

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, May 2, 1963

Senate called to order by the President.

Prayer by the Rev. Alton E. Maxwell of Augusta.

On motion by Mr. Letourneau of York, the Journal of yesterday was read and approved.

Papers from the House

Non-concurrent matter

Bill, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965." (S. P. 549) (L. D. 1481)

In the House, May 1st, Failed of Enactment.

In the Senate, May 1st, passed to be enacted by a vote of 26 to 4.

Comes from the House, that body having voted to insist and ask for a Committee of Conference. The Speaker appointed:

Messrs: PEASE of Wiscasset
MacLEOD of Brewer
EASTON of Winterport

In the Senate, that body voted to insist and join in the Committee of Conference. The President appointed as Senate conferees, Senators: Edmunds of Aroostook, Porteous of Cumberland and Campbell of Kennebec.

Bill, "An Act Prohibiting the Use of Live Birds and Animals for Certain Purposes." (H. P. 1038) (L. D. 1505)

In House, April 25, passed to be engrossed as amended by House Amendment C (H-272)

In Senate, April 30, passed to be engrossed (without amendment) in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate, that body insisted and joined in the Committee of Conference.

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

In Senate, April 16, passed to be engrossed.

Comes from the House, passed to be engrossed, as amended by House Amendment B (H-309) in non-concurrence.

In the Senate, that Body voted to recede and concur.

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

In House, April 10, Indefinitely Postponed.

In Senate, April 23, passed to be engrossed, as amended by Committee Amendment A (H-194) in Non-concurrence.

Comes from the House, passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A (H-296) in Non-concurrence.

In the Senate, on motion by Mr. Brooks of Cumberland, House Amendment A was read and the Senate voted to recede and concur.

Bill, "An Act Relating to Fixing the Boundaries of Highways and Town Ways." (S. P. 420) (L. D. 1163)

In Senate, April 30, passed to be engrossed as amended by Senate Amendment A (S-184)

Comes from the House, Ought not to pass Report of the Committee read and accepted, in non-concurrence.

In the Senate:

Mr. COLE of Waldo: Mr. President I move that the Senate recede and concur.

Thereupon, on motion by Mr. Cram of Cumberland, the bill was tabled pending motion by Mr. Cole of Waldo to recede and concur.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be authorized and directed to study the operation and costs of State owned motor vehicles utilized for state purposes by the various departments and agencies of the State and the amounts paid by the State to employees traveling on business of the State in privately owned motor vehicles on a mileage basis; and be it further

ORDERED, that the Legislative Research Committee report the results of its study to the 102nd Legislature. (H. P. 1075)

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

Orders

Mr. Edmunds of Aroostook presented the following order and moved its passage:

ORDERED, the House concurring, that there be no session scheduled for Saturday on July 20th, 1963 in order that interested members of both branches may go to central Maine areas to view the eclipse of the sun. (S. P. 590) (Laughter)

Which was read and passed and ordered sent forthwith to the House.

Mr. PORTEOUS of Cumberland: Mr. President, I move that the Senate reconsider its action just taken whereby S. P. 590 was passed.

Mr. STILPHEN of Knox: Mr. President, I ask for a division.

Mr. PORTEOUS of Cumberland: Mr. President, I would merely like to mention to the members of the Senate that it is not only in the central Maine areas that this will be seen, but in other areas as well.

The PRESIDENT: The question before the Senate is on the motion of Mr. Porteous of Cumberland that the Senate reconsider its action just taken whereby it passed Order, S. P. 590. A division has been requested.

A division of the Senate was had.

None having voted in the affirmative, the President declared that the motion did not prevail. (Laughter)

Committee Reports — House Referred to the 102nd Legislature

The Committee on Education on Bill, "An Act Relating to Tuition for Pupils attending Secondary School Outside of Residence." (H. P. 202) (L. D. 271) reported that the same should be referred to the 102nd Legislature.

The same Committee on Bill, "An Act Providing State Scholarships for Education." (H. P. 398) (L. D. 1305) reported that the same should be referred to the 102nd Legislature.

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Recommitted Bill, "An Act Relating to Deficiency Appropriation for State Treasury." (H. P. 264) (L. D. 358)

reported that the same should be granted Leave to Withdraw.

The Committee on Towns and Counties on Bill, "An Act Relating to Travel Allowance for Jurors." (H. P. 138) (L. D. 181) reported that the same should be granted Leave to Withdraw — covered by other legislation.

Ought Not to Pass

The Committee on Education on Bill, "An Act to Create a School Administrative District in the Town of Scarborough." (H. P. 578) (L. D. 816) reported that the same Ought not to pass.

The same Committee on Bill, "An Act to Create a School Administrative District in the Town of Cape Elizabeth." (H. P. 526) (L. D. 743) reported that the same Ought not to pass.

Which reports were read and accepted, in concurrence.

Ought to Pass

The Committee on Health and Institutional Services on Bill, "An Act Relating to Eating Places." (H. P. 638) (L. D. 894) reported that the same Ought to pass.

Comes from the House, indefinitely postponed.

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

The Committee on Judiciary on Bill, "An Act Providing for Review of Laws of Forestry Department." (H. P. 53) (L. D. 76) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Liberation of Convicts Unable to Pay Fine or Costs." (H. P. 915) (L. D. 1349) 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.

Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for Teaching and Maintenance Positions at Maine Vocational Technical Institute." (H. P. 562) (L. D. 802) re-

ported that the same Ought to pass as amended by Committee Amendment A (H-304)

The Committee on Judiciary on Resolve Authorizing Clarkeson Engineering Company to Bring Civil Action Against State of Maine. (H. P. 293) (L. D. 387) reported that the same Ought to pass as amended by Committee Amendment A (H-306)

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

The Committee on Welfare on Bill, "An Act Relating to the Definition of Aid to Dependent Children." (H. P. 958) (L. D. 1392) reported that the same Ought to pass as amended by Committee Amendment A (H-252)

Comes from the House engrossed as amended by Committee Amendment A, as amended by House Amendment A thereto. (H-312)

In the Senate, the report was read and accepted and the bill read once; on motion by Mr. Hinds of Cumberland, tabled pending adoption of House Amendment A to Committee Amendment A.

Committee Reports — House

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution Repealing Limitation of Number of Representatives from One City. (H. P. 22) (L. D. 221) reported that the same Ought not to pass — covered by other legislation.

(Signed)

Senators:

PORTEOUS of Cumberland
FARRIS of Kennebec
NOYES of Franklin
EDMUNDS of Aroostook

Representatives:

COTTRELL of Portland
DENNETT of Kittery
VILES of Anson
BERMAN of Houlton
PEASE of Wiscasset

WATKINS of Windham
SMITH of Strong
SMITH of Bar Harbor

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

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE

of Old Orchard Beach
CARTIER of Biddeford

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

In the Senate, on motion by Mr. Porteous of Cumberland, the Ought not to pass report was accepted in concurrence.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Extending Voting Franchises to Persons Eighteen Years of Age Passing Examinations in United States History, Government and Economics. (H. P. 431) (L. D. 636) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland
FARRIS of Kennebec
EDMUNDS of Aroostook
NOYES of Franklin

Representatives:

BERMAN of Houlton
PEASE of Wiscasset
WATKINS of Windham
VILES of Anson
CARTIER of Biddeford
SMITH of Bar Harbor
DENNETT of Kittery
SMITH of Strong

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE

of Old Orchard Beach
COTTRELL of Portland

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

In the Senate, on motion by Mr. Porteous of Cumberland, the Ought not to pass report was read and accepted in concurrence.

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

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State. (H. P. 572) (L. D. 810) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland
FARRIS of Kennebec
EDMUNDS of Aroostook
NOYES of Franklin

Representatives:

WATKINS of Windham
BERMAN of Houlton
SMITH of Bar Harbor
PEASE of Wiscasset
VILES of Anson
COTTRELL of Portland
DENNETT of Kittery
SMITH of Strong

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE
of Old Orchard Beach
CARTIER of Biddeford

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

In the Senate, on motion by Mr. Porteous of Cumberland, the Ought not to pass report was accepted in concurrence.

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

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation. (H. P. 574)

(L. D. 812) reported that the same Ought Not to Pass.

(Signed)

Senators:

PORTEOUS of Cumberland
FARRIS of Kennebec
EDMUNDS of Aroostook
NOYES of Franklin

Representatives:

WATKINS of Windham
BERMAN of Houlton
SMITH of Bar Harbor
DENNETT of Kittery
PEASE of Wiscasset
VILES of Anson
COTTRELL of Portland
SMITH of Strong

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE
of Old Orchard Beach
CARTIER of Biddeford

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

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President, I move the acceptance of the Majority Ought Not to Pass report in concurrence.

The motion prevailed.

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

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution for Appointment of Attorney General by the Governor with Consent of the Senate. (H. P. 575) (L. D. 813) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland
FARRIS of Kennebec
EDMUNDS of Aroostook
NOYES of Franklin

Representatives:

WATKINS of Windham
BERMAN of Houlton
SMITH of Bar Harbor
PEASE of Wiscasset

VILES of Anson
DENNETT of Kittery
SMITH of Strong

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE

of Old Orchard Beach

COTTRELL of Portland

CARTIER of Biddeford

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

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President, I move acceptance of the Majority Ought Not to Pass report in concurrence.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I have sat as long as I could here. I will not debate this, knowing full well that this will go as the others have on party lines, but I do feel rather strongly about it. Sometimes I wonder what the Democrats would do if they ever did away with the Council because it is always good for a five-minute campaign speech, but I would wish this morning at least request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Porteous, to accept the Majority Ought not to pass Report. A division has been requested.

A division of the Senate was had.

Twenty-five having voted in the affirmative and five opposed, the motion prevailed and the Ought not to pass report was accepted in concurrence.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate. (H. P.

576) (L. D. 814) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland

FARRIS of Kennebec

EDMUNDS of Aroostook

NOYES of Franklin

Representatives:

WATKINS of Windham

SMITH of Bar Harbor

PEASE of Wiscasset

BERMAN of Houlton

VILES of Anson

DENNETT of Kittery

SMITH of Strong

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE

of Old Orchard Beach

COTTRELL of Portland

CARTIER of Biddeford

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

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

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution to Require a Roll Call Vote Upon all Bills on Final Passage. (H. P. 577) (L. D. 815) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland

FARRIS of Kennebec

EDMUNDS of Aroostook

NOYES of Franklin

Representatives:

WATKINS of Windham

BERMAN of Houlton

SMITH of Bar Harbor

PEASE of Wiscasset

VILES of Anson

SMITH of Strong
DENNETT of Kittery

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE

of Old Orchard Beach

COTTRELL of Biddeford

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

In the Senate, on motion by Mr. Porteous of Cumberland, the Majority Ought not to pass report was accepted in concurrence.

