

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, February 7, 1961

Senate called to order by the President.

Prayer by Rev. Andrew F. Cone of Gardiner.

On motion by Mr. Cyr of Aroostook

Journal of yesterday read and approved.

The PRESIDENT: The Chair notes in the Senate gallery a group of students from the Problems of Democracy class in Monmouth, with their teacher, Mr. William Munsey.

It is a pleasure to have this group of young folks with us. We hope you enjoy your stay at the State House. We hope that you will view the wonderful museum we have downstairs, that you visit the House of Representatives and that someday you will be taking your place with the assemblies in their efforts to create and maintain a wonderful state government. You come from Monmouth so I would like to introduce to you the Senators from your county.

The Senators from Kennebec County are Senator Gilbert, Senator Farris and Senator Marden. They will be pleased to conduct you around the building and answer any questions you may ask.

The PRESIDENT: In the back of our Chambers we have the son of one of our fine Senators from Aroostook County, James Michael Edmunds, son of Senator Edmunds. Michael will you stand up and take a bow please. (Applause)

The PRESIDENT: We also have a former Senator, Senator Parmenter with us. Would you take a bow, Senator Parmenter. (Applause)

The PRESIDENT: Beside ex-Senator Parmenter is the lovely wife of one of our fine Senators from Oxford County. The Chair will request the Sergeant-at-Arms to escort to the rostrum, Mrs. Pike, wife of Senator Pike from Oxford County. (Applause)

The PRESIDENT: The Chair also notes in the Senate Chambers the presence of one of our hard working Republican officials and we would like to recognize Mr. Paul Dillaway of Warren. (Applause)

House Papers

Bill, "An Act Relating to Prices of Milk Sold by Producers to Dealers by Bulk Tank." (H. P. 787) (L. D. 1102)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act Appropriating Funds for Ferry Terminal at Rockland." (H. P. 789) (L. D. 1103)

Bill, "An Act Relating to Rehabilitation of Aid to Dependent Children Families." (H. P. 790) (L. D. 1104)

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

Bill, "An Act Relating to Dissolution of Corporations by Action of Stockholders." (H. P. 791) (L. D. 1105)

Bill, "An Act to Eliminate Discrimination Between Purchasers." (H. P. 792) (L. D. 1106)

Bill, "An Act Relating to Collateral for Bank Employee Loans." (H. P. 793) (L. D. 1107)

Bill, "An Act Revising the Laws Relating to Organization and Powers of Credit Unions." (H. P. 794) (L. D. 1108)

Which were severally referred to the Committee on Business Legislation in concurrence.

Resolve, in Favor of Elmer L. Spaulding of Mechanic Falls for Well Damage. (H. P. 795) (L. D. 1109)

Which was referred to the Committee on Claims in concurrence.

Bill, "An Act to Permit the Town of Perham to Withdraw from School Administrative District No. 2." H. P. 796) (L. D. 1110)

Bill, "An Act Relating to School Construction Aid in School Administrative Districts." (H. P. 797) (L. D. 1111)

Bill, "An Act Relating to Tuition for Summer School Attendance." (H. P. 798) (L. D. 1112)

Bill, "An Act Relating to State Support for Educational Foundation Program." (H. P. 799) (L. D. 1113)

Bill, "An Act Relating to Tuition for Pupils Attending Secondary School Outside of Residence." (H. P. 800) (L. D. 1114)

Bill, "An Act Relating to Transfer of Duties of School District Commission to State Board of Education." (H. P. 801) (L. D. 1115)

Bill, "An Act Relating to Age of Compulsory Education." (H. P. 802) (L. D. 1116)

Bill, "An Act Defining Junior High School." (H. P. 803) (L. D. 1117)

Which were severally referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Sale of Drugs and Medicines." (H. P. 804) (L. D. 1118)

Bill, "An Act Making Mandatory the Reporting of Blindness to Health and Welfare Department." (H. P. 805) (L. D. 1119)

Which were referred to the Committee on Health and Institutional Services in concurrence.

Bill, "An Act Authorizing Construction of a Bridge Across the Androscoggin River." (H. P. 806) (L. D. 1120)

Bill, "An Act to Protect the Traveling Public and Persons Working on Highways." (H. P. 807) (L. D. 1121)

Resolve, Designating the Augusta-Waterville Portion of the Interstate System in Maine as Clinton A. Clauson Memorial Highway. (H. P. 808) (L. D. 1122)

Which were severally referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Field Trials for Beagle Hounds." (H. P. 809) (L. D. 1123)

Resolve, Regulating Fishing in Certain Waters in Androscoggin County. (H. P. 810) (L. D. 1124)

Which were referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act to Revise the Civil Defense and Public Safety Council Law." (H. P. 811) (L. D. 1126)

Bill, "An Act Relating to Credit of Fines and Orders in Support of Children Cases." (H. P. 812) (L. D. 1127)

Bill, "An Act Relating to Power of Municipal Court to Order Sentences Served Concurrently or Consecutively." (H. P. 813) (L. D. 1128)

Bill, "An Act Relating to Microfilm of Criminal Records by Clerks of Courts." (H. P. 814) (L. D. 1129)

Bill, "An Act Relating to Eminent Domain Under Slum Clearance and Re-development Authority Law." (H. P. 815) (L. D. 1130)

