

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First  
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Tuesday, April 23, 1963

Senate called to order by the President.

Prayer by the Rev. William Dawes Veazie of Gardiner.

On motion by Mr. Hichborn of Somerset, the Journal of April 19 was read and approved.

**Non-concurrent matter**

Bill, "An Act Relating to Operation of Farm Trailers Without Registration." (H. P. 620) (L. D. 855)

In House, passed to be engrossed without amendment.

In Senate, April 18, passed to be engrossed, as amended by Committee Amendment A (H-208) in non-concurrence.

Comes from the House, that body having adhered to its former action.

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

The PRESIDENT: The Chair in behalf of the Senate is very happy to recognize in the Senate gallery today 58 students from St. Joseph's School, Lewiston, Maine, accompanied by their Principal, Sister Gabriel, and teachers Sister Marie Pierre and Sister Reparata.

You are most welcome here. We hope that you find the proceedings educational and enjoyable, and we trust you will have an opportunity not only to visit with us but with the House of Representatives down the hall to witness Round 2 in the "Battle of the Budget." May I introduce to you the Senators from your County: Senator Jacques, Senator Couture and Senator Boisvert. (Applause)

**Committee Reports — House**

The Committee on Judiciary on Bill, "An Act Repealing Law Relating to Use of Prior Convictions in Suspension of Motor Vehicle Licenses for Driving Under the Influence." (H. P. 738) (L. D. 1067) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Statute of Limitations for Actions Against Tax Col-

lectors." (H. P. 868) (L. D. 1255) reported that the same Ought to pass.

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

The same Committee on Bill, "An Act Relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested." (H. P. 914) (L. D. 1321) reported that the same Ought to pass as amended by Committee Amendment A (H-254)

The same Committee on Bill, "An Act Relating to Order of Divorce Concerning Minor Children." (H. P. 917) (L. D. 1351) reported that the same Ought to pass as amended by Committee Amendment A (H-256)

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

**Ought to Pass in New Draft — New Title**

The Committee on Towns and Counties on Bill, "An Act Providing for Loans by York County." (H. P. 515) (L. D. 717) reported that the same Ought to pass in New Draft under New Title: "An Act Authorizing County Commissioners for York County to Make a Loan for Courthouse Addition." (H. P. 1053) (L. D. 1520)

Which report was read and accepted in concurrence, the Bill read once in New Draft, and passed to be engrossed, in concurrence.

Mr. Wyman from the Committee on Taxation on Bill, "An Act Relating to Annual Excise Tax on Railroads." (S. P. 463) (L. D. 1290) reported that the same should be granted Leave to Withdraw.

**Ought Not to Pass**

The same Senator from the same Committee on Bill, "An Act Relating to Trade-in Automotive Replacement Parts Under Sales Tax." (S. P. 162) (L. D. 438) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

**Report A — Ought to Pass**

Five members of the Committee on Taxation on Bill, "An Act Creating a Permanent Commission on State Tax and Financing Policy." (S. P. 401) (L. D. 1104) reported in Report A that the same Ought to pass.

(Signed)

Senators:

WYMAN of Washington  
BROWN of Hancock

Representatives:

ALBAIR of Caribou  
AYOOB of Fort Fairfield  
COTTRELL of Portland

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

(Signed)

Senator:

LETOURNEAU of York

Representatives:

JONES of Farmington  
BROWN of Fairfield  
WOOD of Brooks  
WATERMAN of Auburn

On motion by Mr. Wyman of Washington, tabled pending acceptance of either report.

**Second Readers**

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

**House — As Amended**

Bill, "An Act Appropriating Funds for Employment of Necessary Staff and Other Operating Expenses at Northeastern Maine Vocational Institute." (H. P. 174) (L. D. 243)

Bill, "An Act to Increase the Pensions of Certain Retired Teachers." (H. P. 246) (L. D. 314)

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

Bill, "An Act to Reconstitute School Administrative District No. 17." (H. P. 272) (L. D. 366)

Bill, "An Act Providing Certain Fees to Registers of Deeds." (H. P. 913) (L. D. 1320)

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

**Senate**

Bill, "An Act Amending Certain Provisions of the Employment Security Law." (S. P. 453) (L. D. 1345)

Which was read a second time and Mr. Johnson of Somerset presented Senate Amendment B and moved its adoption, and further moved that the bill lie on the table pending his motion and that it be especially assigned for Thursday next.

