

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

Wednesday, April 19, 1961

Senate called to order by the President.

Prayer by Rev. Clyde Campbell of Yarmouth.

On motion by Mr. Sampson of Somerset,

Journal of yesterday was read and approved.

The PRESIDENT: We have with us as a visitor the lovely niece of one of our Pages, and I would like to ask Mrs. Ruth Foster to escort her niece Donna Lou Pearl to a Chair at the front of the Senate, and she may serve as Honorary Page for the day. (Applause)

We have in the Senate Chambers two friends of one of our Senators from Oxford, Senator Ferguson. I would like to introduce Mrs. Betty Yanush of Mexico, one of the great Republican workers in Oxford County and I would also like to introduce Mrs. Wilder Mitchell of Mexico, a member of the Republican Town Committee. (Applause)

The following Resolve approved by a Majority of the Committee on Reference of Bills for appearance on the Senate Calendar:

Mr. Lovell of York presented Resolve, Authorizing the State of Maine to Convey Certain Land in the City of Saco. (S. P. 523)

Which was referred to the Committee on State Government.

Sent down for concurrence.

House Committee Reports Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Allocation of Funds for Purchase of Real Estate by State." (H. P. 285) (L. D. 437) reported that the same Ought to pass.

The Committee on Education on Bill, "An Act Relating to Use of Appropriation for Education of Physically Handicapped and Exceptional Children." (H. P. 736) (L. D. 1024) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Disqualifying Interest of Judge or Register

of Probate." (H. P. 987) (L. D. 1374) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Duties of the Attorney General." (H. P. 1021) (L. D. 1422) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill, "An Act Relating to Rental of Northern Cumberland Municipal Court." (H. P. 66) (L. D. 108) 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 — New Draft

The Committee on Health and Institutional Services on Bill, "An Act Relating to Sale of Drugs and Medicines." (H. P. 804) (L. D. 1118) reported that the same Ought to pass in New Draft, under the same Title (H. P. 1099) (L. D. 1512)

Comes from the House, indefinitely postponed.

(In the Senate, on motion by Mr. Lovell of York, tabled pending acceptance of the report and especially assigned for Tuesday next.)

The PRESIDENT: The Chair would like to take this opportunity to recognize several visiting groups.

We have with us this morning the members of Girl Scout Junior High Troop 10 with the Senior Patrol of Westbrook, Maine, escorted by their leaders, Mrs. Roland Fraser, Mrs. Richard Lewis and mothers Mrs. Ernest Wiedmann and Mrs. Raymond Boissonneau.

We also have fourteen girl scouts of Troop 44 from Anson with their leaders Mrs. Hall, Mrs. Baker and Mrs. Roy.

Three other visitors in the Senate Chambers this morning are Michael King, Barry King and Donald Foster of Coopers Mills.

From Skowhegan, we have Mrs. Gilbert and Mrs. Collins, leaders of the 4-H Club.

From Lewiston we have Mrs. Croteau with 18 Brownie Scouts of Troop 14.

It is nice to have all these young people and their leaders visit with

us. We hope that you will have a pleasant day and an educational one. We hope you will visit the new museum and other places of interest in the state house. We also hope that someday you may take your places in the Senate Chambers as Senators representing your County. It is nice to have you with us. (Applause)

Also visiting in the Senate this morning is the lovely daughter of one of our senior reporters here in the State House — in fact, I think he is the senior reporter. It gives me great pleasure to introduce to you Miss Nancy Arnold, daughter of Lorin Arnold. Nancy, will you please stand so that the Senate may recognize you? (Applause). I think that Lorin should stand also so that we may give him a hand. (Applause).

The Committee on Public Utilities on Bill, "An Act to Create the Boothbay Harbor Sewer District." (H. P. 773) (L. D. 1070) reported that the same Ought to pass in New Draft, under the Same Title: (H. P. 1092) (L. D. 503)

Comes from the House, passed to be engrossed, as amended by House Amendment "A" (Filing H-190)

In Senate, Report accepted in concurrence, House Amendment "A" read and adopted in concurrence. The Bill in New Draft, as amended, was read once and tomorrow assigned for second reading.

The Committee on Towns and Counties on Bill, "An Act Permitting Municipalities to Contract for Public Telephones Along Public Ways." (H. P. 856) (L. D. 1170) reported that the same Ought to pass in New Draft, under the same title: (H. P. 1120) (L. D. 1543)

The Committee on Transportation on Recommended Bill, "An Act Relating to Weight of Commercial Vehicles." (H. P. 718) (L. D. 917) reported that the same Ought to pass in New Draft, under the same Title: (H. P. 1119) (L. D. 1541)

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

MAJORITY — Ought to Pass
MINORITY — Ought Not to Pass

The Majority of the Committee on Business Legislation on Bill, "An Act Relating to Form of Standard Fire Insurance Policy." (H. P. 652) (L. D. 930) reported that the same Ought to pass.

(Signed)

Senators:

BROWN of Hancock
PORTEOUS of Cumberland
CHASE of Lincoln

Representatives:

MORSE of Oakland
JOHNSON of Smithfield
CHOATE of Hallowell
SHEPARD of Stonington
BERNARD of Sanford

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

(Signed)

Representatives:

HUGHES of St. Albans
EDWARDS
of Stockton Springs

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

In the Senate, on motion by Mr. Brown of Hancock, tabled pending acceptance of either report, and especially assigned for one week from today.

MAJORITY — Ought to Pass
MINORITY — Ought Not to Pass

The Majority of the Committee on Towns and Counties on Bill, "An Act Relating to Compensation of Medical Examiners for View Without Autopsy." (H. P. 162) (L. D. 225) reported that the same Ought to pass.

(Signed)

Senators:

WYMAN of Washington
ERWIN of York

Representatives:

SHAW of Chelsea
TWEEDIE of Mars Hill
DANES of South Portland
JONES of Farmington

The Minority of the same Committee on the same subject matter

reported that the same Ought not to pass.

(Signed)
Senator:

PIKE of Oxford

Representatives:

BEANE of Moscow
MacGREGOR of Eastport
BAKER of Orrington

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

In the Senate, on motion by Mr. Wyman of Washington, tabled pending acceptance of either report and especially assigned for one week from today.

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

The Majority of the Committee on Transportation on Bill, "An Act Permitting Certain Commercial Vehicles to Exceed Weight Limits." (H. P. 560) (L. D. 757) reported that the same Ought not to pass.

(Signed)

Senators:

STILPHEN of Knox
COLE of Waldo
GILBERT of Kennebec

Representatives:

WHITNEY of Winn
NADEAU of Lewiston
LINNEKIN of Limington
DUNN of Poland

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

(Signed)

Representatives:

FINLEY of Washington
BUSSIÈRE of Lewiston
BERRY of Portland

Comes from the House, Minority Report — Ought to pass accepted, and the Bill passed to be engrossed, as amended by House Amendment "A" (Filing H-173)

In the Senate, on motion by Mr. Ferguson of Oxford, tabled pending acceptance of either report and especially assigned for Thursday, April 27.