Bill, "An Act Relating to Search and Seizure of Vehicles Containing Liquor." (H. P. 816) (L. D. 1131)

Bill, "An Act Relating to Color of Canes Carried by Blind Pedestrians on Public Ways." (H. P. 817) (L. D. 1132)

Bill, "An Act Abolishing Western Registry District in Oxford County." (H. P. 818) (L. D. 1133)

Bill, "An Act Relating to Trial Terms and Location in Oxford County." (H. P. 819) (L. D. 1134)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill, "An Act Revising Minimum Wage Law." (H. P. 820) (L. D. 1135)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act to Incorporate the Boothbay Harbor Water and Sewer District." (H. P. 772) (L. D. 1069)

Bill, "An Act to Create the Boothbay Harbor Sewer District." (H. P. 773) (L. D. 1070)

Which were referred to the Committee on Public Utilities in concurrence.

Bill, "An Act Conferring upon others the Powers now Vested in the Executive Council." (H. P. 842) (L. D. 1125)

Which was referred to the Committee on State Government in concurrence.

On motion by Mr. Pike of Oxford, the Senate voted to recon-

sider its action taken earlier in today's session whereby bill, "An Act Abolishing Western Registry District in Oxford County" (H. P. 818) (L. D. 1133) (Item 1-31) was referred to the Committee on Judiciary; and on further motion by the same Senator, the bill was laid upon the table pending reference.

On motion by Mr. Pike of Oxford, the Senate voted to reconsider its action taken earlier in today's session whereby bill, "An Act Relating to Trial Terms and Location in Oxford County" (H. P. 819) (L. D. 1134) (Item 1-32) was referred to the Committee on Judiciary; and on further motion by the same Senator, the bill was laid upon the table pending reference.

Additional House Papers

Bill, "An Act Changing Name of Norway Municipal Court to South Paris Municipal Court and its Location to South Paris." (H. P. 757) (L. D. 1043)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Permitting Injured Employee Under Workmen's Compensation Act to Choose Physician from Panel Named by Employer." (H. P. 758) (L. D. 1044)

Bill, "An Act Relating to Employment of Minors Under 16 Years of Age." (H. P. 759) (L. D. 1045)

Bill, "An Act Shortening Waiting Period Under Workmen's Compensation Act." (H. P. 760) (L. D. 1046)

Which were severally referred to the Committee on Labor in concurrence.

Bill, "An Act to Amend the Charter of the City of Calais." (H. P. 761) (L. D. 1047)

Bill, "An Act Repealing Law Enabling School District Number One in Gorham to Hold Trust Funds for Educational Purposes." (H. P. 762) (L. D. 1048)

Bill, "An Act Relating to Superintending School Committee of Town of Gorham." (H. P. 763) (L. D. 1049)

Bill, "An Act Relating to Power of Universalist Church of Maine

to Hold Property." (H. P. 764) (L. D. 1050)

Bill, "An Act to Revise the Charter of the Universalist Church of Maine." (H. P. 765) (L. D. 1051)

Bill, "An Act Relating to Operating Business on Memorial Day and Veterans Day." (H. P. 766) (L. D. 1052)

Bill, "An Act Relating to Single Tax Assessor and Board of Assessment Review for City of Waterville." (H. P. 767) (L. D. 1053)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act to Prevent Pollution of Halfmoon Pond in Waldo County." (H. P. 768) (L. D. 1054)

Bill, "An Act to Prevent the Pollution of the Waters of Oyster River Pond, Knox County." (H. P. 769) (L. D. 1055)

Which were referred to the Committee on Natural Resources in concurrence.

Bill, "An Act to Incorporate the Calais Water District." (H. P. 770) (L. D. 1067)

Bill, "An Act to Create the Gorham Sewerage District." (H. P. 771) (L. D. 1068)

Which were referred to the Committee on Public Utilities in concurrence.

Bill, "An Act Relating to Fish and Game Warden Benefits Under Maine State Retirement System." (H. P. 774) (L. D. 1056)

Which was referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Increasing Compensation of Members of Maine Employment Security Commission." (H. P. 775) (L. D. 1057)

Bill, "An Act Relating to Salary of Commissioner of Education." (H. P. 776) (L. D. 1058)

Bill, "An Act Increasing Salaries of Members of Public Utilities Commission." (H. P. 777) (L. D. 1059)

Bill, "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (H. P. 778) (L. D. 1060)

Bill, "An Act Authorizing State of Maine to Convey Knox Arbore-

tum, Knox County." (H. P. 779) (L. D. 1061)

Resolve, Proposing an Amendment to the Constitution Repealing Limitation of Number of Representatives from one city. (H. P. 780) (L. D. 1062)

Which were severally referred to the Committee on State Government in concurrence.

Bill, "An Act Relating to Reimbursement of Fuel Tax for Miles Travelled on Maine Turnpike." (H. P. 781) (L. D. 1063)

Bill, "An Act Exempting Estates of Blind Persons from Taxation." (H. P. 782) (L. D. 1064)

Which were referred to the Committee on Taxation in concurrence.

