

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

Thursday, May 11, 1961

Senate called to order by the President.

Prayer by Rev. Joseph LeMaster of Monmouth.

On motion by Mr. Cole of Waldo,

Journal of yesterday read and approved.

Mr. Erwin of York was granted unanimous consent to address the Senate.

Mr. ERWIN of York: Mr. President I wish to announce to the Senate that at 3:30 this afternoon there will be a Joint Caucus in the House of Representatives, called at the request of the Judiciary Committee, to discuss the single topic of the pending district court bill. It is the considered opinion of the Judiciary Committee that this legislation is important enough and involves enough so that it would be worth the legislature's while to discuss it in caucus. To this caucus the Democratic members of both Houses are cordially invited as well as any attorneys who may be sojourning in the State House at the time.

The PRESIDENT: Thank you, Senator Erwin.

The Chair is pleased to note that we have our Senator from Cumberland, Senator Lord with us today. We hope she continues to improve and I think she is by the smile on her face.

(Applause)

**Paper from the House
Joint Order**

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to study and report to the 101st Legislature on the feasibility of eliminating the residence requirements of applicants for public assistance (H. P. 1124)

Comes from the House, read and passed.

In the Senate:

The Order received a passage.

Mr. NOYES of Franklin: Mr. President, I now move that this be placed upon the table.

The PRESIDENT: Would the Senator from Franklin, Senator Noyes move that the Senate reconsider its former action whereby the Order received passage.

Mr. NOYES: Mr. President, I so move.

The motion to reconsider passage prevailed.

Mr. NOYES: Mr. President, I now move that the bill be tabled.

The PRESIDENT: Would the Senator from Franklin, Senator Noyes, please explain the procedure as far as bills being referred to the Research Committee?

Mr. NOYES: Mr. President, the procedure as I understand it from two years ago, these are all placed upon the table and then at the end of the session, a selection is made, I don't know by whom but I think by the President of the Senate as I recall, as to what bills will be ultimately referred to the Legislative Research Committee, and that is the reason why they are tabled as we go along through the session.

The PRESIDENT: Thank you, Senator Noyes.

In the Senate Chambers we have the eighth grade of Anson grammar school accompanied by their teacher, Mr. Taylor. It is certainly a pleasure to have the group with us. We hope that your visit is enjoyable. We hope that it is educational. We have some interesting things to look at in the State House; in the Museum particularly, and we hope that some day you will take your places here in the Senate Chambers representing the County in which you live. Would this group please stand, including Mr. Taylor? (Applause)

I would like to introduce to you the two Senators from your County, Senator Carpenter and Senator Sampson. They will be happy to assist you in any way they can.

**Approved by a Majority of the
Committee on Reference of Bills**

Bill, An Act to Authorize the Municipalities of Etna and Plymouth to Form a School Administrative District." (H. P. 1156) (L. D. 1597.)

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

In the Senate, that Body voted to refer the bill to the Committee on Education in concurrence.

Non-concurrent Matters

JOINT ORDER, Recalling H. P. 354, L. D. 506, "An Act Permitting Counties to Expend Money for Advisory Organizations, from the Legislative files. (H. P. 545)

In Senate, May 5, read and passed.

Comes from the House indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Lovell of York, the Senate voted to insist on its former action and ask for a Committee of Conference. The President appointed as Senate members of such committee, Senators: Lovell of York; Noyes of Franklin and Porteous of Cumberland.

Bill, An Act Including Piers and Terminals in Maine Industrial Building Authority Act. (S. P. 418) (L. D. 1357)

In Senate, April 26, passed to be engrossed as Amended by Senate Amendment "A."

Comes from the House, passed to be engrossed as Amended by Senate Amendment A, as amended by House Amendments "A" and "B" thereto, in non-concurrence.

In the Senate, on motion by Mr. Stilphen of Knox, tabled pending consideration.

The PRESIDENT: We have in the Senate Chambers the Scarlet Cadet all girl Color Guard which was organized two years ago. This year the Guard started off by taking third place at the Colorama held in Lewiston, Maine. Their second outing saw them come in second in a Connecticut circuit contest held in Clairemont, N. H. Their third and final contest of the current season was held on April 30th in Portsmouth, N. H. On that date they captured the Northern New England Association Color Guard Championship and in so doing became the first unit to defeat Portland in five years.

The girls in this Color Guard are Capt. Pat Sutton, Co-Capt. Ida Pelletier, Nancy Gastonguay, Claudette Gagnon, Cherie Lapointe,

Gail Thornton, Susan Gauthier, Rita Dubois, Jeannette Lessard, Helen Begin, Donna Davis, Cathy Wyman, Sandra Eretzyon and the chaperons, Mrs. Ralph Wyman and Mrs. Lucien Beaudette.

It certainly is a pleasure to have this group with us. I would like to declare a short recess so that if they would like to continue their performance, we would like to have them. (Applause)

Mr. COUTURE of Androscoggin: Mr. President, the Captain has told me that really the room is too small to do anything. All they could do was march in as they did.

The PRESIDENT: At this time the Chair would like to introduce the three Senators from Androscoggin County: Senators: Boisvert, Couture and Jacques. It is nice to have you young people with us and we hope you will come again. At this time the Chair would like to appoint as Honorary Pages for the day, Rita Dubois and Helen Begin. Would one of the Pages please escort the two young ladies to their chairs?

On motion by Mr. Noyes of Franklin, out of order and under suspension of the rules.

ORDERED that effective May 17, 1961, the President of the Senate is hereby directed to lay before the Senate on Wednesday or Thursday of each week such tabled matters as appear on the Senate Calendar in the order in which they appear, the exceptions being the Special Highway Appropriations Table and the Special Appropriations Table, further exceptions being such tabled matters as the Majority Floor Leader, the Minority Floor Leader or the President of the Senate may deem necessary to keep on the table because of extenuating circumstances.

Mr. FARRIS of Kennebec: Mr. President, I move that the Order be tabled.

Mr. NOYES of Franklin: Mr. President, I request a division.

Thereupon, the Order was laid upon the table pending passage, and was especially assigned for later in today's session.

Communication

State of Maine
House of Representatives
Office of the Clerk
Augusta

May 10, 1961

Honorable Chester T. Winslow
Secretary of the Senate
100th Legislature

Sir:

Today the House voted to insist and joined conference on the disagreeing action of the two branches of the Legislature on:

Bill, "An Act to Clarify the Liquor Laws," S. P. 353, L. D. 1086 and the Speaker appointed the following Conferees on the part of the House:

Mr. LANE of Waterville
Mr. DOSTIE of Winslow
Mr. COOPER of Albion

Respectfully,

HARVEY R. PEASE,
Clerk of the House

HRP: mm

Which was read and placed on file.

**House Committee Reports
Ought Not to Pass**

The Committee on Inland Fisheries and Game on Bill, An Act Revising the Law Relating to Licensing and Safety Operation of Boats. (H. P. 984) (L. D. 1371) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, An Act Relating to Transportation of School Children to Private Schools. (H. P. 114) (L. D. 154) reported that the same Ought not to pass, covered by other legislation.

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

The same Committee on Bill, An Act Regulating the Operation of Motor Boats. (H. P. 982) (L. D. 1369) reported that the same Ought not to pass, covered by other legislation.

