

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, April 8, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Royal Brown of Gardiner.

Journal of yesterday read and approved.

House Papers

Bill "An Act to Provide Facilities for Expansion of Research and Study in the Fields of Agriculture and Industry and Student Housing and Appropriating Moneys Therefor." (H. P. 1034) (L. D. 1175)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

"Resolve, Providing for State Pension for Fred J. Kapishke of Richmond." (H. P. 1235)

Which was received by unanimous consent and referred to the Committee on Welfare in concurrence.

Bill "An Act Permitting the Separation of Cumberland Foreside from the Town of Cumberland." (S. P. 488) (L. D. 1365)

(In Senate on March 17th referred to the Committee on Towns and Counties.)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Chapman of Cumberland, the Senate voted to recede and concur with the House.

Bill "An Act Relating to Carrying Motor Vehicle License by Operator." (H. P. 293) (L. D. 278)

(In Senate on March 24th passed to be engrossed in non-concurrence.)

Comes from the House, indefinite postponement reconsidered, and the bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

(Amendment Filing No. 194)

In the Senate, on motion by Mr. Haskell of Penobscot, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence, and the bill as so amended

was passed to be engrossed in concurrence.

Bill "An Act Relating to Circuses and Travelling Amusement Shows." (S. P. 289) (L. D. 831)

(In Senate, on March 11th passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence. (Amendment Filing No. 189)

In the Senate, on motion by Mr. Haskell of Penobscot, the rules were suspended, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence; and the bill as so amended was passed to be engrossed in concurrence.

The Committee on Transportation on Bill "An Act Relating to Exemptions from Regulation of Motor Carriers." (H. P. 879) (L. D. 871) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Business Legislation on Bill "An Act Relating to Facsimile Signatures upon Corporate Obligations," (H. P. 1015) (L. D. 1136) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Fire Inspection of Hospital and Boarding Homes," (H. P. 961) (L. D. 1051) reported that the same ought to pass.

The Committee on Claims on "Resolve, in Favor of Robert E. Towle of Portland," (H. P. 795) (L. D. 1392) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of A. P. Russell, of Berwick, for Damage done by State Wards," (H. P. 497) (L. D. 1391) reported that the same ought to pass.

The same Committee on "Resolve, to Reimburse J. J. Blackmore of Berwick for Damage Done by State Wards," (S. P. 496) (L. D. 1393) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of S. Gaudet and Son, of Rockwood," (H. P. 402) (L. D. 1390) reported that the same ought to pass.

The Committee on Liquor Control on Bill "An Act Relating to Malt Liquor License Fees in Unorganized Territory," (H. P. 982) (L. D. 1070) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Excise Taxes on Malt Liquor," (H. P. 1140) (L. D. 1274) reported that the same ought to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending consideration of the report and especially assigned for Tuesday, April 14.)

The same Committee on Bill "An Act Relating to Sale of Cigarettes and Tobacco Products in Taverns," (H. P. 1025) (L. D. 1146) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Confering Degrees by Westbrook Seminary and Junior College," (H. P. 228) (L. D. 215) reported that the same ought to pass.

The Committee on Public Utilities on Bill "An Act to Incorporate the Addison Point Water District," (H. P. 991) (L. D. 1093) reported that the same ought to pass.

The same Committee on Bill "An Act to Incorporate the Norridge-wock Water District," (H. P. 848) (L. D. 952) reported that the same ought to pass.

The Committee on Sea and Shore Fisheries to which was recommitted Bill "An Act Regulating the Digging of Marine Worms in the City of Belfast, Waldo County," (H. P. 193) (L. D. 204) reported that the same ought to pass.

The Committee on Taxation on Bill "An Act Relating to Taxation of Television Sets," (H. P. 1116) (L. D. 1250) reported that the same ought to pass.

The same Committee on Bill "An Act Clarifying the Excise Tax on Aircraft," (H. P. 439) (L. D. 483) reported that the same ought to pass.

The Committee on Towns and Counties on Bill "An Act Relating to Response of Fire Departments for Aid from Other Municipalities," (H. P. 1117) (L. D. 1251) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Taking of Alewives in the Town of Gouldsboro," (H. P. 998) (L. D. 1085) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Taking of Alewives in Sherman Lake," (H. P. 852) (L. D. 909) reported that the same ought to pass.

The same Committee on Bill "An Act Authorizing the Town of Windham to Contribute to the Rebuilding of the Dam in Little Sebago Lake," (H. P. 858) (L. D. 953) reported that the same ought to pass.

The same Committee on Bill "An Act to authorize the Town of Gray to Contribute to the Rebuilding of the Dam in Little Sebago Lake," (H. P. 857) (L. D. 931) reported that the same ought to pass.

