

# 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**

Friday, March 3, 1961

Senate called to order by the President.

Prayer by Rev. Kenneth Brooks of Augusta.

On motion by Mr. Marden of Kennebec

Journal of the previous session read and approved.

**Order**

On motion by Mr. Stanley of Penobscot, out of order and under suspension of the rules

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, March 7, at ten o'clock in the morning. (S. P. 481)

Which was read and accepted. Sent down for concurrence.

**Papers from the House  
Non-Concurrent Matters**

Bill, "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Re-sale to Municipalities." (S. P. 281) (L. D. 882)

In Senate, February 16, passed to be engrossed.

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

In the Senate, on motion by Mr. Edgar of Hancock, tabled pending consideration.

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

In Senate, February 16, passed to be engrossed, Senate Amendment "A" (S-9) having been Indefinitely Postponed.

Comes from the House, passed to be engrossed as amended by House Amendment "A" (Filing H-63) in non-concurrence.

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

**Joint Resolution**

Joint Resolution to Commemorate the Establishment of Uniform Weights and Measures. (H. P. 1070)

Comes from the House referred to the Committee on Agriculture and ordered printed.

In Senate, referred to the Committee on Agriculture in concurrence.

**Order**

On motion by Mr. Stilphen of Knox

ORDERED, the House concurring, that an additional one hundred dollars shall be allotted to the Joint Committee created by H. P. 645 to commemorate the 100th Legislature for the purpose of covering the expenses incurred in carrying out the program. This amount shall be taken from the legislative appropriation.

Which Order received a passage.

**Committee Reports  
House**

**Leave to Withdraw**

The Committee on Election Laws on Bill, "An Act Relating to Certification of Absentee or Sick Ballots." (H. P. 972) (L. D. 1336) reported that the same be granted Leave to Withdraw as covered by other legislation.

Which report was read and accepted in concurrence.

**Indefinitely Postponed**

The Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Little Jim Pond, Franklin County. (H. P. 246) (L. D. 360) reported that the same Ought to pass.

In House, Bill and Report Indefinitely Postponed.

In the Senate, on motion by Mr. Carpenter of Somerset, the ought to pass report was accepted in non-concurrence, the bill read once and tomorrow assigned for second reading.

**Ought to Pass**

The Committee on Education on Bill, "An Act Relating to School Administrative Districts Contracting for Secondary Education with other Administrative Units." (H. P. 734) (L. D. 1022) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Reconstitute School Administrative District No. 16." (H. P. 585) (L. D. 806) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Reconstitute School Administrative District No. 15." (H. P. 587) (L. D. 808) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Reconstitute School Administrative District No. 14." (H. P. 590) (L. D. 811) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Resolve, Regulating Ice Fishing on Big Pond, Dexter, Penobscot County. (H. P. 113) (L. D. 153) reported that the same Ought to pass.

The same Committee on Resolve, Regulating Fishing in Certain Waters in Piscataquis County. (H. P. 596) (L. D. 817) reported that the same Ought to pass.

The same Committee on Resolve, Regulating Fishing in Squaw Pond, T3, R5, Piscataquis County. (H. P. 146) (L. D. 209) reported that the same Ought to pass.

The same Committee on Resolve, Regulating Fishing in Bug-eye Pond, Franklin County. (H. P. 245) (L. D. 359) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Authorizing Municipalities to Record Certain Instruments by Microfilm." (H. P. 401) (L. D. 576) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Microfilm of Criminal Records by Clerks of Courts." (H. P. 814) (L. D. 1129) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Creating the Old Town Junior High School District." (H. P. 509) (L. D. 707) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the Town of Bradford School District." (H. P. 684) (L. D. 962) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Enlarge the Powers of the Town of Wiscasset School District." (H. P. 611) (L. D. 828) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Bonds of Buckfield Village Corporation to Acquire Property and for Construction Work." (H. P. 333) (L. D.

485) reported that the same Ought to pass.

The Committee on Public Utilities on Bill, "An Act Relating to Meetings of and Power to Borrow Money by Madawaska Water District." (H. P. 698) (L. D. 976) reported that the same Ought to pass.

(On motion by Mr. Cyr of Aroostook, tabled pending acceptance of the report.)

The Committee on Taxation on Bill, "An Act Exempting Certain Aircraft from Sales Tax." (H. P. 850) (L. D. 1164) reported that the same Ought to pass.

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

#### Ought to Pass — As Amended

The Committee on Education on Bill, "An Act Relating to Apportionments of Educational Subsidies to School Administrative Districts." (H. P. 589) (L. D. 810) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-55)

Which report was read and accepted in concurrence, and the Bill read once. Committee Amendment "A" was read and adopted in concurrence, and the Bill, as amended, tomorrow assigned for second reading.