Second Readers

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

House

Resolve, Providing for Publication of Maine's Water Recreational Facilities. (H. P. 1118) (L. D. 1540)

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

House — As Amended

Bill, "An Act Relating to Initial, Digital and Antique Motor Vehicle Registration Plates." (H. P. 1096) (L. D. 1509) amended by House Amendment "A" (Filing H-136)

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

Bill, "An Act Repealing Laws Requiring that Cemeteries be Fenced." (H. P. 1008) (L. D. 1409) amended by Senate Amendment "A" (Filing S-120)

Resolve, in Favor of John W. McGuire of Houlton. (H. P. 951) (L. D. 1254) amended by Senate Amendment "A" (Filing S-118)

Which were read a second time, and the Bill and Resolve passed to be engrossed, as amended, in non-concurrence.

Sent down for concurrence.

Senate

Bill, "An Act Providing for Local Option to Transport School Children to Other Than Public Schools Without State Subsidy." (S. P. 377) (L. D. 1188)

Resolve, Authorizing the State Military Defense Commission to Convey Certain Land in Hancock County. (S. P. 514) (L. D. 1534)

Bill, "An Act Relating to Reckless Homicide, and Death Caused by Violation of Law, by Vehicle Operator." (S. P. 521) (L. D. 1545)

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

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Warning Lights on Rural Mail and Doctors Motor Vehicles." (H. P. 916) (L. D. 1250)

Bill, "An Act Relating to Practicing Dental Hygiene by Students

in Schools." (H. P. 1110) (L. D. 1525)

Bill, "An Act Relating to Penalty for Assaults Upon Enforcement Officers." (S. P. 292) (L. D. 903)

Bill, "An Act Relating to Area Directional Signs for Sanford and Rangeley Areas and Acadia National Park." (S. P. 493) (L. D. 1489)

(On motion by Mr. Ferguson of Oxford, tabled pending passage to be enacted, and especially assigned for Thursday, April 27.)

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

(On motion by Mr. Cole of Waldo, placed on the Special Highway Appropriations Table.)

Resolve, Regulating Ice Fishing on Portage Lake, Aroostook County. (H. P. 489) (L. D. 689)

Which Resolve was finally passed.

Constitutional Amendment

Resolve, Proposing an Amendment to the Constitution to Limit to Retirement Purposes the Use of Funds of the Maine State Retirement System. (S. P. 306) (L. D. 894)

(On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table.)

The PRESIDENT: We have visiting us now in the Senate Chamber 13 Brownies from Troop 39, Merrill School, Auburn, Maine, accompanied by their Leader Mrs. Charles Chaisson and also by Mrs. Luther Abbott and Mrs. E. Farrington Abbot, Jr. Will these young ladies and their leaders please stand? (Applause) It is nice to have you with us, and at this time I would like to introduce the Senators from your County: Senator Couture and Senator Boisvert—Senator Jacques is not in the Senate Chambers at this moment.

We also have visiting with us the lovely wife of one of our Senators. I would like to introduce Mrs. Ralph Brooks Jr. wife of Senator Brooks of Cumberland. Before I ask her to rise, I would also like to introduce Mrs. Ralph Brooks, Sr., the Senator's mother, Franklin Brooks, his brother, Leonard Brooks and Bob Young, both nephews. Would these people please

rise so that the Senate may recognize you. It is nice of the Senators to invite their families to visit with us. We hope that your stay is enjoyable and I am sure it will be. (Applause)

Orders of the Day

Mr. NOYES of Franklin: Mr. President, may I inquire if S. P. 404, L. D. 1318, Bill, "An Act Relative to Inspection of County Jails", is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is.

Thereupon, on motion by Mr. Noyes of Franklin, the Senate voted to reconsider its former action whereby it indefinitely postponed House Amendment A to this bill; and on further motion by the same Senator, the Senate voted to insist on its former action whereby the bill was passed to be engrossed.

Mr. STANLEY of Penobscot: Mr. President, may I inquire if S. P. 438) (L. D. 1359) is in the Possession of the Senate? That is Bill, "An Act to Further Regulate the Sale of Malt Liquor in the State of Maine".

The PRESIDENT: The Chair will state that it is.

On motion by Mr. Stanley of Penobscot, the Senate voted to reconsider its action of yesterday where it recommitted the bill to the Committee on Judiciary; and on further motion by the same Senator, the bill was tabled pending acceptance of the committee report, and was especially assigned for Wednesday next.

Mr. CARPENTER of Somerset: Mr. President, a point of order. What was the action taken on the previous bill L. D. 1318?

The PRESIDENT: The Chair will inform Senator Carpenter of Somerset that House Amendment A was formerly indefinitely postponed, which action the Senate has this morning reconsidered and has voted to insist on its former action whereby the bill was passed to be engrossed.

The President laid before the Senate the 1st tabled and today assigned item (S. P. 433) (L. D.

1393) Senate Report, Ought to Pass, from the Committee on Legal Affairs on Bill, "An Act Relating to Obscene Printed or Written Matter or Material," tabled on April 7 by Senator Marden of Kennebec, pending acceptance of the report; and on further motion by that Senator, the report was accepted and the bill read once.

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

Which amendment was read and adopted and the bill was tomorrow assigned for second reading.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 431) (L. D. 1391) Bill, "An Act Relating to Number of Members of Superintending School Committees," tabled on April 11, by Senator Farris of Kennebec, pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Which amendment was read and adopted and the bill was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 975) (L. D. 1342) Bill, "An Act Providing for Registration of Sanitarians", tabled on April 12 by Senator Wyman of Washington pending passage to be engrossed.

Mr. WYMAN of Washington: Mr. President and members of the Senate: In talking with some of my attorney friends here they tell me that this bill has some legal flaws in it, and since it has not been before a committee with attorneys on it I now move that it be recommitted to the Committee on Legal Affairs.

Mrs. LORD of Cumberland: Mr. President, before that action is taken I would like to speak very briefly.

The PRESIDENT: The Senator may proceed.

Mrs. LORD: Mr. President, this bill was heard before my committee and we do have one attorney on the committee but I think he was not present at the hearing.

This is merely an attempt to bring this profession up to accreditation, and while it may seem to be a very trivial matter, these men do investigate and do go to different stores and camps and eating places and find out if the conditions are sanitary.

We had many people appear before the committee. It seemed that in the Army, for instance at the Brunswick Air Force Base, one of the men appeared and he said you have to be registered in order to do this.

It seems to me that if they want to bring the profession up to accreditation and they pay the fee that is required — it is like all the other boards that are established to see that the thing is properly carried out, and I can see no danger from it. I think there is a grandfather clause that blankets in any person that is now doing this, that he is capable of doing it. I do not think it is dangerous at all. I do not object but I did want to explain the committee's report.

The PRESIDENT: The question is on the motion of Senator Wyman of Washington to recommit this bill to the Committee on Legal Affairs.