Bill, "An Act Authorizing Sagadahoc County to Reimburse Cumberland County for Certain Court Costs." (H. P. 874) (L. D. 1065)

Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Cumberland County." (H. P. 875) (L. D. 1066)

Which were referred to the Committee on Towns and Counties in concurrence.

Second, Additional House Papers

Bill, "An Act Revising Laws Relating to Veterinarians." (H. P. 865) (L. D. 1200)

Bill, "An Act Increasing Tax on Milk Producers for Promotional Purposes." (H. P. 866) (L. D. 1201)

Bill, "An Act Creating the Maine Milk Dealers' Bonding Law." (H. P. 867) (L. D. 1202)

Bill, "An Act Relating to Sales by a Producer of Milk Produced on his Premises." (H. P. 868) (L. D. 1203)

Which were severally referred to the Committee on Agriculture in concurrence.

Bill, "An Act Establishing Educational Requirements for Insurance Agents, Brokers and Adjusters." (H. P. 869) (L. D. 1204)

Bill, "An Act to Regulate Credit Life and Credit Accident and Health Insurance." (H. P. 870) (L. D. 1205)

Which were referred to the Committee on Business Legislation in concurrence.

Bill, "An Act to Authorize the Withdrawal of the Town of Brooks from School Administrative District No. 3." (H. P. 738) (L. D. 1178)

Which was referred to the Committee on Education in concurrence.

Resolve, Permitting Demolishing Certain Building at Maine State Prison. (H. P. 743) (L. D. 1199)

Which was referred to the Committee on Health and Institutional Services in concurrence.

Bill, "An Act Clarifying Electricians Licensing Law." (H. P. 821) (L. D. 1136)

(On motion by Mr. Brown of Hancock, tabled pending reference and especially assigned for tomorrow.)

Bill, "An Act Revising the Laws Relating to Registration of Architects." (H. P. 822) (L. D. 1137)

Bill, "An Act Repealing the Laws Prohibiting and Regulating Work and Business on Sunday." (H. P. 823) (L. D. 1138)

Bill, "An Act Relating to Archaeological Excavation." (H. P. 824) (L. D. 1139)

Bill, "An Act Amending Charter of City of Waterville." (H. P. 825) (L. D. 1140)

Bill, "An Act Relating to Holding of Property by Non-profit Corporations Operating Educational Television or Radio Stations." (H. P. 826) (L. D. 1141)

Bill, "An Act Relating to Licenses and Fees Therefor by Running Horse Racing Commission." (H. P. 827) (L. D. 1142)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Permitting Sale of Liquor for One Hour After Midnight." (H. P. 828) (L. D. 1143)

Bill, "An Act Relating to Sales of Liquor to Minors Under Eighteen Years of Age." (H. P. 829) (L. D. 1144)

Bill, "An Act Relating to Sunday Sales of Liquor by Hotels and Clubs." (H. P. 830) (L. D. 1145)

Which were severally referred to the Committee on Liquor Control in concurrence.

Bill, "An Act Classifying Halfmoon Pond, Waldo County." (H. P. 831) (L. D. 1146)

Bill, "An Act Classifying Certain Tidal Waters in Sagadahoc County." (H. P. 832) (L. D. 1147)

Which were referred to the Committee on Natural Resources in concurrence.

Bill, "An Act Creating the Richmond Utilities District." (H. P. 833) (L. D. 1148)

Bill, "Relating to Motor Carriers Operating as School Buses." (H. P. 834) (L. D. 1149)

Bill, "An Act Protecting the Source of Public Water Supply." (H. P. 835) (L. D. 1150)

Bill, "An Act Relating to Conditions Under Which Public Utilities May Issue Stocks, Bonds and Notes." (H. P. 836) (L. D. 1151)

Which were severally referred to the Committee on Public Utilities in concurrence.

Bill, "An Act Relating to Disability Retirement Under Maine State Retirement Law." (H. P. 837) (L. D. 1152)

Which was referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Relating to Number of Lobster Traps on Trawls in York County." (H. P. 838) (L. D. 1153)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill, "An Act Relating to Appointment to Vacancies in Office of County Treasurer." (H. P. 839) (L. D. 1154)

Bill, "An Act Increasing Number of Justices of the Superior Court." (H. P. 840) (L. D. 1155)

Bill, "An Act Relating to Appointment of the Commissioner of Agriculture by the Governor with Consent of the Senate." (H. P. 841) (L. D. 1156)

Bill, "An Act Relating to Inspection and Supervision of Public Improvements by Bureau of Public Improvements." (H. P. 843) (L. D. 1157)

Bill, "An Act Increasing Salary of State Auditor." (H. P. 844) (L. D. 1158)

Resolve, Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Governorial Appointments and Their Confirmation. (H. P. 845) (L. D. 1159)

Resolve, Proposing Amendment to the Constitution Relating to Apportionment of Members of House of Representatives. (H. P. 846) (L. D. 1160)

Which were severally referred to the Committee on State Government in concurrence.

Bill, "An Act Relating to Tax Exemptions of Property of Churches, Religious Societies or Parishes." (H. P. 847) (L. D. 1161)

Bill, "An Act Increasing Excise Tax on Malt Liquor Imported into State." (H. P. 848) (L. D. 1162)

Bill, "An Act Increasing the Tax on Liquor." (H. P. 849) (L. D. 1163)

Bill, "An Act Exempting Certain Aircraft from Sales Tax." (H. P. 850) (L. D. 1164)

Bill, "An Act to Increase Cigarette Tax One Per Cent." (H. P. 851) (L. D. 1165)

Which were severally referred to the Committee on Taxation in concurrence.