Bill, "An Act to Provide Marine or Tidal Water Classifications." (S. P. 558) (L. D. 1500)

Which was read a second time and passed to be engrossed as amended by Senate Amendment A (S-147) and Senate Amendment B (S-156)

Sent down for concurrence.

**Enactors**

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

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

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 Prohibiting Employment of Funeral Directors by Cemeteries." (H. P. 1043) (L. D. 1510)

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

(On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.)

Bill, "An Act Relating to Courses of Study at and Degrees by the State Teachers' Colleges." (H. P. 636) (L. D. 892)

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

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

Bill, "An Act Increasing Amount of Wages Exempt from Trustee Process." (H. P. 234) (L. D. 302)

(On motion by Mr. Brooks of Cumberland tabled pending enactment and especially assigned for Wednesday, May 1.)

Bill, "An Act Providing for a Council-Manager Form of Government for Town of Gorham." (H. P. 161) (L. D. 223)

Bill, "An Act Relating to Crossing Railroad Right-of-Way by Water Utility." (S. P. 396) (L. D. 1099)

Bill, "An Act Relating to Transportation of Household Goods for Hire by a Common Carrier." (S. P. 455) (L. D. 1282)

Bill, "An Act Adding the Maine Motor Vehicle Dealer Registration Board to the State Agencies Subject to the Administrative Code." (S. P. 487) (L. D. 1339)

Bill, "An Act Repealing Fee for Solemnization of Marriages." (S. P. 565) (L. D. 1509)

Bill, "An Act to Revise the Laws Relating to Real Estate Brokers and Salesmen." (S. P. 552) (L. D. 1484)

Which bills were passed to be enacted.

**Emergency**

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)

Which bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

**Orders of the Day**

The President laid before the Senate the 1st tabled and today assigned item (S. P. 420) (L. D. 1163) Senate Report, Ought Not to Pass from the Committee on Highways on Bill, "An Act Relating to Fixing the Boundaries of Highways and Town Ways"; tabled on April 16 by Senator Cram of Cumberland pending acceptance of the report; and on further motion by the same Senator, the bill was retabled and especially assigned for Friday next.

The President laid before the Senate the 2nd tabled and today as-

signed item (S. P. 360) (L. D. 1026) Bill, "An Act Providing for Area Directional Sign on Maine Turnpike for Andover-Rumford Area"; tabled on April 17 by Senator Ferguson of Oxford pending enactment; and on further motion by the same Senator, the bill was retabled and especially assigned for Friday next.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 833) (L. D. 1220) Bill, "An Act Relating to Registration of Sanitarians"; tabled on April 18 by Senator Farris of Kennebec pending passage to be engrossed; and on further motion by the same Senator, the Senate voted to concur with the House in the indefinite postponement of the bill.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 862) (L. D. 1249) Bill, "An Act Relating to the Educational Foundation Program Allowances"; tabled on April 18 by Senator Sproul of Lincoln pending motion by Senator Brooks that the bill pass to be engrossed.

Mrs. SPROUL of Cumberland: Mr. President, I yield to the Senator from Cumberland, Senator Cram.

Mr. CRAM of Cumberland: Mr. President, I would move that we reconsider our action whereby we accepted the minority report of the committee and I would request a division.

I very briefly will state that the Sinclair Act has now been in effect for five years. During this period twenty-four school administrative districts have been formed, but over half of these were by legislative act, which was necessary in order to make exceptions in the general law, and at the time of the payment of the subsidies in December of 1962 fifteen of these districts were not meeting the Foundation program. I think the present law is unjust in many respects and that further studies should be made.

The PRESIDENT: The Senator from Cumberland, Senator Cram, moves that we reconsider our action whereby we adopted the minority "Ought to pass" report of the committee, and asks for a division.

