

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

Thursday, April 25, 1963

Senate called to order by the President.

Prayer by the Rev. Arthur G. Christopher of Hallowell.

On motion by Mr. Jacques of Androscoggin, the Journal of yesterday was read and adopted.

The PRESIDENT: The Chair recognizes in the Senate Chamber a former Senator, Murray Thurston of Oxford County. It is good to see you, Murray. (Applause)

The Chair also recognizes the better half of the Senate President, Mrs. Shirley Marden. (Applause)

House Papers

Non-concurrent matters

Bill, "An Act Providing for lease by Maine State Park and Recreation Commission to Mt. Blue Ski Corporation." (H. P. 1014) (L. D. 1470)

In Senate, April 10, passed to be engrossed.

Comes from the House, passed to be engrossed, as amended by House Amendment A in non-concurrence. (H-257)

In the Senate, House Amendment A was read, and the Senate voted to recede and concur.

Bill, "An Act Relating to Rules and Regulations for Length of Duty of Drivers of Vehicles for Hire." (H. P. 677) (L. D. 933)

In Senate, March 26, passed to be engrossed, as amended by Committee Amendment A.

Comes from the House, Committee Amendment A Indefinitely Postponed, and the Bill passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate, House Amendment A was read and the Senate voted to recede and concur.

Bill, "An Act Relating to Counsel for Indigent Persons in Criminal Cases." (S. P. 507) (L. D. 1423)

In Senate, March 6, passed to be engrossed as amended by Senate Amendment A.

Comes from the House, passed to be engrossed, as amended by Sen-

ate Amendment A (S-42) and by House Amendment A (H-280) in non-concurrence.

In the Senate, House Amendment A was read and the Senate voted to recede and concur.

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

In Senate, April 19, Indefinitely Postponed.

Comes from the House, passed to be engrossed, in non-concurrence.

In the Senate, on motion by Mr. Farris of Kennebec, the bill was tabled pending consideration, and especially assigned for later in today's session.

The Following Bill presented to the Secretary appears on the Journal pursuant to Joint Rule 19C:

Mr. Brooks of Cumberland presented Bill, "An Act Relating to the Department of Economic Development Advisory Council." (S. P. 578)

Which was referred to the Committee on Industrial and Recreational Development and ordered printed.

Committee Reports — House

Ought to Pass

The Committee on Taxation on Bill, "An Act Providing for Bus Taxation Pro-ration and Reciprocity Agreement." (H. P. 839) (L. D. 1226) reported that the same Ought to pass.

The same Committee on Bill, "An Act Providing for Compact on Taxation of Motor Fuels Consumed by Interstate Buses." (H. P. 840) (L. D. 1227) reported that the same Ought to pass.

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

The Committee on Welfare on Bill, "An Act Relating to licensing of Children's Homes and Defining Day Care Facilities." (H. P. 860) (L. D. 1247) reported that the same Ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment A (H-217)

In the Senate, on motion by Mrs. Harrington of Penobscot, the bill was tabled pending acceptance of the report, and was especially assigned for one week from today.

Ought to Pass — As Amended

The Committee on Sea and Shore Fisheries on recommitted Bill, "An Act Repealing the Town Clam Laws and Authorizing Special Privileges for Cooperating Towns." (H. P. 1034) (L. D. 1498) reported that the same Ought to pass as amended by Committee Amendment A (H-277)

Which report was read and accepted in concurrence, Committee Amendment A (H-277) 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 Resolve, Providing for Purchase of Three Hundred Copies of "Historic Hallowell" (H. P. 178) (L. D. 247) reported that the same Ought to pass as amended by Committee Amendment A (H-192)

Comes from the House passed to be engrossed as amended by Committee Amendment A (H-192) and by House Amendment A (H-242)

In the Senate, the report was read and accepted, the bill read once, House Amendment A read and adopted, Committee Amendment A read and adopted, and the bill as amended was tomorrow assigned for second reading.