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

The Committee on Liquor Control to which was recommitted Bill "An Act Regulating Liquor Advertising," (H. P. 191) (L. D. 202) reported the same in a new draft (H. P. 1220) (L. D. 1407) under the same title, and that it ought to pass.

The Committee on Public Utilities on Bill "An Act to Extend the Charter of Castine Water District," (H. P. 436) (L. D. 496) reported the same in a new draft (H. P. 1215) (L. D. 1395) under the same title, and that it ought to pass.

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

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Taking of Clams and Marine Worms in the Town of Searsport," (H. P. 992) (L. D. 1079) reported the same in a new draft, (H. P. 1216) (L. D. 1396) under a new title, Bill "An Act Relating to the Taking of Clams and Marine Worms in the Towns of Searsport and Stockton Springs," and that it ought to pass.

Which report was read and accepted in concurrence, and the bill in new draft and under a new title was read once and tomorrow assigned for second reading.

The Committee on Agriculture on Bill "An Act Relating to Manufacture of Non-Alcoholic Beverages," (H. P. 712) (L. D. 736) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Business Legislation on Bill "An Act Relating to Licensed Small Loan Agencies," (H. P. 1087) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Claims on "Resolve, in Favor of the Town of Benedicta," (H. P. 318) (L. D. 352) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve, in Favor of Fred E. Shapleigh, of Lebanon," (H. P. 1081) (L. D. 1389) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve, in Favor of Moses A. Dolley, of Vassalboro," (H. P. 1126) (L. D. 1394) reported that same ought to pass as amended by Committee Amendment "A".

The Committee on Education on Bill "An Act Relating to Salaries and Travel of Superintendents of Schools," (H. P. 325) (L. D. 393) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Dunham of Hancock, tabled pending first reading, and especially assigned for Thursday, April 9.)

The Committee on Judiciary on Bill "An Act Revising the Charter of the Bangor Municipal Court," (H. P. 521) (L. D. 557) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Public Utilities on Bill "An Act to Incorporate the Castine Water District," (H. P. 435) (L. D. 495) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to Organization of the Maine Sardine Tax Committee," (H. P. 1114) (L. D. 1257) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Towns and Counties on Bill "An Act Amending the Charter of the Municipal Court of the City of Lewiston re Payment of Expenses," (H. P. 547) (L. D. 527) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mrs. Kavanagh of Androscoggin, tabled pending consideration of the Report and especially assigned for Thursday, April 9.)

The same Committee on Bill "An Act Relating to Expenses of Aids Employed by Sheriff in Criminal Cases," (H. P. 948) (L. D. 1002) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to the Salaries of Various Officers in Waldo County," (H. P. 999) (L. D. 1086) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to Costs of Children in Maine School for the Deaf," (H. P. 1064) (L. D. 1201) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Increasing Salaries of County Officers of Somerset County," (H. P. 1118) (L. D. 1252) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Veterans and Military Affairs on Bill "An Act Relating to Civil Defense," (H. P. 556) (L. D. 536) reported that the same ought to pass as amended by Committee Amendment "A".

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

The Committee on Judiciary on Bill "An Act Relating to Penalty for Selling Narcotic Drugs to Minors," (H. P. 334) (L. D. 401) reported that the same ought not to pass.

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

In the Senate:

Mr. REID of Kennebec: Mr. President and members of the Senate, I want to clear up any misunderstanding as a result of a couple of questions asked of me this morning. This legislature has already passed an act in relation to the sale of drugs, to minors and adults too for that matter. This was reported out "Ought Not to pass" as covered by other legislation. It now appears that the bill has a slight defect which could be corrected if the bill is recommitted to the committee.

Thereupon, the bill was recommitted to the Committee on Judiciary in concurrence.

Mr. BROGGI of York: Mr. President and members of the Senate, it is the unanimous opinion of this Body that our President has presided this year with impartiality and certainly with efficiency. However, this morning I notice a slight lack of his usual efficiency and I think it is because he needs some help. Noticing the President's two sons in the Senate Chamber, I would move, Mr. President, that our two pages escort the two young Haskells to the rostrum to assist you with your duties.

Thereupon, amidst the applause of the Senate, the Senate Pages escorted to seats at the rostrum, David N. Haskell and Robert M. Haskell, sons of the President of the Senate.

Communications

STATE OF MAINE
Director of Legislative Research
Augusta

April 7, 1953

Honorable Chester T. Winslow
Secretary of the Maine Senate
State House
Augusta, Maine

Dear Mr. Winslow:

In accordance with Joint Order (S. P. 29) please be advised that there was no bills or resolves remaining in the process of preparation in this office. All bills and resolves composing the list submitted to you on February 24, 1953, and the supplemental list submitted on March 5, have either been intro-

duced or withdrawn during this Legislative Session.