The Committee on Highways on Resolve, Designating Bridge Between Livermore and Livermore Falls as "Veterans Memorial Bridge." (H. P. 669) (L. D. 947) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-56)

Comes from the House passed to be engrossed as amended by Committee Amendment "A", and by House Amendment "A" (Filing H-65)

In Senate, report read and accepted in concurrence, and the Resolve read once. Committee Amendment "A" read and adopted in concurrence, House Amendment "A" read and adopted in concurrence, and the Resolve, as amended, tomorrow assigned for second reading.

The Committee on Judiciary on Bill, "An Act Relating to Funds in Custody of Clerks of Courts."

(H. P. 318) (L. D. 470) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-57)

The Committee on Legal Affairs on Bill, "An Act to Incorporate the Town of Etna School District." (H. P. 329) (L. D. 481) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-59)

The same Committee on Bill, "An Act Relating to Number of Councillors and Superintending School Board of Town of Fort Fairfield." (H. P. 515) (L. D. 713) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-60)

The same Committee on Bill, "An Act to Incorporate the Town of Carmel School District." (H. P. 609) (L. D. 826) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-58)

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

**Ought to Pass — New Draft — New Title**

The Committee on Education on Bill, "An Act to Provide Schooling in Brunswick for High School Tuition Pupils from Certain Other Towns." (H. P. 588) (L. D. 809) reported that the same Ought to pass in a New Draft, under New Title; "An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns." (H. P. 1068) (L. D. 1469)

Which report was read and accepted in concurrence.

The Bill in New Draft was read once and tomorrow assigned for second reading.

The same Committee on Bill, "An Act Relating to Tuition for Summer School Attendance." (H. P. 798) (L. D. 1112) reported that the same Ought to pass in a New Draft under the same title. (H. P. 1069) (L. D. 1470)

Which report was read and accepted in concurrence.

The Bill in New Draft was read once and tomorrow assigned for second reading.

**MAJORITY — Ought to Pass  
MINORITY — Ought Not to Pass**

The Majority of the Committee on Labor on Bill, "An Act Relating to Minimum Wage for Firemen." (H. P. 505) (L. D. 704) reported that the same Ought to pass.

(Signed)  
Senators: MAYO of Sagadahoc  
COUTURE  
of Androscoggin  
EDMUNDS of Aroostook  
Representatives:  
BROWN  
of South Portland  
JOBIN of Rumford  
BOISSONNEAU  
of Westbrook  
THAANUM  
of Winthrop

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

(Signed)  
Representatives:  
HANCOCK of Nobleboro  
WINCHENPAW  
of Friendship  
HARDY of Hope

Comes from the House, Majority Report accepted, the Bill read the third time and subsequently indefinitely postponed.

In the Senate:  
Mr. MAYO of Sagadahoc: Mr. President, I move that the Senate accept the Majority Ought to pass report.

Mr. BATES of Penobscot: Mr. President and members of the Senate: I am thoroughly convinced that the passage of this document would impose a hardship on those towns, especially those towns we will say in the category of five thousand to twelve thousand population, who have been trying in the main to improve their fire-fighting facilities. This does not involve those towns which have a volunteer type of fire department nor does it involve those larger cities which have the happy circumstance of being able to have enough firemen to establish their

firefighting men on that basis. This does have a definite price tag to the communities which must either meet this or cut back on their present situation with respect to trying to provide adequate firefighting facilities and firefighters as they can under the financial situation in which they find themselves.

I think also we must bear in mind what many of us feel is an infringement on the rights of municipalities to conduct their own affairs.

I move for indefinite postponement.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: In defense of my motion, I feel that I should explain why I am championing this bill.

It seems absurd that two years ago we would pass a minimum wage bill which would allow a common laborer, a dishwasher and other menial types of works to receive a dollar an hour minimum wage. This bill now before the Senate refers to a skilled technician, a skilled fire-driver and fireman. It seems absurd to me that a man who is entrusted with thousands of dollars worth of equipment, with the lives of the people of his town, with the property involved, that anyone can conceivably not consider him worthy of a dollar an hour minimum wage. These men now working as full-time fire-drivers, I must admit, spend many of their hours sleeping, but nevertheless they are on twenty-four hour emergency call; they never know when they will be called out, regardless of weather; they stay in the firehouse twenty-four hours; out of their small amount of wages they must support a home and possibly children, but at the same time they still must support themselves in the firehouse and, buy three meals for themselves. Fire-drivers are forced to take outside jobs to keep their families supplied.

I must agree, possibly, with the Senator from Penobscot, Senator Bates, that it may work a hardship upon certain communities. Two years ago when we passed this bill, this minimum wage law, many of the communities could see

the handwriting on the wall and they brought up their table of wages so that most of the firemen today are receiving a minimum wage. I think it is less than five per cent of the communities today who do not see fit to pay their fireman the minimum wage. If this bill should work a hardship on certain communities, I truthfully can say I am not sorry for them; I think they are being very unfair with their fire-drivers by not bringing them up in comparison with all other city employees.