Mr. BROOKS of Cumberland: Mr. President and members of the Senate: I rise in opposition to the motion of the Senator from Cumberland, Senator Cram, for reconsideration of this bill.

Last Friday we discussed at some length the problem before us, and I would this morning for a moment like to reiterate some of the things I stated.

In the first place, these so-called "footnotes" which is the matter for discussion before us this morning were not the thought of the Education Department. On the contrary, only after study by the Jacobs Committee and the Legislative Research Committee of the 98th Legislature and final acceptance by the 98th, 99th and 100th Legislatures did we adopt and maintain these footnotes.

I would like to state that in a state such as Maine, where we have little money to work with, the philosophy of course is to place the money where it will do the most good. Now these so-called footnotes have accomplished that fact. And, in addition, perhaps even more important is the fact it has developed, as proven by experience, a better educational system here in the State of Maine. Keep in mind that were we to eliminate these footnotes, we would increase our subsidy cost for this biennium over \$600,000, and for the second half of the biennium some \$300,000.

Friday last and this morning it was stated that the Sinclair Act by having these footnotes has shown injustice to some of our school systems, particularly perhaps the smaller and poorer schools. I would like, for your edification, simply to quote several communities in this state, how they would be affected if these footnotes were removed.

East Millinocket, which is a comparatively wealthy town, based on the valuation of the town, or, as we say, the per pupil valuation, that is the amount of money behind each pupil in the town—East Millinocket would increase its subsidy 13 per cent. St. Agatha, which is a poor town, no gain. Sebago, Maine, a wealthy town, an increase of 33 per cent. Reed Plantation, a poor town, no per cent of gain. Baileyville, a so-called wealthy

town, would gain 14 per cent. Eastport, a poor town, no gain.

I cannot agree with those who argue that these footnotes will in effect assist the poorer towns in the State of Maine.

The Sinclair Act itself has come in for criticism in the past couple of days. It has been stated that perhaps the Sinclair Act is an expensive way in which to subsidize and assist a town. However, the facts do not bear this out to be true. On the contrary, under our old system of subsidies which was dropped in 1957 with the adoption of the Sinclair Act — we have saved the State of Maine in subsidy four million dollars. The Sinclair Act in itself has been one of the great if not the greatest assistances to public education in the state. I am not standing up here and trying to convince my colleagues that this Sinclair Act as written out should never be changed. On the contrary, it has been amended. It was amended by the 100th Legislature. But I cannot see the benefit to the State of Maine of further amending it to drop from the law the so-called footnotes.

I just want to reiterate: These footnotes were placed on there by former legislatures after study by the Jacobs Committee and by the Legislative Research Committee of the 98th Legislature. Succeeding legislatures have supported this philosophy of subsidies. I would also state that this will increase the state's cost by over \$600,000. I just plead, ladies and gentlemen, that we are trying to put our subsidy money where it will do the most good. Therefore I must oppose the motion of the Senator from Cumberland, Senator Cram, for reconsideration.

Mrs. SPROUL of Lincoln: Mr. President, I would support the motion to reconsider for this reason: In the case of several towns in Lincoln County I find that by eliminating the footnotes there is a substantial gain. In the town of Alna L. D. 1249 would show \$7672 and as amended \$8,287. Bremen, a gain from \$6,028 to \$7,050. In the town of Bristol there is a gain of approximately \$400. In South Bristol there is a gain from \$4,889 to \$7,587. In the town of Newcastle

there was a gain from \$21,483 to \$23,894. In Whitefield there is a gain of \$600. In Wiscasset there is a gain from \$21,097 to \$23,624.

I support the bill as amended.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: At the risk of repeating what was said in earlier debate, I rise to voice opposition to the motion of the Senator from Cumberland, Senator Cram.

As a member of the Education Committee, it seems to me imperative that we retain the footnotes on this bill in the interest of sound education.

Now it is difficult, even for those on the Education Committee, to understand all the aspects of this legislation. As I understand the matter, in essence, keeping the footnotes would continue good education in that it would require the founding of districts in order to secure maximum subsidies for schools which are within ten miles of each other, so far as elementary schools are concerned, and schools within fifteen miles of each other so far as secondary schools are concerned. It would also require that for full subsidy elementary schools should have at least 200 pupils and high schools at least 300 pupils.