SAMUEL H. SLOSBERG
Director.

SRS:FP

Which was read and ordered placed on file.

The PRESIDENT: The Senator from Knox, Senator Harding, has called the attention of the Chair to the fact that the group of students in the Senate balcony today are from Rockland High School with their teacher, Mr. Lawrence Plummer. In behalf of the Senate we bid you welcome and hope that you enjoy your visit here today.

Order

Mr. Ward of Penobscot presented the following Order and moved its passage:

ORDERED, the House concurring, that Joint Rule No. 1 be amended by deleting from the list of joint standing committees, the Committee on Correctional Institutions and Public Buildings and Parks, and adding thereto the Committee on Election Laws and the Committee on Retirement and Pensions. This order shall be effective on December 31, 1954.

Thereupon, on further motion by the same Senator, the Order was laid upon the table pending that Senator's motion that the Order receive a passage; and was especially assigned for Thursday, April 9.

The PRESIDENT: At this time the Chair would beg personal indulgence of the cooperative members of the Senate, in being kind enough to accept a moment's recess in order that a picture might be taken of your presiding officer with his sons. With the consent of the Senate, the Chair will declare a brief recess.

After Recess

The Senate was called to order by the President.

Senate Committee Reports

Mr. Chapman from the Committee on Legal Affairs on Bill "An Act Relating to Cousins and Littlejohns Islands Village Corporation," (S. P. 412) (L. D. 1122) reported that leave be granted to withdraw the same.

Mr. Fuller from the Committee on Agriculture on Bill "An Act relating to Licenses for Buying and Selling Poultry," (S. P. 367) (L. D. 1031) reported that the same ought not to pass.

Mr. Haskell from the Committee on Appropriations and Financial Affairs on Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities," (S. P. 482) (L. D. 1341) reported that the same ought not to pass.

(On motion by Mr. Broggi of York, tabled pending consideration of the report, until later in today's session.)

Mr. Collins from the same Committee on Bill "An Act Relating to Group Life Insurance for State Employees," (S. P. 446) (L. D. 1260) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve Authorizing Commissioner of Institutional Service to Purchase, for the State, Land in Fairfield," (S. P. 468) (L. D. 1311) reported that the same ought not to pass.

Mr. Ward from the Committee on Judiciary on Bill "An Act Relating to Submission of Information by State Employees and Candidates for Certain Public Office," (S. P. 492) (L. D. 1362) reported that the same ought not to pass.

Mr. Reid from the same Committee on Bill "An Act Relating to Corrupt Practices in Elections," (S. P. 491) (L. D. 1363) reported that the same ought not to pass.

Mr. Chapman from the Committee on Legal Affairs on Bill "An Act Relating to Combinations Restricting Use of Musical Compositions," (S. P. 479) (L. D. 1335) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Regulating Locksmiths," (S. P. 321) (L. D. 808) reported that the same ought not to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report, until later in today's session.)

Mr. Haskell from the Committee on Transportation on Bill "An Act Relating to Guards on Rear of Motor Vehicles," (S. P. 212) (L. D.

551) reported that the same ought not to pass.

Mr. Greeley from the Committee on Highways on "Resolve Repealing Resolve Authorizing a Reclassification of Highways," (S. P. 351) (L. D. 1340) reported that leave be granted to withdraw the same.

Mr. Littlefield from the Committee on Natural Resources on Bill "An Act Amending the Mining Law," (S. P. 276) (L. D. 766) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Ward from the Committee on Towns and Counties on Bill "An Act to Provide Fire Protection and Public Services in Deorganized Territory," (S. P. 361) (L. D. 971) reported the same in a new draft (S. P. 529) under a new title, Bill "An Act to Provide Public Services for Certain Deorganized Townships," and that it ought to pass.

Which report was read and accepted, and the Bill in new draft and under a new title was laid upon the table for printing under Joint Rule No. 10.

Mr. Carter from the Committee on Taxation on Bill "An Act Exempting Certain Education Institutions from the Sales Tax," (S. P. 99) (L. D. 234) reported the same in a new draft (S. P. 524) (L. D. 1416) under the same title, and that it ought to pass.

Mr. Haskell from the Committee on Transportation on Bill "An Act Relating to Special Registration Plates for Amputee Veterans," (S. P. 151) (L. D. 350) reported the same in a new draft, (S. P. 525) (L. D. 1417) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills in new draft read once, and tomorrow assigned for second reading.