In my town where I come from it will mean possibly an increase of about three thousand dollars in the budget. I have heard not one bit of criticism of this bill from taxpayers in my area. I have had no criticism from any of the members of my city council who must pass on this.

I could go on talking about reasons as to why this bill should be passed, but we have a large calendar this morning. I certainly hope that the motion of the Senator from Penobscot, Senator Bates, does not prevail.

Mr. PORTEOUS of Cumberland: Mr. President, I rise in favor of the motion made by the Senator from Sagadahoc, Senator Mayo, that the Senate accept the majority report "Ought to pass." I point out one thing he left out, and that is it is said that this will work a hardship on some towns. That is not entirely true, because by cutting down the number of hours and adding personnel to their fire department it has been proven in the past that this gives the town a better force, and therefore the National Association of Fire Underwriters assigns a better classification to the town, and the people who are buying insurance in the town thereby save money, so it is not a financial hardship.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: While I recognize very definitely the fact that one legislature cannot bind the actions of any succeeding legislatures, I would like to point out to the members of the Senate that in the special session of the 99th Legislature in January of 1960 the question of whether or not the minimum wage law as

passed by that legislature applied to municipal employees was a very active question at that particular time. Because of the interest in that question, the Judiciary Committee of the 99th Legislature in that special session went out of its way to deliberately introduce into both branches a so-called "Resolution of Intent" insofar as the application of the minimum wage law was concerned, and that "Resolution of Intent" specifically stated that it was the intent of the 99th Legislature in passing the minimum wage bill that it should not apply to municipal employees. Again, I realize that the 99th Legislature could in no way bind by its actions this Legislature, but, for what it was worth, that was the intent of the 99th Legislature in enacting the minimum wage bill.

In supporting the motion of the Senator from Penobscot, Senator Bates, for indefinite postponement, there are one or two points I would like to point out to the Senate.

I believe that this bill is very definitely an infringement by the State on the principle of home rule. The effect of this bill would be to dictate to the towns to some degree the amount of taxes which the towns would have to raise, and I submit that that is about as flagrant a violation of home rule as you could find.

In the town in which I live, the passage of this bill would mean either one of two things: either the town would have to increase its budget for the fire department substantially — and regardless of some opinions to the contrary, the town in which I live is not so affluent that it can stand these raises easily — or else it would mean reducing the number of full-time firemen which we have in our fire department, with a consequent loss of protection and consequent raise in fire insurance rates. I definitely feel that many of the small towns affected by this bill would be financially not embarrassed or bankrupt but it would be an additional financial burden to the expenses which are already very high in some of these communities. I certainly support the

motion of the Senator from Penobscot, Senator Bates.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: Just a few brief remarks in rebuttal to the statements that have been made. 1. Regarding home rule: I know in fact now that the State dictates to the counties regarding many issues, and therefore there is infringement by the State so far as the county is concerned. So far as the remark made regarding increase in taxes, if a town is so burdened that they must reduce their firefighting force and therefore lose their rating with the Fire Underwriters, it would seem to me that the logical, businesslike approach to this situation would be to increase the efficiency of the fire department and therefore reduce the insurance rates. It seems to me that if I am saving money on insurance rates and it is going out in taxes that I am not being burdened; I am very fortunate, I am coming out even.

As far as the firemen are concerned, a good many of these firemen would be perfectly willing to work shorter hours to bring them within the scale of wages they are receiving now and have additional personnel put into the fire department so that the scale of wages they are receiving will not be increased. They will have the same take-home pay, therefore it is not going to disrupt the entire wage structure of the towns.

I have an article here which was in the paper the other day. It refers to the fact that a person should be ashamed to have a law which says that industry must pay a dollar an hour minimum but the municipalities can pay less.

When the vote is taken, Mr. President, I would request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Bates, that this matter be indefinitely postponed, and the Senator from Sagadahoc, Senator Mayo, has asked for a division.

A division of the Senate was had. Fourteen voted in the affirmative and fourteen opposed.

The PRESIDENT: The Chair will vote against the motion for indefinite postponement in order to keep the measure open.

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

Thereupon, on motion by Mr. Mayo of Sagadahoc, the bill was laid upon the table pending that Senator's motion to accept the Majority Ought to pass report.

#### Senate

#### Leave to Withdraw

Mr. Ferguson from the Committee on Natural Resources on Bill, "An Act Relating to Transporting Wastes for Disposal in Maine." (S. P. 121) (L. D. 266) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

#### Ought Not to Pass

Mr. Cyr from the same Committee on Bill, "An Act to Provide for Industrial Waste Elimination Research Program." (S. P. 180) (L. D. 426) reported that the same Ought not to pass.