The Committee on Public Utilities on Bill, An Act Relating to Maintenance and Use of Landings on Islands of Casco Bay. (H. P. 621) (L. D. 838) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The PRESIDENT: The Chair notes in the Senate Chambers Dr. and Mrs. Wilton Stevens of Wiscasset who have just returned from Florida. Dr. Stevens was at one time a member of the House. It certainly is a pleasure to have these two distinguished guests visit with us and I would ask them to rise so that the Senate can acknowledge their presence. (Applause)

The Committee on Appropriations and Financial Affairs on Bill, An Act Repealing Appropriation for Tuberculosis Hospital Building at Community General Hospital in Fort Fairfield. (H. P. 788) (L. D. 1266) reported that the same Ought not to pass.

Comes from the House indefinitely postponed.

In the Senate, that body voted to concur.

The Committee on Taxation on Bill, An Act Providing for a State Income Tax. (H. P. 1026) (L. D. 1427) reported that the same Ought not to pass.

Comes from the House indefinitely postponed.

In the Senate, that body voted to concur.

Ought to Pass

The Committee on Claims on Resolve, in Favor of the Town of Minot. (H. P. 58) (L. D. 99) reported that the same Ought to pass.

The same Committee on Resolve, to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell. (H. P. 294) (L. D. 446) reported that the same Ought not to pass.

The same Committee on Resolve, to Reimburse the Town of New Sweden for Aid Extended to Ronald Tirrell. (H. P. 295) (L. D. 447) reported that the same Ought to pass.

The same Committee on Resolve, in Favor of Levite Pelletier of St. David. (H. P. 463) (L. D. 663) reported that the same Ought to pass.

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

Ought to Pass — New Draft

The Committee on Legal Affairs on Recommended Bill, An Act Creating the Maine Board of Auctioneers. (H. P. 100) (L. D. 140) reported that the same Ought to pass in New Draft, under New Title: An Act Revising the Laws Relating to Auctioneers. (H. P. 147) (L. D. 1579)

Which report was read and accepted in concurrence, the Bill in New Draft read once and tomorrow assigned for second reading.

MAJORITY — Ought to Pass As Amended by Com. Amend. "A" MINORITY — Ought Not to Pass

The Majority of the Committee on Judiciary on Bill, An Act Relating to a Power of Sale in a Mortgage and Sale under a Power in a Mortgage. (H. P. 995) (L. D. 1382) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing No. H-279)

(Signed)

Senators:

ERWIN of York
MARDEN of Kennebec
BOARDMAN of Washington

Representatives:

RUST of York
SMITH of Bar Harbor
MINSKY of Bangor

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

(Signed)

Representative:

KNIGHT of Rockland

Comes from the House, minority, Ought not to pass report accepted.

In the Senate, on motion by Mr. Erwin of York, the bill and reports were laid upon the table pending acceptance of either report.

The Majority of the Committee on Legal Affairs on Bill, An Act Providing for Registration of Sanitarians. (H. P. 975) (L. D.

1342) reported that the same Ought not to pass.

(Signed)

Senators:

FARRIS of Kennebec
NOYES of Franklin

Representatives:

SPROUL of Bristol
BERRY of Cape Elizabeth
KELLAM of Portland
BERMAN of Houlton

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

(Signed)

Senator:

LORD of Cumberland

Representatives:

STEWART of Presque Isle
KNAPP of Yarmouth

Comes from the House Reports and Bill indefinitely postponed.

In the Senate, on motion by Mr. Farris of Kennebec, indefinitely postponed in concurrence.

The Majority of the Committee on State Government on Bill, An Act Relating to Officers of the Legislature. (H. P. 208) (L. D. 303) reported that the same Ought not to pass.

(Signed)

Senator:

CHRISTIE of Aroostook

Representatives:

KIMBALL of Mount Desert
BEARCE of Bucksport
NOEL of Waterville
DENNETT of Kittery
WHITMAN of Woodstock

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

(Signed)

Senators:

NOYES of Franklin
LOVELL of York

Representatives:

HAUGHN of Bridgton
DOSTIE of Lewiston

Comes from the House, Reports and Bill indefinitely postponed.

In the Senate, on motion by Mr. Noyes of Franklin, bill and reports tabled pending acceptance of either report.

The Majority of the Committee on Transportation on Recommitted Bill, An Act Relating to Annual Permits to Move House Trailers and Mobile Homes Over Highways. (H. P. 915) (L. D. 1249) reported that the same Ought not to pass.
(Signed)

Senators:

COLE of Waldo
GILBERT of Kennebec

Representatives:

WHITNEY of Winn
NADEAU of Lewiston
DUNN of Poland
BERRY of Portland

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

(Signed)

Senator:

STILPHEN of Knox

Representatives:

BUSSIERE of Lewiston
LINNEKIN of Limington
FINLEY of Washington

In House, Minority, Ought to pass Report accepted. House Amendment "A" (Filing No. H-155) was read and adopted, and subsequently the Bill was indefinitely postponed.

In the Senate:

Mr. COLE of Waldo: Mr. President, I move that the bill be tabled. The motion prevailed.

reported in Report "B" that the same Ought not to pass.

(Signed)

Senator:

EDMUNDS of Aroostook

Representatives:

HANCOCK of Nobleboro
HARDY of Hope
THAANUM of Winthrop
BOISSONNEAU of Westbrook

In House Report "A", Ought to pass was accepted, House Amendment "A" was read and adopted (Filing No. H-254), and the Bill passed to be engrossed, as amended.

In the Senate:

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I move that the ought to pass report as amended by House Amendment A be adopted.

Mr. EDMUNDS of Aroostook: Mr. President, I move that the bill and all accompanying papers be indefinitely postponed and when the vote is taken I request a division.

The PRESIDENT: The question before the Senate is on the motion of Senator Edmunds of Aroostook to indefinitely postpone.

A division of the Senate was had.

Twenty-one having voted in the affirmative and nine opposed, the motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

Report "A" — Ought to Pass
Report "B" — Ought Not to Pass

Five members of the Committee on Labor on Bill, An Act Relating to Compensation for Injuries Under Workmen's Compensation Law. (H. P. 937) (L. D. 1285) reported in Report "A" that the same Ought to pass.

(Signed)

Senators:

COUTURE of Androscoggin
MAYO of Sagadahoc

Representatives:

JOBIN of Rumford
BROWN of Friendship
WINCHENPAW of Friendship

Five members of the same Committee on the same subject matter

Senate Committee Reports
Leave to Withdraw

Mr. BROOKS from the Committee on Education on Bill, An Act to Authorize the Withdrawal of Town of Liberty from School Administrative District No. 3 reported that the same should be granted leave to withdraw. (S. P. 318) (L. D. 1071)

Which report was read and accepted.

Ought to Pass — New Draft

Mr. FARRIS from the Committee on Legal Affairs on Bill, An Act Relating to Operating Business on Sundays. (S. P. 327) (L. D. 1002) reported that the same Ought to pass in New Draft, Under Title of: An Act Relating to Oper-

ating Business on the Lord's Day and Certain Holidays. (S. P. 552)

Which Report was read and accepted, and the Bill, in New Draft, read once, and tomorrow assigned for second reading.