The PRESIDENT: At this time the Senator from Penobscot calls the attention of the Chair to the presence in the Senate of a group of twelve pupils from Lavant Grade School in Penobscot County accompanied by Mrs. Ray Bemus, Reverend Theodore Perkins and Mrs. Pauline Dole. In behalf of

the Senate we bid you welcome here today and hope that you have a most pleasant and instructive day.

Mr. Collins from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Presque Isle Armory Project," (S. P. 121) (L. D. 330) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of the Maine Historical Society," (S. P. 122) (L. D. 331) reported that the same ought to pass.

Mr. Haskell from the same Committee on "Resolve Providing for the Printing of 'Maine Pollen Survey,'" (S. P. 478) (L. D. 1333) reported that the same ought to pass.

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill "An Act Creating Colby College Game Management Area," (S. P. 298) (L. D. 830) reported that the same ought to pass.

Mr. Chapman from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Maine School for the Deaf," (S. P. 319) (L. D. 807) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Sale of Ammunition to Minors," (S. P. 375) (L. D. 1038) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Legal Voters of Farmington Village Corporation," (S. P. 207) (L. D. 545) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Power of Leavitt Institute to Hold Property," (S. P. 86) (L. D. 194) reported that the same ought to pass.

Mr. Boucher from the Committee on Liquor Control on Bill "An Act Relating to Entertainment in Licensed Liquor Premises," (S. P. 132) (L. D. 320) reported that the same ought to pass.

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

Mr. Ward from the Committee on Judiciary on Bill "An Act to Provide for the Approval of Degree-Granting Institutions," (S. P. 464)

(L. D. 1299) reported that the same ought to pass as amended by Committee Amendment "A".

The same Senator from the same Committee on Bill "An Act Relating to Liens on Certain Personal Property," (S. P. 43) (L. D. 56) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Silsby from the Committee on Legal Affairs on Bill "An Act to Ratify and Confirm the Incorporation of Berwick Monthly Meeting of Friends," (S. P. 27) (L. D. 15) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Chapman from the same Committee on Bill "An Act to Dissolve the First Parish of Freeport," (S. P. 320) (L. D. 806) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Weeks of Cumberland, tabled pending consideration of the report.)

The same Senator from the same Committee on Bill "An Act to Create the Washington County Recreation Authority" (S. P. 208) (L. D. 558) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Chase of Cumberland, Committee Amendment A was ordered printed.)

Mr. Tabb from the Committee on Liquor Control on Bill "An Act Relating to State Liquor Warehouse and Wholesale Store," (S. P. 357) (L. D. 968) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Haskell from the Committee on Transportation on Bill "An Act Repealing Certain Laws Relating to Teams Under Motor Vehicle Laws," (S. P. 270) (L. D. 957) reported that the same ought to pass as amended by Committee Amendment "A".

The same Senator from the same Committee on Bill "An Act Relating to Operation of School Buses," (S. P. 281) (L. D. 770) reported that the same ought to pass, as amended by Committee Amendment "A".

Which reports were severally read and accepted and the bills read once; Committee Amendments "A" were severally adopted without reading, and the bills as so amend-

ed were tomorrow assigned for second reading.

The Majority of the Committee on Taxation on "Resolve Proposing an Amendment to the Constitution to Authorize the Legislature to Establish Classifications of Property for Uniform Assessment for Taxation" (S. P. 37) (L. D. 40) reported the same in a new draft (S. P. 526) (L. D. 1418) under the same title, and that it ought to pass.
(signed)

Senators:

CHASE of Cumberland
CARTER of Oxford

Representatives:

KEY of Albion
LOW of Rockland
WILEY of Ellsworth
ALBEE of Portland
DUQUETTE of Sanford

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

(signed)

Senator:

WIGHT of Penobscot

Representatives:

SANFORD
of Dover-Foxcroft
SEAWARD of Kittery

On motion by Mr. Chase of Cumberland, the resolve and accompanying papers were laid upon the table pending consideration of the reports.

Passed to be Engrossed

Bill "An Act Relating to Residence Requirement for Divorce." (H. P. 970) (L. D. 1058)

Bill "An Act Relating to the Taking of Marine Worms in Georgetown." (H. P. 1219) (L. D. 1404)

Bill "An Act Relating to the Digging of Marine Worms in Alna, Edgcomb, Newcastle and Wiscasset." (H. P. 1218) (L. D. 1403)

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

Bill "An Act Relating to Salaries of Judge and Clerk, Hire, and Payment of Expenses of the Municipal Court of the City of Auburn." (H. P. 196) (L. D. 207)

Which was read a second time, and on motion by Mr. Boucher of Androscoggin, was laid upon the table pending passage to be engrossed.)