The Committee on Labor on Bill, "An Act Relating to Time Limitations for Filing Petitions Under Workmen's Compensation Act." (H. P. 294) (L. D. 388) reported that the same Ought to pass as amended by Committee Amendment A (H-246)

Comes from the House Indefinitely Postponed.

In the Senate, on motion by Mr. Brooks of Cumberland, tabled pending acceptance of the committee report.

The Committee on State Government on Recommitted Bill, "An Act Relating to Requirements, Appoint-

ment and Term of the Adjutant General." (H. P. 250) (L. D. 319) reported that the same Ought to pass, as amended by Senate Amendment A (S-125)

Which report was read and accepted in concurrence.

The PRESIDENT: This bill already having been read twice in its present form, is it now the pleasure of the Senate that the bill pass to be engrossed?

Thereupon, on motion by Mr. Campbell of Kennebec, the bill was tabled pending passage to be engrossed and was especially assigned for later in today's session.

The Committee on Retirements and Pensions on recommitted Bill, "An Act Relating to Out-of-State Credit for Service of Members of Maine State Retirement System." (H. P. 828) (L. D. 1215) reported that the same Ought to pass in New Draft under same title (H. P. 1041) (L. D. 1508)

Comes from the House Indefinitely Postponed.

In the Senate, the report was read and accepted in non-concurrence, the bill read once and tomorrow assigned for second reading.

Ought to Pass in New Draft — Same Title

The Committee on Inland Fisheries and Game on recommitted Bill, "An Act Relating to Closed Time on Deer in Certain Counties" (H. P. 590) (L. D. 828) reported that the same ought to pass in 2nd new draft under same title (H. P. 1033) (L. D. 1497)

Which report was read and accepted in concurrence and the bill in new draft read once.

Mr. STILPHEN of Knox: Mr. President, I would like to offer Senate Amendment A to L. D. 1497 and move its adoption and to explain just a little about this. There was a printing error where they had in the southeastern zone, "Route 16" and it should be "Route 6."

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

Report A — Ought to Pass
Report B — Ought Not to Pass

Five members of the Committee on State Government on Bill, "An Act Transferring Indian Affairs to Governor and Council." (H. P. 835) (L. D. 1222) reported in Report A that the same Ought to pass.

(Signed)

Senators:

LOVELL of York

Representatives:

DENNETT of Kittery
 BERMAN of Houlton
 SMITH of Strong
 DOSTIE of Lewiston

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

(Signed)

Senators:

WHITTAKER of Penobscot
 CHRISTIE of Aroostook

Representatives:

THAANUM of Winthrop
 BERRY of Cape Elizabeth
 CARTIER of Biddeford

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

In the Senate, on motion by Mr. Lovell of York, tabled pending acceptance of either report.

Committee Reports — Senate

Mr. Farris from the Committee on Judiciary on Bill, "An Act Relating to Preservation of Civil Rights of Persons Hospitalized for Mental Illness." (S. P. 365) (L. D. 1031) reported that the same should be granted Leave to Withdraw.

Second Readers

The Committee on Bills in the Second Reading Reported the Following Bills:

Bill, "An Act to Authorize the Municipalities of Ashland, Garfield Plantation and Portage Lake to Suspend the Operation of Ashland Community School District and Reorganize as a School Administrative District." (H. P. 1036) (L. D. 1504)

Bill, "An Act Relating to Superintending School Committee of Town of Baileyville." (H. P. 1061) (L. D. 1527)

Bill, "An Act Relating to Elections in the City of Biddeford." (H. P. 1060) (L. D. 1526)

Bill, "An Act to Incorporate the Berwick Sewer District." (H. P. 1059) (L. D. 1528)

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

As Amended

Bill, "An Act Relating to Election Returns." (H. P. 1053) (L. D. 1523)

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

Bill, "An Act Relating to Eligibility of Trustees, Executors and Administrators as Directors of Trust Companies." (H. P. 657) (L. D. 913)

Which was read a second time, and passed to be engrossed, as amended by Senate Amendment A (S-176) in non-concurrence. Sent down for concurrence.