Mr. WYMAN from the Committee on Taxation on Bill, "An Act to Exempt Industrial Waste Disposal Plants from Property Tax. (S. P. 186) (L. D. 432) reported that the same Ought to pass in New Draft, under New Title: An Act to Exempt Industrial Disposal Systems from Property Tax. (S. P. 550) (L. D. 1596)

Which Report was read and accepted, and the Bill, in New Draft, read once, and tomorrow assigned for second reading.

Second Readers

The Committee on Bills in the Second Reading reported the following bills:

Bill, An Act Establishing Educational Requirements for Insurance Agents and Brokers (H. P. 1080) (L. D. 1488)

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

Bill, "An Act Relating to the Dissolution of Corporations (H. P. 1143) (L. D. 1575)

Which was read a second time.

On motion by Mr. Marden of Kennebec, Senate Amendment A was read and adopted and the bill passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, An Act Relating to Notification for Renewal of Operators' Licenses and Providing for a Two Year License. (H. P. 949) (L. D. 1297)

Which bill was read a second time.

Mrs. Christie of Aroostook presented Senate Amendment B and moved its adoption.

Mrs. CHRISTIE of Aroostook: Mr. President I am afraid I would hardly be able to walk the streets at home if I did not say something about the addition of this notification feature. Consequently I have introduced this amendment which would strike out that fea-

ture and also strike out the appropriation which would be required to take care of it. My feeling is that if people don't remember their birthdays and don't renew their license, then it is all right to fine them and perhaps the next time they will remember. I believe we should have enough individual responsibility to look after our own, without notification from the Secretary of State.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, we have been down this road before. I think that in yesterday's lengthy account of the purposes for notification I was sufficiently clear and I hope the memories of the Senators are fresh enough to remember that. I would only hope that they would vote as they did yesterday, and that the amendment just proposed be indefinitely postponed.

Mrs. CHRISTIE of Aroostook: Mr. President, I ask for a division if that is a motion.

The PRESIDENT: Did Senator Porteous of Cumberland make a definite motion to indefinitely postpone Senate Amendment B?

Mr. PORTEOUS: Mr. President, I did make a motion to indefinitely postpone Senate Amendment B.

Mr. STILPHEN of Knox: Mr. President, I rise in support of the motion of Senator Porteous. We heard this particular measure before the Committee on Transportation and the feeling was that inasmuch as twenty-five per cent of the driving population of Maine are late in renewing their licenses and that is a fact, the Secretary of State's office has indicated that of the 350 to 400 thousand drivers in Maine, close to 100 thousand are driving without operator's licenses. We feel it is not only something that is a service to the people but something that will get the revenue, the money into the Secretary of State's office on time.

I think this is a feature. I think that many, many people do remember their birthdays but not having been accustomed in the past to renew their license on their birthday they are apt to forget to do it and as one proponent of this measure mentioned during the hearing, as people grow older they

have less regard for birthdays and feel it is something they perhaps want to forget and I think that this amendment would defeat the whole purpose of the bill and I hope the motion to indefinitely postpone the amendment does prevail.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, just this observation, it seems to me that we are leading altogether too much toward doing things for our people which they ought to do for themselves.

The PRESIDENT: The Chair would like to take this opportunity to explain to the Senators that if you will read Rule 3 of the Senate Rules it says just this "When a Senator speaks he should stand in his place and address the President." Many of the Senators stand there and look at me and if three stand at once I just don't know who to recognize. So in the future, when you intend to address the Senate, will you stand up and say, "Mr. President." I know it is confusing for Mrs. Crocker too. She has said many times, "What will I do?" Unless the Senator addresses the Chair, it is impossible for me to be at all times fair.

Mr. JACQUES of Androscoggin: Mr. President, I wish to table this until later on in today's session.

Thereupon, the bill was laid upon the table pending the motion of Senator Porteous of Cumberland to indefinitely postpone Senate Amendments.

Bill, "An Act Amending Charter of City of Saco." (H. P. 679) (L. D. 957)

Which bill was read a second time and on motion by Mr. Lovell of York was tabled pending passage to be engrossed.

The PRESIDENT: The Chair notes the presence in the Senate of the 8th grade of the Bell School in Newburgh, Maine with their teacher, Mr. Millett. It is certainly a pleasure to have this group with us. We hope that your stay is enjoyable and educational. We hope that you visit the House and also the museum. We hope that some day you will be sitting

in the Senate Chambers representing the County in which you live. At this time the Chair will introduce Senator Stanley of Penobscot. Senator Bates of Penobscot is absent and I, too, represent Penobscot County.

Senate

Bill, An Act Relating to Zoning in the City of Lewiston. (S. P. 295) (L. D. 906)

Bill, An Act Repealing Certain Limitations on Elliottsville Plantation. (S. P. 532) (L. D. 1573)

Bill, "An Act Regulating the Operation of Motor Vessels. (S. P. 549) (L. D. 1595)

Bill, "An Act Relating to Work on Shade and Ornamental Trees. (S. P. 348) (L. D. 1592)

Which Bills were read a second time and passed to be engrossed. Sent down for concurrence.

Bill, An Act to Clarify State Boating Law (S. P. 547) (L. D. 1591)

Which was read a second time.

Mr. FARRIS of Kennebec: Mr. President, I offer a Senate Amendment and move its passage. Might I explain that the bill on which we are now acting is a redraft of L. D. 1300 and L. D. 1300 is the amendment.

Mr. BROOKS of Cumberland: Mr. President, may I ask a question through the Chair of Senator Farris of Kennebec?

The PRESIDENT: The Senator from Cumberland, Senator Brooks poses a question to the Senator from Kennebec, Senator Farris, and that Senator may answer if he wishes.

Mr. BROOKS: Mr. President, when the Senator spoke of the waters of this state shall mean bodies of water, wholly or partly within the territorial limits of the State, do you mean also to include the salt water off shore?

Mr. FARRIS: Mr. President, in reply to Senator Brooks of Cumberland—Yes, and I might explain just one step further, solely for the purpose of issuing licenses, not for any other purpose.

Mr. BROOKS: Mr. President, may I ask the good Senator another question? Could this be in

conflict seriously with Coast Guard requirements?

Mr. FARRIS: Mr. President, this amendment is at the suggestion in substance of the Coast Guard and is written with the approval of the Coast Guard.

Mr. STILPHEN of Knox: Mr. President, as a member of the Inland Fish and Game committee and also representing an area of the coast of Maine, we have had this bill as you will notice if you look at the bill that this is a second redraft and one of the reasons for having the bill recommitted to the Committee was in effect to take out this very thing that is now being proposed to be kept in. All of the boats along the coast of Maine, the lobster boats, the fishing boats are now under Coast Guard regulations and have to be numbered and as far as we could determine practically one hundred percent of the fishermen along the coast of Maine don't want to be under this Maine Boating Law and do not feel that they should be. They are now more adequately covered by the licensing and safety regulations than they would be under our present law. It is just a duplication of license and there is no provision in this act for policing the salt waters of the State of Maine. It would only bring between eight and nine thousand licenses into the state under Inland Fisheries and Game and for that reason this was left out of the bill. Now it is proposed to put it back. I move that the amendment be indefinitely postponed.