The motion to recommit prevailed.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 869) (L. D. 1204) House Report, Ought to pass in new draft and under New Title of "An Act Establishing Educational Requirements for Insurance Agents and Brokers"; (H. P. 1080) (L. D. 1438) from the Committee on Business Legislation on Bill, "An Act Establishing Educational Requirements for Insurance Agents, Brokers and Adjusters," tabled on April 12 by Senator Parker of Piscataquis pending acceptance of the report.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: This is an item which until just this morning I had not been able to speak with Senator Parker on and there is information I am waiting for and I understand that he has not received all the information which he wishes on this matter. I therefore would make the motion that it be tabled and spe-

cially assigned for two weeks from today, which might be satisfactory to the Senate, but I would be perfectly willing to have it tabled and unassigned and give my assurance that it will come off the table prior to two weeks from today.

The PRESIDENT: Will the Senator make his motion specific, please.

Mr. FARRIS: Mr. President, I make the motion that this be tabled and unassigned.

The motion to table prevailed.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 490) (L. D. 690) "Resolve Regulating Fishing in Maranacook Lake, Kennebec County", tabled on April 12 by Senator Marden of Kennebec pending final passage; 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.

Mr. MARDEN of Kennebec: Mr. President, under suspension of the rules I move that we reconsider our action whereby this bill was passed to be engrossed.

The motion prevailed.

Mr. MARDEN: Mr. President, obviously this particular resolve has been the source of some controversy, particularly involving a specific area in Kennebec County and more specifically the people of Winthrop, Monmouth and Readfield. It is my understanding that these groups have come to some reasonable compromise, and for the purposes of making this compromise a reality I present Senate Amendment "A" and move its adoption. The Secretary read the amendment.

Mr. CARPENTER: Mr. President, that conglomeration of an amendment amazes me. I wonder just what type of a rule or regulation or book of rules an individual would have to have if he wanted to fish there.

The PRESIDENT: The Senate will be at ease for a few moments and the Senators will get together.

(At Ease)

Called to order by the President.

Mr. CARPENTER: I would like to inform the Senate that we have

had a meeting with the Chairman of Legal Affairs, my colleague, the Senator from Kennebec, Senator Marden and myself, and we are all agreeable to going along with the amendment, if that is satisfactory to the Senator.

Senate Amendment "A" was adopted and the bill as amended was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: Visiting in the Senate today is a group of girl scouts under the leadership of Mrs. Walter Lumb and Mrs. Gilbert Harrison. This is Troop 6 of Saco, Maine. It certainly is a pleasure to have this group with us. You are a little later than we expected and we tried to recognize you earlier this morning. We hope that your day here is a pleasant one and that you will visit the House, the museum, and other places of interest. We hope too that someday you will sit in the Senate Chambers representing your County. I would like to introduce your Senators from York County: Senators Brewster, Erwin, and Lovell. (Applause)

The President laid before the Senate the 6th tabled and today assigned item (H. P. 563) (L. D. 761) House Reports from the Committee on Transportation on Bill, "An Act Relating to Mandatory Fines on Axle Weights of Commercial Vehicles"; Report A, Ought to pass; Report B, Ought Not to pass, tabled on April 14 by Senator Noyes of Franklin pending acceptance of either report; and on further motion by the same Senator, the bill was retabled and especially assigned for Wednesday, April 26.

The President laid before the Senate, the 7th tabled and today assigned item (H. P. 834) (L. D. 1149) House Report, Ought not to pass, from the Committee on Public Utilities on Bill, "An Act Relating to Motor Carriers Operating as School Buses", tabled on April 14 by Senator Cole of Waldo pending acceptance of the report; and on further motion by the same Senator, the report was accepted.

The President laid before the Senate the 8th tabled and today

assigned item (S. P. 317) (L. D. 993) Senate Report, Ought not to pass from the Committee on Education on "Resolve Appropriating Moneys for Vocational and Technical Institute in Northern Maine," tabled on April 14 by Senator Christie of Aroostook pending acceptance of the report.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, because there is another bill that has to do with this subject, I move the pending question on this bill.

Thereupon, the Ought not to pass report was accepted.

Sent down for concurrence.

The President laid before the Senate the 9th tabled and today assigned item (H. P. 78) (L. D. 121) House Reports from the Committee on Judiciary on Bill, "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority", Report A, Ought to pass; Report B, Ought not to pass, tabled on April 14 by Senator Marden of Kennebec, pending motion by Senator Erwin of York to accept Report A.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate: As you may guess, my signature was on Report "B."

I feel a little strange in debating with my friend, my logical and gentlemanly colleague, Senator Erwin, but here we are discussing a bill which has been reported out of the Judiciary Committee, the entire main substantial subject of which is the location of a bridge. I also feel a little strange in discussing an issue which must have been discussed in the halls of this Legislature many, many times, particularly in the past few years as this modern concept of freeways and turnpikes has developed and grown, and all the arguments for non-access highways and high speed lanes to get people further and further north and increase their travel and develop our State, because many of you gentlemen who have been here before must be tired by now of listening to the arguments — and good arguments they are, but not adequate — of those who run businesses along the highways, the motels, the res-

taurants, the hot-dog stands, and on and on, crying out in the wilderness that this new turnpike which passes them by means their bankruptcy or death. And I am suggesting to you, members of the Senate, that that is the only real issue here today in arguing as to this act extending the powers of the Maine-New Hampshire Interstate Bridge Authority.

True, superficial issue before the committee was whether or not their power should be extended, but if my memory serves me correctly the hearing went over an hour, nearly two hours, and ninety-nine per cent of the time was devoted to the arguments for and against the location of two bridges at the gateway to Maine, the borderline between New Hampshire and Maine.

Now one group contends and argues — and this is reflected by Report "A" — and represents to this Legislature that if the powers of the Maine-New Hampshire Bridge Authority are extended they are representing and more than representing — we are talking dimensions, we are talking plans, we are talking maps and lanes and traffic counties — that there will be an additional bridge built alongside the existing toll bridge which has a draw in it for the passage of ships. On the other side of the fence and on the side which I find myself associated with is the Maine State Highway Commission which says, in effect: We have plans for a high-level bridge approximately one-half mile to the west further upstream which will have no draw which may stop traffic and 90 per cent of the cost of which will be borne by the federal government and the other ten per cent of the cost of which will be shared equally by the States of Maine and New Hampshire.

I am suggesting that in a broad, non-regional view of this circumstance that there is only one side to it and that there are not two sides at all. We certainly must agree that, consistent with progress, consistent with the age-old story of the modern turnpike bypassing your local merchant, you simply have to agree with the posi-

tion of our State Highway Commission.

You might be interested to know that this identical problem is being considered by the New Hampshire Legislature. The proposal has already been the subject of a public hearing before the Senate Public Works Committee. At this hearing opposition to the passage of a similar bill was expressed by the New Hampshire Highway Department, the Chamber of Commerce of the City of Portland, by the legal counsel for Governor Wesley Crowell and the local representative of the New Hampshire Legislature from the City of Portsmouth. It therefore appears that commonsense in both New Hampshire and the State of Maine is against the extension of the authority of this Interstate Bridge Authority, and while it would be inhuman not to have sympathy for those business men who have invested so much of their resources and time in the future in establishments along the already existing roadway, progress inevitably dictates that the non-access highway and the high-level bridge, the extension of the Maine Turnpike and of Route 95 into northern Maine must go on.

