

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Thursday, March 15, 1945.

The Senate was called to order by the President.

Prayer by the Reverend Elmer Colcord of Gardiner.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of the University of Maine," (H. P. 409) (L. D. 183) reported that the same ought to pass.

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

In the Senate, recommended to the Committee on Appropriations and Financial Affairs in concurrence.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to School Committee in Town of Rumford," (H. P. 831) (L. D. 444) reported that the same ought not to pass.
(signed)

Senators: **BATCHELDER** of York
LEAVITT of Cumberland
GOULD of Androscoggin

Representatives:
PAYSON of Portland
WEEKS of Waterville
WARREN of Westbrook
WELCH of Mars Hill

The Minority of the same Committee on the same subject matter, reported that the same ought to pass.
(signed)

Representatives:
DONAHUE of Biddeford
RANKIN of Bridgton
SNOW of Auburn

Comes from the House, recommended to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Batchelder of York, recommended to the Committee on Legal Affairs in concurrence.

The Committee on Education on Bill "An Act Relating to Towns Having No Free High Schools," (H.

P. 503) (L. D. 200) reported that the same ought not to pass.

Comes from the House, recommended to the Committee on Education.

In the Senate, recommended to the Committee on Education in concurrence.

The Committee on Judiciary on Bill "An Act Relating to the Issuance of Licenses for Firearms," (H. P. 525) (L. D. 256) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading. Committee Amendment A and House Amendment A were severally read and adopted in concurrence and on motion by Mr. Smith of Knox the bill was laid upon the table pending assignment for second reading.

The Committee on Inland Fisheries and Game on "Resolve Regulating Ice Fishing in Squa Pan Lake in Aroostook County," (H. P. 506) (L. D. 201) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Open Season on Bull Moose in Cumberland County," (H. P. 1180) (L. D. 741) reported that leave be granted to withdraw the same.

The Committee on Public Utilities on Bill "An Act Relating to Transportation of Livestock," (H. P. 351) (L. D. 127) reported that leave be granted to withdraw the same.

The Committee on Welfare on Bill "An Act Relating to Payment of Funeral Expenses of Persons Receiving Old Age Assistance and Aid to the Blind," (H. P. 369) (L. D. 125) reported that leave be granted to withdraw the same.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Knox Arboretum," (H. P. 1133) (L. D. 789) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Exhibitions of Agricultural Societies," (H. P. 966) (L. D. 583) reported that the same ought not to pass.

(On motion by Mr. Howes of Penobscot, tabled pending consideration.)

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Personal Examination of Certain Applicants to Solicit Insurance," (H. P. 1144) (L. D. 695) reported that the same ought not to pass.

The Committee on Public Utilities on Bill "An Act Relating to Inspection of Dams and Reservoirs," (H. P. 543) (L. D. 260) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to the Gasoline Tax" (H. P. 1154) (L. D. 697) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Use Fuel Tax," (H. P. 1153) (L. D. 696) reported that the same ought not to pass.

The Committee on Welfare on Bill "An Act Relating to Payments by the State Toward Burial Expenses of Recipients of Old Age Assistance and Aid to the Blind," (H. P. 1016) (L. D. 557) reported that the same ought not to pass.

The same Committee on "Resolve Relating to Status of Pauper Settlement of Arthur Melvin Clewley," (H. P. 1017) (L. D. 553) reported that the same ought not to pass.

Which reports were severally read and adopted in concurrence.

The Committee on Banks and Banking on Bill "An Act Relating to Personal Loans Made by Savings Banks," (H. P. 1117) (L. D. 692) reported that the same ought to pass.

The Committee on Education on Bill "An Act Relating to Tuition in Secondary Schools," (H. P. 805) (L. D. 419) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Records of Sale of Real Estate for Taxes," (H. P. 1064) (L. D. 775) reported that the same ought to pass.

The Committee on Public Utilities on Bill "An Act to Extend the Charter of the Vanceboro Water Company," (H. P. 1226) (L. D. 772) reported that the same ought to pass.

The same Committee on Bill "An Act to Extend the Charter of the Aroostook Railway Company," (H. P. 1227) (L. D. 809) reported that the same ought to pass.