Mr. Marden from the Committee on Retirements and Pensions on Bill, "An Act Relating to Credit for Military Service Under State Retirement Law." (S. P. 441) (L. D. 1310) reported that the same Ought not to pass.

(On motion by Mr. Wyman of Washington, tabled pending acceptance of the report.)

Mr. Noyes from the Committee on State Government on Bill, "An Act Increasing Compensation of Members of Maine State Park Commission." (S. P. 125) (L. D. 270) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Noyes of the Committee on State Government on Bill, "An Act to Bring State Police, Coastal Wardens and Fish and Game Wardens Under Personnel Law." (S. P. 261) (L. D. 778) reported that the same Ought to pass.

Mr. Noyes of the same Committee on Resolve Proposing an Amendment to the Constitution Relating to Residence Requirements to Vote for President and Vice-President. (S. P. 238) (L. D. 642) reported that the same Ought to pass.

Mr. Pike from the Committee on Towns and Counties on Bill, "An Act Permitting Municipalities to Raise Money for Youth Program." (S. P. 365) (L. D. 1098) reported that the same Ought to pass.

Mr. Cole from the Committee on Transportation on Bill, "An Act Relating to Penalty for Failure of Owners of Motor Vehicles to Have Vehicles Inspected." (S. P. 451) (L. D. 1316) reported that the same Ought to pass.

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

#### Ought to Pass — As Amended

Mr. Ferguson from the Committee on Natural Resources on Bill, "An Act Prohibiting Dumping of Oil Which May Pollute Waters." (S. P. 76) (L. D. 176) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing S-31)

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

#### MAJORITY — Ought Not to Pass MINORITY — Ought to Pass

The Majority of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-Year Terms. (S. P. 206) (L. D. 539) reported that the same Ought not to pass.

(Signed)

Senators: NOYES of Franklin  
CHRISTIE of Aroostook

Representatives:  
DENNETT of Kittery  
HAUGHN of Bridgton  
WHITMAN of Woodstock  
BEARCE of Bucksport



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

(Signed)  
 Senator: LOVELL of York  
 Representatives:

KIMBALL  
 of Mount Desert  
 DOSTIE of Lewiston

Mrs. CHRISTIE of Aroostook:  
 Mr. President, I move that the Majority Ought not to pass report be accepted.

Mr. CARPENTER of Somerset:  
 Mr. President, in view of the fact that one member of the Senate is absent this morning, a member who signed the Ought to pass report, I move that this bill be tabled until the next legislative day.

The motion prevailed and the bill was tabled and especially assigned for Tuesday next, pending motion by Mrs. Christie of Aroostook to accept the Ought not to pass, Majority Report.

**REPORT A — Ought to Pass**  
**REPORT B — Ought Not to Pass**

Five members of the Committee on State Government on Bill, "An Act Relating to Term of Office of Department Heads Appointed by Governor." (S. P. 237) (L. D. 641) reported in Report A that the same Ought to pass.

(Signed)  
 Senators: NOYES of Franklin  
 LOVELL OF York

Representatives:  
 KIMBALL  
 of Mount Desert  
 DOSTIE of Lewiston  
 NOEL of Waterville

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

(Signed)  
 Senators: CHRISTIE of Aroostook  
 Representatives:

DENNETT of Kittery  
 HAUGHN of Bridgton  
 WHITMAN of Woodstock  
 BEARCE of Bucksport

Mrs. CHRISTIE of Aroostook:  
 Mr. President, in deference to the members of this committee who are not here, I move that this be

tabled and especially assigned for next Tuesday.

The motion prevailed and the bill was tabled pending acceptance of either report, and was especially assigned for Tuesday next.

**Additional Committee Reports — Senate**

**Leave to Withdraw**

Mr. Chase from the Committee on Agriculture on Bill, "An Act Relating to Inspection of Slaughterhouses." (S. P. 369) (L. D. 1180) reported that the same be granted Leave to Withdraw.

Mr. Brown from the Committee on Highways on Bill, "An Act Relating to Designation and Expenditures Under Town Road Improvement Fund Law." (S. P. 373) (L. D. 1184) reported that the same be granted Leave to Withdraw.

Mr. Mayo from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Method of Measuring Lobsters." (S. P. 355) (L. D. 1088) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted.

Sent down for concurrence.

**Ought Not to Pass**

Mr. Brewster from the Committee on Claims on Resolve to Reimburse General Beverages Inc. of Auburn for Unused Liquor License. (S. P. 251) (L. D. 768) reported that the same Ought not to pass.

Mr. Stilphen from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season to Hunting with Bow and Arrow." (S. P. 375) (L. D. 1186) reported that the same Ought not to pass.