Bill, "An Act Permitting Counties to Reimburse Other Counties When Court Cases Transferred." (H. P. 783) (L. D. 1179)

Bill, "An Act Increasing Salary of Sheriff of Piscataquis County." (H. P. 852) (L. D. 1166)

Bill, "An Act Relating to Compensation of Chief Deputy Sheriff of York County." (H. P. 853) (L. D. 1167)

Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County." (H. P. 854) (L. D. 1168)

Bill, "An Act Increasing Payments to Cumberland County Law Library." (H. P. 855) (L. D. 1169)

Bill, "An Act Permitting Municipalities to Contract for Public Telephones Along Public Ways." (H. P. 856) (L. D. 1170)

Bill, "An Act Increasing Salary of Judge of Probate of Penobscot County." (H. P. 857) (L. D. 1171)

Bill, "An Act Increasing Salaries of Certain County Officials of Kennebec County and Judges and As-

sociate Judges of Municipal Courts." (H. P. 858) (L. D. 1172)

Bill, "An Act Increasing Salaries of County Officials of Waldo County and Judge and Recorder of Waldo County Municipal Court." (H. P. 859) (L. D. 1173)

Bill, "An Act Increasing Salary of Register of Deeds of Somerset County." (H. P. 860) (L. D. 1174)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts." (H. P. 861) (L. D. 1175)

Bill, "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations." (H. P. 862) (L. D. 1176)

Bill, "An Act Requiring Lighted Signs on School Buses." (H. P. 863) (L. D. 1177)

Which were severally referred to the Committee on Transportation in concurrence.

Communications

STATE OF MAINE

Bureau of Public Improvements
Augusta

January 12, 1961

To Governor John H. Reed and
Members of the One-Hundredth
Legislature

Gentlemen:

In accordance with the provisions of Section 25, Chapter 15-A of the Revised Statutes, I present the accompanying Recommended Priorities for projects contained within the "Requests for Capital Improvements" submitted to the One-Hundredth Legislature for the fiscal years 1961-62 and 1962-63.

Respectfully submitted,

(Signed) NIRAN C. BATES

State Director of
Public Improvements

HP 864

Comes from the House read and placed on file.

In Senate read and placed on file in concurrence. (H. P. 864)

Senate Papers Agriculture

Mr. Chase of Lincoln presented Bill, "An Act Relating to Milk Pur-

chased by Dealer from Sources Other than his Regular Producers." (S. P. 391)

Which was referred to the Committee on Agriculture and ordered printed.

Sent down for concurrence.

Business Legislation

The same Senator presented Bill, "An Act Relating to Interest Rate for Licensed Small Loan Agencies." (S. P. 392)

Mr. Carpenter of Somerset presented Bill, "An Act Relating to Establishment of Branch Banks." (S. P. 393)

Mr. Pike of Oxford presented Bill, "An Act Relating to Fraternal Benefit Societies." (S. P. 394)

Mr. Brooks of Cumberland presented Bill, "An Act Regulating Certain Insurance Sold in Connection with Credit Transactions." (S. P. 398)

Which were severally referred to the Committee on Business Legislation, and ordered printed.

Sent down for concurrence.

Legal Affairs

Mr. Ferguson of Oxford presented Bill, "An Act Relating to Removal of Buildings Guttered by Fire or Debris Remaining after Building Destroyed by Fire." (S. P. 395)

Which was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

State Government

Mr. Erwin of York presented Bill, "An Act Creating an Administrative Code for State of Maine." (S. P. 396)

(On motion by Mr. Noyes of Franklin, tabled pending reference and especially assigned for tomorrow.)

Transportation

Mr. Chase of Lincoln presented Bill, "An Act Relating to Disposition of Fines for Vehicle Overload Violators." (S. P. 397)

Which was referred to the Committee on Transportation, and ordered printed.

Sent down for concurrence.

House Committee Reports

The Committee on Agriculture on Bill, "An Act Relating to Controlled Atmosphere Storage of Apples." (H. P. 84) (L. D. 124) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Marking and Advertising Apples." (H. P. 85) (L. D. 125) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Marking Contents of Certain Cans of Fish or Sardines." (H. P. 107) (L. D. 147) reported that the same Ought to pass.

The Committee on Transportation on Bill, "An Act Relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment." (H. P. 282) (L. D. 396) reported that the same Ought to pass.

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

House — As Amended

The Committee on Agriculture on Bill, "An Act Increasing Inspection Fee for Sardines." (H. P. 108) (L. D. 148) reported that the same Ought to pass As Amended by Committee Amendment "A" (Filing H-10)

Comes from the House report accepted, and the Bill passed to be engrossed As Amended by Committee Amendment "A" (Filing H-10)

In Senate, Report read and accepted in concurrence, Committee Amendment "A" Read and adopted in concurrence, and the Bill as so amended read once and tomorrow assigned for second reading.