Senate

Bill, "An Act Relating to the Admission of Attorneys to the Bar of the State of Maine." (S. P. 62) (L. D. 112)

Bill, "An Act Relating to Redistribution of Axle Loads on Commercial Vehicles." (S. P. 577) (L. D. 1530)

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

Sent down for concurrence.

Resolve, Appropriating Moneys for Stocking Baxter State Park with Caribou. (S. P. 137) (L. D. 414)

Which was read a second time and passed to be engrossed, as amended by Committee Amendment A.

Sent down for concurrence.

Enactors

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

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

Bill, "An Act to Grant a Charter to the City of Brunswick." (H. P. 343) (L. D. 556)

Bill, "An Act Relating to State Budget Estimates." (H. P. 320) (L. D. 447)

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

(On motion by Mr. Cram of Cumberland, tabled pending passage to be enacted.)

Bill, "An Act Relating to Quorum of Maine Sardine Council." (S. P. 338) (L. D. 1003)

Bill, "An Act to Update Validation of Street Installations." (S. P. 369) (L. D. 1035)

Bill, "An Act Providing for Trade-marks Under Potato Tax Law." (S. P. 550) (L. D. 1482)

Which Bills were passed to be enacted.

Emergency

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

Which received the affirmative vote of 31 members.

Emergency

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

Which received the affirmative vote of 31 members.

Emergency

Bill, "An Act Increasing the Indebtedness of the Veazie Sewer District." (H. P. 1009) (L. D. 1460)

Which received the affirmative vote of 30 members.

Which Bills, being emergency measures and having received the affirmative votes as indicated, were passed to be enacted.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 1015) (L. D. 1469) Bill, "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds"; tabled on April 18 by Senator Ferguson of Oxford pending motion by Senator Stitham of Somerset that bill and report be indefinitely postponed.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I am going to speak in op-

position to the motion of the Senator from Somerset, Senator Stitham, and I will give you a little bit of the background, but before I go into it I would like to have the Secretary read the status of the bill.

The status of the bill was read by the Secretary.

Mr. FERGUSON: Mr. President and members of the Senate: I must speak in opposition to the motion before the Senate now, inasmuch as this bill had a very good hearing. A lot of people appeared for the bill and a few had some objections to the bill inasmuch as it did not provide notices and an opportunity for hearing to water companies that might be involved who were taking water from some of our great ponds; also one member appeared in opposition to the bill because it did not provide notices for abutting owners. There were no such provisions in the original draft, but the committee came out with this new draft, L. D. 1469 and we read in the new draft that it would take care of those objections, and then it was further amended in the House by House Amendment "A" that further took care of the abutting owners, such as dumping material from the great ponds on the abutting owners' land; and it was further amended to take care of some objections that the Commissioner of Inland Fisheries and Game had to it. He wanted it set out a little more clearly that the Commission would have to have the approval of the Commissioner of Inland Fisheries and Game.

I strongly believe that this gives everybody involved plenty of protection and that there is a need for this type of service. We have a good many of our ponds with camps on them now and there are others that might be developed, and if we do a little dredging the property would become more valuable taxable property for the benefit of various municipalities. You all know that this would be a regular gold mine for the municipalities if we can develop these campsites and so forth.

There is one man in Maine doing this type of work. He has quite a lot of money invested and quite valuable equipment, and under the

present law there is nothing in the statutes that provides for dredging. I am pretty much interested in getting this type of legislation on the books, therefore I hope that the motion of the Senator from Somerset, Senator Stitham, does not prevail.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: The interest that I had as a member of the Committee on Inland Fisheries and Game in this matter has been discussed in that committee. This bill did not come before that committee but we felt that as the Committee on Inland Fisheries and Game we were interested in this matter. Since this matter has been tabled I have looked further into it. I did not know at that time the reason behind it. I have satisfied myself that the reason this bill is here is a very personal matter of one individual and relates to one pond. It is true that there has been a dredging device that has been put together for use on this one pond, and the purpose is to develop shore property.

