

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 19, 1963

Senate called to order by the President.

Prayer by Brig. William O. Wilbur, S.A. of Augusta.

On motion by Mrs. Harrington of Penobscot, the Journal of yesterday was read and approved.

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

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 23rd, 1963. (S. P. 576)

Which was read and passed.

Sent forthwith to the House for concurrence.

Non-concurrent matter

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)

In House, April 3, Indefinitely Postponed.

In Senate, April 16, passed to be engrossed in non-concurrence.

Comes from the House, that body having voted to Adhere.

In the Senate, on motion by Mrs. Sproul of Lincoln, the Senate voted to adhere.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber today the wife and children of our good Senator from Cumberland, Senator Cram: Emily Cram, Neva Cram and James Cram. Will you please rise and be recognized? (Applause)

The Chair would like to appoint James Cram as an honorary page for today.

And would David Porteous please stand up so that he may be appointed an honorary page for today. (Applause)

The Chair would equally like to recognize Ralph Brooks III, Cathy Brooks, and their friend Paula Towne, who are here in the Senate

Chamber today. Would they stand, please? (Applause)

The Chair will appoint Cathy Brooks and Paula Towne as honorary pages of the Senate.

Bill, "An Act Relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor." (H. P. 826) (L. D. 1213)

In Senate, April 17, passed to be engrossed, as amended by Senate Amendment A.

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

In the Senate, on motion by Mr. Kimball of Hancock, the Senate voted to insist on its former action and ask for a Committee of Conference.

WHEREAS, on Wednesday, April 17, 1963, the members of the 101st Legislature were conducted on an official visit to the Telstar Base at Andover; and

WHEREAS, the tour proved to be a most exciting one, both instructional and informative, and of great value to the members of the Legislature; therefore be it

ORDERED, the Senate concurring, that the 101st Legislature extend to Representative E. Louise Lincoln its sincere appreciation for her role in arranging the visit to the Telstar Base and express to her its conclusion of a job well done. (H. P. 1057)

Which was read and passed in concurrence.

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the subject matter, Bill, "An Act Relating to Admission to Kindergarten and Grade One in the Public Schools," Legislative Document No. 273, introduced at the regular session of the 101st Legislature to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee report the results of its study to the 102nd Legislature. (H. P. 1056)

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

The PRESIDENT: The Chair is informed that the Senator from Penobscot, Senator Harrington, has in the Senate Chamber a daughter-in-law and three grandchildren. Would they rise and be recognized, please? (Applause)

Committee Reports — Senate

Majority — Ought Not to Pass
Minority — Ought to Pass in New Draft

The Majority of the Committee on Natural Resources on Bill, "An Act Establishing a Forest Products Marketing Law." (S. P. 480) (L. D. 1332) reported that the same Ought not to pass.

(Signed)

Senators:

FERGUSON of Oxford
 COLE of Waldo
 REED of Sagadahoc

Representatives:

SAHAGIAN of Belgrade
 CHOATE of Windsor
 JEWELL of Monticello
 JAMESON of Bangor
 BURNS of Westbrook

The Minority of the same Committee on the same subject matter reported that the same Ought to pass in New Draft, under s a m e title, (S. P. 575)

(Signed)

Representatives:

DUDLEY of Enfield
 WILLIAMS of Hodgdon

On motion by Mr. Ferguson of Oxford, tabled pending acceptance of either report and especially assigned for May 7.

Second Readers

House

Bill, "An Act Relating to County Taxes in Places not Incorporated." (H. P. 689) (L. D. 945)

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

As Amended

Bill, "An Act Relating to License Fee for Boarding Homes." (H. P. 865) (L. D. 1252)

(Which was read a second time, and on motion by Mr. Edmunds of Aroostook was tabled pending passage to be engrossed and was espe-

cially assigned for Wednesday, April 24.)

Bill, "An Act Providing for the New England Health Services and Facilities Compact." (H. P. 906) (L. D. 1314)

(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 Wednesday, April 24.)