House — New Draft — New Title

The Committee on Highways on Bill, "An Act Eliminating the Tolls from Bridge Across Jonesport Reach." (H. P. 90) (L. D. 130) reported the same in New Draft (H. P. 786) (L. D. 922) and under New Title: "An Act Relating to Tolls on Bridge Across Jonesport Reach, and that it Ought to pass.

Mr. MAYO of Sagadahoc: Mr. President, through the Chair, I

wish some member of the Highway Committee would explain what this amendment does. I have read it, the new draft, and I do not quite understand it. Before we vote on it I would like to have someone explain it to me.

The PRESIDENT: The Senate has heard the question.

Mr. COLE of Waldo: Mr. President, I would be very glad to answer that inquiry of the Senator from Sagadahoc, Senator Mayo. What this amendment really does is to leave the tolls at the present rate, as they are now. During the past session, there was an amendment adopted by this branch permitting a fifty percent reduction in the tolls for the period of two years. That period having now expired, the Committee has issued a new draft accepting the same tolls as are in effect at present. Thank you.

The PRESIDENT: Does that answer the question of the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO: It does, Mr. President. Thank you Senator Cole.

Thereupon, the ought to pass in new draft report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Senate Committee Reports Ought Not to Pass

Mr. Stilphen from the Committee on Inland Fisheries and Game Bill, "An Act Relating to Open Season on Beaver." (S. P. 33) (L. D. 58) reported that the same Ought not to pass.

The same Senator from the same Committee on bill, "An Act Relating to Exchange of Non-resident Hunting License for Deer Hunting License." (S. P. 109) (L. D. 254) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Name on Arrows of Those Hunting with Bow and Arrow." (S. P. 108) (L. D. 253) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Brown from the Committee on Highways on Resolve, Designating Bridge over Outlet Stream, Oxford Village, as Ralph E. Edwards Bridge." (S. P. 137) (L. D. 320) reported that the same Ought to pass.

Mr. Stilphen from the Committee on Inland Fisheries and Game on Resolve, Prohibiting Live Fish as Bait in Certain Waters. (S. P. 26) (L. D. 51) reported that the same Ought to pass.

Mr. Cyr from the same Committee on Resolve, Regulating Salmon Fishing in Sebec Lake, Piscataquis County. (S. P. 71) (L. D. 171) reported that the same Ought to pass.

The same Senator from the same Committee on Resolve, Regulating Ice Fishing in Spring Lake, T3 R4, Somerset County. (S. P. 110) (L. D. 255) reported that the same Ought to pass.

Mr. Carpenter from the same Committee on Bill, "An Act Providing a State Wide Limit on Certain Fish." (S. P. 69) (L. D. 169) reported that the same Ought to pass.

Mr. Ferguson from the Committee on Natural Resources on Bill, "An Act Relating to Sewage Pollution Surveys." (S. P. 144) (L. D. 327) reported that the same Ought to pass.

Mr. Cyr from the same Committee on Bill, "An Act Relating to Selection of Public Reserved Lots." (S. P. 75) (L. D. 175) 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.

Ought to Pass — As Amended

Mr. Cole from the Committee on Natural Resources on Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory. (S. P. 92) (L. D. 188) reported that the same Ought to pass as Amended by Committee Amendment "A" (Filing S-8).

Which report was read and accepted; Committee Amendment "A" (Filing S-8) read and adopted; and

the Resolve, as so amended, read once and tomorrow assigned for second reading.

Mr. Marden from the Committee on Retirements and Pensions on Bill, "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement System Law." (S. P. 122) (L. D. 267) reported that the same Ought to pass, as Amended by Committee Amendment "A". (Filing S-7)

Which report was read and accepted; Committee Amendment "A" read and adopted; and the Resolve, as so amended, read once and tomorrow assigned for second reading.

Ought to Pass — New Draft

Mr. Edmunds from the Committee on Labor on bill, "An Act Exempting Certain Salesmen from the Minimum Wage Law." (S. P. 20) (L. D. 45) reported same in New Draft (S. P. 399) (L. D. 1253) with the same title, and that it Ought to pass.

Mr. COUTURE of Androscoggin: Mr. President, I would like to move that this bill be tabled.

The motion prevailed, and the bill was tabled pending acceptance of the report.

Mrs. LORD of Cumberland: Mr. President, I would like to ask for a division.

The PRESIDENT: Would the Senator from Cumberland, Senator Lord please approach the rostrum?

Mrs. LORD of Cumberland: Mr. President, I move that the Senate reconsider its action just taken whereby this bill was laid upon the table.

Mr. FARRIS of Kennebec: Mr. President, I realize that the motion to table is not debatable but I am curious as to the reason why we should reconsider, if the lady from Cumberland, Senator Lord would care to give an explanation so that we would know.

Mrs. LORD: Mr. President, this bill came out "Ought to Pass" unanimously from the committee and I am very much interested in it and I would like to see it go along. I ask for a division.

The PRESIDENT: Is it the pleasure of the Senate that the Senate reconsider its action where-

by this bill was laid upon the table?

Mr. COUTURE of Androscoggin: Mr. President before the vote is taken, if I am in order, I would like to explain my reason for tabling the bill at this time.

The PRESIDENT: The Senator may proceed.