Bill "An Act Relating to the Salary of Register of Probate of Hancock County." (S. P. 236) (L. D. 596)

Bill "An Act Amending the Charter of the Sewer District in the Town of Sanford." (S. P. 327) (L. D. 817)

Bill "An Act to Amend the Charter of Aroostook Valley Railroad Company." (S. P. 328) (L. D. 816)

Bill "An Act Repealing Tax on Oleomargarine." (S. P. 379) (L. D. 1042)

Bill "An Act Repealing Certain Laws Relating to County Commissioners' Duties re Ferries and Toll Bridges." (S. P. 424) (L. D. 1128)

Bill "An Act Relating to Additional Probation Officer for Cumberland County." (S. P. 472) (L. D. 1315)

"Resolve Authorizing Commissioner of Institutional Service to Grant Pole Line Eastments on the Property of the State Hospital in Bangor." (S. P. 504) (L. D. 1379)

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

Sent down for concurrence.

Bill "An Act Relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol and Waldoboro." (S. P. 516) (L. D. 1405)

On motion by Mr. Dow of Lincoln, the bill was read a second time and laid upon the table pending passage to be engrossed. Especially assigned for Tuesday, April 14.

Bill "An Act Relating to Dogs Attacking Domestic Animals or Fowl." (S. P. 69) (L. D. 153)

Bill "An Act Relating to the Powers of the Maine Turnpike Authority." (S. P. 127) (L. D. 336)

"Resolve Providing for the Revision of the Statutes." (S. P. 170) (L. D. 419)

Bill "An Act Relating to Court Records and Official Court Reporters." (S. P. 219) (L. D. 585)

(On motion by Mr. Reid of Kennebec, tabled pending passage to be engrossed.)

Bill "An Act Relating to Regulation of Posts and Wires." (S. P. 325) (L. D. 815)

Bill "An Act Amending the Charter of the Waterville Sewerage District." (S. P. 326) (L. D. 927)

"Resolve, Authorizing Forest Commissioner to Convey Certain Land in Hancock County, Maine." (S. P. 480) (L. D. 1334)

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

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, Senate Report "Ought Not to Pass" from the Committee on Judiciary on bill, An Act Relating to Evidence Before Grand Jury (S. P. 407) (L. D. 1112), tabled by the Senator from Cumberland, Senator Chapman, on April 2nd pending consideration of the committee report.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, this act relates to a reasonably technical matter and is not one that is really appropriate for debate or for discussion in either branch. The bill has some merit in it and in its original form was reported by the Committee "Ought Not to Pass" but an amendment has been prepared and discussed with the Chairman of the Committee and it has been suggested that the bill be recommitted for further consideration. On that basis, with the permission of the Chairman of the Committee, I now move that the bill be recommitted to the Committee on Judiciary.

Thereupon the bill and accompanying papers were recommitted to the Committee on Judiciary and sent down for concurrence.

The President laid before the Senate, Senate Reports from the Committee on Liquor Control on bill, An Act Relating to Qualifications of Liquor Licensees (S. P. 414) (L. D. 1124), Majority Report "Ought Not to Pass", Minority Report "Ought to Pass", tabled by the Senator from Cumberland, Senator Chapman on April 2nd

pending consideration of the Committee reports.

Thereupon, on motion by the Senator from York, Senator Dennett, the majority report of the Committee, "Ought Not to Pass" was accepted.

Sent down for concurrence.

The President laid before the Senate, House Reports from the Committee on Liquor Control bill, An Act Prohibiting Sale of Liquor in Connection with Pari Mutual Betting (H. P. 983) (L. D. 1071), Majority Report "Ought Not to Pass", Minority Report "Ought to Pass", tabled by the Senator from Washington, Senator Brown, on April 7th pending consideration of the Committee reports.

Thereupon, on motion by the Senator from Androscoggin, Senator Boucher, the majority report of the Committee, "Ought Not to Pass" was accepted.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin the Senate voted to take from the table, Senate Report from the Committee on Legal Affairs "Ought Not to Pass" on bill, An Act Regulating Locksmiths (S. P. 321) (L. D. 808), tabled by that Senator earlier in today's session pending consideration.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I introduced this bill at the request of a constituent in Lewiston and I introduced it not "by request" but because I thought it had a lot of merit in it. I think the Legal Affairs Committee would agree with me that the intention of the bill is good but its form was not acceptable to the Committee and I understand that on account of pressure of business they did not have time to revise the bill and report it in new draft so they reported it "Ought Not to Pass." Now if the Senate accepts that report I believe we are going to kill the intention of the bill for the next two years. I do think there is merit in the bill. I am not an attorney and I do not pretend to be able to properly redraft the bill. I gave my ideas to the Director of Legislative Research who drafted the bill and suggested that

if I could find a way to recommit this bill to the Legal Affairs Committee and have it properly redrafted they might report favorably on it. I have talked with some of the members of the Committee and I find that they do agree that the bill in its present form is not acceptable and that under the circumstances they could do nothing but report the bill "Ought Not to Pass," and I am wondering in my own mind if the Chairman of the Legal Affairs Committee would accept recommitment of this bill so that they might perhaps redraft it in a way that would make it acceptable.