Bill, "An Act Relating to Hours for Dancing and Entertainment in Public Places." (H. P. 297) (L. D. 391)

Bill, "An Act to Incorporate The Sugarloaf Narrow Gauge Railroad Company." (H. P. 551) (L. D. 766)

Bill, "An Act to Create the Wal-doboro Sewer District." (H. P. 993) (L. D. 1440)

Bill, "An Act Increasing the In-debtedness of the Veazie Sewer Dis-trict." (H. P. 1009) (L. D. 1460)

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

Senate

Bill, "An Act Revising the Laws Relating to Registration of Physi-cians and Surgeons, and Medical Education." (S. P. 461) (L. D. 1288)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Whittaker of Penobscot, the Senate voted to re-consider its action taken earlier in today's session whereby it voted to adhere on Item 1-1, 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); and on further motion by the same Senator, the Senate voted to insist and to ask for a Committee of Con-ference.

The President laid before the Sen-ate the 1st tabled and today as-signed item (H. P. 783) (L. D. 1136) House Report, Ought to Pass with Committee Amendment A, from the Committee on Legal Affairs on Bill,

“An Act Relating to Notice to Town of Settlement When Persons Found Destitute”; tabled on April 9 by Senator Ferguson of Oxford, pending acceptance of the report; and on further motion by the same Senator, the bill was retabled and especially assigned for **T h u r s d a y**, April 25.

The President laid before the Senate, the 2nd tabled and today assigned item (S. P. 6) (L. D. 6) Bill, “An Act Relating to Sunday Sales of Liquor by Hotels and Class A Restaurants”; tabled on April 10 by Senator Cram of Cumberland pending motion by Senator Christie to recede and concur.

Mr. Cram of Cumberland requested a division on the motion.

Thereupon, on motion by Mr. Kimball of Hancock, the bill was retabled until the next legislative day.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 126) (L. D. 443) Bill, “An Act Providing for County Industrial and Recreational Development Personnel”; tabled on April 12 by Senator Lovell of York pending adoption of Committee Amendment A; and on motion by Mr. Edmunds of Aroostook, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 4th 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 12 by Senator Edmunds of Aroostook pending acceptance of either report; and that Senator moved the indefinite postponement of the bill.

Mr. JOHNSON of Somerset: Mr. President and ladies and gentlemen of the Senate: I would like to discuss just for a moment this bill.

This bill has been in and out of this legislature since 1941. The House debated it last year for about three days and it came close to passing, but finally it was killed. This bill will be back here in two

years again and we are going to have over this same thing and spend a lot of time and prolong the session.

The committee felt that it would be time to do something, and one of the problems we encountered was the fact that the towns did not wish to pay this one dollar minimum wage, so we have amended this bill in that the towns will have the right to veto. We passed the bill to take effect in April of 1964 after all these towns have had their town meetings. They can then decide in their warrant whether they wish to accept this bill or not to accept it. In other words, the legislature is now throwing the burden back to the same people who are putting the pressure on us. I believe the bill in its present form would be a good bill. I would request a division when the vote is taken.

Mr. HINDS of Cumberland: Mr. President and ladies and gentlemen of the Senate: I think the Senator from Somerset, Senator Johnson, has explained this very well. This bill had a good hearing and the committee felt that the towns should have the right to veto this if they wanted to and this is set up in this particular bill. The only people who appeared against this bill at the hearing were, I think, three or four past town managers of certain towns. The Maine Firefighters Association has endorsed it and many other people around the state have endorsed the bill, business people and so on. They feel it is only fair that we have a minimum wage law and that firemen are entitled to come under a minimum wage of a dollar an hour the same as anyone else.

I hope you will support the motion of the Senator from Somerset, Senator Johnson.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I rise in support of the motion of the Senator from Aroostook, Senator Edmunds.

I am very much opposed to this type of legislation, and the amendment doesn't help it any by putting the responsibility back on the towns where there is tremendous pressure and people are perhaps not

too familiar with what goes on in their fire department.