Majority — Ought Not to Pass

Minority — Ought to Pass

The Majority of the Committee on Education on Bill, "An Act to Incorporate the City of Belfast as a School Administrative District." (H. P. 273) (L. D. 367) reported that the same Ought not to pass.

(Signed)

Sensors:

BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis

Representatives:

McGEE of Auburn
TREWORY of Gorham
LEVESQUE of Madawaska
CURTIS of Bowdoinham
BRADEEN of Waterboro
SNOW of Jonesboro

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

(Signed)

Representative:

EASTON of Winterport

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

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

Majority — Ought to Pass

Minority — Ought Not to Pass

The Majority of the Committee on Judiciary on Bill, "An Act Permitting Spendthrift Provisions Applica-

ble to Life Insurance Proceeds." (H. P. 653) (L. D. 909) reported that the same Ought to pass.

(Signed)

Sensors:

FARRIS of Kennebec
BOARDMAN of Washington
CAMPBELL of Kennebec

Representatives:

SMITH of Bar Harbor
THORNTON of Belfast
BERMAN of Houlton
PEASE of Wiscasset
CHILDS of Portland
KNIGHT of Rockland

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

(Signed)

Representative:

RUST of York

Comes from the House, Majority — Ought to pass Report accepted and the Bill passed to be engrossed.

In the Senate, on motion by Mr. Campbell of Kennebec, the Majority Ought to Pass report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Majority — Ought Not to Pass

Minority — Ought to Pass

The Majority of the Committee on Legal Affairs on Bill, "An Act to Revise the Electrician Licensing Law." (H. P. 380) (L. D. 555) reported that the same Ought not to pass.

(Signed)

Sensors:

STITHAM of Somerset
SPROUL of Lincoln
ATHERTON of Penobscot

Representatives:

COTE of Lewiston
WHITE of Guilford
FOSTER of Mechanic Falls
COPE of Portland
BOISSONNEAU

of Westbrook

The Minority of the same Committee on the same subject matter reported that the same Ought to pass with Committee Amendment "A" (H-259)

(Signed)

Representatives:

WELLMAN of Bangor
GILBERT of Eddington

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

In the Senate, on motion by Mr. Edmunds of Aroostook, tabled pending acceptance of either report and especially assigned for the next legislative day.

Majority — Ought to Pass in New Draft

Minority — Ought to Pass, As Amended by Committee Amendment A.

The Majority of the Committee on State Government on recommitted Bill, "An Act Relating to Mileage and Expenses for Members of Legislature." (H. P. 613) (L. D. 848) reported that the same Ought to pass in New Draft (H. P. 1065) (L. D. 1531)

(Signed)

Senators:

WHITTAKER of Penobscot
LOVELL of York
CHRISTIE of Aroostook

Representatives:

DENNETT of Kittery
BERMAN of Houlton
THAANUM of Winthrop
SMITH of Strong
BERRY of Cape Elizabeth

The Minority of the same Committee on the same subject matter reported that the same Ought to pass, as amended by Committee Amendment A (H-295)

(Signed)

Representatives:

DOSTIE of Lewiston
CARTIER of Biddeford

Comes from the House, Majority Ought to pass in New Draft Report accepted.

In the Senate:

Mr. WHITTAKER of Penobscot: Mr. President, I move that the Senate accept the Majority "Ought to pass" report and I would like to speak briefly on the measure.

The PRESIDENT: The Senator may proceed.

Mr. WHITTAKER: May I explain to the members of the Senate briefly the history of this legislation.

The Committee on State Government had under consideration three separate bills having to do with the salary and expenses of members of the legislature. One of these, pre-

sented by the Senator from Hancock, Senator Kimball, would have increased the salaries to \$2500. The committee reported this out "Ought not to pass" primarily because of the impact of such legislation on personal income taxes. Another bill, presented by the Senator from Cumberland, Senator Hinds, would have granted a ten dollar per day allowance to all members of the legislature. This was declared unconstitutional because it was retroactive, and when it was considered in new form it did not meet with favor. We had a third bill, submitted by Representative Berry of Cape Elizabeth, which would have placed members of the legislature on the same basis as all other state employees with regard to expenses. When this bill was discussed in the other body the action was that it should be recommitted to the Committee on State Government.

The bill now before you in new draft, L. D. 1531, is the committee's attempt at a compromise, having in mind all three approaches to the matter of salary and expenses. It retains the salary at the same figure of \$1600. It would increase the travel allowance to that received by all state employees, whatever that may be — it may go to nine cents a mile. But the new provision in the bill provides that all members of the legislature will receive a per diem allowance of \$5.00, designated for meals, but no accounting will be made of the expense in this connection and the allowance may be used in any way desired by the recipient. The bill also provides that those who stay overnight in Augusta away from home in connection with their attendance at daily sessions of the legislature may receive an allowance for overnight accommodations of up to \$7.00 per night. This would restrict the weekly allowance on a four-day week to \$24 per week. We feel in the committee that this is an adequate compromise. In effect, it would increase the compensation, but as expense money, to the extent of approximately \$1000 a year. It will give to all members, whether or not they stay in Augusta, five dollars a day. The feeling of the committee was that even though a

member might not spend five dollars a day for meals if he commuted to his home he would spend something for meals — he has to eat whether it is in Augusta or at home — and the balance of the five dollars could be used at the discretion of the legislator for incidental expenses.

This is a brief history of the legislation, and I feel as Chairman of the committee, and the committee concurs, that this is a fair and equitable solution to the problem of adequate expense accounts for members of the legislature. We feel that the passage of this legislation will encourage candidates to member of the House of Representatives, and we feel that the bill, if passed, will be for good government in our State. Thank you.

