt that the working tools of a man should not be taken away from him for a debt because that would not enable him to work for a living. Also a farmer has certain equipment that he needs in farming and that is exempt from attachment. There is certain household furniture, bedding, stoves that are necessary to keep them warm and fuel

to keep them warm, and those are exempt from attachment, for humanitarian purposes.

Now the same thing applies on the other side of the fence where there are assets that can be reached for the purpose of collecting a debt. This particular bill does not prevent anyone from attaching any money in the bank or money in the hands of other persons. It merely goes to those persons who are working for a living and who have families to support. It is felt that forty dollars is needed for any family to just exist. I have gone into the matter with the Health & Welfare Department, the Department of Labor and with the Unemployment Bureau, and in each one of those the minimum amount for existence for a family — in fact I have one for just a single person which exceeds the forty dollars, just to get along on. You take a family of four or six or somebody who is trying to pay their bills, the present practice is when their wages are attached they either lose their job or they are forced into bankruptcy. When they are forced into bankruptcy the referee in bankruptcy tries to steer them into the wage-earner's plan and when they steer them into the wage-earner's plan the referee allows a living expense for the person who is trying to work their problems out, and, in my experience, in each case the forty dollars is exceeded.

Now this bill is a good bill, it has had a favorable report from the committee, it is humanitarian. The process is being abused as it is at the present time. I was in favor of the other bill which was not acted on favorably which would have prevented an attachment of wages until after a judgment had been obtained. I think that was a good bill. But I certainly think we should go this far at this time on this bill for humanitarian purposes, giving a man a chance to live while he is trying to work out his problems.

Mr. ATHERTON of Penobscot: Mr. President and members of the Senate: The original report on this bill was 6 to 4 that the bill ought to pass. Since then another member of the committee has informed me

that he misunderstood and if he was signing again he would vote for the other side, "Ought not to pass," making it an evenly divided report of 5 to 5.

As for so-called abuses in this particular situation, in my experience as a practicing lawyer for over twenty years I feel that such abuses as there may be are in very isolated cases and are very few. You are bound to find some abuses in most any situation. I have handled some bankruptcy cases, not a large number, and it has not been my experience at all that trustee process for attachment of wages has to any great degree caused bankruptcy. I know of a number of cases where bankruptcy has been caused because of the fact that the debtor is about to be committed to jail on an execution or is already in jail, so he has been forced to go into bankruptcy in order to be released from jail or to avoid commitment. It is the usual practice among lawyers when a man's wages are attached, when the man approaches him after the attachment that is usually because his employer has informed him that his wages have been attached, a certain attorney is handling the case and I think you will find that usually the employer suggests to him that he go and see the attorney and make arrangements to settle it. That quite often happens and he makes some arrangements to pay so much a week, and the majority of attorneys that I know then discharge the trustee and the man is entitled to the remainder of his wages except for the amount he promises to pay to take care of his bills.

Some of the signers of the report that the bill ought not to pass come from areas of the state where the wages are not very high, in other words some people do not earn much more than forty dollars a week, or at least their take home pay may be in that vicinity. Therefore, in those cases the trustee process or the attachment of a man's wages is of no value whatsoever. I feel in many areas of the state if you are going to raise this exemption to forty dollars you might as well abolish the trustee process

or the means of attaching a man's wages.

This bill is very important to merchants and business concerns who extend credit because many times those to whom they extend credit do not pay. Many of these concerns of course extend their credit in good faith but these things do happen, and if they do not have this means of collecting what is due them because of credit that has been extended then I think you might as well say to them that if you extend credit and your bill is not paid voluntarily it is just too bad for you. In view of these reasons, members of the Senate, I urge you to support the motion to indefinitely postpone this bill.

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

A division of the Senate was had.

Eleven having voted in the affirmative and twenty opposed, the motion did not prevail.

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

On motion by Mr. Cram of Penobscot, the Senate voted to take from the table the 28th tabled and unassigned item (S. P. 302) (L. D. 875) Bill, "An Act Increasing the Salary of the Commissioner of Labor and Industry"; tabled on March 27 by

Senator Cram of Cumberland pending assignment for 2nd reading; and that Senator moved the pending question.

The bill was tomorrow assigned for second reading.

On motion by Mr. Cram of Cumberland, the Senate voted to take from the table the 38th tabled and unassigned item (H. P. 57) (L. D. 80) House Report Ought to Pass in New Draft Under Same Title (H. P. 1024) (L. D. 1485) from the Committee on Judiciary on Bill, "An Act Relating to Proceedings in Adoption of Children"; tabled on April 3 by Senator Cram of Cumberland pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill in new draft read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate gallery a church group called the Pioneer Group. They are from Hermon, Carmel and East Corinth, with Mrs. Goodell and Mrs. Williams.

We are very happy to have you here. May I introduce to you the Senators from your county: Senator Harrington, Senator Philbrook and Senator Atherton. (Applause)

On motion by Mr. Edmunds of Aroostook,

Adjourned until 10:00 o'clock tomorrow morning.