I would therefore move, Mr. President, that we indefinitely postpone the subject of discussion, L. D. 121.

Mr. ERWIN of York: Mr. President, I wish that sometime there would be presented for debate something that was easy.

My colleague, Senator Lovell, claims that the Senator from Hancock, Senator Edgar, is the best debater, and perhaps he deserves the title beyond any cavil, but I may say that he is being hardly and rapidly pushed by another Senator in this august hall, and consequently I find that every time I get to my feet the job gets more and more difficult because this is, of course, a two-sided question and the reasonable approach has merit on both sides.

However, we went over some of this last week and I will only touch briefly on some of the things which are concerning those of us who live in this area, and I will try to emphasize what is in-

volved for the rest of you who live all over the rest of the State of Maine with regard to your pocketbook.

The good Senator from Kennebec has, with a gentle but most effective wave of his hand removed from the scene the importance to the Maine economy of several million dollars of invested money in the highway business there. This is something which I think deserves a little bit more scrutiny.

We have a situation where there are four motels, one of them large, connected with which in some fashion, both economically and physically there is a large and well-known restaurant, the investment of which must run to well over a million dollars. There are, I think, three other motels in this same short stretch on the approach to the existing toll bridge over the Piscataqua River, and there are three or four existing gasoline stations which do a very large business, and these people all pay thousands of dollars in taxes to the Town of Kittery. The Town of Kittery, like every other town, is hard-put now with its real estate base for the taxes which it must find for its own particular problem, particularly roads and schools, even as your town and my town, and here will be several hundred thousand of tax valuation removed from their reach, because there is no sense to beg the question: If these existing businesses which live and die on the tourist business, not only the summer tourist business but the influx of the spring fishermen and the influx of the fall hunter, if these people are denied the opportunity to serve the people who come not to Kittery, Maine or to York County, or at least southern York County to fish and to hunt, these tourists are going to move deeper into the State of Maine and these investments of these people are simply going to wither on the vine.

Now that is a consideration which we may have to sacrifice to progress, but we ask you not to ask us to make the sacrifice without at least considering if this sacrifice has to be made.

There are three things involved in this which are most important

to you and to me. No. 1. The Interstate Bridge Authority is not like the Maine Turnpike Authority, a private corporation; it is a public agency of the State of Maine with special considerations to allow the states of Maine and New Hampshire to work together. They were empowered years ago to build a bridge; they did build a bridge; the bridge is almost completely paid for with tolls and the tolls have funded a sum of money, I am not sure how much it is, which within the next year or two will be sufficient to maintain the bridge and its approaches forever.

The bill before you purports to enlarge the powers of the Maine-New Hampshire Interstate Bridge Authority to investigate the feasibility of doubling the facilities or the lanes of traffic crossing the river, of improving the existing facilities, and of tying in with the Interstate Route 95 system, and they propose to do it on the basis of tolls paid, as has been done since this existing bridge was built, tolls to pay the entire cost of the bridge and its improvement, tolls to pay ultimately the maintenance forever of these particular services.

Now it is all very well to say that the states of Maine and New Hampshire have only got to share ten per cent of the ultimate cost of the Highway Department's purported bridge a half a mile or a mile upstream on the Piscataqua River. We still have to pay for it. It amounts to several million dollars in the aggregate when you figure out the bridges, the approaches and everything involved; it means that you people have got to pay for it somehow, by a bond issue or some other way, and ultimately you have got to maintain the Maine half of the bridge and the Maine half of the approaches forever.

It has been said by somebody that this interstate bridge could be a toll bridge to pay off the cost of the bridge. That is right, it could be a toll bridge in the interstate system, but it would be limited by federal law to a toll facility until the actual cost of Maine's one-half of the ten per cent is paid for. It would never include maintenance and it would never include

one foot of the approaches to this bridge. And, furthermore, what has not already been brought out in some of this discussion, the existing highway facility as planned by the Highway Commission, because it leads into the Maine Turnpike, a toll system, the federal interstate money is not available for the approaches to the bridge as proposed by the Highway Commission.

Now I had hoped that we could stay out of an argument or discussion as to which was the better bridge because I do not think that anybody knows at this particular juncture which is the better bridge. That is why we are asking you people, if you can, to bring your thoughts down to a little more narrow focus, because if this particular bill is passed it will permit the investigation of an alternative plan. That is the only reason that I feel that with a clear conscience I can get up here and speak today and ask you to go along with the proposition, because we are simply asking for the development of an alternative plan.

Look at the safeguards. As the Senator from Kennebec, Senator Marden, has said, New Hampshire must pass a similar bill. I do not know what the latest move out of New Hampshire is but the thing was on the table the last I heard and I think they are watching us to see what we do.

It is clear, and there is no denying it, that the chairmen of the two Highway Commissions on both sides of the river are opposed to the extension of the Interstate Bridge Authority to do what is asked for here. However, these same two gentlemen or their successors as the years go by form one of the best safeguards that you could possibly ask for. Each one of them is a member of the Commission ex officio, and for those of you who do not know, the Interstate Bridge Authority Commission has three members on each side of the river, one of which is the Chairman of the Highway Commission. These gentlemen are engineers. The other two on each side, I think, are laymen. These two gentlemen are very persuasive, very able and very forceful people. It does not seem likely to me

that a handful of laymen are ultimately going to be able to out-talk the professionals from the two sides of the river who govern the highway considerations in each State. This just simply is not something that is going to happen.

Again, we are talking about the feasibility of an alternative plan to the one which we have been told by the Highway Commission is it or nothing. Now that is the kind of thing that I think the State of Maine has got to stay away from in every consideration that we face. We simply cannot afford the luxury of having somebody tell us, "This is the only plan which you people may examine." We have got to have alternatives, because, as our pocketbooks are tightening we have got to find ways out of these problems that face us. That, of course, brings up the argument. You people who live down east, well into the State of Maine, are not going to be asked to spend five cents for this bridge if it is proved to be feasible. The ultimate survey may show it to be not feasible, the ultimate survey may show it to be not acceptable to the U. S. Highway system, but if it is found to be feasible you people are not going to be asked to pay five cents for it; it will be paid for and amortized and maintained forever just as the existing bridge over the Piscataqua River has been taken care of.

We are not asking you to take something new on faith. Here is the example of how this Interstate Bridge Authority has worked over the years, what it has accomplished and the miracle it has wrought on ten cent tolls from the beginning. I do not know whether this new bridge will have a ten-cent or a fifteen-cent or a twenty-cent toll, but it will be a toll facility and you people down east well into the State of Maine are not going to have to pay for it.

The whole thing bears with it also this implication: that if the 90-10 interstate money is not spent on this facility and if the people using it pay for it then obviously so much of the 90-10 money, at least Maine's share of the 90-10 money, is going to be used to extend that new superhighway some-

where where some of you people will get some benefit out of it before you pass on to your reward.