The PRESIDENT: The Senator from Penobscot, Senator Whittaker, moves that we accept the Majority "Ought to pass in New Draft" report of the committee.

Mr. CRAM of Cumberland: Mr. President, although I agree with most of what the good Senator from Penobscot has said, I think that some allowance should be made for the person who must travel every day. I think there are many members of the legislature that perhaps could not come down here if they do not also operate a business at home, and therefore they need to travel every day in order to keep track of their business, or they may possibly have sickness at home. If this is the general feeling of the legislature I think it might be amended by making an allowance for daily travel, although I think I would have preferred the version that would have offered an across-the-board increase in salary.

Mr. HINDS of Cumberland: Mr. President, I would reply to my good friend and colleague, Senator Cram of Cumberland by saying that it is my understanding that at present the State Constitution only allows for one round trip of travel a week and this would require a constitutional amendment. I think it was the State Government Committee's feeling, at least those members who have spoken to me, that this five dollars a day allowance would certainly help out on somebody traveling back and forth. Peo-

ple staying here would only receive the overnight lodging, which would be the only difference between the commuter and the person who stays.

Thereupon, on motion by Mr. Stiphen of Knox, the bill was tabled pending motion by Senator Whittaker of Penobscot to accept the ought to pass report of the committee, and the bill was especially assigned for Wednesday next.

Report A — Ought to Pass

Report B — Ought Not to Pass

Five Members of the Committee on Taxation on Bill, "An Act Providing for a Study of Income Taxes by Legislative Research Committee." (H. P. 514) (L. D. 716) reported 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 that the same Ought not to pass.

(Signed)

Senator:

LETOURNEAU of York

Representatives:

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

Comes from the House Indefinitely postponed.

In the Senate:

Mr. WYMAN of Washington: Mr. President, I move that the Ought to Pass report of the committee be accepted in non-concurrence.

To keep the record clear on this, I oppose an income tax. It seems to me that Maine has chosen to be a sales tax state, we have a good sales tax with the present exemptions, and I can see no use for an income tax. However, in a spirit of fairness to those people who do believe in an income tax and want it studied I signed the "Ought to pass" report.

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

Committee Reports — Senate

Mr. Porteous from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution to Prohibit the Unreasonable Interception of Telephone, Telegraph and Other Electronic Communications. (S. P. 532) (L. D. 1443) reported that the same should be referred to the Committee on Judiciary.

Mr. Farris from the same Committee on Resolve Proposing an Amendment to the Constitution to Provide Revised Qualifications for Electors. (S. P. 536) (L. D. 1457) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Brown from the Committee on Taxation on Bill, "An Act Relating to Taxpayers Furnishing List of Property to Assessors." (S. P. 434) (L. D. 1177) reported that the same Ought to pass.

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

Ought to Pass — As Amended

Mr. Porteous of Cumberland from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor. (S. P. 530) (L. D. 1451) reported that the same Ought to pass as amended by Committee Amendment A (S-199)

Mr. Whittaker from the Committee on Health and Institutional Services on Bill, "An Act Revising the Laws Relating to Apothecaries and the Sale of Poisons." (S. P. 419) (L. D. 1162) reported that the same Ought to pass as amended by Committee Amendment A (S-196)

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

Mr. Farris of Kennebec from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution Relating to Authority of Governor as Commander-in-Chief (S. P. 528) (L. D. 1449) reported that the same ought to pass as amended by Committee Amendment A (S-197)

Which report was read and accepted and the bill read once.

Committee Amendment A was read.

Mr. PORTEOUS of Cumberland: Mr. President, I do not want to debate Committee Amendment "A" but I wish to explain that Committee Amendment "A" will be on practically everything that comes out of this committee favorably. It merely designates the next general election as the time that these will go to the voters to be voted on. I did not want us to get away from this without making the remark that although we reported out unfavorably the bill to reduce the voting age to 18 and one for qualification of electors which would reduce it to 20, we still have in the reports from the Constitutional Committee the opportunity to lower the voting age, and in the committee and at the hearings there was quite a bit of sentiment for the lowering of the voting age. The hearings were very well attended by groups of young people from high schools and universities who were in favor of this and they spoke very convincingly. I would like to say that these bills have been reported out unfavorably only because we feel that this issue can better be considered later when the other reports are considered. Thank you.

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

Ought to Pass in New Draft

Mr. Johnson from the Committee on Labor on Bill, "An Act Revising

Certain Laws Under the Workmen's Compensation Law." (S. P. 477) (L. D. 1329) reported that the same Ought to pass in New Draft under same title, (S. P. 583)

(On motion by Mr. Johnson of Somerset, tabled pending acceptance of the report and especially assigned for Tuesday next.)

Mr. Ferguson from the Committee on Transportation on Recommitted Bill, "An Act Relating to Inspection of Motor Vehicles." (S. P. 39) (L. D. 32) reported that the same Ought to pass in New Draft, same title. (S. P. 586)

Mrs. Sproul from the Committee on Legal Affairs on Bill, "An Act Relating to Use of Credit Cards." (S. P. 38) (L. D. 31) reported that the same Ought to pass in New Draft, same Title. (S. P. 587)

Mr. Stitham from the Committee on Legal Affairs on Bill, "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters." (S. P. 299) (L. D. 872) reported that the same Ought to pass in New Draft, same Title. (S. P. 585)

(On motion by Mr. Reed of Sagadahoc, tabled pending acceptance of the report, and especially assigned for Wednesday next.)