The feeling of some of us on the committee, and I almost believe I can say all the members of the Fish and Game Committee, is that if we start to make inroads on our great ponds that we are going to start a bedlam going and we are going to get into something that we are going to regret very much.

The great ponds belong to the people of the State of Maine. Any minerals, gravel, sand, or whatever else there is in the pond belongs to the State and when you set up machinery whereby dredging can be done on these various ponds for private purposes it is bad. The type of bottom that is conducive to being dredged is the natural spawning ground for whatever type of fish there is in that particular pond. From the Fish and Game standpoint I believe this is highly undesirable. I have a further objection to it because a great many of us pick out on a certain pond an area that we like, we buy the lot, we build a cottage on it, and if we allow dredging to go along next to us they build out jetties, marinas, or whatever it is and spoil our view. I could go on indefinitely but

I do not think it is necessary. I believe this statewide bill sponsored only by a certain local interest is bad legislation, and that is the reason for my motion to indefinitely postpone.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: Being a member of the Natural Resources Committee and the committee having reported this out unanimously "Ought to pass" I feel as if I should attempt to defend it.

Now this is not any earth-shaking piece of legislation; Maine will keep running whether it passes or not, but it was felt by the committee that there was a need for this type of legislation.

This is not anything new. I think a rather black picture has been painted here. Certainly the federal government dredges rivers and harbors and certainly if you owned a campsite I do not think anyone would object or that anyone would stop you, even though you were on a great pond, from putting a dragline or clamshell in and deepening it for your own use.

Now this individual — I believe it is two gentlemen — started it more or less as a hobby or an experiment to see what could be done, so they built a home-made dredge and, put it on a particular pond and deepened it. This has to be rather soft material and it is mixed with water and pumped to the shore. They take the bottom and pump it to the shore and they fill in a given area and then it is suitable for campsites. Now I felt and the committee felt that harm could be done, and if you look at the bill in regard to the complaint by Inland Fisheries and Game, it says that the Commissioner must first consult with the Maine Mining Bureau, the Water Improvement Commission and the Commissioner of Inland Fisheries and Game. Now I do not feel that this permit would be issued if spawning beds in any way might be damaged. In certain areas, I think we all know, it is wasted area in other good recreational areas because it is nothing but a slough-hole or muck. This dredging would deepen it to a depth of, I think, about eight feet. It is true that there might be some difficulties arise, but I feel that we

should give the chance to see what does take place, and if any difficulty is found it could be corrected two years from now. I think this has a potential for the development of Maine, and therefore I feel that the motion that is now before us should be defeated.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Stitham, that the bill and papers be indefinitely postponed.

Mr. STILPHEN of Knox: Mr. President, I would like to support the motion before the Senate at this time. I would not have any objections to this particular piece of legislation if it was held to an experimental basis and was limited to one pond where it started, but when we open the whole State of Maine and our great ponds up to an experimental project such as this for one group of individuals I think it is very dangerous. I would only repeat, if I spoke longer, what the good Senator from Somerset, Senator Stitham, has said. I think in the interests of conservation of our fishing grounds that this should be looked over more carefully.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I want to point out the provisions of the bill. It does not necessarily open up the ponds because possibly there would never be any permits granted, unless the Commissioner and so forth felt that they were needed, and then only after they had been approved by the Mining Bureau, the Water Improvement Commission and the Commissioner of Inland Fisheries and Game.

Now I checked with Mr. Speers, the Commissioner of Inland Fisheries and Game, and as the bill was originally written they did object to it, but with the amendment they must not only consult with the Commissioner but they must have the approval of the Commissioner, and I am sure that the Department of Inland Fisheries and Game are not going to issue a permit to any company or group of people that would go in and spoil the spawning beds, and I doubt very much if any reputable concern or group of people would even apply for a permit under those circumstances. It is tied down to a point where you have

got so many safeguards written into this bill that to my way of thinking it is a very good bill. I think there is need for this legislation. When the vote is taken I would ask that it be taken by a division.