It is the consensus among those who should know in the educational field that these are the minimum figures, so far as students are concerned, at which adequate education can be provided in the mid-Twentieth Century.

I am concerned, too, that we spend our money wisely. We have a limited amount of funds available for the subsidy of education. There is another bill which will be reported out by the Education Committee, known as the "Uniform Effort" bill, which will bring benefits to those towns that need it, if it is passed. It is the opinion of at least of the Senate members of the Education Committee, that this bill should have passage in its present form without eliminating the footnotes, and that in addition we should also pass the "Uniform Effort" bill which will be before us a bit later in the session.

Once again I repeat what I said before: It seems to me unfair to those schools which have already

formed districts, to amend the bill in the middle of the process of carrying out the provisions of the Sinclair Act. It would be unfair to those schools which have already formed districts, now to give the same benefits so far as subsidy is concerned to those schools which have felt inclined not to form the districts under the provisions of this bill.

Mr. STITHAM of Somerset: Mr. President and members of the Senate, I rise to support the motion of the Senator from Cumberland, Senator Cram. I was not going to say anything but I was a little disturbed at what I have always thought was a fact and which is more or less confirmed by Senator Whittaker of Penobscot. It is my feeling that the state should assist all of our schools but not compel them to do something. It is the compulsion that I personally object to. Now it has been said here this morning that we are going to penalize the smaller schools, they must go into larger schools. That is basing your major premise on the fact that the larger schools are the only thing that we want. I think it is a false premise and I don't believe that the State of Maine should be penalizing those schools that in their own way are trying to do the best they can. I think they should be encouraging them to increase the calibre of their educational possibilities as they can, and not drive them into districts. I hope that the Senate, for this one reason alone, will go along with the motion to reconsider because I feel that the State of Maine should not under any circumstances compel a town to do something it cannot do.

Mr. HICHBORN of Piscataquis: Mr. President and members of the Senate, I don't think any perfect answer to our educational problems has been found, and from what I have heard during the past few months, I doubt if we will find the perfect answer this year. It would appear that during the past few years we have been placing greater emphasis upon the quality of education by making some effort to improve our school program. The footnotes as they have been used during the past few years have been intended to serve as a reward

for those communities that have been able and willing to make some improvement in their program. They have not been used or intended to be used as a penalty for those who did not, or could not, or would not change their programs. In view of the fact that the number of dollars that we have available is somewhat limited, from some reports, it would seem that we should make every effort to make sure that those dollars are well spent. For this reason I would oppose the motion of the Senator from Cumberland, Senator Cram, and hope that it will not be accepted by this body.

The PRESIDENT: The proper question before the Senate is on the motion of the Senator from Cumberland, Senator Cram, that the rules be suspended and that we reconsider our action whereby we accepted the minority report of the committee since the matter was tabled on April 18, two legislative days ago.

Mr. BROOKS of Cumberland: Mr. President and members of the Senate, the Senator from Somerset, the good Senator Stitham, used the word "compulsion" which is an ugly word in my vocabulary as well as his. I might attempt to clarify a moment. First, under the Constitution of the State of Maine, it is the responsibility of the state legislature to handle the public education problems in the state. For the past two years, and I think this is fine and prior legislators should be commended, we have eliminated the vast majority of the small one room schoolhouses; we have definitely improved our education I think all will agree, by consolidating; collectively the small schools are not being penalized. We have small high schools in the State of Maine and when we speak of small schools we are speaking of schools with 200 or less students. We have small high schools which as a matter of fact are accredited. We have at least one large high school in the State of Maine that is not accredited. The small high school is not being compelled to do anything. Through the educational process, those who are extremely interested and I am sure everyone in this room is, those people interested in

education are simply attempting to improve our school system.

Other states have already gone a long way toward this consolidation. As many of you recall, Dr. Conant, who is probably a foremost authority today in the study of public schools in the United States, has gone on record in his first published book, recommending and urging the consolidation of schools.