I think probably that is all I feel I want to say on the matter. We feel that there is a consideration of simple justice in looking to what the people of Kittery have to face if they lose these businesses and their taxes; simple justice to these business men who have come in here as we have invited them to come in here to bolster our tourist industry, what they have to face if this thing by-passed them, because once you get on it in a traffic circle in Portsmouth you are not going to get off it until you are somewhere up on the Maine Turnpike. Now let's not wave this away with gentle, humanitarian sighs and say that progress just simply has to sacrifice these people. Let's realize all of the things that we are facing at this moment. I ask you to take this into consideration and I hope that the motion to indefinitely postpone will not prevail.

The PRESIDENT: The Chair failed to state the previous motion prior to the one that the Senator from Kennebec, Senator Marden, made. The question before the Senate was on the motion of the Senator from York, Senator Erwin, that the Senate accept Report "A" of the committee, "Ought to pass." Now the question before the Senate is on the motion of the Senator from Kennebec, Senator Marden, that this bill and accompanying papers be indefinitely postponed.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I rise in favor of the acceptance of Report "A" "Ought to pass", the motion made by Senator Erwin of York.

In looking at this particular problem my first question would be not the amount of business done in the area, not who is more expert, but when will that bridge be built; when will the Highway Commission see fit to build a bridge upstream, and when will money from Washington be available to build such a bridge on a 90-10 basis.

I was talking to a member of the Maine Good Roads Association the other day. He seems to know the problem pretty well, and one

of the greatest problems we have in the country today throughout the nation, not just in the State of Maine, is that the 90-10 funds are not available in as large a chunk as we thought they might be several years ago. Now I understand from the proponents of this measure to investigate that there is a possibility that the railroad bridge under the present bridge can be moved, thereby permitting sixty per cent of the traffic that cannot go under the bridge without it being raised to move through it.

Most of you, I think, have traveled from Portland to Augusta by the two different routes. From Portland to Augusta by way of the Turnpike is approximately ten miles further than it is by way of Route 1 and the route from Brunswick to Augusta and the time-saving is practically negligible whereas the toll is better than a dollar, and of course if you travel more miles you use more gas.

The Senator from York, Senator Erwin, has already stated that the approaches will not be paid for by the 90-10, and I might suggest to you that when you get through with an interchange of the type that will be necessary to interchange off of this approach coming from a high-level upstream bridge down to connect with in a suitable manner the Maine Turnpike and Route 1 you are going to take an area about a quarter of the size of Rhode Island to even get an interchange in there, and it is going to be a tremendously costly thing not only to build but to maintain that, because it is not just a simple road. And how many of you have traveled along these modern superhighways today without any break in the monotony, particularly where the federal boys dictate what kind of signs we can put up and our ten per cent does not seem to allow us to put up any kind of signs that break up this monotony?

This road here will be one more parallel road on the ridiculous situation that we have down in the Portland area. I am not one of those who just wants a road built in my area because I think in many cases roads are needed more in other parts of the State, which

is a very good argument against this upstream bridge. We have Route 88, which was formerly Route 1 running along the coast. In a way from that is Route 1, which is about 2000 feet in places and even closer than that in other places from Route 1. Then just a little way in from that is what I call the most costly dirt road in America. It has been built, except for the covering of it, for about a year and a half and it has not been hard-topped yet because it goes from no place to no place. They have not built the connection at the Cousins River. Why? Because they did not have interstate funds coming from Washington. That is called Route 95, or it will be when they ever get it connected with anything, which won't be for another year at least. And then in from that, another couple of hundred yards at places, is the Middle Road, which used to be one of the main roads along there, and then in about four miles from that is another parallel road, Route 9, and you can shoot a good rifle from there over to the Maine Turnpike which is another dual-lane road.

So I would say to this Senate: Put your confidence in this Interstate Authority to come up with a solution to this problem. It won't cost the State very much to do it and I think that they can probably come up with a workable solution.

Mr. EDGAR of Hancock: Mr. President, if I may I would like to address a question through the Chair to either Senator Erwin or Senator Marden, and I would like to assure both of those gentlemen that I am not asking this question in any critical way; I am merely looking for information.

The PRESIDENT: The Senator may ask his question.

Mr. EDGAR: Let's assume that this bill does pass and that the Bridge Authority does study the matter and does decide to go ahead with the changing or rebuilding or whatever it is of the existing bridge at considerable expense and planning in financing it from the tolls collected from the people using the bridge. It is my understanding that a bridge to be acceptable as part of the Interstate Highway System

cannot have a draw; it must be a high level bridge. Now I also assume, and I think correctly, that eventually the plans for the Interstate Highway System would require such a bridge over this river as part of the system. My question is simply this: Is there not a real possibility that even though this bill passes and even though the Bridge Authority does decide to remodel or rebuild the existing bridge, is it not quite possible that we may eventually end up with two bridges anyway, and if that is a real danger and if that should come about, what would be the position of the present bridge and the position of the anticipated revenues to pay for that bridge? Is there a real danger there or is there not?

The PRESIDENT: The Senator from Hancock, Senator Edgar, asks a question through the Chair of either the Senator from York, Senator Erwin or the Senator from Kennebec, Senator Marden. They may answer if they wish.

Mr. MARDEN of Kennebec: Mr. President, to answer the gentleman's question: I think he has answered his own question in his remarks. It is clearly and definitely my understanding that if this bill passes that the efforts of the majority of those on the Interstate Bridge Authority will work for the construction of a bridge parallel to the existing one to handle south-bound traffic and which will have a draw for the purpose of allowing ships to pass. It is therefore possible, although in my opinion not probable, that if this bill were to pass there might be two bridges, and the necessity for the secondary bridge parallel with the existing bridge will therefore be obviated.

The PRESIDENT: Does the Senator from York, Senator Erwin, care to comment?

Mr. ERWIN of York: Mr. President, if I may comment briefly: I do not wish to speak as an authority on the subject of federal interstate regulations, but I would be inclined to doubt if anything was so hard and fast in the federal interstate system as to say you cannot have a drawbridge. I think these things are matters of navigation and public convenience and

necessity, and I think they would be subject to negotiation between the State of Maine and the federal government engineers.

Now as far as there being an extra bridge is concerned: in the first place, if the Interstate Bridge Authority did find that its investigation proved the feasibility of the improvement of this facility with a new bridge and the modernization of the existing one they obviously have to face the problem of their bond issue and their bond-holders and they are not going to get very far if such a possibility looked as if it had any great probability. I do not think that is something that we are going to have to face.

Let's assume that we do have a bridge across the river built by the Interstate Bridge Authority and there comes the time when the federal interstate system is nearly completed in the State of Maine, it is inconceivable to me that the federal government would then turn to the State of Maine and say, "You have got to build another bridge." If the bridge is adequate the federal system will tie into it or not, but I do not think we have come to the point where the federal government will say to the people of the sovereign State of Maine, "Build a bridge. You haven't got any bridges we will accept." There are already two drawbridges over the Piscataqua River. If my information is correct, one of them has a lift of 125 feet and the other has a lift of 145 feet, and I am told that 125 feet—which is the old Memorial Bridge which runs into the City of Portsmouth direct, the first bridge over the river—is barely adequate now for the ocean-going tankers that come up the Piscataqua River, and all of the ultimate docking facilities for these large ocean-going tankers, ocean-going cable ships which go up the Piscataqua River and much to my surprise, and perhaps to your's too, a seven or eight hundred foot sea-going ship can be turned right around in the Piscataqua River at the foot of Great Bay and Dover Point in water forty to fifty feet deep. It is a beautiful navigational place. They have got to have a minimum of 125 feet to

get these ocean-going tankers up there.