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

Majority — Ought to Pass As Amended

Minority — Ought Not to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes. (S. P. 100) (L. D. 237) reported that the same Ought to pass as amended by Committee Amendment A (S-198)

(Signed)

Senators:

EDMUNDS of Arcostook
PORTEOUS of Cumberland
FARRIS of Kennebec
JACQUES of Androscoggin
NOYES of Franklin

Representatives:

PEASE of Wiscasset
WATKINS of Windham
COTTRELL of Portland
PLANTE

of Old Orchard Beach
SMITH of Strong
CARTIER of Biddeford

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

(Signed)

Representatives:

VILES of Anson
SMITH of Bar Harbor
DENNETT of Kittery
BERMAN of Houlton

On motion by Mr. Porteous of Cumberland, the Majority Ought to Pass report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Authorizing Insurance Commissioner to Regulate Exits in Certain Buildings." (H. P. 1054) (L. D. 1521)

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

House — As Amended

Bill, "An Act Classifying Certain Tidal Waters in Hancock County." (H. P. 346) (L. D. 501)

Bill, "An Act Relating to Disposal of Certain Real Property by Directors of School Administrative Districts." (H. P. 724) (L. D. 1053)

Bill, "An Act Relating to Notice to Town of Settlement When Persons Found Destitute." (H. P. 783) (L. D. 1136)

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

Bill, "An Act Providing for the Vehicle Equipment Safety Compact." (H. P. 465) (L. D. 669)

Which was read a second time and passed to be engrossed, as amended by Committee Amendment A, and by Senate Amendment A (S-182) in non-concurrence, sent down for concurrence.

Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms (S. P. 2) (L. D. 2)

Which was read a second time. Mr. STILPHEN of Knox: Mr. President, I move that this item be indefinitely postponed and I ask for a division.

Mr. LOVELL of York: Mr. President, I move that the bill be tabled until the next legislative day.

The motion prevailed and the bill was tabled pending motion by Senator Stilphen of Knox to indefinitely postpone (division requested) and the bill was especially assigned for the next legislative day.

Senate — As Amended

Resolve, Appropriating Moneys for Support of the Civil Air Patrol Program. (S. P. 31) (L. D. 25)

Bill, "An Act Increasing Salaries of Justices of Supreme Judicial Court and Superior Court." (S. P. 221) (L. D. 606)

Bill, "An Act Increasing Salary of Official Court Reporters." (S. P. 298) (L. D. 609)

Bill, "An Act Relating to Adoption of Ordinances by Penobscot Tribe of Indians." (S. P. 246) (L. D. 620)

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

Sent down for concurrence.

Enactors

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

Resolve, Providing for Purchase of Fifty Copies of "Historic Hallowell." (H. P. 178) (L. D. 247)

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

Bill, "An Act Relating to Rules and Regulations for Length of Duty

of Drivers of Vehicles for Hire." (H. P. 677) (L. D. 933)

Bill, "An Act Providing for Bus Taxation Proration and Reciprocity Agreement." (H. P. 839) (L. D. 1226)

Bill, "An Act Providing for Compact on Taxation of Motor Fuels Consumed by Interstate Buses." (H. P. 840) (L. D. 1227)

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

Bill, "An Act Clarifying the Inland Fish and Game Laws." (H. P. 1022) (L. D. 1478)

Bill, "An Act Repealing the Town Clam Laws and Authorizing Special Privileges for Cooperating Towns." (H. P. 1034) (L. D. 1498)

Bill, "An Act Relating to Election Recounts." (H. P. 1058) (L. D. 1523)
(On motion by Mr. Wyman of Washington, tabled pending enactment.)

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

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

Bill, "An Act Continuing Use of State Aid and Town Road Improvement Funds." (S. P. 386) (L. D. 1089)

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

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

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

Emergency

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)

Which received the affirmative vote of 29 members.

Emergency

Bill, "An Act Appropriating Funds for Grants-in-Aid for Construction of

Municipal Sewage Treatment Facilities." (S. P. 90) (L. D. 227)

Which received the affirmative vote of 30 members.

These 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. 860) (L. D. 1247) House Report, Ought to Pass, from the Committee on Welfare on Bill, "An Act Relating to Licensing of Children's Homes and Defining Day Care Facilities"; tabled on April 25 by Senator Harrington of Penobscot pending acceptance of the report; and that Senator moved the pending question.

Thereupon, the Ought to Pass report was accepted.

The PRESIDENT: The Secretary will read the status of the bill.

The SECRETARY: Comes from the House, House Amendment B indefinitely postponed and the bill passed to be engrossed as amended by House Amendment A.

Thereupon, the bill was read once, House Amendment B was read and indefinitely postponed in concurrence House Amendment A was read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 1041) (L. D. 1508) Bill, "An Act Relating to Out of State Credit for Service of Members of Maine State Retirement Systems"; tabled on April 26 by Senator Edmunds of Aroostook pending passage to be engrossed; and that Senator requested the Secretary to read the status of the bill.

The SECRETARY: The bill is a new draft of H. P. 828, L. D. 1215. In the House on April 24, indefinitely postponed. In the Senate on April 25, read once and tomorrow assigned. In the Senate on April 26 read a second time. On April 26 tabled by Senator Edmunds of Aroostook pending passage to be engrossed.

Mr. EDMUNDS of Aroostook: Mr. President, I would point out that

we now have on the table an order which refers this entire subject-matter to the Legislative Research Committee so that they might report back to the 102nd Legislature, and I assume this is one of the orders which definitely will be passed in the closing hours of the session. I have checked with the Chairman of the Joint Standing Committee on Retirements and Pensions and I am sure she is in agreement with me, so at this time I would like to move that we indefinitely postpone this bill in concurrence.