Mr. Marden from the Committee on Judiciary on Bill, "An Act Relating to Immunity for Information Under Oath in Sex Crimes." (S. P. 68) (L. D. 168) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Philbrick from the Committee on Highways on Bill, "An Act Relating to Private Roads in Un-

organized Territory.” (S. P. 374) (L. D. 1185) reported that the same Ought to pass.

(Which report was read and accepted, the bill read once. Subsequently on motion by Mr. Cole of Waldo, the Senate reconsidered its action whereby it accepted the report, and the bill was recommitted to the Committee on Highways, and sent down for concurrence.)

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill, “An Act Relating to Rabbit Hunting in Lincoln County.” (S. P. 323) (L. D. 998) reported that the same Ought to pass.

Mr. Boardman from the Committee on Judiciary on Resolve Authorizing Charlotte Alex to Bring Action Against the State of Maine. (S. P. 4) (L. D. 4) reported that the same Ought to pass.

Mr. Erwin from the same Committee on Bill, “An Act Relating to Remedy of Coram Nobis.” (S. p. 171) (L. D. 417) reported that the same Ought to pass.

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

#### **Ought to Pass — As Amended**

Mr. Stilphen from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Long Pond, Franklin County. (S. P. 167) (L. D. 413) reported that the same Ought to pass as amended by Committee Amendment “A” (Filing S-35)

The same Senator from the same Committee on Resolve Regulating Fishing in Johnston Pond, TA R 10, Piscataquis County. (S. P. 111) (L. D. 256) reported that the same Ought to pass as amended by Committee Amendment “A” (Filing S-33)

Mr. Mayo from the Committee on Liquor Control on Bill, “An Act Increasing Fees for Certificates of Approval under Liquor Laws.” (S. P. 354) (L. D. 1087) reported that the same Ought to pass, as amended by Committee Amendment “A” (Filing S-34)

Which reports were read and accepted, and the Resolves and Bill read once. Committee Amendments

“A” were read and adopted, and the Resolves and Bill, as amended, were tomorrow assigned for second reading.

#### **Ought to Pass — New Draft — Same Title**

Mr. Pike from the Committee on Agriculture on Bill, “An Act Requiring the Humane Slaughtering of Livestock.” (S. P. 218) (L. D. 623) reported that the same Ought to pass in New Draft, under the same title.” (S. P. 483)

Mr. Brown from the Committee on Business Legislation on Bill, “An Act to Clarify the Laws of the Real Estate Commission.” (S. P. 160) (L. D. 406) reported that the same Ought to pass in New Draft, under the same title. S. P. 480)

Mr. Boisvert from the Committee on Public Utilities on Bill, “An Act Relating to Jurisdiction of Public Utilities Commission over Motor Vehicles Carrying Passengers for Hire.” (S. P. 440) (L. D. 1395) reported that the same Ought to pass in New Draft under the same title. (S. P. 484)

#### **Ought to Pass — New Draft — New Title**

Mr. Marden from the Committee on Judiciary on Bill, “An Act Relating to Certificate of Secretary of State as Evidence in Motor Vehicle Cases.” (S. P. 195) (L. D. 528) reported that the same Ought to pass in New Draft under New Title (S. P. 482)

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

#### **Joint Order — New Draft — Ought to Pass**

Mr. Lovell from the Committee on State Government on **Joint Order** Relating to Joint Rules, Amendments to No. 1, 10, 11. (S. p. 53) reported that the same Ought to pass in New Draft (S. P. 479) (L. D. 1471) Relative to New Joint Rules 11A and 19C (Cloture).

Which report was read and accepted and the Joint Order in New Draft passed.

Sent down for concurrence.

**MAJORITY — Ought Not to Pass**  
**MINORITY — Ought to Pass**

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Sale of Liquor on New Year's Eve and New Year's Day." (S. P. 381) (L. D. 1191) reported that the same Ought not to pass.

(Signed)

Senators: MAYO of Sagadahoc  
 CHRISTIE of Aroostook

Representatives:

MORRILL of Harrison  
 COOPER of Albion  
 HUMPHREY of Augusta  
 STEVENS of Portland  
 CHAPMAN of Norway

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

(Signed)

Senator: JACQUES  
 of Androscoggin

Representatives:

DOSTIE of Winslow  
 LACHARITE  
 of Brunswick

On motion by Mrs. Christie of Aroostook, the Majority Report, Ought not to pass was accepted. Sent down for concurrence.

**MAJORITY — Ought Not to Pass**  
**MINORITY — Ought to Pass**

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to the Shucking of Shellfish." (S. P. 442) (L. D. 1396) reported that the same Ought not to pass.