Mr. MAYO of Sagadahoc: Mr. President, I rise in support of the motion of Senator Stilphen of Knox. I also represent a large coastal area. I have discussed this bill with the fishermen and they are very upset to think that if this regulation should go through they would have to have two sets of numbers on their boats. As Senator Stilphen has said, they are completely covered for safety regulations and for docking of their boats through the Coast Guard and I see no reason at all for this amendment to be added. It will just confuse the issue.

Mr. BROOKS of Cumberland: Mr. President, I rise to concur

with the motion of Senator Stilphen of Knox, and request a division when the vote is taken.

Mr. FARRIS: Mr. President and members of the Senate, I realize the futility of engaging in a debate with my colleagues from the coastal regions of Maine but I would like to explain what this amendment originally did, and the amendment is the same as the original bill. Under the so-called Border Act which is a federal law, the Coast Guard wishes to remove itself from the necessity of having to issue numbers for boats. The statement has been made by one of my colleagues that this amendment would require two separate numbers. I wish to explain that the purpose of this bill and now the purpose of this amendment is to eliminate the requirement of dual numbering. At the present time any person who has a boat being used in inland waters in the State of Maine must obtain a certificate and a number from our fish and game department. The people that use their boats both on inland waters and on coastal waters must obtain a number from inland fish and game and from the Coast Guard.

If this amendment is adopted, the Coast Guard will recognize the numbers which are issued by the State of Maine, and therefore it will only be necessary for the owner of the boat to have one number.

As far as safety is concerned in the coastal area, as far as law enforcement is concerned in the coastal areas, that will all be provided by the Coast Guard as it is today.

I have also talked with a number of people interested in this and who live on the coast and the only objection which I have found among the coastal people is the fact that they are now paying \$3 for a license to obtain a number, and I have not read this redraft, this is the second one, but I have seen the same provision is in it that was in the original redraft and that would be the cost of \$5 per license. There are, as Senator Stilphen of Knox has said, roughly 8,000 boats in coastal waters. At the present time at \$3

per license, they are paying \$24,000 to the government. Under this bill they would pay \$40,000 that would be coming into the coffers of the State of Maine rather than the federal government and by a very happy change, the federal government is willing to give up that source of income so we can have one numbering system.

I feel that this is sufficiently important that if in the coastal area they object, and this has been the objection that I have heard, primarily to paying the \$5 fee, that an amendment be offered leaving it at the \$3 figure. This is really a step in the right direction for uniformity and of great benefit to all of the boat owners in the State of Maine.

Mr. STILPHEN of Knox: Mr. President, I don't like to differ with my colleague from Kennebec, Senator Farris, but I gathered from what he said that the Coast Guard would only require the issuance of one set of numbers. Now, inasmuch as under our boating law today the requirements to get a license on inland waters are much inferior to the requirements to get a license under the Coast Guard, I understand that the Coast Guard would not recognize these licenses issued under this act unless our safety requirements were equal to their own. So therefore it would necessitate the issuance of two licenses.

Mr. PORTEOUS of Cumberland: Mr. President, may I, through the Chair, ask a question of Senator Farris of Kennebec?

The PRESIDENT: The Senator from Cumberland, Senator Porteous poses a question to the Senator from Kennebec, Senator Farris who may answer if he wishes.

Mr. PORTEOUS: Mr. President, my curiosity is aroused as to how this will affect out of state boats being brought in here and put on our lakes and ponds, that perhaps came from a state that didn't require a number?

Mr. FARRIS of Kennebec: I am sorry I cannot answer that question. All I can say is that the bill as written or the amendment have no affect whatsoever on that particular problem. I imagine

that the Senator from Somerset, Senator Carpenter has more information on that particular facet of the subject.

Mr. CARPENTER of Somerset: Mr. President, if I remember correctly the original bill was written some two years ago and I could be in error, that any boat coming in to Maine from an adjoining state that has reciprocity with the State of Maine, would be excluded under this particular bill. If not, they would be given a certain number of days to obtain a registration. I heartily concur with the motion of Senator Stilphen of Knox. When this bill was originally written it was written so that we did not want to interfere with the Coast Guard feeling we could get into a situation whereby requirements would be so severe that the bill would not receive passage at that particular time. I think this amendment would more or less confuse the entire issue and I certainly go along with the motion to indefinitely postpone.

Mr. BROOKS of Cumberland: Mr. President, the reciprocity act or whatever you may call it between states, allows a period of thirty days before an out of stater has to license his boat. There is absolutely no compatibility between the state boating laws and the laws required by the United States Coast Guard. Anyone who is familiar with the boating laws, as Senator Stilphen has stated, cannot see the worth of this amendment in any way, shape or manner, and I rise for the last time to say that in my opinion this is a very poor amendment and I certainly hope that the motion to indefinitely postpone will prevail.

The PRESIDENT: The question is on the motion of Senator Stilphen of Knox to indefinitely postpone Senate Amendment A.

Mr. CARPENTER of Somerset: Mr. President, I ask for a division. A division of the Senate was had.

Twenty-seven having voted in the affirmative, Senate Amendment A was indefinitely postponed.

The PRESIDENT: In the rear of the Senate Chamber, the Chair

notes the presence of the granddaughter of Senator Carpenter of Somerset, Miss Ann Schoenthaler and a group of girls known as the Aldefoes Club from Mt. Merici Academy in Waterville. Would these young ladies stand so that they may be recognized by the Senate? It is a pleasure to have you with us.

We also have in the Senate today former Senator Robert E. Cleaves and Mrs. Cleaves of Portland. It is nice to have Mr. and Mrs. Cleaves with us and we hope you enjoy your day.

Mr. Lovell of York was granted unanimous consent to address the Senate.

Mr. LOVELL: Mr. President and members of the Senate: It is very seldom that I get a compliment for anything that I may have done. That is not of interest in particular, but I do feel very proud of my Industrial and Recreational Development Committee. For the record, I would like to read an excerpt from the address given by Governor John Reed at the South Portland Industrial Day dinner, on Tuesday, May 9th, 1961. In part, Governor Reed states:

"In still another area there is convincing evidence that there is a real economy awakening in Maine. That has come from the establishment for the first time of a standing legislative committee dedicated to the interests of industrial and recreational development. If you have had an opportunity to follow the legislative news printed in your daily newspapers, you will agree that this new committee has done outstanding work in the field of economic development. So significant has it been that in response to the action of the Industrial Development Council of Maine, which is composed of development committee has agreed to function throughout the year, even after the adjournment of the legislature. I take this to be a great tribute to the interest and the dedication of the members of that committee who will maintain their organization and meet with the development people and anyone else who is interested in economic development. Needless to say,

the continued functioning of the committee will mean much personal sacrifice and personal expense to the members of this committee, but they have indicated their interest and their willingness to function on a continued basis."

I speak for my committee, and I am certainly very pleased to have this compliment from our good Governor, John Reed. Thank you.

The PRESIDENT: Will the members of this committee stand up and take a bow, please: Senator Jacques, Senator Lovell and Senator Noyes. (Applause)

This is the committee that the Governor recognized.

On the rostrum today we have a beautiful cake. I do not know who was responsible for putting it here or what we are supposed to do with it. Does anybody in the Senate chamber know who was responsible?