The Committee on Welfare on Bill "An Act Relating to the Duties of the Department of Health and Welfare and the Inspection and Licensing of Institutions and Boarding Homes for the Aged," (H. P. 357) (L. D. 122) reported that the same ought to pass.

The same Committee on Bill "An Act Relieving Towns from Care of Neglected and Dependent Children," (H. P. 449) (L. D. 174) reported the same in a new draft (H. P. 1332) (L. D. 980) under a new title, Bill "An Act Relieving Towns from Care of Neglected Children," and that it ought to pass.

The same Committee on Bill "An Act Relating to Licensing Boarding Homes for Children," (H. P. 361) (L. D. 126) reported the same in a new draft, (H. P. 1333) (L. D. 981) under the same title and that it ought to pass.

Which reports were severally read and adopted in concurrence, the bills read once and tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill "An Act Relating to Street Sliding," (H. P. 211) (L. D. 84) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Noyes of Hancock, tabled pending adoption of Committee Amendment A in concurrence.)

The same Committee on Bill "An Act to Amend the Charter of the City of South Portland and Provide for a Park and Recreation Commission," (H. P. 530) (L. D. 259) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Public Utilities on Bill "An Act to Aid in Prevention of Flood Damage," (H. P. 1225) (L. D. 808) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Penobscot Tribe of Indians," (H. P. 792) (L. D. 415) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted in concurrence, and the bills and resolve read once; Committee Amendments "A" were severally read and adopted in concurrence and the bills and resolve as amended, tomorrow assigned for second reading.

The Majority of the Committee on Judiciary on Bill "An Act Relating to Civil Actions for Death," (H. P. 244) (L. D. 90) reported that the same ought not to pass.

(signed) Senators:

DOW of Oxford
DUNBAR of Washington
CLOUGH of Penobscot

Representatives:

PERKINS of Boothbay Harbor
CONNELLAN of Portland
WARD of Millinocket
WILLIAMS of Auburn
HASKELL of Portland

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

(signed) Representative:

PASCUCCI of Sanford

Comes from the House, the Majority report read and adopted.

In the Senate, on motion by Mr. Dow of Oxford, the Majority Report "Ought Not to Pass" was adopted in concurrence.

The Majority of the Committee on Judiciary on Bill "An Act with Reference to Pleading and Proving Contributory Negligence," (H. P. 330) (L. D. 117) reported that the same ought not to pass.

(signed) Senators:

DOW of Oxford
DUNBAR of Washington
CLOUGH of Penobscot

Representatives:

WARD of Millinocket
PERKINS of Boothbay Harbor
HASKELL of Portland
WILLIAMS of Auburn
PASCUCCI of Sanford

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

(signed) Representative:

CONNELLAN of Portland

Comes from the House, the Majority Report read and adopted.

In the Senate, on motion by Mr. Dunbar of Washington, the Majority Report "Ought Not to Pass" was adopted in concurrence.

First Reading of a Printed Bill

Bill "An Act to Provide for the Election of a Superintending School Committee for the Town of Caribou." (S. P. 382) (L. D. 982)

Which bill was read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Owen from the Committee on Bill "An Act Relating to School Unions," (S. P. 29) (L. D. 12) reported that the same ought not to pass.

Mr. Boucher from the Committee on Indian Affairs on Bill "An Act Relating to Police Officers for the Penobscot Tribe of Indians," (S. P. 311) (L. D. 840) reported that the same ought not to pass.

Which reports were severally read and adopted.

Sent down for concurrence.

Mr. Brown from the Committee on Library on "Resolve Relating to Old Printed Laws," (S. P. 256) (L. D. 628) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Relating to Printed Vital Records," (S. P. 255) (L. D. 629) reported that the same ought to pass.

Mr. Washburn from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Fish Weirs," (S. P. 342) (L. D. 927) reported that the same ought to pass.

Mr. Bishop from the Committee on Agriculture on Bill "An Act Governing the Handling of Pasteurized Milk," (S. P. 186) (L. D. 493) reported that the same ought to pass.

Mr. Denny from the same Committee on Bill "An Act Regulating the Labelling of Fresh Eggs for Sale," (S. P. 188) (L. D. 492) reported that the same ought to pass.