Mr. COUTURE: Mr. President, for one thing, when the executive session was called, it was called last Monday and the notice was put on our desks in the forenoon. When I got in here at ten minutes of ten when the Senate session was to start I found the notice on my desk. I was not notified during the prior week that this was going to be heard and was not able to attend. I found out later that this bill came out in new draft. Certainly I would like to study this new draft before this bill receives passage. That is my reason for tabling. The notice came out too late in the forenoon and I was not notified before of it.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I too know that the tabling action on this bill is not debatable but I feel I should rise in defense of my position as Chairman of the Labor Committee. Notices were put on the desks for an executive session of the Committee. I think if the Senator had been at his chair on the Thursday session, he would have found the notice. All the rest of the members of my committee were present at the executive session regarding this bill. We came out with a brand new draft which has been acceptable to all members of my committee except the Senator from Lewiston. I therefore feel it has had a very good committee hearing. This bill is only in its first position in this Senate. The Senator will have a chance to look into the aspects of the new draft between the time it goes to the House and back here again. I feel we should not hold up the process of the Senate.

The PRESIDENT: As a matter of explanation, the Chair would state that the motion before the Senate is on the matter of reconsideration and it is debatable.

Mr. COUTURE of Androscoggin: Mr. President, I ask for a division.

The PRESIDENT: A division has already been requested. The question before the Senate is on the motion of the Senator from Cumberland, Senator Lord, that the Senate reconsider its former action whereby this bill was tabled, and that Senator has requested a division.

A division of the Senate was had. Nine having voted in the affirmative and nineteen opposed, the motion to reconsider did not prevail.

MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Abolishing the Merymeeting Bay Game Sanctuary." (S. P. 106) (L. D. 251) reported that the same Ought Not to pass.
(Signed)

Senators: STILPHEN of Knox
CYR of Aroostook

Representatives:

WADE of Skowhegan
DODGE of Guilford
ANDERSON of Ellsworth
MERRILL of Caston
MOORE of Casco
WALLS of Millinocket
HANSON of Bradford

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

(Signed)

Senator: CARPENTER
of Somerset

On motion by Mr. Carpenter of Somerset, tabled pending acceptance of either report.

Second Readers

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

House

Bill, "An Act Relating to Payments to Maine Forestry District for Fire Protection Within Indian Township." (H. P. 123) (L. D. 163)

Bill, "An Act Relating to Limit of Endowment Fund of Foxcroft Academy." (H. P. 153) (L. D. 216)

Bill, "An Act Increasing Number of Trustees and Executive Committee of Lincoln Academy." (H. P. 155) (L. D. 218)

Bill, "An Act Relating to Request for Payment to the Town of Limestone of Poll Taxes Collected by State from Residents of Connor." (H. P. 176) (L. D. 239)

Bill, "An Act Relating to Maintenance of the Waldo-Hancock Bridge." (H. P. 195) (L. D. 290)

Bill, "An Act Relating to Bank Checks with Bids on Highway Construction." (H. P. 196) (L. D. 291)

Resolve, in Favor of David A. Hickland of Milbridge. (H. P. 12) (L. D. 31)

(On motion by Mr. Cole of Waldo, tabled pending passage to be engrossed.)

Resolve, Designating Winslow Bridge as "The Fort Halifax Bridge." (H. P. 136) (L. D. 199)

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

House — As Amended

Bill, "An Act Relating to Use of Names by Corporations Organized Under the General Law." (H. P. 88) (L. D. 128)

Bill, "An Act to Increase the Indebtedness of the Town of Wiscasset School District." (H. P. 154) (L. D. 217)

Resolve, in Favor of Estate of R. E. Hopkins of Hampden. (H. P. 69) (L. D. 111)

(On motion by Mr. Cole of Waldo, tabled pending passage to be engrossed.)

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

Bill, "An Act Relating to Accounting by Maine Port Authority." (S. P. 128) (L. D. 273)

Which was read a second time.

Mr. Noyes of Franklin presented Senate Amendment A and moved its adoption.

Senate Amendment A was adopted without reading, and on motion by Mr. Stilphen of Knox, the bill was laid upon the table pending passage to be engrossed as amended.

Senate

Bill, "An Act Relating to Cheating by False Pretenses." (S. P. 8) (L. D. 8)

Bill, "An Act Relating to Order of Divorce Concerning Minor Children." (S. P. 95) (L. D. 190)

Bill, "An Act Relating to Accounting by Maine Port Authority." (S. P. 128) (L. D. 273)

Bill, "An Act Relating to Civilian Employees of Maine National Guard Under State Retirement System." (S. P. 145) (L. D. 328)

Resolve, to Provide Retirement Credit for Kenneth W. Hodgdon of Augusta. (S. P. 146) (L. D. 329)

Which were read a second time, passed to be engrossed and sent down for concurrence.

Orders of the Day

The PRESIDENT: The Chair lays before the Senate the first tabled and specially assigned matter (H. P. 18) (L. D. 37) House Report from the Committee on Liquor Control on Bill, "An Act Relating to Sale of Malt Liquor in Glass Containers." Majority Report "Ought not to pass"; Minority Report, "Ought to pass" which was tabled on February 2 by the Senator from Waldo, Senator Cole pending the motion of the Senator from Sagadahoc, Senator Mayo for the acceptance of the majority "Ought not to pass" report of the committee; and the Chair recognizes the Senator from Waldo, Senator Cole.