I don't like the word "compulsion". No one is compelling anyone to do anything. The attempt is only being made to further the improvement of our school system. I think by amending the footnotes, by the study I have given it myself personally, and the consultations I have had, I think amending these footnotes would be a very grave thing for us to do at this time. I again plead with you to support me in my opposition to reconsideration.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I certainly think if we reconsider this measure today we are not taking an irrevocable course of action. This matter will still have to go through the legislative process, and even if it should reach the stage of enactment it must lie upon the Appropriations table. Frankly, I am not sufficiently conversant with the over-all problem to be able to intelligently debate the merits, but I do feel it should be kept alive. Probably, residing in a very fine school community, I should support the stand of the committee, but I do feel, in all fairness to our people in the smaller communities we should keep this measure alive. Therefore I hope that the motion for reconsideration prevails.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Cram, that we suspend the rules and that we reconsider our action whereby we accepted the minority committee report.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: May I simply point out that the matter will be kept alive but need not be kept alive by the adoption of a motion to reconsider. This bill has been acted upon in the other body. If we confirm our present action in the mat-



ter it will simply go to a committee of conference and the matter will be before us, but I do not favor the idea we should keep it alive by adopting the particular motion now before us.

Mr. FARRIS of Kennebec: Mr. President, when the vote is taken I request a division.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I did not intend to rise this morning on this particular bill but I find myself somewhat different in my stand from what has been mentioned here.

I personally have, at times, been very critical of the Sinclair Act, and I feel that there are a lot of things pertaining to it that are unjust. On this particular one, I would agree that it is uneconomical to operate these small secondary schools. I therefore would like to have the footnotes, so far as secondary education goes, kept on, but at the same time I feel that it is unfair to have the elementary distinction that we do have. I would like to ask a question, possibly of Senator Brooks: if it would not be possible to eliminate the footnotes regarding elementary education, at the same time keeping footnotes on secondary education, because this is the way I feel on this particular bill.

The PRESIDENT: The Senator from Sagadahoc, Senator Reed, poses a question through the Chair of the Senator from Cumberland, Senator Brooks, who may answer if he chooses.

Mr. BROOKS of Cumberland: Mr. President, in answer to the query of the Senator from Sagadahoc, Senator Reed: I think that his question can be best answered by stating that if he is desirous of eliminating that part of the footnotes that refer to the elementary schools it could be done by amendment, or, if this motion is defeated and if we are fortunate enough, in my opinion, to have it go to a committee of conference, the committee of conference may, if they so desire, perform this deed which the Senator from Sagadahoc, Senator Reed, seems to enjoy.

The PRESIDENT: The question

before the Senate is in two parts. First is whether or not the Senate wishes to suspend the rules for the purpose of considering the second question which is the motion of the Senator from Cumberland, Senator Cram that the Senate reconsider its former action on the bill.

Thereupon the rules were suspended.

The PRESIDENT: The question now before the Senate is the motion of the Senator from Cumberland, Senator Cram, that the Senate reconsider its former action whereby it accepted the Minority Ought to Pass report. A division has been requested.

A division of the Senate was had.

Twenty-one having voted in the affirmative and nine opposed, the motion to reconsider prevailed.

Thereupon, on motion by Mr. Cram of Cumberland, the Ought to Pass as Amended 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 5th 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 19 by Senator Edmunds of Aroostook pending adoption of Committee Amendment A; and on motion by Mrs. Christie of Aroostook, the bill was retabled.

The President laid before the Senate the 6th 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 19 by Senator Kimball of Hancock pending motion by Senator Christie of Aroostook to recede and concur.

Mr. KIMBALL of Hancock: Mr. President, may I ask if a division was requested on the motion made by Senator Christie?

The PRESIDENT: The Chair will inform the Senator from Hancock, Senator Kimball, that the record does not show whether or not a division was requested but it can now be requested if the Senator wishes.

Mr. KIMBALL: Mr. President, I would move that when the vote is taken that a division be had and I would also move that the bill lie on the table until Thursday next.