The motion prevailed and the bill was indefinitely postponed in concurrence.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 147) (L. D. 424) Senate Report Ought to Pass in New Draft (S. P. 584) (L. D. 1436) from the Committee on Highways on Bill, "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1964 and June 30, 1965"; tabled on May 1 by Senator Cole of Waldo pending acceptance of the report.

Mr. COLE of Waldo: Mr. President and members of the Senate: I think I should explain to the Senate the changes that were made by the Highway Committee in comparison with the Governor's budget.

The first change was under Secretary of State, Motor Vehicles Division, an increase by \$3750 in 1964 and \$3900 in 1965. This is to provide fuel for office building, fuel which was formerly supplied and the increased volume of supplies. This was inadvertently left out of the Governor's budget by the budget bureau and was replaced by the Highway Committee.

The second item is under the Secretary of State also, for the two-year drivers' license program. Of course you are all familiar with this and it has been passed and signed by the Governor, and to provide funds for revision of this license form it was necessary to set up \$128,000 in the first year of the biennium and \$28,500 in the second year of the biennium.

The next change was in the Land Damage Board. This was increased by \$15,982 in the first year and

\$15,726 in the second year to provide for the increased number of Land Damage Board cases. It seems that the Land Damage Board found there were many more cases they had to decide then was formerly thought at the time the budget was drawn up.

The next change was in the State Police. The Governor's budget called for ten additional troopers for each year of the biennium for a total of twenty. The committee cut this in two and allocated funds for five additional troopers for each year. This increased the first year of the biennium by \$37,300 and \$61,800 in the second year.

The next change was in the State Police building, which is on a 75 per cent basis. There was a new appropriation of \$144,000 of Highway Funds in 1964 to provide for additional space for the State Police. Your committee did inspect the building, and although this is the third time the request has been given to us for an addition to the State Police building we definitely decided that something at this time should be done and we approved of the addition.

Highway Construction, State and Federal, a decrease of \$850,000 in 1964 and a decrease of \$650,000 in 1965 with a corresponding increase in Section 4 of the bill, necessary to provide for revenue increase estimates in 1964. That was a decrease in estimates in 1964 of \$600,000 and in 1965 of \$750,000, also providing for the State Police Building and the two-year license program.

Debt retirement, an increase of \$600,000 with a corresponding decrease in Section 2, allocation from surplus. This was necessary to provide for revenue decreases in 1963 of \$600,000.

Last and final, there was a new item for access roads to ski areas. The committee felt that many of our neighboring states are doing much more in the line of winter recreation and in promoting this legislation and we felt we should at least make a small start, so we set up \$25,000 each year for this purpose.

Other than that, Mr. President, I think those are the only changes

from the Governor's budget. I now move acceptance of the Committee report.

The motion prevailed, the report was accepted and the bill read once.

Thereupon, on motion by Mr. Porteous of Cumberland, the bill was tabled pending assignment for second reading and was especially assigned for Wednesday next.

The President laid before the Senate Item 6-7, House Report from the Committee on Health and Institutional Services, Ought to Pass, on Bill, "An Act Relating to Eating Places" (H. P. 638) (L. D. 894); tabled earlier in today's session pending acceptance of the report. (Indefinitely postponed in the House.)

Mr. HINDS of Cumberland: Mr. President and members of the Senate: I would like to move the Senate accept the "Ought to pass" report of the Committee on Health and Institutional Services and speak briefly to the motion.

The PRESIDENT: The Senator may proceed.

Mr. HINDS: This bill had a fair hearing before our committee and it had very little opposition. I understand there is some opposition to one or two small parts of this bill. This is L. D. 894, and primarily what it does is to allow the State Inspection Board and Licensing Board which license restaurants and eating places to include in their inspection catering establishments and vending machine dispensing establishments. These places at present are not covered by any type of inspection. Naturally we all know with food what it is and I do not think there would be any question about this bill if we had something happen in this state like has happened in other states with these vending machines, where they have used old mayonnaise or something and people have got food poisoning and it has caused some difficulties, but in Maine we have not seemed to have that problem, or at least I do not know of any yet. However, I do think if we are going to inspect restaurants and hotels and what have you that it is only fair that catering establishments and vending machine establishments be

inspected also. I do not think there has been much objection to that, but the bill has been killed because of two other parts.

One objection is raising the fee from ten to twenty dollars. This was done because Dr. Fisher and Dr. Campbell informed us at the hearing that if this fee was not raised to twenty dollars they would have to go to the Legislative Appropriations Committee and ask for money because they are running behind and they have got to have an increase in fees in order to keep up the inspections that they are doing at present and that the law requires them to do at present. I have an amendment here that I would like to offer today that would help correct this a little by only increasing the fee from ten dollars to fifteen dollars. In the present L. D. the fee is increased to twenty dollars.

The last section, Section 162 of the bill, there is a sentence in there that really was not discussed very thoroughly at the hearing at all, and because of the opposition in the House and Senate in regard to it. I have offered an amendment and in this amendment this sentence would be deleted: The sentence is: "Any establishment required to have a license by this section which has a private water system or water supply shall be considered as selling water for domestic purposes and subject to the requirements of Section 141. So I would hope that the Senate would go along with me on the "Ought to pass" report and then I will offer Senate Amendment "A" to this bill which I believe will take out the objection to this bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Hinds, to accept the report of the committee.