Now this nebulous plan which we are told is the only plan we can count on and which is the Highway Department plan, calls for a bridge with 100 feet. That is not enough. So what happens to the navigational situation in the river. This simply emphasizes to us, ladies and gentlemen, that we must have a alternative plan developed and that reasonable men have accomplished something by virtue of the work of the Interstate Bridge Authority in the past and it is not an unwarranted assumption that they will also accomplish something worthwhile for the State of Maine in the future if their powers are enlarged.

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

The PRESIDENT: Do the remarks of the two Senators answer the question of the Senator from Hancock, Senator Edgar?

Mr. EDGAR: Mr. President, I am sorry to say that they do not.

With regard to the answer given me by the Senator from Kennebec, Senator Marden, unless I misunderstood the Senator he was talking about two bridges, both of which would be built by and under the control of the Interstate Authority, one of which would be the present bridge and another would be a supplemental bridge to handle the southbound traffic. That is not what I was talking about. The second bridge that I was talking about was one which conceivably might be included in the Interstate system and which would have nothing whatsoever to do with any bridge built or maintained by the Interstate Bridge Authority.

I am also no authority on the requirements of the Interstate system but I do think that Senator Erwin is taking too lightly the restrictions and the instructions placed on and given to the State Highway Commission by the federal authorities in connection with the Interstate system. I believe I am right when I say that a drawbridge is not permitted in the system, and I feel equally sure I am right when I say that the federal authorities can and do tell the State Highway Commission that

they must have a bridge here and there meeting these and those restrictions. Their control over the matter is far greater, Senator, than I think you appreciate. My question was not answered, and I cannot get out of my mind the fact that if we do go along with this—and I think I shall vote with Senator Erwin—but I wish somebody could answer the question that I have in my mind insofar as the possibility of having two competing bridges, one being a free bridge, part of the interstate system, the other being the bridge that Senator Erwin has been talking about, which will be a toll bridge and the tolls from which would be materially reduced if the interstate bridge were ever built.

Mr. ERWIN of York: I do not want to prolong this, Mr. President, but if I might make this observation: The existing Interstate 95 already comes down through the Maine Turnpike, through the existing drawbridge over the Piscataqua River, and again, if I am not mistaken, it continues over the New Hampshire Turnpike on the opposite end. Now the Federal government is obviously at the moment willing to permit a drawbridge to be the link between Maine and New Hampshire in the existing interstate system.

I think Senator Edgar's question is really not answerable because, if I recognized the verb he used he asked "Is it conceivable?" Now that depends on where you are standing when you look. To me it is inconceivable that the Federal government could say and bring to pass with the State of Maine that if the existing facilities would carry the existing traffic, that they could say to the State of Maine, "You have got to build another bridge." If the State of Maine just simply refused to give them the ten-cent-pieces to go along with their big ninety-cent-pieces they would not have the bridge anyway. So I suggest to you ladies and gentlemen that you just cannot answer a question that uses the verb "Is it conceivable?" It is not conceivable to me but somebody else might conceive it.

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

of the Senator from Kennebec, Senator Marden, that this bill and accompanying papers be indefinitely postponed.

Mr. COLE of Waldo: Mr. President and members of the Senate: I hesitate to interject my opinions with those of the learned gentlemen on the Judiciary Committee. However I feel I should state the position of the Highway Department as Chairman of the Highway Committee in regard to the question proposed by the Senator from Hancock, Senator Edgar.

I will say that the Federal Bureau of Public Roads has established a policy that only in extreme circumstances will a navigational draw be permitted to any bridge or bridges in the Interstate system. That is the opinion of the Federal Bureau of Public Roads.

Now there are many things that have not been touched upon and if I can I will try to enumerate them as I go through.

First, as has already been stated, the existing authority will in a matter of a few years be out of existence. The balance now is only \$303,000 on the present bridge. However, as has also been stated, there is a provision in the authority setting up provisions for maintenance and that they are allowed to continue to collect tolls and build up a reserve fund so that the interest on that fund will forever take care of the maintenance cost of this bridge.

Now as most of you know, in my opinion, which may not be worth too much, but I think this is a twenty million dollar bundle. What we are doing here is permitting the life of the Authority to be continued. What will happen if this bill is approved, and the one also in New Hampshire is approved, is that they are already in business. The Authority and their members, if I may say so, are now pretty much agreed that this is a possibility, so if we do approve this bill we are already in business and the authority has a right to go out and sell bonds and really go to work.

Now the geometric design proposed in Plan 1, which is a dual bridge, fails to satisfy traffic requirements because of inadequate

ramps and the inadequate acceleration and deceleration lanes to provide for several merging movements of traffic. Probably what is more important: Plan 1 would result in two bridges with draws necessary for navigational requirements, which would mean backing up traffic for a considerable distance for a considerable length of time.

Many of you have probably already been held up at this particular bridge when the draw is up, and you must realize that within a period of a few years there will be a volume of at least 20,000 vehicles a day. Now just realize for a moment the situation you would be in once these draws were up and you were sitting there waiting for a ship to go through. How many miles would cars be stacked up in this terrific bottleneck? Is this progress in building interstate or defense Highways? I would not say so.

Now someone said that nothing has been done in regard to plans. Well, that is true. The Highway Commission's feeling is that we have more important things to do. This is not pressing at the moment. We have the continuation of our existing highway up through the State, which is, in the opinion of the Commission, more important than building this bridge at this time. However, you will remember that in the special session this very same bill was tried to be introduced but was turned down because of the fact that time was getting short for the Authority.

It has also been brought out that tolls can be collected on the new interstate proposed plan. That is true. You can issue bonds for the State's share which would be a million plus five hundred thousand for the toll plaza and collect tolls until that fund has been amortized.

It would seem to me that we are in the State bypassing many villages and cities and towns to speed up our traffic and make our highways more safe. Why should we channel the heaviest-traveled highway, our interstate highway, directly into what is now almost a bottleneck? It would seem to me that the continuation of our bypassing plans should be continued.

In regard to the possibility of not having a high-level bridge more than 100 feet in height above mean high water, I would state here that I have contacted the Commission and they have said that the plans are only preliminary. The federal bureau of engineers, however, if they should decide that one hundred feet is not correct, the bridge would certainly be built to the specifications of the federal Bureau of Highways, whatever that height might be.

Mr. President, I certainly hope that the motion of the Senator from Kennebec, Senator Marden, prevails.

Mr. LOVELL of York: Mr. President and members of the Senate: I do not wish to prolong this debate but I would like to say that, as has been mentioned, the interstate highway is not supposed to charge tolls, but they now do as they are on the turnpike.