We have one town in Oxford where I don't know whether this applies, but they furnish an apartment for a fireman and he stays there all the week around the clock. He is relieved by volunteer firemen once a week. The result would be that this particular fireman would be paid on a twenty-four hour a day basis. It is certainly not good legislation. Being a municipal officer, the Firemen's Association have contacted me and I have made it very clear to them that I couldn't support such legislation. Therefore, I hope that the Senate will go along with the motion of the Senator from Aroostook, Senator Edmunds.

The PRESIDENT: The question before the Senate is the motion of the Senator from Aroostook, Senator Edmunds, that the report and bill be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Eighteen having voted in the affirmative and eleven opposed, the motion prevailed and the bill was indefinitely postponed.

The President laid before the Senate the 5th tabled and today assigned item (S. P. 475) (L. D. 1327) Bill, "An Act Providing for Permanent Identification Cards to be Issued by the Secretary of State"; tabled on April 12 by Senator Farris of Kennebec pending passage to be engrossed; and that Senator yielded to the Senator from Hancock, Senator Kimball.

Mr. KIMBALL of Hancock: Mr. President and members of the Senate: I have here a letter from Joseph T. Edgar, Deputy Secretary of State, which I would like at this time to read, after which I will ask for indefinite postponement of this bill.

"Dear Loren:

This will refer to our telephone conversation of last Saturday regarding L. D. 1327, which provides for the issuance of permanent identification cards by the Secretary of State.

"While this proposal may seem relatively simple, the writer has contacted the State Police, who are at

present issuing identification cards in a limited way and, while it is necessarily pure conjecture, following are thoughts that were the outcome of our conversation with the State Police.

"It was their feeling that if L. D. 1327 should become law, the Department of State would be inundated with Applications for these identification cards. It was also their feeling that the \$2 fee specified in the bill would not begin to cover the cost of issuing these ID cards for the following reasons:

"(1) To be a permanent card, the stock would be relatively expensive.

"(2) The photographs required to be submitted by the applicant would be, in the opinion of the State Police, inadequate for the purpose since they would be in a variety of poses and angles or could be pieces cut out of a photograph and would have no uniformity. Furthermore, in the opinion of the police, there would be no guarantee that the photograph submitted with the application was actually the photo of the applicant.

"(3) These photographs submitted by the applicants would have to be fastened in some way to the ID card and it was the feeling of the Police that the card itself, to be completely effective, should also contain a fingerprint of the applicant.

"Although purely an estimate, the State Police believe that the demand for these cards would be so great that the Department of State would require two additional full-time personnel to handle the processing of the applications, the making up and issuing of the cards, and the filing of the duplicate cards, as required by the L. D. Assuming this to be true, the \$2 fee would obviously fall far short of covering all expenses involved.

"To make L. D. 1327 effective, the bill should carry an appropriation adequate to cover all the above expenses, with particular emphasis on the additional personnel which would be required.

"If you have any further questions in mind regarding this matter, either Mr. MacDonald or myself

will be more than happy to discuss them with you.

Very truly yours,

(Signed)

JOSEPH T. EDGAR
Deputy Secretary of State"

I might say that I also talked with Paul MacDonald, who very much felt that this would not be a wise move at this time. Therefore, I move that L. D. 1327 and all its papers be indefinitely postponed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Kimball, that the bill and all accompanying papers be indefinitely postponed.

The motion to indefinitely postpone prevailed.

Sent down for concurrence.

The President laid before the Senate the 6th tabled and today assigned 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 12 by Senator Stitham of Somerset pending adoption of Senate Amendment A; and on further motion by the same Senator, the bill was retabled and especially assigned for May 1.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 913) (L. D. 1320) House Report, Ought Not to Pass, from the Committee on Judiciary on Bill, "An Act Increasing Certain Fees to Registers of Deeds"; tabled on April 16 by Senator Cram of Cumberland pending acceptance of the report.

Mr. CRAM of Cumberland: Mr. President and members of the Senate, this bill was intended to solve a problem which does exist to a certain extent in many of our registries of deeds and I conferred with the members of the Judiciary Committee in the Senate, and I think I have arrived at a satisfactory solution. Therefore for the purpose of presenting an amendment to the bill I move that the bill be substituted for the Ought not to pass report.