Thereupon the report of the committee was accepted and the bill read once.

Mr. Hinds of Cumberland presented Senate Amendment A and moved its adoption.

The Secretary read the amendment (S-201)

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

On motion by Mr. Campbell of Kennebec, the Senate voted to take from the table the 53rd tabled and unassigned item (S. P. 183) (L. D. 482) Bill, "An Act Revising the Minimum Wage Law"; tabled on April 26 by Senator Campbell of Kennebec pending consideration; and that Senator yielded to the Senator from Somerset, Senator Johnson.

Mr. JOHNSON: Mr. President, ladies and gentlemen of the Senate, I believe that Senator Hinds of Cumberland is the one that I should yield to on this bill.

Mr. HINDS of Cumberland: Mr. President and members of the Senate, it seems to me that I have seen this bill before. This is the minimum wage bill which we have had before us once before. The Senate killed this bill and it was sent over to the other body and the other body in its wisdom passed this bill and sent it back to the Senate. I do not know whether the Senate's objection was the fact that \$1.15 was too high or whether the Senate's objection was the fact they just do not feel we need any increase in minimum wage for working people in the state at present. It was my feeling before when I discussed this on the floor of the Senate that with the increased taxes and the taxes I hope we will be putting on the people again this year — I say "hope," but I hope that we will pass the sales tax — that an increase in the minimum wage to \$1.15 is not unreasonable. In checking with the Department of Labor, they have found no objection at present to the \$1.15 federal minimum wage being increased and this \$1.15 the Commissioner tells me would only hit the service industries. By "service industries" I mean restaurants, hotels, laundries and very few small stores. It hits probably a small amount of people in some respects and in others it may be a large amount, I am not sure because she could not give me any figure on that. But I do feel that it is something we should do and I feel that the Senate should go on record as supporting the minimum wage increase.

Now I do have an amendment to this bill that has been reproduced and has been placed on your desks, Filing No. 200. I do not know the

proper motion — I am a little bit confused, Mr. President, and perhaps you could help me.

The PRESIDENT: If the Senator wishes to amend the bill he must first move that the rules be suspended, since more than one legislative day has passed. The Senate has engrossed the bill and a motion to reconsider is in order, but before the Senator may make that motion, he must move to suspend the rules, and a two-thirds vote of the members present is necessary. The Senator's first motion would be to suspend the rules.

Mr. HINDS of Cumberland: Mr. President, I would then move that the rules be suspended for the purpose of reconsidering our former action.

Mr. STITHAM of Somerset: Mr. President, I ask for a division.

Twelve having voted in the affirmative and twenty opposed, the motion to suspend the rules did not prevail.

The PRESIDENT: The Chair awaits the pleasure of the Senate.

The Senate is in non-concurrence with the House.

Mr. CAMPBELL of Kennebec: Mr. President, I move that the Senate recede and concur.

Mr. EDMUNDS of Aroostook: Mr. President, may I approach the rostrum.

The President declared the Senate at ease.

Senate called to order by the President.

There being no objection, the Senator from Kennebec, Senator Campbell, was granted permission to withdraw his motion to recede and concur.

Mr. CAMPBELL: Mr. President, I now move that the Senate adhere.

Mr. HINDS of Cumberland: Mr. President, might I ask of the Chair whether a motion to adhere has precedence over a motion to recede and concur?

The PRESIDENT: The Chair will inform the Senator that it does not have precedence over the motion to recede and concur.

Mr. HINDS of Cumberland: Mr. President, I move that the Senate recede and concur with the House. There is, I might say, an error on

the calendar. Filing H 298 is the regional school district amendment.

The President declared the Senate At Ease.

Senate called to order by the President.

On motion by Mr. Hinds of Cumberland, the bill (S. P. 183) (L. D. 482) (Item 53) was tabled pending that Senator's motion to recede and concur, and was especially assigned for the next legislative day.

Additional Paper from the House, out of Order:

Joint Order Relative to Legislative Session on July 20, 1963 the day of the Eclipse of the Sun. (S. P. 590)

Comes from the House indefinitely postponed and the House voted to insist and ask for a Committee of Conference.

On motion by Mr. Edmunds of Aroostook, the Senate voted to insist and join in the Committee of Conference and the President appointed as Senate conferees, Senators: Lovell of York, Noyes of Franklin and Couture of Androscoggin. (Laughter)

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table the 28th tabled and unassigned item (H. P. 996) (L. D. 1437) Bill, "An Act Providing for Safety Seat Belts for Automobiles and School Buses"; tabled on April 3 by Senator Johnson of Somerset pending motion by Senator Philbrick of Penobscot to insist and ask for a Committee of Conference.

Mr. JOHNSON of Somerset: Mr. President, ladies and gentlemen of the Senate, I have an amendment to add to this item, but I understand that the pending motion to insist and ask for a Committee of Conference has precedence, and so I would ask that you vote against the pending motion of Senator Philbrick of Penobscot.

The Secretary read the status of the bill.

The PRESIDENT: The question before the Senate is the motion of the Senator from Penobscot, Senator Philbrick to insist and ask for a Committee of Conference.

Mr. PHILBRICK of Penobscot: Mr. President, I ask for a division.

A division of the Senate was had.

Twelve having voted in the affirmative and nineteen opposed, the motion to insist and ask for a Committee of Conference did not prevail.

Mr. JOHNSON of Somerset: Mr. President, I now move that the Senate reconsider its action whereby this bill was passed to be engrossed.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that the rules be suspended in order that he may make a motion to reconsider.