Mr. Good from the same Committee on Bill "An Act Relating to Soil Conservation," (S. P. 187) (L. D. 494) reported that the same ought to pass.

Which reports were severally read and adopted, and the bills and resolves read once and tomorrow assigned for second reading.

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Relating to Compromise of Claims," (S. P. 243) (L. D. 641) reported the same in a new draft (S. P. 385) under the same title, and that it ought to pass.

Which report was read and adopted, and the new draft laid upon the table for printing under the joint rules.

The Majority of the Committee on Judiciary on Bill "An Act Relating to Transfer of Inmates from the Reformatory for Men to the State Prison and the State School for Boys," (S. P. 139) (L. D. 344) reported that the same ought to pass.

(Signed)

Senators:

DUNBAR of Washington
CLOUGH of Penobscot

Representatives:

WILLIAMS of Auburn
WARD of Millinocket
HASKELL of Portland
PEIRCE of Augusta
CONNELLAN of Portland

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

(Signed)

Senator:

DOW of Oxford

Representatives:

PERKINS of Boothbay
Harbor
PASCUCCI of Sanford

In the Senate, on motion by Miss Clough of Penobscot, the reports and accompanying papers were laid upon the table pending adoption of either report.

Passed to be Engrossed

Bill "An Act Relating to Education of Blind Children." (H. P. 358) (L. D. 123)

Bill "An Act Relating to the Payment of Certain Obligations of the Recipients of Old Age Assistance, and Aid to the Blind under Certain Conditions." H. P. 359) (L. D. 124)

Bill "An Act Relating to State Trust Funds." (H. P. 407) (L. D. 162)

"Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of 'Montpelier.'" (H. P. 617) (L. D. 283)

"Resolve Relating to Fishing in Mosquito Brook in Aroostook County." (H. P. 691) (L. D. 309)

Bill "An Act Relating to State Police Retirement System." (H. P. 947) (L. D. 575)

Bill "An Act Permitting Employees of Water Districts and Other

Quasi-Municipal Corporations to Become Members of the State Employees' Retirement System." (H. P. 1140) (L. D. 683)

Bill "An Act Relating to the Presque Isle Municipal Court." (H. P. 1330) (L. D. 978)

Bill "An Act Relating to the Caribou Municipal Court." (H. P. 1331) (L. D. 979)

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

"Resolve in Favor of Non-Contributory Pension Status of Anna F. Crowley, of Biddeford." (S. P. 111) (L. D. 231)

"Resolve Providing for Purchase of Land and Buildings for the State Reformatory for Women." (S. P. 273) (L. D. 614)

Bill "An Act Relating to Registration or Renewal of Registration of Dealers in Securities." (S. P. 302) (L. D. 847)

"Resolve Relating to a Central Heating Plant at State School for Girls, in Hallowell." (S. P. 336) (L. D. 815)

Bill "An Act Relating to the State School for Girls." (S. P. 337) (L. D. 814)

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

Sent down for concurrence.

Passed to be Enacted

Bill "An Act Authorizing Savings Banks, Loans and Building Associations and Trust Companies to Make Mortgage Loans Under the Servicemen's Readjustment Act of 1944" (S. P. 47) (L. D. 11)

Bill "An Act Relative to Game Preserve." (S. P. 112) (L. D. 229)

Bill "An Act to Promote Proper Recording and Education Concerning Vital Statistics." (S. P. 117) (L. D. 226)

Mr. CROSS of Kennebec: Mr. President, I move that this bill be indefinitely postponed and in support of that motion I would like to ask the members of the Senate to turn to the bill, L. D. 226, and discuss this for a few minutes.

This bill appears to be one of the various measures which is to regulate the public, and presumably for our own good. Most regulatory measures are supposed to be for our own good but I cannot see any jus-

tification for our putting on the books a law such as this which makes it mandatory upon the parents or guardians of children upon entering school to furnish birth certificates to the teachers.