Mr. STANLEY of Penobscot: Mr. President, this cake was at the dinner last night given to the legislature by the Maine Restaurant Association, and as I was having breakfast this morning I saw the cake setting there. I asked them what they were going to do with it and they said they were sorry that nobody ate the cake last night and they would be very happy to present it to the 100th Legislature. That is why you find it on your desk. I brought it over from the restaurant this morning.

The PRESIDENT: The Chair will appoint Senator Stanley a committee of one to act as chef to cut the cake later in the session.

Mr. FARRIS of Kennebec: Mr. President, I would like to pose a question to the Senator from Penobscot, Senator Stanley. I hope I am not missing anything that is going on in this session, but he said that this was at the Maine Restaurant Association dinner last night, and when I was having breakfast this morning it was still there. Might I inquire: did they have a breakfast at the Armory this morning?

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question through the

Chair of the Senator from Penobscot, Senator Stanley and that senator may answer if he wishes.

Mr. STANLEY: Mr. President, in reply to the good Senator from Kennebec, Senator Farris; I would not know whether or not they had breakfast at the Armory this morning. However, I had breakfast in one of the local restaurants and this cake had been prepared by that particular Pi House bakery shop and it was there this morning, it was not at the Armory.

Mr. FARRIS: Thank you.

Enactors

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

Bill, An Act Relating to Public Hearing on Certain Articles in Warrant for Town Meeting. (H. P. 159) (L. D. 222)

Bill, An Act Relating to Compensation of Medical Examiners for View Without Autopsy. (H. P. 162) (L. D. 225)

Bill, An Act to Grant a New Charter to the City of South Portland. (H. P. 605) (L. D. 864)

Bill, An Act Relating to Fees of Clerks of Courts for Entry of Action. (H. P. 993) (L. D. 1380)

Bill, An Act Revising Laws Relating to Pollution Control. (H. P. 1125) (L. D. 1552)

Bill, An Act Amending Law Providing for Additional Court Review in Public Utility Cases. (H. P. 1127) (L. D. 1554)

Bill, An Act Relating to Annual Compensation for Superior Court Messenger of Cumberland County. (H. P. 1138) (L. D. 1568)

Bill, An Act Relating to the Control of Malfunctioning Disposal Systems. (H. P. 1142) (L. D. 1574)

Bill, An Act Relating to Criminal Acts Due to Mental Diseases. (H. P. 1144) (L. D. 1576)

Bill, An Act to Revise Laws Relating to Department of Mental Health and Corrections. (S. P. 282) (L. D. 883)

Which Bills were passed to be enacted.

Resolve, Providing for Publication of Information on the Public Lots by Forestry Department. (S. P. 491) (L. D. 1486)

Bill, An Act Governing Hospitalization of the Mentally Ill. (S. P. 497) (L. D. 1496)

Which Resolve was finally passed.

Emergency

Bill, An Act Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the Town of Old Orchard Beach and the Town of Bar Harbor. (H. P. 1132) (L. D. 1559)

Which Bill, being an emergency measure, and having had the affirmative vote of 32 members of the Senate, was passed to be enacted.

Resolve, Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes. (S. P. 515) (L. D. 1535)

Comes from House failed of final passage.

Mr. NOYES of Franklin: Mr. President, before making a motion I would like to say this is the second time that this has failed by a very few votes in the House and I have been assured that if I can come back in two or three or five or six sessions that possibly I can pick up the four or five votes that are needed.

I would make the motion that we insist on our former action and that a committee of conference be appointed.

Mr. DAVIS of Cumberland: Mr. President, I move that Item 8-11-a be placed on the special appropriations table.

The PRESIDENT: Will the Senator defer his motion?

The question before the Senate is on the motion of the Senator from Franklin, Senator Noyes that we insist upon our former action and ask for a committee of conference.

Mr. STILPHEN of Knox: Mr. President, may I inquire if the two branches are in disagreement on our former action?

The PRESIDENT: They are not. Mr. NOYES of Franklin: Mr. President, may I approach the rostrum?

The PRESIDENT: You may, Senator.

(Conference at the rostrum)

Mr. NOYES of Franklin: Mr. President I will withdraw my motion whereby I asked that we insist and ask for a committee of conference if that is the pleasure of the Senate and will then offer two more motions.

The PRESIDENT: Is it the pleasure of the Senate that the Senator from Franklin be allowed to withdraw his motion.

Permission was granted.

Mr. NOYES: Mr. President, I now move that we enact this measure.

Mr. PARKER of Piscataquis: Mr. President, I oppose that motion and ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Noyes, that this bill be passed to be enacted. A division has been asked for by the Senator from Piscataquis, Senator Parker.

Mr. STILPHEN of Knox: Mr. President, is it my understanding that since this is a constitutional amendment it necessitates a two-thirds majority of those present and voting and a division is automatic? Am I correct?

The PRESIDENT: Will the Senator state his objection, please?

Mr. STILPHEN: Mr. President, I do not object. I say: is it not a fact that a division is automatic?

The PRESIDENT: It requires a two-thirds vote, Senator.

Mr. PARKER of Piscataquis, I will withdraw my motion.

Mr. CARPENTER of Somerset: Mr. President, I just pose a point of order. Evidently this has failed of passage in the other branch of the legislature. Can the Senate enact into law a bill that has failed of passage in the other branch?

Mr. NOYES of Franklin: Yes. That is what we are trying to straighten out. If we do enact it then we will ask for a committee of conference.

The PRESIDENT: The Chair will inform the Senator from Somerset, Senator Carpenter, that the Secretary informs me that it can be enacted but it will not become law.

The PRESIDENT: This resolve having had its three several readings in the House and its two

several readings in the Senate and having been passed to be engrossed in both branches, having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, and having failed of passage in the House and not signed by the Speaker, is it now the pleasure of the Senate that this resolve be finally passed?

All those in favor of this resolve being finally passed will rise and stand until counted.

A division was had.

Twenty-two having voted in the affirmative and eight in the negative the resolve was finally passed.

Mr. NOYES of Franklin: Mr. President, I now move that a committee of conference be appointed.

On motion by Mr. Noyes of Franklin, the President appointed the following members on the committee of conference.

Mr. Noyes of Franklin.

Mr. Porteous of Cumberland.

Mr. Lovell of York.

Mr. PARKER of Piscataquis: Mr. President, I failed to get the vote. Will you kindly repeat it.

The PRESIDENT: Twenty-two for and eight against.

Mr. NOYES of Franklin: Mr. President, I do not want to complicate this any more but apparently my motion is not in order for a committee of conference because the House will have to appoint a committee because we in effect have passed this resolve and now it will be up to the House to either concur or not concur in it, so they would ask for the committee of conference. Therefore I will withdraw my motion.

Mr. STILPHEN of Knox: Mr. President, might I suggest that we have the committee of conference.—I understand that we can ask for one and appoint one at any time—to forestall the fact that the other branch might adhere?

The PRESIDENT: The Senator from Knox, Senator Stilphen, is correct.

Mr. COLE of Waldo: Mr. President I rise to a point of order in regard to Item 8-12-a. Is it possible for the Senate to enact a bill that has failed of enactment in the House?

The PRESIDENT: The Chair will inform the Senator from Waldo, Senator Cole, that one branch cannot kill a bill. We have asked for a committee of conference, which gives them an opportunity to state both sides.