Mr. CHAPMAN of Cumberland: Mr. President, speaking for the Committee I think it is only fair to say that we would be happy to accept recommitment of the bill for such reconsideration as may be proper.

Thereupon the bill was recommitment to the Committee on Legal Affairs and sent down for concurrence.

On motion by Mr. Broggi of York the Senate voted to take from the table Senate Committee Report from the Committee on Appropriations and Financial Affairs "Ought Not to Pass" on bill, An Act Permitting the University of Maine to Provide Additional Educational Opportunities (S. P. 482) (L. D. 1341), tabled by that Senator earlier in today's session pending consideration of the Committee report.

Mr. BROGGI of York: Mr. President and members of the Senate, generally I approve of most decisions of the Appropriations Committee but I certainly can't buy this one. It seemed to me like a good bill. At the hearing when the bill was heard, present and speaking for the bill was Dr. Cole, President of Bowdoin College, Dr. Bixler, the President of Colby College, Dr. Hauck, the President of the University of Maine, and a letter was read from Dr. Phillips of Bates College, saying that he highly endorsed the bill. There was no opposition to it.

The bill, in short said this, it is not another one of those University of Maine bills, it's a bill providing

further education opportunities for the youngsters of the State of Maine, and incidentally, simultaneously the State Legislatures of New Hampshire, Vermont and Connecticut are receiving identical bills. I think every member of this Senate knows that we do not have a medical school in the State of Maine, we are not blessed with a dental school and nowhere in New England is there a school of veterinary medicine. Those of us who are intensely interested in education feel that certainly opportunity should be provided the youth of this State in those graduate fields.

This bill was simply an enabling act which said the University of Maine, and the University of Maine is mentioned solely for the purpose it is an institution this Legislature has some control over, the other three being private institutions, the bill said the University of Maine may make reciprocal agreements with other institutions. For example, the state university has a course in the pulp and paper industry, which I believe there are only two others in the United States. Under this bill, the University of Maine might say to Vermont, if in your medical school, the University of Vermont, you will each year take six boys from the State of Maine, we in turn in the state university will take six boys from Vermont who are interested in pulp and paper knowing that there are only two other places in the country where they can receive instruction in this kind of a course.

Inasmuch as Connecticut is seriously anticipating the creation of a veterinary school, we all know that New England has large dairy herds, vets are necessary in the entire New England area. The University of Maine might well say to the Connecticut University if you will make room for six Maine boys in your school of veterinary medicine each year, we will in turn take six of your boys in our pulp and paper course.

I think we all realize it is important to have a medical school immediately or a dental school immediately or a school of veterinary medicine immediately and it seems like a good step to take before we

can embark on these necessities of graduate schools, there would be reciprocal agreements with other New England states for the swap of students. Everybody in this Senate knows in order to get in a medical school today you have to know the President of the United States or somebody, they are overcrowded, we need doctors in this state like other states do. It did seem to me Mr. President, that this bill had an awful lot of merit, but perhaps my good friends on our Appropriations Committee can convince me there is something wrong with it.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, the Senator from York, Senator Broggi, was too modest I think in describing the array of talent which came before our Committee. I think quite the most brilliant proponent was the Senator himself, and he was ably assisted by distinguished gentlemen named by him, and I think that all ten members of the Committee were convinced of the merit of the proposition, and I think we would be very pleased to pass the ought to pass report, but, the Committee has had to deal with educational financing at the local level via the general subsidy law, and has had to cut it down below 100%, we have had to be very careful with the allocation of state money for the normal schools, and of more importance we have had to cut the University of Maine below what they would like, and there is evidence that they will be cut even below that, so that he is competing against the proposition that the Committee is not convinced that we are doing all the things that need to be done for public school education and all the things that need to be done for normal schools and for the state university, so as a general proposition the Committee thought until such time as we can reasonably well take care of those things that we now have on the Statute book—and I don't go back to the platform of both parties about taking on new services, we ought to be a little bit hesitant about branching out into the field of graduate study. There is no question but Maine boys and girls do have to seek

graduate study elsewhere. I am not convinced that the balance isn't just a little bit in favor of some of the wealthier states who may be doing a little bit more for graduate study for our youngsters than we may be doing for them. But be that as it may, the Committee was reluctant in stepping into a new field of education costs, namely, that of financing even with modest token degree Post Graduate problems, and I would be remiss I think if I didn't also add that little freeboard as we now have in the appropriation measure even before tax cuts, we still have many other legislative documents related to the elderly teachers, relating to the revision of the Statutes, nursing attendants bills, liberalization starting old age assistance, salaries of judges, vocational training scholarships seem to have a lot of bearing, fourth category deal comes to us highly recommended, minor changes in the subsidy law, all of which bills even if general fund revenue is protected where it is, must be squeezed into the very narrow freeboard that now exists.