Now, under our existing law as I understand it, the teacher may request the pupil to furnish a birth certificate. There is no compulsion on the parent or guardian. And I have been unable to find where there has been any abuse of that privilege. Under this bill, if it is passed, it would be mandatory upon the parent or guardian to furnish a birth certificate when the child enters school. Furthermore if within ten days they do not do so the teacher is required under the law to make up a list of delinquent pupils, or delinquent parents or guardians, and submit the list to the supervisor who shall in turn submit it to the superintendent who shall send in the list to the Registrar of Vital Statistics giving the names of the parents or guardians who are so delinquent.

Now, if the Registrar of Vital Statistics sees fit to do so and feels that the parent or guardian is negligent, he may summon them into court for wilfully neglecting or breaking this law which we may put on the books; and if he should be found guilty there is a fine of five dollars for each offense.

Now this may be a good bill but we are being regulated now, it seems to me, from all angles. The federal government regulates us, the OPA regulates us, the ODT and various other war agencies, which we hope will not be permanent, all regulate us; and in state regulation we have various other measures for schools, and farms, and practically every bureau here has the power to regulate our lives in one way or another.

I think the people of the state of Maine dislike regulations. I know I do. And even if it is for the good of our souls, there is going to be a pretty close scrutiny later on of what we have put on the books and I think we would have a pretty bad public reaction if we pass this bill. I don't imagine that the Registrar of Vital Statistics would hale anybody into court unduly but sometimes, you know, we get in office a person who might wish to exercise his authority and if you get two or three of these court cases of par-

ents being tried in court I know the public will be very indignant.

I have talked with several teachers about this bill and they feel they are already over-burdened with all the work they can attend to without making lists of delinquent parents and doing other paper work at this time. They feel that the present statute which gives them the right to ask for the certificates is sufficient and I don't see any necessity for putting this law on the books. I move its indefinite postponement.

Mr. DOW of Oxford: Mr. President and members of the Senate, this is Legislative Document 226 which was heard by the Judiciary Committee and has been changed by amendment, extending the ten days to sixty days and I think that was adopted by the legislature, as far as the bill has gone. We also made another amendment which struck out the baptismal record containing like information and recommending that the bill be passed. I think our reasons for doing so, or one reason at least, is because as people reach the age of sixty-five or seventy and have to apply for Old Age Assistance, Social Security Benefits, and so on, it is quite impossible sometimes to get a birth certificate or a record of birth. At that age, of course, a good many of the people who remember the birth and knew the situation at the time, have passed on so there is no one available to give that information.

At the present time if a person doesn't have a birth certificate or record of birth there is a provision of the law called a delayed birth record or certificate whereby the record can be changed or set up and be taken care of in that way, and if one of these youngsters goes to school and for some reason there is no birth certificate properly recorded that is the time to catch it and straighten it out and take care of that particular thing.

I think it also applies to people going abroad. If they want a visa they must have a proper certificate and have it properly recorded, and it seemed to the committee that in view of these circumstances, the bill should receive a passage.

As far as the penalty is concerned, I agree with my colleague, Senator Cross, that maybe there shouldn't be any penalty but there is no use in enacting a law unless you put some teeth in it and I think you have got to trust to some of the people who administer our

laws to use some discretion in administering those laws. I know the Senator has talked with some school teachers. That wouldn't discourage me a bit because I taught school for eight years and every time called the directors about anything, I was told very emphatically, "The schools don't exist for you, they are for the children," and so far as the results are concerned, I think they will merit the work which the teachers have to put into it.

I hope the motion of the Senator from Kennebec, Senator Cross will not prevail.

Miss CLOUGH of Penobscot: Mr. President, since I introduced this bill two years ago I feel I ought to say a word for it. I think the time has passed when as Will Rogers said, "To appear on the street is evidence that we have been born." We have to have birth certificates for everything. As the Senator from Oxford, Senator Dow has pointed out, we have to have birth certificates for old age assistance and to be admitted in certain schools and I think it is correct that we have to have them to apply to the Maritime Academy. We have to have them for certain insurance evidence. I think that all that was planned in the bill was to establish an orderly process by which proper birth recordings of individuals born within the State might be set up. The law imposes no new duties upon the health authorities. This bill adds to chapter 22—now chapter 37 and it does supply the means of checking upon the actual recording. It does supply evidence to the department of Education on children of school age. It makes sure all children will have the benefit of birth records when the parents and those conversant with the facts are alive and able to supply such facts as are required by law to be recorded. Those are my reasons for supporting the measure and I hope the motion of the Senator from Kennebec, Senator Cross, does not prevail.