Mr. NOYES of Franklin: Mr. President, unfortunately I have not been following this matter, I did not attend any of the committee hearings, and, as a matter of fact, the only discussion that I have heard concerning this bill is what I have heard in the Senate today, but I think you folks ought to take a moment to look through this bill.

This is strictly permissive, and it must be true at this time that an individual on a great pond — and a great pond is a pond of more than ten acres — could not, for example, dredge out a low place to keep his boats. There are some areas of this State where they are building marinas and some of the towns and counties are doing it. Frankly, I did not know that it was unlawful and not permissible. Now unless I am wrong, this is permissive legislation and before anything is done the commissioners of the various departments, including the Inland Fish and Game Department, must put their stamp of approval on it.

As this was being discussed, I was thinking of it in terms of Florida and other states where a lot of unused land, bogholes and poor shore lands, have been redeemed. I am acquainted, and so are you, with some attempts in certain sections whereby poor areas of shore line are being reclaimed, but apparently that is illegal if any dredging is involved. In reading this bill over I think it is not anything that would be very harmful to the state, as a matter of fact, after all the approval from these various departments is given to a specific area. Someone said that somebody had a special interest in this bill, but, even so, there are enough safeguards. Certainly if you look at the over-all development of Maine we must have more of this permissive legislation so that development can go forward. For that reason, I would support the Senator from Oxford, Senator Ferguson.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate: I just woke up to this bill. This happens to be on the pond that I am located on. Two years ago some of the camp owners complained to us about this situation on the lake. We had not had good water all summer, our motors were full of mud, and we had in front of our camp at least three inches of mud, and the whole pond suffered from it. I know why I was not contacted: it happens to be in my county and I would oppose this thing. Another thing: this is not a self-made machine; this is a commercial machine that they bought somewhere, and these people are in the business of doing this. This happens to be a gentleman who lives in Auburn, Maine and the pond is located in Auburn, Maine. I believe that this machine they have now is not just harming the fish but it is also harming the people in the area. Now I do not know what we are going to do with our bottom. We are going to have to haul gravel because we have at least two inches of mud. The mud is all around us, on our wharves and on our boats. If you want to come down there you can look at my boat. Just try to take that stuff off of it. You will find it is impossible to take it off. I certainly would oppose this contraption, I don't know what they call it, but whatever it is, and I would support the motion for indefinite postponement of this bill.

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

A division of the Senate was had.

Fifteen having voted in the affirmative and sixteen opposed, the motion to indefinitely postpone did not prevail.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, I rise here because I do not like this idea. As a member of the delegation from Androscoggin County, we certainly wish to have a little more study on this and I would like to have the bill tabled

and especially assigned for Tuesday next.

The motion prevailed and the bill was tabled and so assigned pending adoption of House Amendment A.

The President laid before the Senate the 2nd tabled and today assigned 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 19 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 Wednesday next.

The President laid before the Senate the 3rd 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 23 by Senator Johnson of Somerset pending adoption of Senate Amendment B.

Mr. JOHNSON of Somerset: Mr. President and ladies and gentlemen of the Senate: I guess you all know that we had eleven Employment Security bills presented that made radical changes in the law. Four of these have been killed, three are now tabled in the House and three will come out of committee the early part of next week.

This particular bill here, as you can see by the title, is a bill that actually is a department bill that corrects some of the bugs in the administration of this law at present and it makes other parts of the law consistent. Now it is my purpose that this bill should be held off because I believe that none of us have any idea what is going to happen to these Employment Security bills, and it may be that we will need some kind of a bill to compromise on, and I would now move that this bill be tabled unassigned until we see what happens to these other six bills.

The PRESIDENT: The Senator is out of order. The Senator from Aroostook, Senator Edmunds, moves that this item lie on the table un-

assigned. Is this the pleasure of the Senate?

The motion prevailed and the bill was so tabled.

The President laid before the Senate the 4th 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 23 by Senator Kimball of Hancock pending motion by Senator Christie of Aroostook that the Senate recede and concur.