The motion prevailed.

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

The Secretary read the amendment (S-172)

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

The PRESIDENT: The Chair, on behalf of the Senate, cordially welcomes back to the Senate Chambers, the good wife of our former Senate President, Mrs. Ada Hillman and her granddaughter. Would you please rise and be recognized? (Applause)

The President laid before the Senate the 8th tabled and today assigned item (H. P. 174) (L. D. 243) Bill, "An Act Appropriating Funds for Employment of Necessary Staff and Other Operating Expenses at Northeastern Maine Vocational Institute"; tabled on April 17 by Senator Christie of Aroostook pending adoption of Committee Amendment A; and on further motion by the same Senator, Committee Amendment A was adopted and the bill was tomorrow assigned for second reading.

The President laid before the Senate the 9th tabled and today assigned item (S. P. 453) (L. D. 1345) Bill, "An Act Amending Certain Provisions of the Employment Security Law"; tabled on April 17 by Senator Edmunds of Aroostook pending adoption of Senate Amendment A; and on further motion by the same Senator Senate Amendment A was adopted and the bill was tomorrow assigned for second reading.

The President laid before the Senate the 10th tabled and today assigned item (H. P. 685) (L. D. 941) Bill, "An Act Increasing Compensation of Members of State Personnel Board"; tabled on April 17 by Senator Brooks of Cumberland pending passage to be engrossed; and that Senator presented Senate Amendment B and moved its adoption.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: It is with some reluctance that I speak in connection with this matter, but in fairness to the spon-

sor of the amendment, Senator Brooks of Cumberland, I feel I should explain what may happen to this legislation if it is adopted in its present form. I speak now as Chairman of the Committee on State Government which has been considering during this legislature all matters relating to salary increases.

This amendment, it seems to me, is not germane to the original bill which is "An Act Increasing Compensation of Members of the State Personnel Board."

In the committee we have taken a majority position that new requests for salary increases should be submitted to the legislature in separate bills through the Committee on Reference of Bills. We have had one instance this past week where an attempt was made to amend a previous bill in order to provide a salary increase and the committee voted not to consider this proposed amendment and reported back the bill in its original form.

I am in sympathy with the intent of the amendment. I should like to see the salary increase granted, but it is my suggestion that the best way to accomplish this purpose, if we expect to have a favorable vote in both branches of the legislature, is to submit this request in separate legislation. With this purpose in mind, Mr. President, I move that this amendment be indefinitely postponed. May I explain that if the amendment is adopted I shall then move to recommit this legislation to the Committee on State Government, which would be the second best procedure.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Whittaker that Senate Amendment B be indefinitely postponed.

Mr. BROOKS of Cumberland: Mr. President, am I in order to request the Chair to rule on the germaneness of this amendment?

The PRESIDENT: The Senator is in order.

The President declared a short recess.

After Recess

The PRESIDENT: The Chair rules that the amendment is not germane

to the bill and is not in order. Therefore, no action need be taken on the motion of the Senator from Penobscot, Senator Whittaker that the amendment be indefinitely postponed.

Thereupon, the bill as amended was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate the 11th tabled and today assigned item (S. P. 558) (L. D. 1500) Bill, "An Act to Provide Marine or Tidal Water Classifications"; tabled on April 17 by Senator Brooks of Cumberland pending assignment for second reading, and that Senator yielded to the Senator from Cumberland, Senator Porteous.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: This bill, L. D. 1500, "An Act to Provide Marine or Tidal Water Classifications," covers quite a bit of ground. This amendment, which is Filing No. 156, merely changes the borderline to a more realistic line of Back Cove, which is in the Portland Area, to a line, as it now stands in the bill from Tukey's Bridge, moving it up to the Grand Trunk Railway bridge, which is really at the mouth of the cove. So I present Senate Amendment "B" and move its adoption.