Mr. CROSS: Mr. President, I neglected to mention the various arguments for the bill by the proponents, but I can not see why we should burden our schools with proving vital statistics. Under the existing law there are various methods by which they shall be given to the public, and recognizing the arguments for the people having proper birth certificates especially

in the old age assistance group, I do not feel this is the proper place to get that evidence. It seems to me our doctors, as the Senator from Penobscot, Senator Clough, has pointed out, city clerks and various other officers now have the authority to issue and file the various things—the birth certificates—and why is it necessary to put this law on the books and make a burden on the parents to prove they have birth certificates? Apparently it is a move to help put ten percent of the people who might be required eventually at the age of sixty or sixty-five to have their certificates. I think most of the trouble in the past has been because people as of today or yesterday or within this period, don't have birth certificates and it is the fault, principally of the old methods of issuing them, and people born sixty years ago probably didn't get birth certificates. As for people born today, I do not know of any doctor or other official who doesn't see that a birth certificate is filed. There may be some missing but it would be a very small percentage. It seems clear the only intent of this statute is to help out people in later years who might want to go to Europe or might want to apply for old age assistance and might not have birth certificates. I do not believe it would be over ten percent of the public. The other ninety percent would be penalized by doing something superfluous for the good of the other ten percent. I hope my motion will prevail.

Miss CLOUGH: Mr. President, I'd like to recite a little family history if it would not bore you too much. I am one of a family of ten and I presume my mother had a very competent physician who would have reported within six days under the law. One time I went to get a birth certificate and discovered in looking up the records of the other nine that two of the children were recorded as born the same day although there was eighteen months difference in their ages. The birth of one had never been recorded. Later it became necessary for a brother to apply to a certain school and he had to have a birth certificate. It would have caused unreasonable delay if the doctor had not been living, and witnesses to prove he had been born. I do not think we have to look at the old age assistance aspect entirely. Had it not

been for the fact—let me put it another way—the people of Maine have found it necessary in applying for defense jobs to have some proper record of birth. It is true we would have under the old law, somewhat adequate provisions, but things happen and town clerks do not record the births and physicians do not report to the town clerks and sometime records do get burned. So it would seem a simple process without compulsion for teachers to have the parents of the children present birth certificates and I do not think it would put an undue burden on the teachers. I still hope the motion of the Senator from Kennebec, Senator Cross, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that the bill will be indefinitely postponed in non-concurrence.

Mr. OWEN of Kennebec: Mr. President, my name appears as the one who introduced this bill and I wouldn't wish anyone to think that by remaining silent I have acquiesced in its indefinite postponement. Such is not the case. I, too, had an experience seven or eight years ago when it was necessary for me to prove to the authorities that I had been born and I had considerable difficulty in that respect in the city of Gardiner and as far as the five dollar fine is concerned it would have been very much cheaper to have paid the fine than it was to go through the process necessary in order to obtain a birth certificate.

Another fact that has not been mentioned this morning is that we have on our books laws which make it necessary for children to have attained a certain age before they are allowed to enter school. Those laws are now in the process of revision and in order to make certain that the laws are being complied with you will find that it is all the more necessary to have birth certificates.

I think it is not necessary to make any more remarks. I am simply not in favor of indefinite postponement.

Mr. DUNBAR of Kennebec: Mr. President, I was in hopes that I would not have to inject myself into this debate this morning and I will be very brief. I just want to speak of one matter which has not been touched upon, that was

brought to the attention of the committee.

I believe that as the arguments have progressed this morning this matter has been dealt with as applying only to the state of Maine. One of the points brought out before the committee was to take care of people with children moving into Maine from outside the state, that it is quite necessary for them to have birth certificates because there wouldn't be any birth records of those children in Maine that would apply to the situation that Senator Owen speaks about and it would be necessary for them to file with the teacher a birth certificate to show that those children were of the proper age to enter school. It was for that reason the amendment was changed extending the time for filing from ten days to sixty days. We thought ten days might be too short for the parent or guardian, when informed by the school teacher that they must have a birth certificate, to get one from New York or some other far distant state. So the time was changed from ten days to sixty days so that there would be ample time for them to get it.