The Secretary will proceed.

Orders of the Day

Mr. NOYES of Franklin: Mr. President, out of order and under suspension of the rules I present a joint order and move its passage, and I might say a few words about this order.

As you will recall, two years ago we had a survey which we authorized in this legislature to be made by the University of Maine and the Small Business Administration on the Maine recreational industry. The total survey I think cost some forty thousand dollars and our tax money contribution was eighteen or twenty thousand dollars. There is no way in which the members of the legislature can get a copy of this unless someone buys it and they cost \$2.50. The order for which I have asked passage would provide for 200 copies. That will be one for each member of the House and Senate and the rest would be put in the State Library.

Mr. Noyes then presented the following order out of order and under suspension of the rules:

ORDERED, the House concurring, that the Secretary of the Senate be and hereby is directed to purchase from the School of Business Administration, University of Maine, 200 copies of the report entitled "A Study of the Vacation Industry in Maine" to be distributed to the members of the 100th Legislature.

The order was read and passed.
Sent down for concurrence.

The President laid before the Senate the 1st tabled and today assigned item (H. P. 53) (L. D. 94) House Report from the Committee on State Government on bill "An Act Relating to Travel Allowance for Members of the Legislature"; Majority report, Ought to pass; Minority report, Ought not to pass; tabled on May 10 by Senator Couture of Andros-

coggin pending motion by Senator Christie of Aroostook to accept the Minority report, Ought not to pass.

Mr. COUTURE of Androscoggin: Mr. President and member of the Senate: I have started to work on an amendment with your leader in the Senate and we are not quite through with the amendment at this time.

I now yield to the Senator from Franklin, Senator Noyes.

Mr. NOYES of Franklin: Mr. President, for the reasons stated by Senator Couture I move that this matter be laid on the table unassigned.

The motion prevailed and the bill was so tabled.

Mr. COLE of Waldo: Mr. President, may I inquire if S. P. 223, L. D. 628 is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator from Waldo that it is.

Mr. COLE: Mr. President, having voted on the prevailing side, I now move that we reconsider our action whereby we accepted the committee report "Ought not to pass."

Mr. MAYO of Sagadahoc: Mr. President, could I ask for the title of the bill?

The PRESIDENT: The title of the bill is S. P. 223, L. D. 628, Resolve providing funds for Thayer Hospital, Waterville, to aid its Rehabilitation Program.

Is it the pleasure of the Senate to reconsider our action whereby the Senate accepted the "Ought not to pass" report of the committee?

The motion for reconsideration prevailed.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate: Many of you will realize that it was a blessing yesterday that I failed to speak on this bill. I chose to do so because, No. 1, I am from Waterville and therefore obviously prejudiced, and; No. 2, because I happen to be a member of the board of trustees of Thayer Hospital, without salary, but which fact would obviously make me prejudiced, but when I was so pleased to see 15 to 14 vote on

this measure, and, secondly so pleased to see the position taken by the good Senator from Sagadahoc, Senator Mayo, the home of that wonderful institution the Hyde Home—I now feel that it is proper for me to concur with the feeling of those who spoke yesterday in support of the motion of the Senator from Oxford, Senator Ferguson, that the bill be substituted for the report, and I would so move today, that this bill be substituted for the report of the committee.

I won't take your time in discussing the history of the Thayer Hospital in Waterville because the purpose of this bill is not to benefit the Thayer Hospital or the people of Waterville; it is to benefit the people of the State of Maine. This legislative document did not originate from the Thayer Hospital or the people of Waterville. The Thayer Hospital has been dealing in vocational rehabilitation for three years now with a fully-staffed department, and if you can justify what I am saying today you can justify it in this way only: that here is a chance to save some money.

It would be my sincere suggestion that this bill be substituted for the report and then tabled at the enactment stage awaiting the disposition of other legislative documents having to do with vocational rehabilitation, and it may well be that this vehicle may provide a saving of taxpayers' money.

I need not repeat the facts given to you yesterday. You know that the insurance companies are sending these patients to Waterville for rehabilitation, and there is a distance and a mileage factor in sending them there nearer their homes rather than sending them to the Liberty Mutual Center in Boston.

The experts in the field make great talk about the emotional pattern of invalidism, which is a lot of big language but which is definitely a factor in rehabilitation. I am happy to say that a psychiatric clinic is now well-established at the Thayer Hospital and is a definite factor in rehabilitation. I am glad to say that those who

favor this legislation represent both industry and labor.

For these reasons, and with my thanks to Senator Cole, I would ask for your support for my motion, not because I am from Waterville and not because I am from the Thayer Hospital, but because it may be good for all of the people of the State of Maine.

Mr. DAVIS of Cumberland: Mr. President, as I mentioned yesterday when I spoke against this bill, I did not question and the committee did not question for a moment the good work that this clinic is doing, but I do want to remind you again that this is a private institution and any funds which you appropriate under this bill are all state funds. If you really want to do something for vocational rehabilitation, and you can do it through this clinic, the way to do it is through our Division of Vocational Rehabilitation handled through our Department of Education where federal funds are available.

Now under most of their programs there are two dollars of federal funds available for every dollar of state funds. In addition to that, there is another special project which is available on application for work such as they seek to do here for which they are seeking money in which the federal government pays 90 per cent and the state pays 10 per cent.

I am sure you will be glad to know that the Hyde Home which has been mentioned here has already made application under this project and the application has been approved. I think it would be very unwise for us to appropriate state dollars for this particular bill when we can do so much more under the provision that I have mentioned.

Mr. President, I move the indefinite postponement of this bill and accompanying papers, and when the vote is taken I ask for a division.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I voted yesterday with my good colleague from Cumberland, Senator Davis, because I had some doubts in my mind as to the propriety of state funds going to such

an institution, but it was recalled to me and my memory was refreshed in regard to having read an article in a magazine some three or four years ago about the kind of work that is done in these rehabilitation efforts of the insurance companies, and the outstanding one is the Liberty Mutual. They take people who are badly physically damaged through accident and they put them back on a basis where they are able to stand among men and earn their own living.

Now when Senator Marden says we are actually saving money he is right, because this institution, this clinic, is like what Abraham Lincoln told us to do over a hundred years ago, and that was to do the things for ourselves that we can best do. By aiding this hospital to this extent we can do for ourselves, without federal funds or other state funds, better for ourselves in this particular matter. So I heartily support the motion to substitute the bill for the report of the committee.

Mr. LOVELL of York: Mr. President, I would like to ask a question of one of the good senators. I certainly believe in its principle without question and I voted against it for the same reason that Senator Davis mentioned today. My question is: Why cannot this Thayer Hospital in Waterville do the same as the Hyde Memorial and work through the Department of Education so that the funds can be matched two to one with federal funds, and then instead of the state having to put up the \$20,000 which might be requested each year they would have to put up only approximately \$6500 along with the other money from the government? Has the hospital endeavored to do that or can they do that?

Mr. FERGUSON of Oxford: Mr. President, I would like to say just a few words in regard to the matching funds for Vocational Rehabilitation. We are taking full advantage of the matching federal funds through Vocational Rehabilitation, but this goes further than that: this is a medical rehabilitation program and the state does not provide the equipment and fa-

cilities that are so badly needed to get crippled workers back in the field of earning their living. We just do not provide that sort of money on the state level. If we had a medical rehabilitation program at the state level I certainly would be in favor of putting the money into that.