(Signed)

Senators: BREWSTER of York  
 MAYO of Sagadahoc  
 CHASE of Lincoln

Representatives:

MADDOX of Vinalhaven  
 PIKE of Lubec  
 PRINCE of Harpswell  
 TYNDALE  
 of Kennebunkport

LOWERY of Brunswick  
 SEVIGNY of Biddeford

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

(Signed)

Representative:  
 YOUNG of Gouldsboro

On motion by Mr. Brown of Hancock, tabled pending acceptance of either report and especially assigned for Tuesday next.

**MAJORITY — Ought to Pass**  
**MINORITY — Ought Not to Pass**

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Repealing the Tax on Quahogs." (S. P. 236) (L. D. 640) reported that the same Ought to pass.

(Signed)

Senators: MAYO of Sagadahoc  
 CHASE of Lincoln

Representatives:

SEVIGNY of Biddeford  
 MADDOX of Vinalhaven  
 YOUNG of Gouldsboro  
 PRINCE of Harpswell

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

(Signed)

Senator: BREWSTER of York

Representatives:

LOWERY of Brunswick  
 PIKE of Lubec  
 TYNDALE  
 of Kennebunkport

On motion by Mr. Mayo of Sagadahoc, the Majority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

**MAJORITY — Ought Not to Pass**  
**MINORITY — Ought to Pass**

The Majority of the Committee on Highways on Bill, "An Act Combining Use of State Aid and Town Road Improvement Funds." (S. P. 136) (L. D. 319) reported that the same Ought not to pass.

(Signed)

Senators: COLE of Waldo  
 BROWN of Hancock

Representatives:

TURNER OF Auburn  
 NADEAU of Biddeford  
 PRUE of Ashland  
 CARTER of Etna  
 DENNISON  
 of East Machias  
 CROCKETT of Freeport

The Minority of the same Committee on the same subject mat-

ter reported that the same ought to pass.

(Signed)  
 Senator: FERGUSON of Oxford  
 Representative:

PHILBRICK of Bangor

On motion by Mr. Ferguson of Oxford, 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 Providing for Transfer of Certain State Property to Maine Maritime Academy." (H. P. 532) (L. D. 730)

Bill, "An Act Relating to Emergency Location of Governments for State Political Subdivisions." (H. P. 533) (L. D. 731)

Bill, "An Act Relating to Emergency Location of State Government." (H. P. 534) (L. D. 732)

Bill, "An Act Providing for Emergency Interim Legislative Succession." (H. P. 535) (L. D. 733)

Bill, "An Act Revising and Clarifying the Laws Relating to the State Bureau of the Budget." (H. P. 536) (L. D. 734)

Bill, "An Act Relating to Publication of Limited Partnerships." (H. P. 653) (L. D. 931)

Bill, "An Act to Incorporate the 'Atlas Loan Co.'" (H. P. 656) (L. D. 934)

Bill, "An Act to Incorporate the Domestic Finance Corporation of Kennebunk." (H. P. 729) (L. D. 1017)

Bill, "An Act to Incorporate the Domestic Finance Corporation of Dexter." (H. P. 730) (L. D. 1018)

Bill, "An Act to Incorporate the 'Allied Finance Co.'" (H. P. 731) (L. D. 1019)

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

Resolve, Providing Funds for Conservation Education. (H. P. 312) (L. D. 464)

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

On motion by Mr. Jacques of Androscoggin, the Senate voted to

reconsider its action taken earlier in today's session whereby it accepted the Majority Ought not to pass report on L. D. 1191, bill, "An Act Relating to Sale of Liquor on New Year's Eve and New Year's Day (Item 6a-19); and on further motion by the same Senator, the bill was laid upon the table pending acceptance of either report.

**As Amended**

Resolve, Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk. (H. P. 20) (L. D. 39) Committee Amendment "A" (Filing H-49)

Resolve, Regulating Fishing in Rockaberna Lake, Aroostook County. (H. P. 39) (L. D. 73) Committee Amendment "A" (Filing H-48)

Resolve, Prohibiting Use of Live Bait in Hills Pond, Franklin County. (H. P. 311) (L. D. 463) Committee Amendment "A" (Filing H-45)

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

**As Amended — Senate Amendment "A"**

Bill, "An Act Relating to Employment of Women and Children in Lodging Places." (H. P. 504) (L. D. 703) Senate Amendment "A" (Filing S-24)

Mr. EDGAR of Hancock: Mr. President, I would like to move that this bill be indefinitely postponed, and may I speak to my motion.

In case some of you are not familiar with the contents of this bill, it raises the minimum age from fourteen to sixteen years of age insofar as permitting children of that age to work in lodging places.

Several years ago there was a group of five or six youngsters in my community of the ages of fourteen to sixteen who, because of the law as it then was, setting the minimum age at sixteen, could not get jobs during the summer months. As the summer wore on and they had nothing to do they eventually wound up in trouble.