Mr. COLE of Waldo: Mr. President, I now yield to the Senator from Sagadahoc, Senator Mayo.

Mr. MAYO of Sagadahoc: Mr. President, I now move acceptance of the majority "Ought not to pass" report of the committee.

Mr. PIKE of Oxford: Mr. President, I am sure that my fellow Senators from Androscoggin County will remember that back some years ago when we were members in the other body at the other end of the corridor that Ernest Malenfant was then a member, as he is now, and at that time he was Mayor of the City of Lewiston and he had several pet bills in the legislature; and I am sure that Senator Jacques will remember that when he was defending one of his bills he would always say "My bill is a good bill."

Now this bill is not my bill, I have nothing whatever to do with it, but I still consider that it

is a good bill. I was talking with one of the leading men of our County of Oxford before this session even started, and he said that he wished there would be some bill in this legislature that would stop these bottles from being thrown on the roadway. He said that he thought if there was some refund, the kids would pick these bottles up for spending money and that would relieve all this disagreeable trouble.

Probably no one else has ever run over one of these things, but I was on my way between my home and here the other side of Lewiston and I did not see this broken bottle in the road. I went over it with one tire all right, I didn't hurt it a bit, but the thing rolled just right so that it cut the rear tire practically in two. My tires cost around thirty dollars or a little better apiece, but the expense is not the whole thing. This can happen, you know, whether it is thirty below zero or thirty above, and it can happen in the nighttime whether you are in a hurry or whether it is raining or snowing, and it is quite a job to get outside in the road and get your spare tire out and jack your car up and change your tire. I do not believe it makes anybody too happy about these broken bottles if they get into the same scrape I did.

We have quite a lot to say about our clean roadsides, and I do not know of a thing that would help our roadsides to look better than to get rid of this menace.

There is one other thing to think about. I think it has been proved beyond a doubt that glass bottles start fires in certain conditions with the sun shining through the round bottle with two sides. I know there have been some cases in our county where fires have been started and I expect they do start that way all over the State. I would like to see this thing go through, and if it is in order I should like to make a motion that we accept the minority "Ought to pass" report. If it is not, I would like to ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc,

that the Senate accept the majority "Ought not to pass" report of the committee.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I made a mistake; I meant to say the majority report "Ought not to pass."

In defense of my motion and in rebuttal to the Senator from Oxford, Senator Pike, I will say I feel very sorry that he has had a cut tire in the past. I think we probably all have had the same problem, but I want this Senate to realize that this particular piece of legislation is discriminatory in that it specifies glass containers regarding malt liquor. Now I think we are all aware that with the present trend today there are many soft drink companies putting out soft drinks in non-returnable containers. Also we have no way of controlling certain food articles that are now put out in glass jars, which are also non-returnable containers. Therefore I do not see how anyone can possibly vote for the "Ought to pass" report.

The figures that have been given us regarding the cost of cleaning up the highways are a set of figures for general over-all costs of cleaning highways in the springtime, so therefore you do not count the entire figure of sixty thousand odd for just cleaning up containers of malt beverages.

Also, this will work a hardship on the store owner who dispenses the malt beverages, due to the fact that he will be required to accept these bottles on which the three-cent or five-cent deposit has been paid regardless of whether or not it is a commodity which he has as a stock in trade. I therefore hope that the motion for the acceptance of the majority "Ought not to pass" report prevails.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: It had not been my intention to speak on this bill, but I signed the minority "Ought to pass" report and perhaps I should justify my action.

I travel from Augusta to Presque Isle, and I find that where there is one soft drink bottle there are perhaps fifty, seventy-five or even a hundred malt beverage bottles.

That has been my experience in watching the roadsides. In the spring when the snow has melted we find there are just windrows of these bottles, almost never anything else but beer bottles.

My feeling in signing the "Ought to pass" report was that this bill could not do any harm to the public in general and it might do some good, and, because I thought it might do some good and because there is a real need for some remedy for this situation, I signed the "Ought to pass" report on this bill.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: This bill has been before this committee for many years. I happened to be a member of this committee for several years myself and it was always reported out "Ought not to pass."

One of the serious features concerning this bill, and I would feel very sorry if it was enacted, is the problem which confronts our young men and women today, teenagers, or from the age of five, six or seven up to fifteen who frequent the highways with the incentive to gather an extra fifty cents or twenty-five cents or whatever it might be, spending money. They would be subject to traffic hazards. Just a few years ago a little girl was killed down here in Winthrop, Maine while out bottle-hunting. Not only that, but I think one of the most serious things that confronts us in regard to this particular bill is that on our roads and highways today are sex fiends and sadists, and I am very, very disturbed that if this bill receives passage that this would create a very fertile field for this type of fiend. Therefore I support the motion of the Senator from Sagadahoc, Senator Mayo.

Mr. LOVELL of York: Mr. President, I rise in support of the motion of the Senator from Sagadahoc, Senator Mayo.