Senate Amendment "B" was read by the Secretary.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I somewhat dislike standing up but I do feel I oppose this amendment. Although the bill covers a lot of ground, the purpose of the bill is merely to differentiate between salt water and fresh water. Now this amendment, as I understand, is lowering actually in a sense the classification of a body of water, and this legislature has never done this before.

This body of water was classified I believe in 1959, therefore it was done by the 99th Legislature and the 100th Legislature, and this is the 101st. There never was a public hearing on this. The water was never raised. The water in this area was sampled and classified just as it was. In other words, it was found to be "C" water at the time and therefore it was classified as "C"

water. At this stage of the game there is no evidence that it has been lowered down to "D" water. This is a possibility.

I am not questioning whether or not the amendment is good in that it might possibly be lowered or should be lowered, but I do feel that a public hearing should be held on it, that the water should be sampled to find out what its present state is. And, secondly, I feel that this bill has got to go through here and go to the other end, and we know that there are certain other areas that are very dissatisfied with their classification. I think that you members who were here in the 100th Legislature realize that one of them was the Georges River in Thomaston. I feel that the bill should go from here without amendments for lowering the classification of the water. Therefore I would move indefinite postponement of this amendment and ask for a division.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I found it difficult to understand whether the Senator from Sagadahoc, Senator Reed, was debating the bill or the amendment. I might agree with him on one point: that the lowering of the classification may be a public matter that ought to be completely heard. However, if you are going to object to Senate Amendment "B" perhaps it will be necessary to object to much more of this bill as it is written.

The amendment that I presented here is exactly what I stated it to be: it is a realistic demarcation line to this Back Cove body of water. The fact that Tukey's Bridge was built across there many years ago and rebuilt recently does not change the shape or nature of this particular cove. There happens to be an industry in this cove which, if this classification were to remain as it stands in the bill, a matter of about a hundred yards, this Burnham & Morrill Company would be seriously hampered in their operations which do not affect any swimming waters, bathing waters, drinking waters or any other waters that are close to the public. It was on the request of the Burnham & Mor-

rill Company that I introduced this amendment, and the sponsor of the bill is in agreement. I can see no reason for indefinitely postponing this amendment, and when a vote is taken I hope that my standing will be upheld.

Mr. REED of Sagadahoc: Mr. President, I did not know that the sponsor was in agreement with this. However, I did talk with the Water Improvement Commission and they were rather upset about it and they did state that this would be the first time that the classification of any water in the State of Maine has been lowered. Now also it is not known whether Burnham & Morrill is lowering the classification of this water. It is lowered at this stage of the game no one knows whether it is "C" or "D" water or the City of Portland. Now we are forcing towns such as Thomaston, Bath, towns all up and down the Kennebec River, to build sewerage disposal plants and it does not seem to me that we should let any amendment such as this come in here to lower the classification without giving it more careful consideration than we now are, and I therefore hope that the amendment is indefinitely postponed.

Mr. COLE of Waldo: Mr. President and members of the Senate: It is true what the Senator from Cumberland, Senator Porteous said. I agreed to go along with his amendment because of the fact that we are changing the boundary line a little bit, and I think in fairness to industry it should be changed because of the classification of the inner bay in Portland. I think most all of us are familiar with it. It would seem unjust to carry the same classification that inner Back Bay has out beyond Burnham & Morrill, so I am in favor of the proposed amendment and hope that it passes.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: Mr. Sterling, representing Burnham & Morrill, appeared at the committee hearing when we heard this bill. It does set the boundary lines for "C" and "D" water down the bay just a little bit, and I felt that in fairness to Burnham & Morrill that the higher classification

should not be cut off just at their plant. I am opposed to any lowering of classifications of water but this stretch is a very short distance between Tukey's Bridge and the Grand Trunk Railroad. I would go along with the amendment.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Reed, to indefinitely postpone the amendment. A division has been requested.

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

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

The President laid before the Senate the 12th tabled and today assigned item (H. P. 63) (L. D. 87) Bill, "An Act Relating to Purchase of Lands by Atlantic Sea Run Salmon Commission"; tabled on April 18 by Senator Atherton of Penobscot pending consideration; and on further motion by the same Senator, the Senate voted to insist and join in a Committee of Conference.