I thought it might be well to call that to the attention of the Senators and I hope that the motion of the Senator from Kennebec, Senator Cross, will not prevail.

Mr. CROSS of Kennebec: Mr. President, may I inquire if I am entitled to speak again without special permission?

The PRESIDENT: The Chair will reply that the Senator is entitled to speak.

Mr. CROSS: I would not inflict myself on the Senate again but I thought as I listened to the Senator from Washington (Senator Dunbar) how this particular bill typifies the objection that Senator Noyes made the other day in regard to committee amendments.

This bill apparently has been amended and as the amendment has not been printed, somewhere between the acceptance of the report and my reading of the final draft of the bill there has been a committee amendment which I didn't know about. I think that does make it somewhat easier for the parents or guardian, to give them sixty days instead of ten. It is, however, an indictment upon our printing that we do not have available Committee Amendment A.

I do, however, feel that there are one or two things which were

brought up which continue to make the point that they are going around the back door to do something which they apparently want to do. Why don't we change our method and put some teeth into the law requiring the doctors or city clerks to give birth certificates, and not inflict it upon our school teachers?

Furthermore as far as the proof of age of the child goes, we now pay good money each year to conduct a school census and all that information is presumably on file in the offices of the superintendents of schools, and it does seem that there shouldn't be much necessity for asking for birth certificates. Of course as time goes on I can see that my estimate of sixty years ago, if the records weren't accurate, would have to be revised downward because my good friend, the Senator from Kennebec (Senator Owen) isn't sixty years old and I certainly wouldn't want to insinuate that the gentleman from Penobscot is. I think I would have to say that the records would say twenty-five years ago. Nevertheless, I do feel—I may stand alone on this—that it is not a good bill to put on the books. I hope the motion prevails.

Mr. WELCH of Aroostook: Mr. President and Members of the Senate, I just have one thought along this line and that is how much overlapping we are going to have if we pass this bill. If I understood the Senator from Penobscot, Senator Clough correctly, to get into the Maritime Academy we have to have three birth certificates or records of birth. We have a law now requiring recording of births. We have one now, if I am right, that requires the assessors in towns and cities to check on all births within the year, and report. We have another one requiring reporting when they become of school age. I believe I can go along with Senator Cross's motion to indefinitely postpone, as we have about three different chances to check on them, which should be sufficient.

Mr. McKUSICK of Piscataquis: Mr. President, I am one of those who have no record of birth. I have also served as town clerk in my town some years past and I find that records are reasonably complete since the year 1892—either 1892 or 1894, so it would clear up some question regarding the age of

some of our colleagues. I do believe the purpose of schools is for instruction and I believe we are loading too much on our teachers and as the Senator from Aroostook, Senator Welch, has said, it seems through the assessors and doctors there is a double check where the birth is recorded in the state office here. I have just been to the state office and got a birth certificate for a boy born in my town. It seems to me this is unnecessary legislation.

Mr. DOW: Mr. President and Members of the Senate, there is one thing in connection with the evidence brought out before the committee that I neglected to state. I presume Dr. Mitchell of the Department of Health and Mr. Stinson of the Vital Statistics and Mr. Roderick of the State Department of Education may know something of the problems about birth records. There appeared before our committee Dr. Mitchell as a proponent, and Mr. Stinson as proponent and Mr. Roderick of the State Department of Education as proponent, and they should know something about it; and there were no opponents.

Mr. BROWN of Aroostook: Mr. President, I don't know as I can add a great deal to this debate that is going on. I might say I was also a person who, a short time ago, within two or three years, had occasion to want to get a birth certificate as I wanted to go to Canada fishing and I wanted to know that I could get back, and I had to hunt up and have manufactured for me a birth certificate to prove I had been born, but conditions at that time were vastly different than they are now.

I have seen, since I have been in the State House five brief terms as legislator, a great desire on the part of departments to increase their own duties that they might thereby build up the departments and do more work and get more appropriation, and also a great inclination on the part of departments to reach into other various departments and try to direct the work.