The Senator from Waldo, Senator Cole, has said that this new bridge is not now needed. Eventually it may be needed, five or ten years from now. But, on the other hand this Authority that we now have, if they continue, will build this bridge which will be much higher than the present bridge, parallel with the one we now have. Those of you who have been in that area will note that from the New Hampshire Turnpike, when you come from the New Hampshire Turnpike you go directly across the bridge that we now have there on to the Maine Turnpike. Now this new road and new bridge will go up the river half a mile or a mile, which will take these people somewhat out of their way. With the one high-level bridge there will be very few boats that will go through that draw for which the bridge needs to be raised. Now this New Hampshire-Maine Turnpike Authority, if given permission, will go ahead and build this new bridge right beside the present bridge which we now have to handle all traffic. I think, above all, if this new bridge on the interstate highway system is not now needed, certainly let's not burden the taxpayers of Maine with more taxes than we have. I understand that this Legislature is somewhat

economy-minded, so let's be economy-minded and stick along with our principles and not have to increase our taxes to build this new bridge up the river from the present system.

The PRESIDENT: The question before the Senate is on the motion of Senator Marden of Kennebec, that the bill and accompanying papers be indefinitely postponed.

A division of the Senate was had.

Eleven having voted in the affirmative and twenty opposed, the motion did not prevail.

Thereupon, on motion by Mr. Erwin of York, Report A, Ought to pass, was accepted, the bill read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate gallery the Rev. John Brett Fort of Bangor with about fourteen students and Mrs. Lloyd Coffin, Mrs. Franklin St. Clair, Mrs. Raymond Fournier, Mrs. Edwin Wilson, Mrs. Marjorie Freeman and Ethin Economy. We hope that your visit today is pleasant as well as informative. I would like at this time to introduce the Senators from Penobscot County. Senator Stanley and Senator Bates. Please feel free to call on the Senators as they certainly would want to give you a tour of the building.

Today being Patriots Day, we are honored with a visit by the Senior State President of the Maine Children of the American Revolution, Mrs. Thomas Peddle. Mrs. Peddle is also Second Vice-Regent D.A.R., Cushnoc Chapter, Augusta. She has with her Miss Anne Stackpole, President Fort Western, C.A.R. Society and the Members of the Fort Western C.A.R. Society; also present is Mrs. Peddle's daughter, Miss Marthalie Peddle, Past Junior President, Maine C.A.R. Miss Peddle on last Patriots Day presented the first State of Maine Flag for display at Constitution Hall in Washington, D.C., to the National D.A.R. and C.A.R. It certainly is an honor to have these distinguished ladies with us.

The Chair also notes in the Senate Chambers a friend of many of us, a man who distinguished himself serving his country, a man

whom I hold in high regard and with whom I have served on many committees. It certainly gives one great pleasure to have Senator Wilmot Dow of Lincoln with us. The Chair will ask the Sergeant-at-Arms to escort Senator Dow and his son Dana to the rostrum. (Applause)

I am sure that Senator Dow will be visiting us again and we will hope to have a few words from him then. This morning we are rather short of time, and I know he won't object.

The President laid before the Senate the 10th tabled and today assigned item (H. P. 1085) (L. D. 1495) House Report Ought to pass as amended by Committee Amendment "A" from the Committee on Claims on "Resolve in Favor of Stanley Megquier of Orient", tabled on April 14 by Senator Cole on Waldo pending acceptance of the report; and on further motion by the same Senator, the Ought to pass report was accepted and the bill read once; Committee Amendment A and House Amendment A were read and adopted; and on motion by Mr. Porteous of Cumberland, the rules were suspended and the bill read a second time and passed to be engrossed.

The President laid before the Senate, the 11th tabled and today assigned item (S. P. 392) (L. D. 1192) bill, "An Act Defining Mother, Father and Parent under Maine State Retirement Law", tabled on April 14 by Senator Ferguson of Oxford pending enactment.

Mr. FERGUSON of Oxford: Mr. President, due to some additional information which I was supposed to get on this bill and was unable to get, I move that the bill be retabled and especially assigned for Wednesday, April 26.

The motion to retable and so assign prevailed.

The President laid before the Senate the 12th tabled and today assigned item (H. P. 776) (L. D. 1058) House Reports from the Committee on State Government on

Bill, "An Act Relating to Salary of Commissioner of Education", Majority Report, Ought not to pass; Majority Report, Ought to pass, tabled on April 18 by Senator Brooks of Cumberland pending acceptance of either report.

Mr. BROOKS of Cumberland: Mr. President, I would like to make a few remarks on this subject this morning. The position of the Commissioner of Education is a position of the utmost importance to the citizens of Maine particularly at this time. The Commissioner is responsible for some 400 persons and money in excess of \$40 million of dollars not to mention the millions in real property located throughout the state.

However, this morning I do not want to belabor the statistics just mentioned but I believe most important is the fact that this position of Commissioner of Education when Maine is facing a critical period in its attempt to advance education to a level which it deserves, is a very sensitive and extremely important position within the framework of our state government. Dr. Warren Hill, as Commissioner of Education, I believe, is most valuable to the state. I also believe this deserves the consideration of this Senate. Since assuming his responsibilities as Commissioner of Education some five years ago, Dr. Hill has constantly endeavored to give Maine youth and adults the maximum of his efforts. Testimony of his accomplishments is the present status of our educational system and the loyalty to him of all the groups in the state, both professional and non-professional who have been associated with him these past five years.

And so, Mr. President, I would sincerely request that you accept the Minority Ought to pass report of the committee, and I would also ask for a division.

Mr. SAMPSON of Somerset: Mr. President and members of the Senate, I rise in support of Senator Brooks on his way of thinking regarding Dr. Warren Hill, Commissioner of Education. This man has had duties that include the proper allocation of funds of over \$40 million for this biennium. His salary

for his judgment and discretion is \$14,000 annually at the present time. Even in my business as well as other businesses, we have men that earn well over this figure a year without this much responsibility and they don't have to get along completely without advice and they don't have to rely upon themselves exclusively as far as decisions, as does Dr. Hill.

I have known Dr. Hill only since I have been in Augusta. He impresses me as being a reliable and well equipped man for the job. He holds three college degrees and has achieved some national recognition by professional educational groups. Certainly after so much preparation for his life's work, he deserves more. I know, not from him but from many authoritative sources that he had offers from three other states. This man likes Maine. He likes to live here. He has made better education for this state, and his goal must surely gain more recognition from us citizens whose children will benefit. I know that other department heads were in some cases refused, but we must admit when we have outstanding men in our employ, we must recognize their quality and merit them accordingly. Therefore, I for one, will recommend this salary raise.

Mr. NOYES of Franklin: Mr. President, I rise as Chairman of the Committee on State Government. This salary increase along with many other increases of other department heads was given due consideration and I now move that we go along with the House where this matter has been thoroughly discussed and that we uphold the committee report; in other words, I move that we recede and concur with the House.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I had a telegram which arrived here yesterday and I would like to read to the Senate in support of this salary raise for Warren Hill. It was written by a woman who has long been known for her interest in children and education. She served for 20 or 30 years on the school board in Portland. Her husband was killed in

an automobile accident last week and even through this sorrow, she took the time and trouble to send this telegram in support of Warren Hill:

"I wish to express my conviction that Warren Hill is rendering fine service to the Maine educational system and is worth every bit of the proposed salary of \$17,000".