It is up to the Senate to conclude whether our thinking is right. I don't think we should be titled as spenders in that general type of thinking, and I don't think this is the year that we can step into that field, so that my memory does not serve me in noting whether the motion was made, so I will make the motion that the Senate do now accept the ought not to pass report of the committee and I sincerely make that motion reluctantly.

Mr. BROGGI: I think I mentioned in my remarks that this is not a University of Maine bill. If this reciprocity, if this bill can pass, it is merely an enabling act. Dr. Cole, Dr. Bixler, Dr. Hauck and Dr. Phillips might get together if this document was on our Statutes and if reciprocal agreement was made with Vermont for example, they could decide amongst the four of them which of the products of their four institutions were most worthy to be the five or six whatever the reciprocal agreement might be with the Vermont officials. Of course the same would be true with the course New Hampshire University might offer Maine, or that Connecticut might offer if and when they

have a new veterinary school of medicine. Feeling that inasmuch as several other state legislatures have this same type of legislation before them, inasmuch as the price tag on it is merely \$5,000, just a token to get started to try to do something taking care of filling these fields in graduate work, I am still in opposition to the gentleman from the Appropriation Committee and I feel that this bill has a lot of merit.

If the other legislatures should pass it and we should reject it, we would not be in a position to work out this reciprocity with them, and while probably it is dangerous to embark on appropriations in the graduate field when our elementary and secondary schools and teachers colleges it has been brought out are not up to par, this is a start with a small price tag on it, and at some future date when more funds are available they can be added to it. I sincerely hope the motion of the Senator from Penobscot to sustain the Committee report does not pass.

Mr. SINCLAIR of Somerset: Mr. President, in defense of the committee report I sympathize a great deal with the remarks made by the Senator from York, Senator Broggi, but I would like to emphasize that this is in the field of graduate education.

I want to go along with the Senator from Penobscot, Senator Haskell when he says that our first obligation should be to our undergraduate students. We have a land grant college here in Maine the same as they have in the University of Vermont and the University of Massachusetts, but we are subsidizing a considerable number of undergraduate students from Connecticut, Massachusetts, New York and elsewhere, particularly in the fields of agriculture, forestry, engineering, and pulp and paper.

This is not in the form of a scholarship. This five thousand dollars seems to me like appropriating money to embark on a new field and I don't believe graduate work can be done for only \$5,000. We cannot enter into agreement with these other states if they do pass this legislation in the other states, but they have not passed it as yet. Inasmuch as I feel we

should do all we can for our undergraduate students first, I feel that the graduate students are better able to take care of themselves than the undergraduate students. For that reason I hope that the motion of Senator Haskell prevails.

Mr. HANSON of Washington: Mr. President, being familiar with the situation of rural medicine throughout Maine for the past twenty years, I would like to inject my opinion and observations here. The way the State of Maine is going, it will be comparatively few years before rural Maine is left with not a few, but a tremendous scarcity of physicians. If this bill is attempting to make it possible for more students from Maine to be admitted to medical schools throughout New England and the rest of the country, it certainly is worth very careful consideration.

In my County only fifteen years ago we had twenty-two physicians. Today we have seven or eight and that is being repeated throughout the entire rural sections of Maine. I don't know anything about the financial situation or where this might lead us, but if this is an effort to remedy that situation, I am heartily in favor of it.

Mr. BROGGI of York: Mr. President and members of the Senate, I just want to say that in Legislative Document 1316, which is the Appropriations Committee report under education, we have a proposed expenditure under their report of \$16,120,000. This bill calls for an expenditure of \$5,000 for graduate study to make reciprocal agreements so that we may have more doctors, veterinarians, and so forth. Five thousand dollars is a very small amount compared to \$16,000,000 for the biennium. I think the bill has merit and I hope the motion will not prevail. And, Mr. President, when the vote is taken I ask that it be taken by division.