The facts that these heads of departments appeared at this hearing, being in favor of a bill like this would not have any weight with me. The fact there was no opposition would not have great weight because a great many legislators, es-

pecially Senators, are so busy attending hearings of their own, they do not have time to run around and attend other hearings. It would seem to me there would be overlapping and we should not put upon the Education department and school teachers the work of doing work which properly belongs to the bureau of Vital Statistics, and making a check-up to see where doctors and town clerks, etc., have failed in their duty. I stand with the Senator from Kennebec, Senator Cross, in believing this bill should not be passed.

Mr. CROSS: Mr. President, when the vote is taken, I ask for a division.

Miss CLOUGH: Mr. President, may I speak for a third time?

The PRESIDENT: The Senator has the floor.

Miss CLOUGH: I think we have lost sight of the fact with all the existing law we have to require proper and adequate filing of births, it is still incomplete by reason of the fact that records are sometimes burned and there are often difficulties in sending along the proper information. I think anything we can do by reason of the fact that birth certificates are so necessary to the citizens of Maine for the reasons stated, if there is anything we can do to help this coverage along, we should do it, by a very simple method. We have had no teachers appearing in opposition to this, and we have had no one to oppose it. Certainly four years is enough time to stir people up if they are going to be stirred up. I hope the motion of the Senator from Kennebec, Senator Cross, will not prevail.

Mr. BISHOP of Sagadahoc: Mr. President, I tried to sit here and enjoy my pipe but now we are bringing in this question of school teachers. I feel school teachers are at present greatly overworked and they are patient souls, proven by the fact that when sugar rationing came into effect, Donald Nelson's office had 60,000 paid employees to draw up sugar cards. The printing was five million dollars. Then they sent them out for the school teachers to administer and they did it without a whimper and your children and mine walked the streets while they were doing it. Teachers do not fuss.

The PRESIDENT: The question before the Senate is on the motion

by the Senator from Kennebec, Senator Cross, that this bill be indefinitely postponed, and that Senator has asked for a division.

A division of the Senate was had. Nine having voted in the affirmative and twenty opposed, the motion failed of passage.

Thereupon, the bill was passed to be enacted.

Passed to be Enacted

Bill "An Act Relating to Recording of Certificates of Incorporation." (S. P. 138) (L. D. 343)

Bill "An Act Relating to Reenactment of Law Dealing with Unexpended Appropriations." (S. P. 190) (L. D. 431)

Bill "An Act Relating to Admission to Practice Law." (S. P. 201) (L. D. 483)

Bill "An Act Relating to the Transportation of Poles." (S. P. 205) (L. D. 479)

Bill "An Act to Extend Opportunities for Secondary Education to Children Residing on the Islands Classified as Unorganized Territory." (S. P. 238) (L. D. 646)

(On motion by Mr. Owen of Kennebec, tabled pending passage to be enacted.)

Bill "An Act to Extend Opportunities for Secondary Education to Island Children." (S. P. 239) (L. D. 645)

(On motion by Mr. Owen of Kennebec, tabled pending passage to be enacted.)

Bill "An Act Relating to Settlement of Suits." (S. P. 244) (L. D. 640)

Bill "An Act Relating to Reference or Compromise." (S. P. 245) (L. D. 639)

Bill "An Act Relating to the Determination of Mentally Defective Children." (S. P. 318) (L. D. 833)

Resolve, Relating to Old Bay Bridge Road in the County of Sagadahoc. (S. P. 282) (L. D. 728)

Bill "An Act Relating to Changes Under the Public Utility Holding Company Act Approved by Court of Competent Jurisdiction." (H. P. 245) (L. D. 93)

Bill "An Act Relating to the Foreclosure of Tax Mortgages in Equity." (H. P. 328) (L. D. 115)

Bill "An Act Relative to Quietening and Establishing of Titles Derived from Tax Lien Certificates." (H. P. 329) (L. D. 116)

Bill "An Act Relating to the Chief Engineer and Assistant of the City of Lewiston." (H. P. 428) (L. D. 236)

Bill "An Act to Amend the Charter of the City of Saco by Providing for the Appointment of a Civil Service Commission." (H. P. 653) (L. D. 301)