People who have worked on this resolve very closely and who have studied it over a period of two years feel that within a period of five years this program will be self-supporting by installing the facilities, and then the insurance companies can send their crippled patients here instead of sending them to the Liberty Mutual in Boston.

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

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I would just like to emphasize again that there is a program available under this provision for staff services, which I think is just what the Senator has in mind, in which the federal government pays 90 per cent.

Another thing I would like to mention: Of course this appropriation under the bill would carry for two years, but, as he has told you, this clinic will not be self-supporting for five years. If you appropriate \$20,000 now I have no doubt they expect to ask for an appropriation for the other three years.

Mr. FERGUSON of Oxford: Mr. President, I do not want to prolong this debate, but I am sure that possibly in two years this appropriation could very well be down to \$500. We will have most of the facilities in at that time and we will be able to carry it on on a self-supporting basis. Otherwise the state will likely be in here asking for a much larger appropriation than \$20,000, possibly in the \$100,000 bracket. Thank you very much.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that this bill be indefinitely postponed. A division has been requested. All those in favor of the motion of the Senator from Cumberland, Senator Davis,

will rise and stand in their places until counted.

A division was had.

Thirteen having voted in the affirmative and nineteen in the negative, the motion to indefinitely postpone did not prevail.

Mr. MARDEN of Kennebec: Mr. President, I now move that we substitute the bill for the report of the committee.

The PRESIDENT: Is it the pleasure of the Senate to substitute the bill for the report of the committee?

Mr. STANLEY of Penobscot: Mr. President, I did not say anything on the indefinite postponement of this measure, but we do have a bill before us which the Appropriations Committee has considered. In fact, it was introduced by the Senator from Cumberland, Senator Porteous. In this bill we will be giving the hospitals of the State of Maine a million dollars a year. This \$20,000 which you have temporarily appropriated for them or are about to appropriate will be considered a part of the expenses of the hospital. Those expenses are used to determine how much money the state provides to the hospitals. This is just an unending process. If we use the money that is in the bill presented by Senator Porteous to help these hospitals, it will give them roughly twenty dollars a day instead of the seven dollars a day which they are now getting, and I am sure that the expense of Thayer Hospital or this clinic are included in the expenses of the hospital as they present them to us.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Marden, that the Senate substitute the bill for the report of the committee. Is this the pleasure of the Senate?

The motion prevailed and the bill was substituted for the report of the committee. The bill was thereupon given its first reading and tomorrow assigned for second reading.

On motion by Mr. Edgar of Hancock, the Senate voted to take from the table the 60th tabled and unassigned item (H. P. 1152) (L. D.

1586) bill, "An Act Relating to Inventory of Tax Exempt Property by Assessors"; tabled on May 10 by that Senator pending passage to be engrossed.

Mr. EDGAR of Hancock: Mr. President, I now yield to the Senator from Washington, Senator Wyman.

Mr. Wyman of Washington then presented Senate Amendment "B" and moved its adoption. Senate Amendment "B" was read and adopted and the bill was passed to be engrossed as amended.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table the 7th tabled and unassigned item (S. P. 417) (L. D. 1356) Senate report, Ought to pass as amended by Committee Amendment A from the Committee on Highways on bill, "An Act Relating to Outdoor Advertising on the Interstate System"; tabled on March 14 by Senator Mayo of Sagadahoc pending acceptance of the report.

Mr. MAYO of Sagadahoc: Mr. President, I now present Senate Amendment E and move its adoption and would like to speak briefly on the amendment.

The PRESIDENT: Would Senator Mayo of Sagadahoc make a motion to accept the report?

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

The motion prevailed, the Ought to pass report was accepted and the bill read once.

The Secretary read Committee Amendment A.

The Secretary read Senate Amendment E.

Mrs. CHRISTIE of Aroostook: Mr. President, I would like to have the privilege of tabling this bill until later in the day. Are we going to have an afternoon session?

The PRESIDENT: We certainly are.

Is it the pleasure of the Senate that this bill lie on the table?

Mr. MAYO of Sagadahoc: Mr. President, I know that the tabling motion is not debatable, but prior to the mix-up which I caused myself I had asked to briefly explain my amendment, and pos-

sibly if I could briefly explain my amendment there would be no tabling motion.

Mr. MAYO of Sagadahoc was granted an unanimous consent to address the Senate.

Mr. MAYO: Mr. President and members of the Senate: This bill has been on the table since March 14th. At that time I tabled it because I did not feel that the original bill as it was written was a good workable bill.

Now this compromise permits signs in areas which have been zoned or designated commercial or industrial before 1959 and plans for such areas are on file in the State Highway Commission office. The amendment also refers to urban areas, and such urban areas are those used for federal urban fund purposes and plans for them are also on file in the Commissioner's office.

Now to briefly go further and explain this amendment: The amendment will stop any outdoor advertising signs in the rural areas of the interstate system. Advertising signs, by this amendment, will be allowed in certain industrial and commercial zones if these commercial and industrial zones are approved by local city government.

I feel it is a very workable amendment. It is agreeable to the outdoor advertising people, it is agreeable to the Highway Commission and to the local groups known as the Garden Club women, and I feel that we have worked on this for almost two months and have come up with this very fine piece of legislation which is agreeable to everyone.

The PRESIDENT: The question is on the motion of Senator Christie of Aroostook that the bill be tabled until later in the day pending adoption of Senate Amendment E.

Mr. MAYO of Sagadahoc :Mr. President, I ask for a division on the tabling measure.

Mr. CARPENTER of Somerset: Mr. President, I would like to ask for a point of order relative to the preliminary procedure in this particular instance. The Senator from Aroostook made a motion to table the bill and then unani-

mous consent was given to the good Senator from Sagadahoc to address the Senate. My question is this: Should unanimous consent to address the Senate be given on a particular bill where a motion has been made to table? My opinion has been that unanimous consent to address the Senate for some particular reason other than the particular situation to which I have reference.

The PRESIDENT: The Chair will inform the Senator from Somerset, Senator Carpenter, that there was no objection entered by any Senator in the Chambers. Therefore the Chair's decision stands. Any Senator can take objection.

Mr. MAYO of Sagadahoc: Mr. President, I will withdraw my request on the tabling motion.

Mrs. CHRISTIE: Mr. President, May I offer a word of explanation. My only reason for this—I am tabling it only until this afternoon so there won't be any expense entailed and I just wanted to ask a question or two before I voted on it.

Thereupon, the bill was tabled pending motion by Senator Christie to adopt Senate Amendment A, and was especially assigned for later in today's session.

On motion by Mr. Brooks of Cumberland, the Senate voted to take from the table the 61st tabled and unassigned item (S. P. 286) (L. D. 887) Resolve Providing for Survey to Determine New Projects for Recreational Areas; tabled on May 10 by Senator Brooks of Cumberland pending consideration; 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 as amended by Committee Amendment A, and to ask for a Committee of Conference. The President appointed as Senate members of such committee, Senators: Brooks of Cumberland, Noyes of Franklin and Marden of Kennebec.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 33rd tabled and unassigned item (S. P.