The parents of these children came to me at the time and asked me to please try to do something to make it possible for their fourteen and fifteen year old youngsters to get jobs to give them something to do and keep them occupied and, they hoped, out of trouble.

In the session two years ago and in pursuance of that request, I went to the Commissioner of Labor, Miss Martin, explained the situation, and she at my request drafted an amendment to the then existing law, lowering the age to fourteen provided the youngsters did not have to live away from home at night. With Miss Martin's cooperation and collaboration, that amendment was passed in the last session, and as a result of it a considerable number of youngsters in my area of the ages of fourteen and fifteen were able last summer to secure employment that kept them busy during the summer months, not to mention the fact that they were able to earn some money.

For that reason, I was considerably surprised in the early days of this session to see this bill back in here raising the age from fourteen to sixteen. I paid a visit to Miss Martin to find out what this was about, and she expressed complete surprise at seeing the bill; she did not know it had been introduced. To make a long story short, we found that one of Miss Martin's subordinates had initiated this change back up to sixteen, and in talking with both Miss Martin and her subordinate, I found that Miss Martin felt that she had to back up the member of her department who initiated this bill, and the only suggestion I could get was to oppose it when it came on the floor, which I am doing now. It is another one of the restrictions, as I say, on youngsters securing summer jobs. In an area such as mine where motels are the order of the day during the summer months, many of them are hard put to it to find sufficient employees to do the necessary work pertaining to motels. If this bill were to go through the fourteen and fifteen year old school youngsters could not work for them. If this bill does not go

through, they could, and we would still have the provision they would not be allowed to live away from home overnight.

In view of the fact that this seemed satisfactory to the Commissioner of Labor two years ago, I see no necessity for now raising it back up to sixteen, therefore I move that this bill and accompanying papers be indefinitely postponed.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: It might be a little unusual for me to rise in support of this motion, because as Chairman of the Labor Committee I signed the unanimous "Ought to pass" report, but I had the opportunity of talking with Senator Edgar regarding this changed philosophy on the bill and I am quite sure that if the Labor Committee had known the entire facts as presented by the Senator this morning the committee report might have been a lot different. Therefore, I rise in support of the motion of the Senator from Hancock, Senator Edgar.

Mr. EDMUNDS of Aroostook: Mr. President, I too went along with the "Ought to pass" report on this bill, but I was not completely familiar with all the details. I wish to state that I will support the motion of the Senator from Hancock, Senator Edgar.

Mr. BATES of Penobscot: Mr. President, as Chairman of the Labor Committee last session, I can corroborate the information that you have.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Edgar, that this bill "An Act Relating to Employment of Women and Children in Lodging Places" (H. P. 504) (L. D. 703) be indefinitely postponed. Is this the pleasure of the Senate:

The motion prevailed and the bill was indefinitely postponed.

#### Enactors

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

Bill, "An Act Relating to Annual Meeting of Bayville Village

Corporation." (H. P. 49) (L. D. 90)

Bill, "An Act Relating to Trapping Beaver in Organized and Unorganized Territory." (H. P. 92) (L. D. 132)

Bill, "An Act Relating to Taking Quahogs in Maquoit Bay, Cumberland County." (H. P. 343) (L. D. 495)

Bill, "An Act Relating to Digging of Clams in Town of Deer Isle from June to September." (H. P. 348) (L. D. 500)

Bill, "An Act Relating to Digging of Clams in Deer Isle and Stonington, Hancock County." (H. P. 349) (L. D. 501)

Bill, "An Act Increasing Temporary Loans for Cumberland County." (H. P. 365) (L. D. 517)

Bill, "An Act Relating to Motor Vehicle Operators' Licenses for Members of the Armed Forces." (H. P. 437) (L. D. 612)

Bill, "An Act Relating to Duplicate Motor Vehicle Operators' Licenses." (H. P. 439) (L. D. 614)

Bill, "An Act Relating to Reciprocity for Non-residents in Motor Vehicle Laws." (H. P. 440) (L. D. 615)

Bill, "An Act Relating to Temporary Driver's Permit." (H. P. 441) (L. D. 616)

Bill, "An Act Relating to Definition of Motorcycle." (H. P. 443) (L. D. 618)

Bill, "An Act Relating to Registration of Motor Vehicles." (H. P. 445) (L. D. 620)

Bill, "An Act to Incorporate the Consolidated Finance Co." (H. P. 575) (L. D. 795)

Bill, "An Act to Incorporate the Economy Loan Corporation." (H. P. 576) (L. D. 796)

Bill, "An Act Relating to Charges and Real Estate Liens by Westbrook Sewerage District." (H. P. 620) (L. D. 837)

Bill, "An Act Relating to Taking Smelts in East Machias River by Gill Nets." (H. P. 633) (L. D. 850)