Bill "An Act Relating to Adoption of Children." (H. P. 820) (L. D. 424)

Bill "An Act to Repeal the Pension Law for Police in the Town of Houlton." (H. P. 826) (L. D. 441)

Bill "An Act Relating to the Time for Packing Sardines." (H. P. 879) (L. D. 515)

Bill "An Act Relating to Interest Payments by Counties on Lost Heir Funds, So-Called." (H. P. 1063) (L. D. 660)

Bill "An Act Relating to Witnesses Summoned to Appear Before the State Liquor Commission." (H. P. 1071) (L. D. 804)

Bill "An Act Relating to Proxies." (H. P. 1185) (L. D. 746)

Bill "An Act Relating to Speed Limit on Bridges." (H. P. 1205) (L. D. 706)

Bill "An Act Relating to Inspection of Motor Vehicles." (H. P. 1207) (L. D. 708)

Bill "An Act Relating to Adoption of Persons." (H. P. 1283) (L. D. 910)

Bill "An Act to Provide a Town Manager Form of Government for the Town of Fairfield." (H. P. 1323) (L. D. 967)

Bill "An Act to Amend the Charter of the Brunswick Village Corporation." (H. P. 1324) (L. D. 968)

Finally Passed

"Resolve, Regulating Fishing in Pleasant Pond." (H. P. 509) (L. D. 249)

"Resolve, Opening Androscoggin Watershed and Tributaries to Smelt Fishing" (H. P. 694) (L. D. 311)

"Resolve, Relating to Sale and Distribution of Index to Private and Special Laws." (H. P. 962) (L. D. 581)

Emergency Measure

Bill "An Act Authorizing the Town of Mount Desert to Improve the Port of Northeast Harbor and Facilities." (H. P. 339) (L. D. 152)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed was passed to be enacted.

Orders of the Day

On motion by Mr. Good of Aroostook, the Senate voted to take from the table bill, An Act Relating to the Solemnizing of Marriages (H. P. 1320) (L. D. 966) tabled by that Senator on March 8 pending passage to be engrossed in concurrence and on further motion by the same Senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table bill, An Act Creating the Passamaquoddy District Authority (H. P. 1200) (L. D. 759) tabled by that Senator on March 7 pending adoption of Committee Amendment A in concurrence; and on further motion by the same Senator Committee Amendment A was adopted in concurrence and the bill so amended was tomorrow assigned for second reading.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table House Report from the Committee on Legal Affairs on bill, An Act Relating to Street Sliding (H. P. 211) (L. D. 84) tabled by that Senator earlier in today's session pending adoption of Committee Amendment A.

Mr. NOYES of Hancock: Mr. President, I take this from the table at this time in order to cooperate with the Committee in avoiding the expense of printing which seems to be the primary reason for Committee Amendment A. I would call to the attention of the Senate that the document consists of Section 31 containing five lines. We are given a Committee Amendment A to that five line bill on a piece of paper quite as large as the original bill, a different quality of paper and I understand a cheaper quality, but it is difficult for me to understand wherein we save any money by printing this amendment instead of printing a new draft of the bill. If you will notice the amendment you will find it to have some eighteen lines. That sort of thing has gone too far. This Committee happens to be the Committee on Legal Affairs and some very good friends of mine are members of that committee but this is not the only time that a committee has committed this kind of error in my estimation, as I expressed here last

week, and I was very happy to hear from my colleague, Senator Cross, to the effect that the bill has been amended without his knowledge of the amendment. That amendment is short but before the bill was enacted many of us, at least I, didn't know it had been amended; it had been lost in the shuffle.

I now move that Committee Amendment A to this Legislative Document 84 be adopted.

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

On motion by Mr. Howes of Penobscot, the Senate voted to take

from the table, House Report from the Committee on Legal Affairs, Affairs, "Ought Not to Pass" on Bill, An Act Relating to Exhibitions of Agricultural Societies (H. P. 966) (L. D. 583) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator, the report of the committee was adopted in concurrence.

On motion by Mr. Morrill of Cumberland

Adjourned until tomorrow morning at ten o'clock.