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I too rise in support of Senator Brooks' motion that we should go along with the Minority Ought to Pass report on this. You remember in the past when the State of Maine was looking for a Commissioner of Education. We don't generally get Mr. Hill's type in the State of Maine. We had to go outside the state to find one. It is not easy. Concerning the other Department Heads, they are within the state and we certainly can be proud of what Dr. Hill has done for education in the State of Maine. If we don't go along with this salary increase for this Commissioner, maybe we won't have him. So I hope that the Senate will go along with this increase.

Mr. SAMPSON of Somerset: Mr. President, I would like to address a question through the Chair to Senator Noyes of Franklin.

The PRESIDENT: The Senator from Somerset, Senator Sampson poses a question through the Chair to Senator Noyes of Franklin who may answer if he wishes.

Mr. SAMPSON: Mr. President, if Senator Noyes had 500 employees working for him three years, would he deny any of those employees a raise?

The PRESIDENT: The Senator from Franklin, Senator Noyes, does not wish to answer the question.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, certainly I have been as economy minded on salaries and increases as anyone in this legislature but I do feel that we must take into consideration that this is the office of the Commissioner of Education; that in the event of a vacancy we must go outside of the state possibly and compete with

salaries of other states. I can recall just recently how long the Department of Health and Welfare Commissioner Fisher had to wait before he could find a man to fill the position I believe it was Director of Mental Health, and finally was able to fill it but it had a salary of \$17,500. You will note that this bill is merely permissive. It raises the ceiling that the Board of Education may establish from \$14,000 to \$17,000. I think it is also germane to point out that in this particular job the same as a number of other departments but not all of them by any means, the individual who fills that job is not working just a forty hour week. He is working a full day and full evenings, long hours, a lot of service and we want the best. I am happy to rise and support the contention of Senator Brooks, and hope that the motion of Senator Noyes of Franklin does not prevail.

The PRESIDENT: The question before the Senate is on the motion of Senator Noyes of Franklin that the Senate concur with the House, and a division has been requested.

A division of the Senate was had.

Eight having voted in the affirmative and twenty-two opposed, the motion did not prevail.

Thereupon, on motion by Mr. Brooks of Cumberland, the Minority Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 13th tabled and today assigned item (H. P. 591) (L. D. 812) House Reports from the Committee on Highways on bill, "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island"; Majority report, ought not to pass; Minority report, Ought to pass; tabled on April 18 by Senator Brown of Hancock pending acceptance of either report.

Mr. BROWN of Hancock: Mr. President, I move that the Senate accept the Majority Ought not to pass report of the committee.

Thereupon, on motion by Mrs. Lord of Cumberland, the bill was

laid upon the table pending motion by Mr. Brown to accept the Majority Ought not to pass report; and was especially assigned for Friday, April 28th.

On motion by Mr. Marden of Kennebec, the Senate voted to take from the table the 7th tabled and unassigned item (S. P. 9) (L. D. 9) bill, "An Act Relating to Distribution of Obscene Literature to Minors", tabled on March 1 by Senator Marden of Kennebec, pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Senate Amendment A was read and adopted and the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Noyes of Franklin, the Senate voted to take from the table the 35th tabled and unassigned item (S. P. 165) (L. D. 411) Senate Reports from the Committee on Inland Fisheries and Game on bill, "An Act Relating to Retirement of Chief Warden of Inland Fisheries and Game, "Majority Report, Ought to pass as amended by Committee Amendment A; Minority Report Ought not to pass; tabled on March 28 by Senator Noyes of Franklin, pending motion by Senator Carpenter of Somerset to accept the Majority Ought to pass report; and the same Senator moved the pending question.

Thereupon, the Ought to pass Majority report was accepted and the bill read once.

Committee Amendment A was read.

Mr. EDGAR of Hancock: Mr. President, may I address a question through the Chair, to Mr. Noyes of Franklin. My question is this: As I understand this amendment — I haven't read it today but I think I remember it correctly — the amendment includes in the bill, not only the Chief Warden but the Supervisors as well. Is that correct?

Mr. NOYES of Franklin: Mr. President, with your permission, I would like to yield to the Senator from Somerset, Senator Carpenter

since he is more familiar than I with this subject.

Mr. CARPENTER of Somerset: Mr. President, it does include the Supervisors.

Mr. EDGAR of Hancock: Then, Mr. President, my chief question is this: Do I understand correctly that the supervisors now under the present law can achieve maximum retirement at age 60 but if this amendment were to pass, they could not achieve maximum retirement until they were 65.

Mr. CARPENTER: Mr. President, I am sorry; I am unable to answer that question.

Mr. EDGAR of Hancock: Mr. President, it is my understanding and I have been informed by what I consider reliable authority that under the present set-up, the supervisors can retire now at age 60 with maximum retirement but if this amendment were to be passed, they would have to wait until they were 65 before they could achieve maximum retirement and I have been told that for this reason the supervisors are not in favor of this amendment.

Mr. CARPENTER of Somerset: Mr. President, I might answer that question in this way. All other heads of the various fishery departments can retire at 60 but they do not necessarily have to retire until 70 to obtain the maximum benefits.

The Secretary read Committee Amendment A.

Mr. CARPENTER: Mr. President, I move that this bill be tabled and especially assigned for tomorrow.

The motion prevailed and the bill was tabled pending adoption of Committee Amendment A and was especially assigned for tomorrow.

Mr. Farris of Kennebec was granted unanimous consent to address the Senate.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, you will recall that some time ago during the basketball season, we did send out certain letters from the Senate through the office of the Secretary of the Senate. I was very derelict in my duties as Senator from Kennebec at that time in not getting on the record the fact that a very fine, small high school in the town of Winthrop, a girls' team for the first time in history won the Kennebec Valley Conference. That in itself would not seem of any great moment except that this is a very small school and was in competition with all of the larger schools here in the Kennebec Valley area and in that conference. At this time I would request that the Secretary of the Senate be instructed to write a letter of congratulation to the coach, Mr. Richard Ayer of Winthrop.

The PRESIDENT: I am sure the Secretary will be glad to carry out this request.

The PRESIDENT: The Chair would like to state that a group of girl scouts, Troop 2 in Searsport were visiting us this morning accompanied by seven Chaperons: Mrs. Elmer Staples, Mrs. Norman Kilby, Mrs. Oden Gradie, Mrs. Myron Curtis, Mrs. Gene Milligan, Mrs. Granville Gross, and Mrs. Willis Blade (Leader). The Chair failed to recognize this group because of the fact that we were in debate, and I will ask the Senator from Waldo, Senator Cole, if he will convey the message that we were happy to have them visit with us this morning and perhaps the Senator will send them a copy of the record.

On motion by Mr. Noyes of Franklin

Adjourned until 9 A.M. tomorrow morning.