Mr. PHILBRICK of Penobscot: Mr. President, I rise to ask if that requires a two-thirds vote?

The PRESIDENT: The Chair answers in the affirmative, if a division is requested.

Mr. PHILBRICK: Mr. President, I request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Johnson, to suspend the rules, which requires a two-thirds vote. Is the Senate ready for the question?

A division of the Senate was had.

Twenty-four having voted in the affirmative and eight opposed, the motion to suspend the rules prevailed.

Thereupon, on motion by Mr. Johnson of Somerset, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. JOHNSON of Somerset: I now present Senate Amendment "A" to this bill.

I believe you all know this was a bill which was passed out of the Transportation Committee 8 to 2 "Ought to pass." This bill in its original form required that all automobiles, passenger automobiles, have with the '64 year, seatbelts required before they can be sold in this state. At the present time there are approximately four percent of all vehicles on the road today that have seatbelts. I have some statistics and figures here. I have a feeling that the other body may kill this but I hope that they may read some of the remarks in

the calendar when they get it the next day.

In the first place, last Fourth of July there were 442 people killed on the highways. That was on one day in the United States. Of these 442 victims, there was not one that had a seatbelt in the car. On detailed surveys by the Highway Safety Committee and others qualified, reduction of 60 percent in this casualty rate would have been achieved if all of these people had had seatbelts. There are many arguments. Some people say that you can be thrown clear of the car and perhaps live, but these are less than five percent of the cases where there would have been a fatality. The argument is sometimes that seatbelts in a convertible won't do any good but actually two percent of all accidents occur with convertibles.

The American College of Surgeons, the United States Public Health Service, the American Medical Association and many other agencies favor this legislation. Of course many people say that if seatbelts are in the automobile and required by law, we are infringing perhaps on their personal rights and privileges. I would say this that there are other items in an automobile; for example the safety glass provision that was enacted some years ago infringed on these rights. We have seen the mufflers and the tail pipes get bigger and longer in the interest of safety, and to save lives.

This does not, I feel, infringe on anyone's rights. I realize that there are many bills that we have here in the legislature that do go a step toward infringing on other's rights. One of the other bills we heard in the Transportation Committee was one that would require people over 75 to have two year driver examination and someone was there and spoke, and he meant what he said in that we were infringing on the rights of older people and yet if you talk with some of these older people seriously, they feel that we are not infringing on their rights. They feel that if they are not qualified to drive when they get older, then they should be taken off the road.

I feel that we are not trying to force anything on anyone. Another argument sometimes is that these belt manufacturers are going to make a fortune. Well, if they are going to make a fortune and cause a reduction in the loss of life, I say, "Let them make a fortune". Someone will make it somewhere along the line. There are several states that are passing this bill. New Hampshire I believe has just passed it. Of course they just passed other liberal legislation too so I don't think this is too far off. I would now move that this amendment be adopted.

Mr. PHILBRICK of Penobscot: Mr. President and other stalwart defenders of the rights of the individual. I think that that government is best which governs least and does only those things for us which we cannot do for ourselves. The good Senator from Somerset County and I are much more in agreement than you might think. I feel that safety belts are fine and a worthy thing and undoubtedly I would install them in my own car but I feel that I am free and white and twenty-one. I can make my own decisions. I feel that is one of the decisions I can make for myself and I don't need a State Highway Committee in the form of Big Brother telling me that I must do it. I was greatly moved some two weeks ago when I heard the other Senator from Somerset County, Senator Stitham, make a very stirring speech on the effect of compulsion with respect to the school districts.

I am waiting with bated breath for him to rise to my aid on this particular bill. I think that perhaps he may be eagerly chomping at the bit and is about to get up and speak so I will sit down and give him that opportunity.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I welcome the opportunity that has been afforded to me by the good senior senator from Penobscot. I do feel that I am quite a supporter of individual rights, however I cannot support him on this, and I do not believe that my position is indefensible, for the reason that we are not compelling anybody to do anything. We are compelling the

manufacturers or distributors of automobiles to have safety equipment in the car. We are not compelling people to use them, and I think there is a distinct difference.

Now over a period of twenty years I have been out and picked up these broken bodies and supervised the investigation made on a great many fatal accidents and I am thoroughly convinced that seat belts will save lives and will save severity of accidents. I know from my own experience that until I had my present automobile which I bought this spring I just neglected to have the seat belts put in. I do have seat belts in my car now and I use them. If the seat belts are in the car people are going to use them. I am heartily in favor of this bill and I am sorry that I cannot support my good friend, the senior senator from Penobscot.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to note that the proposed legislation was included in the Inaugural address of the Governor and was introduced specifically at his request and is therefore a part of the administration's program.

Mr. PHILBRICK of Penobscot: Mr. President and members of the Senate: Let me draw a corollary. Just supposing that we had a Governor's Committee on Health and just suppose that that committee decided that it would be a proper and healthful thing for all of us to drink four quarts of milk a day. Now they might say, "You don't have to drink four quarts of milk a day but you will have to buy four quarts of milk a day." Don't you see how it works? It is education to use these belts that we need; it is not the compulsion to have to buy these things and install them in your car. There is all the difference in the world.

The Secretary read Senate Amendment A.

The PRESIDENT: The question before the Senate is the adoption of Senate Amendment A.

A viva voce vote being doubted by the Chair.

A division of the Senate was had.

Twenty-four having voted in the affirmative and eight opposed, Sen-

ate Amendment A 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 tomorrow morning at 9:30 o'clock.