Bill, "An Act Relating to Expanding Aroostook County Funds for Ricker College." (H. P. 640) (L. D. 857)

Bill, "An Act Relating to Income in Aid to the Blind." (H. P. 720) (L. D. 919)

Bill, "An Act Relating to Signals at Railroad Crossings." (H. P. 1058) (L. D. 1319)

Bill, "An Act Relating to Disposition of Eyes After Death." (S. P. 113) (L. D. 258)

Bill, "An Act Relating to Rate of Premiums for Group Life Insurance." (S. P. 157) (L. D. 403)

Bill, "An Act to Incorporate General Discount Corporation (Maine)." (S. P. 159) (L. D. 405)

Bill, "An Act Relating to Trustees of and Investments by Odd Fellows' Home of Maine." (S. P. 194) (L. D. 527)

Bill, "An Act Relating to Fees for Replacement Motor Vehicle License Plates and Inserts." (S. P. 211) (L. D. 544)

Bill, "An Act to Incorporate International Mortgage Corporation (Maine)." (S. P. 250) (L. D. 767)

Which Bills were severally passed to be enacted.

Resolve, to Increase Retirement Benefit for Susie H. Yeaton of Harrington. (S. P. 301) (L. D. 912)

Which resolve was finally passed.

### Emergency

Bill, "An Act Regulating the Taking of Alewives in Dyer River, Lincoln County." (H. P. 309) (L. D. 461)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

### Emergency

Bill, "An Act Regulating Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters." (H. P. 344) (L. D. 496)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

### Emergency

Bill, "An Act Closing Casco Bay and Adjacent Waters to the Use of Otter Trawls." (H. P. 345) (L. D. 497)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members

of the Senate, was passed to be enacted.

#### Emergency

Bill, "An Act Regulating Size of Otter Trawls and Other Trawls in Casco Bay and Adjacent Waters." (H. P. 346) (L. D. 498)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

#### Emergency

Bill, "An Act Relating to Taking of Smelts in Addison, Columbia Falls, Harrington, Cherryfield, Milbridge and Steuben." (H. P. 420) (L. D. 595)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

#### Orders of the Day

Mr. BOARDMAN of Washington: Mr. President, I would like to inquire if the Senate has in its possession L. D. 1000, entitled "An Act Relating to Chiropractic Treatment under the Workmen's Compensation Law."

The PRESIDENT: The Chair will inform the Senator that this bill is in possession of the Senate, having been held by the request of Senator Boardman.

Mr. BOARDMAN: Mr. President, I yield to the Senator from Lincoln, Senator Chase.

Mr. CHASE of Lincoln: Mr. President at this time I ask that the Senate reconsider its action whereby it accepted the Minority Ought not to pass report of the committee on March 1 on L. D. 1000, An Act Relating to Chiropractic Treatment under the Workmen's Compensation Law.

The PRESIDENT: The Chair would ask if the Senator voted with the prevailing side?

Mr. CHASE: I did, Mr. President.

Mr. SAMPSON of Somerset: Mr. President, I move that the Senate accept the Majority Ought to pass report of the Committee.

The PRESIDENT: The motion of the Senator from Lincoln, Senator

Chase takes precedence. The question before the Senate is on the motion of Senator Chase of Lincoln that the Senate reconsider its former action on this bill.

Mr. MARDEN of Kennebec: Mr. President, pending that motion, I would point out that there are four Senators absent today, and therefore, I would move that this lie on the table until such time as we have better attendance.

The PRESIDENT: Does the Senator care to state a definite date?

Mr. MARDEN: Yes, Mr. President, the next legislative day.

Mr. CARPENTER of Somerset: Mr. President, I believe there is a motion to reconsider and if that is not voted upon, the bill cannot lie upon the table. I believe I am correct.

The PRESIDENT: The Chair would inform the Senator from Somerset, Senator Carpenter, that there has been a specific day set and the motion of the Senator from Kennebec, Senator Marden is proper.

Thereupon, the motion prevailed and the bill was laid upon the table pending motion by Mr. Chase of Lincoln to reconsider former action.

On motion by Mr. Stanley of Penobscot, the Senate voted to take from the table the 19th tabled and unassigned item, (H. P. 265) (L. D. 379) Bill, "An Act Amending the Christmas Tree Law tabled by that Senator on February 21 pending passage to be engrossed; and the same Senator presented Senate Amendment A and moved its adoption.

Which amendment was adopted without reading and the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 18th tabled and unassigned item (H. P. 282) (L. D. 396) Bill, "An Act Relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment," tabled by that Senator on February 16 pending enactment; and on further motion

by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

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

Which amendment was adopted without reading and the bill as

amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

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On motion by Mr. Stanley of Penobscot

Adjourned until Tuesday next at ten o'clock in the morning.