The President laid before the Senate the 13th tabled and today assigned item (H. P. 272) (L. D. 366) House Report, Ought to Pass as Amended by Committee Amendment A from the Committee on Education on Bill, "An Act to Reconstitute School Administrative District No. 12; tabled on April 18 by Senator Whittaker of Penobscot pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended, tomorrow assigned for second reading.

The President laid before the Senate the 14th tabled and today assigned item (H. P. 435) (L. D. 640) Bill, "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District"; tabled on April 18 by Senator Hichborn of Piscataquis pending passage to be

engrossed; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read the amendment (S-169).

Which amendment was adopted and the bill as amended was passed to be engrossed in non-concurrence. Sent down for concurrence.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table the 64th tabled and today assigned item Senate Order Relative to Constitutionality of Cousins Island Causeway Bond Issue; tabled on April 18 by Senator Cole of Waldo pending passage.

Mr. COLE of Waldo: Mr. President and members of the Senate there is serious doubt as to the constitutionality of the proposed initiated referendum calling for a bond issue. There are four questions on the order which I think should be answered before any action is taken on the Chebeague Island Bridge. There are serious doubts by the Highway Commission. A recent survey made by Wilbur Smith and Associates, a very reputable firm, questions the figures stated in the initiated referendum. This was in conjunction with Hurdedy and Hanover, very reputable bridge engineers who were engineers on the Carleton Bridge in Bath and also on the present memorial bridge in Kittery so there is no question in my mind but the new survey as presented to the President of the Senate and to the Highway Committee is accurate. Therefore, I move, Mr. President, the adoption of this order.

Mr. HINDS of Cumberland: Mr. President and ladies and gentlemen of the Senate: I concur with Senator Cole that there are questions in here that should be answered by the Supreme Court very definitely. However, there has been some information come to light and there is disagreement between the two consulting firms in regard to one section of this order, and I would like very much to have this other engineering firm involved meet with the Senate leadership and Senator Cole and discuss this before we send out this order in its present form to the Supreme Court.

Perhaps one or more week's delay would not hold us up too much, so I would hope that someone might table this until next week.

Mr. FARRIS of Kennebec: Mr. President, in reading this order I note on Page 2, Paragraph 3, it states that the Senate has found as a fact that the proposed structure or project cannot possibly be constructed for the amount of money. I do not recall that that issue has ever formally been before this Senate, and it might even be that before this should go to the Court for an advisory opinion that the phraseology should be changed to conform to the actual situation. For that reason I would move that it lie on the table until one week from today.

The PRESIDENT: The Senator is out of order for having debated a tabling motion.

Mr. STILPHEN of Knox: Mr. President, I move that the bill be tabled for one week from today.

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

A division of the Senate was had. Seventeen having voted in the affirmative and fourteen opposed, the motion prevailed and the bill was retabled and especially assigned for one week from today.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 49th tabled and unassigned item (H. P. 246) (L. D. 314) Bill, "An Act to Increase the Pensions of Certain Retired Teachers"; tabled on April 12 by Senator Edmunds of Aroostook pending assignment for second reading; and on further motion by the same Sena-

tor, the bill was tomorrow assigned for second reading.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 56th tabled and unassigned item (H. P. 1045) (L. D. 1512) Bill, "An Act Relating to Binders on Pulpwood, Logs or Bolts Hauled in Motor Vehicles"; tabled on April 17 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 31st tabled and unassigned item, (S. P. 385) (L. D. 1088) Bill, "An Act Relating to Disposition of Convicts and Persons Detained in County Jails Alleged to be Mentally Ill"; tabled on April 3rd by Senator Farris of Kennebec pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Mr. FARRIS of Kennebec: Mr. President, I might explain that this is merely of a technical nature to make the bill a little more easily understood.

The Secretary read the amendment. (S-170)

Which amendment was adopted and the bill as amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Edmunds of Aroostook

Adjourned until ten o'clock Tuesday next.