I feel sorry that the Senator from Oxford ran over a beer bottle, but I ran over what I thought was a beer bottle and had a flat tire, and after examination I found it was a milk bottle. You will find all types on the highway. On the other hand, we took in some nine

million net profit in liquor and beer sales last year, and in addition we spent five and two-tenths millions clearing away snow and ten millions in our Highway Department for maintaining highways. It seems to me that these bottles could be picked up by these road crews who are maintaining the highways throughout the season.

I concur with the Senator from Somerset, Senator Carpenter and the Senator from Sagadahoc, Senator Mayo.

Mr. STANLEY of Penobscot: Mr. President and members of the Senate: As for the nine million which was a net profit on the sale of liquor, probably the Senator from Sagadahoc is not considering the cost of obtaining that nine million. We do know that our budget document shows a nine million profit from the sale of liquor and malt beverages in the state for the past year, however the amount of money we spend for the people who imbibe all these liquors which we are getting a tax on is a tremendous amount of money, not in dollars and cents perhaps but in human life. We have accidents on the highways and people die from these accidents. They say die from the accidents but actually they die from liquor in many cases because the people who contribute to the accident have been drinking.

As for the children going out and picking up bottles on the highway, God bless them; let them be out not on the highway, but let people who are driving on the highway look out for children. I say let the children go out and let them be enterprising if they want to pick up bottles to make an extra half a buck. I think it is good for them and for the people of the State of Maine.

I think this bill has been in the legislature every session that I have been here and it has been turned down, for what reason I really do not know, except some people felt the storekeepers would have to build on an addition to their store in which to keep bottles and the wholesalers would have to build an addition in which to keep the bottles they take from retailers. That might be good for

our economy if it would spur the building trade. But as far as turning this thing down just because we feel it might hurt the distributor or the retailer, I do not think we should do it. I think this bill has a great deal of merit. We have many broken bottles on the sides of our roads and the majority of them are liquor bottles or malt beverage bottles. Perhaps we are talking about something that won't come about, but it seems to me that with returnable bottles, and I would assume that most people would buy returnable bottles and if we had a good enterprising brewery not tied in with other breweries they would do a tremendous business. I also would say that if this went to a referendum the bill would not be passed.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I am sorry that I cannot go along with my good seatmate, Senator Pike, on this bill.

I think there is one point we are all missing and that is that non-returnable bottles are referred to as glass bottles. They are not glass bottles; if they were they would not be put on the market and would not have a price on them. They are more or less a plastic, they are not like a liquor bottle. If we go from the non-return of these bottles we would have cans, so I do not believe we would be any better off. I have had several people approach me on this. I certainly hope that the motion of the Senator from Sagadahoc, Senator Mayo, will prevail.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: In the 97th session six years ago I was in favor of legislation which would ban non-returnable bottles. At that time we felt we should give this a trial in the State of Maine to see how it would work out. The bill did not pass at that time. Since then the State of Vermont enacted similar legislation to that which is proposed by the minority report, it was not effective in that state and subsequently, after a four-year period, they repealed that law in the State of Vermont.

Further than that, I think the Senator from Sagadahoc, Senator Mayo, has very properly pointed out in regard to this particular bill that this would be discriminatory legislation; if the minority "Ought to pass" report were accepted it would be class legislation and discriminatory. Six years ago we aimed to ban all non-returnable bottles, and for that reason I rise in support of Senator Mayo's motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Mayo, that the Senate accept the majority "Ought not to pass" report of the committee. A division has been requested.

All those in favor of the motion that the majority "Ought not to pass" report of the committee be accepted will please stand until counted.

A division was had.

Twenty-four having voted in the affirmative and six in the negative, the motion prevailed and the majority "Ought not to pass" report of the committee was accepted in concurrence.

Mr. EDGAR of Hancock: Mr. President, before I submit a motion to the Senate I would like to take this opportunity to extend my sincere thanks to you, Mr. President, and to all the members of the Senate for the very thoughtful get-well card which you all signed and sent to me. It is very nice to know that one is not forgotten in one's absence. I just want you to know your thoughtfulness was very greatly appreciated.

The PRESIDENT: It is certainly a pleasure to have you back with us.

Mr. EDGAR: Thank you, Mr. President. It is a pleasure to be here.

Thereupon, on motion by Mr. Edgar of Hancock, the Senate voted to take from the table the 3rd tabled and unassigned item, Senate Report from the Committee on Election Laws "Ought to pass" as amended by Committee Amendment "A" on bill, "An Act Permitting Absentee Ballots for Election of Town Officials" (S. P. 65) (L. D. 165) tabled by that Senator

on January 26 pending acceptance of the report; and on further motion by the same Senator, the ought to pass report of the Committee was accepted and the bill read once; Committee Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the table the 7th tabled and unassigned item, bill, "An Act Relating to Sunday Hunting of Bobcat in Oxford County." (S. P. 379) tabled by the same Senator, and a further motion by the same Senator the bill was referred to the Committee on Inland Fisheries and Game.

Sent down for concurrence.

On motion by Mr. Couture of Androscoggin, the Senate voted to take from the table the 6th tabled and unassigned item, bill, "An Act Establishing Minimum Pay for Persons Hauling Gravel on State and Municipal Contracts." (H. P. 744) (L. D. 1030) tabled by that Senator on February 2 pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Highways in concurrence.

On motion by Mr. Noyes of Franklin

Adjourned until tomorrow morning at ten o'clock.