Thereupon the bill was tabled pending the motion of Senator Christie to recede and concur and was especially assigned for Thursday next with a division requested.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 4th tabled and unassigned item (H. P. 296) (L. D. 390) House Report, Ought to Pass, from the Committee on Legal Affairs on Bill, "An Act to Consolidate the Universalist Church of Maine with Northeast District of the Unitarian Universalist Association"; tabled by that Senator on February 14 pending acceptance of the report.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, I have discussed this legislation with the Chairman of the Committee on Legal Affairs and also with other members of that committee and this motion is not unfavorable from their viewpoint. I therefore would now move that this bill be recommitted to the Committee on Legal Affairs.

The motion prevailed and the bill and reports were recommitted to the Committee on Legal Affairs and sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 3rd tabled and unassigned item (H. P. 295) (L. D. 389) House Report, Ought to Pass, from the Committee on Legal Affairs on Bill, "An Act to Consolidate the Maine Unitarian Association with Northeast District of the Unitarian Universalist Association" tabled by that Senator on February 14 pending acceptance of the report.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this measure is actually a companion measure to the previous bill which we have just recommitted and at this time I would move that this bill also be recommitted to the Committee on Legal Affairs.

The motion prevailed and the bill and reports were recommitted to

the Committee on Legal Affairs and sent down for concurrence.

On motion by Mr. Hinds of Cumberland, the Senate voted to take from the table the 42nd tabled and unassigned item (H. P. 712) (L. D. 968) Bill, "An Act Relating to Height of Motor Vehicles and Trailers"; tabled by that Senator on April 9 pending enactment; and that Senator moved the pending question.

Mr. CAMPBELL of Kennebec: Mr. President, I move that the bill be retabled pending Senator Hind's motion for enactment.

Mr. JOHNSON of Somerset: Mr. President I ask for a division on the tabling motion.

A division of the Senate was had. Nineteen having voted in the affirmative and ten opposed, the motion prevailed and the bill was tabled pending motion by Senator Hinds of Cumberland that the bill be passed to be enacted.

Mr. BROWN of Hancock: Mr. President, I rise for a personal privilege of a five minute recess.

The President declared a five minute recess.

#### After Recess

The Senate was called to order by the President.

Mr. BROWN of Hancock: Mr. President, I would like to thank you and the members of the Senate for the courtesy just shown me, I would like to explain it was for the purpose of offering an amendment.

Thereupon, on motion by Mr. Brown of Hancock, the Senate voted to take from the table the 50th tabled and unassigned item (S. P. 478) (L. D. 1330) Bill, "An Act to Establish and Regulate Commercial Driver Education Schools and Instructors"; tabled by that Senator on April 12 pending enactment; and that Senator yielded to the Senator from Knox, Senator Stilphen.

On motion by Mr. Stilphen of Knox, the rules were suspended, and on further motion by the same Senator, the Senate voted to reconsider its former action whereby it passed the bill to be engrossed.

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

The Secretary read the amendment.

Which amendment was adopted.

Mr. Brown of Hancock presented Senate Amendment B and moved its adoption.

The Secretary read the amendment.

Which amendment was adopted, the bill as so amended was passed to be engrossed and sent down for concurrence.

On motion by Mr. Kimball of Hancock, the Senate voted to take from the table the 46th tabled and unassigned item (S. P. 328) (L. D. 993) Senate Report, Ought to Pass with Committee Amendment A, from the Committee on Legal Affairs on Bill, "An Act Relating to Penalty for Furnishing Liquor to Certain Persons"; tabled by that Senator on April 12 pending con-

sideration; and on further motion by the same Senator, the Senate voted to insist on its former action and request a committee of conference.

Mr. Stitham of Somerset was granted unanimous consent to take from the table (S. P. 492) (L. D. 1344) Bill, "An Act Relating to Research Studies to Reduce Morbidity or Mortality in Motor Vehicles"; tabled by that Senator on April 19 pending adoption of Senate Amendment A, and especially assigned for May 1; and on further motion by the same Senator, the bill was re-committed to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Brooks of Cumberland

Adjourned until tomorrow morning at ten o'clock.