Mr. NOYES of Franklin: Mr. President, I move that the bill be tabled and especially assigned for May 2.

Mr. WHITTAKER of Penobscot: Mr. President, may I request a division on the tabling motion.

A division of the Senate was had.

Thirteen having voted in the affirmative and seventeen opposed, the motion to table did not prevail.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Aroostook, Senator Christie, that the Senate recede and concur with the House. Is the Senate ready for the question? A division has been requested.

Mr. BROOKS of Cumberland: Mr. President, it seems to me that this motion to recede and concur should be defeated. I am a rather moderate individual and I have publicly discussed this question of Sunday Sale of Liquor and I have publicly announced, and will again this morning that I don't think that a moral issue is at stake because we have seven days in the week, and many years ago, the State of Maine in repealing prohibition allowed the sale of liquor on the other six days. I am personally of the opinion that the other six days are as important so far as our moral turpitude is concerned, as is Sunday. On the other hand, I feel that it is an economic problem and I honestly feel that it would be for the benefit of the State of Maine, if, on a restricted basis which this bill calls for, we were allowed to sell liquor on Sunday. If the motion to recede and concur is defeated, I would offer an amendment to the bill.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, last week I received a letter from a former neighbor of mine, a professional man who is now retired and living in Wisconsin. He is not a total abstainer; he likes his social glass and I almost think he also likes a nightcap. Anyway, he said this to me when speaking about the conditions in Wisconsin: "In the town of less than 2000 population with its 14 bars, the situation is not good. Beaver Dam a few miles away, a little larger than Presque Isle has 67 bars. So you see, Augusta, you are all quite well off in Presque Isle and in the State of Maine. Try and keep it that way, the way it is now. Too many teenage fatal accidents here in this state."

Now the argument may be made that teen-agers are not supposed to buy alcoholic beverages, but you know they do get them one way or another and we know that teenage accidents on the highway are a very grave problem.

I do not intend to belabor this point at all but I feel that we have enough liquor six days in the week and we don't need any more.

Mr. NOYES of Franklin: Mr. President, first, when I asked that this be retabled, I had in mind the study of a bill that is soon coming out of the New Hampshire Legislature. I would like to ask a question on procedure. Would a motion that the Senate insist and ask for a Committee of Conference take precedence over the present motion?

The PRESIDENT: The Chair would reply in the negative. A motion to recede and concur has precedence over the motion to insist.

Mr. BROOKS of Cumberland: Mr. President, I move that this bill lie on the table until Wednesday next, May 1, pending the motion of Senator Christie of Aroostook to recede and concur.

Mr. WHITTAKER of Penobscot: Mr. President, I request a division.

A division of the Senate was had.

Seventeen having voted in the affirmative and fourteen opposed, the motion prevailed and the bill was so tabled and assigned.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 521) (L. D. 738) House Report, Ought Not to Pass, from the Committee on Appropriations and Financial Affairs on Resolve, to Provide Funds for Matching Funds for Training in Machine Design at the Maine Vocational Technical Institute; tabled on April 24 by Senator Hinds of Cumberland pending acceptance of the report; and on further motion by the same Senator, the Ought Not to Pass report was accepted.

The President laid before the Senate the 6th tabled and today assigned item (H. P. 1022) (L. D. 1478) Bill, "An Act Clarifying the Inland Fish and Game Laws"; tabled on April 24 by Senator Stitham of Somerset pending adoption of Senate Amendment D; and on further motion by that Senator, Senate Amendment D was indefinitely postponed.

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

The Secretary read Senate Amendment E (S-181)

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

Sent down for concurrence.

The President laid before the Senate Item 1-4, bill, "An Act Providing for Permanent Identification Cards to be Issued by the Secretary of State" (S. P. 475) (L. D. 1327), tabled earlier in today's session by the Senator from Kennebec, Senator Farris, pending consideration.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this is L. D. 1327, "An Act Providing for Permanent Identification Cards to be issued by the Secretary of State. I have had several legislative sessions and you always learn something it seems. I would like to take just a moment to give you the history of this particular bill. It was presented to me with a request that I introduce it. I looked it over and said that I didn't feel that the Secretary of State was equipped to handle the issuance of identification cards, but the person was rather insistent and felt that inasmuch as I was State

Senator and he had people that wanted a bill like this in the legislature, that I should accommodate him. So I agreed.