Mr. DOW of Lincoln: Mr. President and members of the Senate, as one who would have taken advantage of an advanced course in veterinary medicine if such had been available anywhere in New England, I must say that I am in favor of the remarks made by the

Senator from York, Senator Broggi. As it was, I have had to learn the long, hard way of taking the appendix out of a turkey by practical experience. I hope that the motion does not prevail.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am quite certain that whatever disposition we make here of this measure is not going to make or break the appropriations measures. Just to keep the record straight, however, this calls for \$10,000 for the biennium just as the \$16,000,000 is for the biennium. This is not a scholarship, it is a subsidy to a school. I think that is right but to get down to the fundamental premises, if we are faced with major surgery in appropriating money to take care of measures we already have I view with alarm the enthusiasm of stepping out into new fields, faced as we are with the certainty that the general subsidy bill which will face the next Legislature is going to be up from three-quarters of a million to a million dollars a year and someone is going to be faced with a headache and that headache will have to be solved by new taxes or curtailment of services we now render. It may be that I am thinking ahead but let's be realistic and face the fact that it is very uncertain whether we can have the appropriation measure passed as it now stands in the other Branch and in the face of that uncertainty and the knowledge that whatever little freeboard there is in that bill it is grossly inadequate to take care of other desirable legislative documents. I question as a matter of principle, much as I would like to see it pass, the wisdom of embarking on a new service even if it is a good one.

Mr. COLLINS of Aroostook. Mr. President and members of the Senate, as the third Senate member of the Appropriation Committee, I am somewhat in a spot because this bill does relate to the University of Maine. I am in favor of the purpose of the bill. I think we were all agreed on that in the Committee but as the Senator from Penobscot, Senator Haskell, has said, we did feel that the embarking on a new field for the purpose of subsidizing other New England colleges for

graduate study was perhaps not the thing to do until we take care of the University of Maine in its current situation and it certainly would grow as years went on. But at no time did the Committee feel that the purpose of the bill was not good. It certainly is, because Maine has no graduate study courses in medicine or veterinary science and it would be a great help for the youngsters of Maine who could qualify for graduate study if this reciprocal agreement could be entered into. So it was simply on the idea that it was better to take care of our present needs rather than to embark on a new undertaking.

Mr. BOUCHER of Androscoggin: Mr. President, I hesitate to get into this argument, but it is always rather pleasant for me to fight the Appropriations Committee. I know that the majority floor leader in the Senate wants to grab a million dollars to put into the so-called Revolving Fund. I don't want to deprive the University of Maine of \$5,000 to embark on further education for the citizens of Maine and I suggest that the Appropriations Committee take \$5,000 out of the million that they want to put away in the Revolving Fund, and let's go along with Senator Broggi of York in this bill. I personally intend to go along with him.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell that the Senate accept the Ought Not to Pass report of the Committee, and the Senator from York, Senator Broggi, has requested a division of the Senate.

Thereupon, a division of the Senate was had.

Twelve having voted in the affirmative and seventeen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Broggi of York, the Senate voted to substitute the bill for the report; the bill was given its first reading and tomorrow assigned for second reading.

Mr. BROGGI of York: Mr. President, the hour is late, but last week when I tabled L. D. 1388 with no special time assigned, I said that I would be willing to take it from the table any time a Senator re-

quested that I do so. Today three Senators asked me to take it from the table. Therefore, Mr. President, I move that the Senate take Item 46 from the table and unassigned matters and I will let the Senate decide whether or not they wish to discuss it today.

Thereupon, a viva voce vote was had and the motion to remove from the table bill, An Act Relating to the Sales Tax on Motor Vehicles (S. P. 509) (L. D. 1388) did not prevail.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table Senate Report "Ought to Pass with Committee Amendment "A" from the Committee on Claims on Resolve in Favor of Wesley Ramsey of South Portland (S. P. 245) tabled by that Senator on April 7 pending consideration of the report; and on further motion by the same Senator, the Ought to Pass as amended report was accepted, the rules were suspended and the bill was given its first reading.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, the committee amendment is the thing which concerns me at the moment. It has been reported to me that this would set up something of a bad example and I have talked with the Chairman of the Committee who has agreed that

possibly it might be well if the Senate did not adopt this amendment.

Thereupon, Committee Amendment A was indefinitely postponed, and the bill was tomorrow assigned for second reading.

Mr. HASKELL of Penobscot: Mr. President, I move that the Senate adjourn until one o'clock Thursday afternoon, and in support of that motion I would note that such an adjournment motion would permit us to have our executive sessions this afternoon and tomorrow morning, both of which would be very desirable. At the session tomorrow afternoon, the two branches of the legislature may conclude whether there is anything to be gained by having a Friday session. I think all of us want a Friday session if that will be of value. I hope that the motion prevails, and I also hope that the Chairmen will make note of the fact that next week we have one big hearing to be held on Wednesday afternoon so if by chance there are any other public hearings, it might be well to schedule them also on Wednesday afternoon, leaving the other two days of the week free for afternoon sessions if such is the desire of both branches.

The motion prevailed.

Adjourned until tomorrow afternoon at one o'clock.