I spoke with at least two members of the Committee on Legal Affairs to which this bill finally went, and indication was that the bill would not be favorably acted upon because of the problems raised by the Secretary of State's office. Then the bill came along and I woke up one day to see that it had been passed to be engrossed. It is very unusual to be in a position to be seeking reconsideration of passage of one of your own bills, but we did it. The bill was then indefinitely postponed in this body and went to the other body. They have insisted upon their former action. And even though this is my bill, my only question — which I cannot answer is, "Can somebody tell me what there is about this bill that is any good?" Possibly there is information in the hands of somebody in this legislature of which I have no knowledge. I do know that it would be a tremendous hardship on the office of the Secretary of State and I do seriously pose the question to anyone who might answer it. What good purpose will this particular bill serve?

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

Mr. ATHERTON of Penobscot: Mr. President, I don't know that I can answer the good Senator's question, but as Chairman of the Committee on Legal Affairs, I might explain briefly that when it was first considered by us, our feeling was that it ought not to pass because of the fact that there was a bill somewhat similar in nature before the Committee on Liquor Control relative to identification cards. So we decided to hold it to see what the fate would be on the other bill, which has since been defeated, I believe. We then reported this one out. However, as I recall, I do not think we had very much information on the bill itself, not as much as was given on the floor of this Senate a short time ago, I believe by the good Senator from Hancock, Senator Kimball.

Thereupon, on motion by Mr. Campbell of Kennebec, the Senate voted to adhere.

The President laid before the Senate Item 6-7, House Report from the Committee on State Government, Ought to Pass as Amended by Senate Amendment A, on Bill, "An Act Relating to Requirements, Appointment and Term of the Adjutant General" (H. P. 250) (L. D. 319) tabled earlier in today's session by the Senator from Kennebec, Senator Campbell, pending passage to be engrossed; the same Senator presented Senate Amendment B and moved its adoption.

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

Sent down for concurrence.

The PRESIDENT: The Chair is happy to recognize in the Senate Chambers, Bradford Anderson, President of the Republican Club of Bates College, and his aide, David Foster. We are happy to have you with us today. (Applause)

On motion by Mr. Cyr of Aroostook, the Senate voted to take from the table the 48th tabled and unassigned item (H. P. 89) (L. D. 133) Resolve, Appropriating Moneys for Spruce Budworm Control; tabled on April 17 by Senator Cyr of Aroostook pending passage to be engrossed.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I never realized that these little spruce budworms could create so much confusion. I understand that it has disturbed quite a few people, the timber interests and the "DDT" interests, the leadership interests, and all the other interests in the State of Maine, I guess.

I was also a little surprised to read yesterday morning in the paper that the reason why I was keeping this on the table was to offer a club over some of the bills I have an interest in. I must admit that I did not discourage some of the rumors that went around and tried to get all the mileage I could out of it. However, I think maybe I should explain my stand.

The main reason I had this bill on the table was to review the constitutionality of it. I am sure that the timber interests and their great interest in the constitutionality involved — they have posed all winter as you know, as a safeguard of the Constitution and they would not want to be a party to anything unconstitutional. Consequently I was a little disturbed that on many occasions we heard people point their finger at us and say, "You can't apply rules and regulations on these properties because there are private properties." If it is private property, is it constitutional to spend money on this? However, I am not completely satisfied as yet as to the constitutionality of this but yesterday I had an answer from New Brunswick Province as to just how they attacked this problem. I was informed that the federal government in Canada supplies one third of the funds, the Province a third and the land owners a third which is quite closely related to this formula. Consequently, I will calm my reserve in regard to the constitutionality and move the pending question.

Thereupon, the resolve was passed to be engrossed.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at 9:30.