413) (L. D. 1455) Senate Report, Ought not to pass, from the Committee on Education on bill, "An Act Establishing Regional Technical and Vocational Centers"; tabled on April 21 by Senator Farris of Kennebec pending acceptance of the report.

Mr. FARRIS of Kennebec: Mr. President, this is not an easy bill to let go of so to speak, because I feel it has a great deal of merit. I feel eventually in the State of Maine we have to give consideration to vocational technical training at the secondary level if we are to make an honest attempt to reduce the impact of drop outs at the high school level, but in view of the developments of the last couple of weeks whereby there is a facility at Presque Isle at the air base which may be available to the people of the State of Maine, a very fine facility and nothing that we could begin to compete with here in Maine starting from scratch, and even though this will be, if accepted by the State and available, a second Maine vocational training institute somewhat like we have at Portland, I do feel that the possibilities and the mileage than can be obtained for dollars invested is so great that we cannot afford to delve into vocational training at the secondary level at this session of the legislature, and therefore I move that the Ought not to pass committee report be accepted.

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table the 38th tabled and unassigned item (H. P. 680) (L. D. 958) bill, "An Act to Amend the Charter of the City of Bath"; tabled on May 2 by Senator Mayo of Sagadahoc pending passage to be engrossed; and on further motion by the same Senator, under suspension of the rules the Senate voted to reconsider its former action whereby it adopted Committee Amendment A and that Senator presented Senate Amendment A to Committee Amendment A.

Senate Amendment A to Committee Amendment A was read and adopted; Committee Amend-

ment A as amended by Senate Amendment A was adopted.

The same Senator presented Senate Amendment A to the bill.

Which amendment was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 12th tabled and unassigned item, (H. P. 924) (L. D. 1272) House Report, Ought not to pass, from the Committee on Health and Institutional Services on bill, "An Act Relating to Qualified Assistant Pharmacists"; tabled on March 24 by Senator Bates of Penobscot pending acceptance of the Ought not to pass report; and on further motion by the same Senator, the report was accepted in concurrence.

On motion by Mr. Davis of Cumberland, the Senate voted to take from the Special Appropriations table Senate Paper 133, Legislative Document 316, An Act Relating to Pollution Abatement.

Mr. DAVIS of Cumberland: Mr. President, I now move the pending question and in explanation I will inform the Senate that the cost has been amended out of the bill.

Thereupon, the bill was passed to be enacted.

On motion by Mr. Ferguson of Oxford, the Senate voted to reconsider its action whereby it passed to be enacted bill, "An Act Revising Laws Relating to Pollution Control" (H. P. 1125) (L. D. 1552) (L. D. 8-5); and on further motion by the same Senator, the bill was tabled pending enactment.

On motion by Mr. Noyes of Franklin

Recessed until this afternoon at 1:30.

After Recess

The Senate was called to order by the President.

On motion by Mrs. Christie of Aroostook, the Senate voted to take from the table bill, "An Act Relating to Outdoor Advertising on

the Interstate Highway System" (S. P. 417) (L. D. 1356) tabled by that Senator earlier in today's session pending adoption of Senate Amendment E; and that Senator moved the pending question.

Senate Amendment E was adopted, and on motion by Mr. Cole of Waldo, the rules were suspended and the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 23rd tabled and unassigned item (H. P. 920) (L. D. 1268) House Report, Ought to pass from the Committee on Business Legislation on Bill, "An Act Relating to Specifying Insurance and Other Benefits in Contracts for Sales Financing of Motor Vehicles"; tabled on April 7 by Senator Edmunds of Aroostook pending acceptance of the report.

Mr. EDMUNDS of Aroostook: Mr. President, L. D. 1268 is an act relating to Specifying Insurance and other Benefits in Contract for Sales Financing of Motor Vehicles, which seeks to amend the Motor Vehicle Sales Finance Act of 1957. When this act was adopted it was considered a model piece of legislation and was enacted in many of our sister states in the same year. It has worked extremely well and has corrected abuses which used to exist in this same field.

Under this legislation a conditional sales contract must specify all of the various charges which the buyer pays for. The statute even spells out the size of type which must be used. This bill would still further expand the information that must be included by requiring that insurance charges be broken down so that the cost of each specific type of insurance be enumerated rather than the one sum total. I do not see the need for this type of legislation. The present forms require the seller to indicate the types of coverage that are being furnished under the insurance clause and the lump sum price for this coverage.

Legislation such as is proposed in L. D. 1268 would merely further

complicate an already complicated but eminently satisfactory conditional sales contract. It would mean that new insurance tables would have to be devised, present forms and tables scrapped replaced by new forms and would increase the already burdensome clerical job of the auto dealers and insurance companies.

All of this cost would be passed along to the buyer thus increasing the price of his automobile. I therefore move that this bill and all its accompanying papers be indefinitely postponed in non-concurrence.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, I was present at the hearing on this bill and was on the Committee and we heard the opponents and the proponents of the measure, and at the hearing there was an indication that there had been some shenanigans afoot.

I cannot see why this wouldn't be good legislation. If the automobile dealers through the banks are going to sell insurance, I don't see any reason why they shouldn't put on the insurance contract what type of insurance they are charging for and the amount charged. The only thing, the main reason they give for not wanting it is the fact that it might cause them to make up new contracts. Now I am interested in the public welfare and for the life of me I can see no reason in the world why this bill should not go through for the public welfare. I still say that if these fellows are going to sell insurance that they should define what they are paying for and the price of what they are selling and put it on the contract. As to the size of the type I think that is in most contracts. I certainly hope that you will not go along with the indefinite postponement of this bill.

Mr. EDMUNDS of Aroostook: Mr. President, I have here a conditional sales contract which has been drawn up under the act of 1957 which I will hold up for everybody to look at. It seems to me that it is long enough and complicated enough now and it very definitely specifies that the various types of insurance which the

buyer purchases are included. He does know what he has to purchase; on this line, Line B they have to check the various types of insurance which are included. The only thing this bill would do would be to add four more lines to break down the specific charges for each one of these various types of insurance, and I still see no reason for this, no need for it. It would needlessly complicate this sales contract and I certainly hope that my motion to indefinitely postpone prevails and when the vote is taken I would request a division.

Mr. BROOKS of Cumberland: Mr. President, I rise in opposition to Senator Edmunds motion for indefinite postponement, and reluctantly so. However, these four additional columns on this conditional sales contract are very important. They spell out to the buyer the cost of each type of insurance. Insurance premiums are charged by classification, based on location and purpose or use of car. It is simply an attempt to make more accurate the recording of the cost of insurance which is sold through automobile dealers, and in many instances by the auto salesman himself who is not what might be called a professional insurance agent. I think this bill would do a justice to the automobile buying public and I would hope that this body does not go along with Senator Edmunds motion for indefinite postponement.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, at the hearing apparently the way I understood it was that apparently there had been evidence in the past that the customer had been sold more insurance than called for and also that there was evidence that in payoff of the contract in advance or in the case of repossession the proper amount of cancellation return premium on the policy had not been paid in compliance with what they should have received. I certainly feel in the interest of the general public it would not be any great harm if this bill went through and four extra lines of printing on the contract stating the amount of insurance sold and what was paid for it we all would like to

know what we are paying for and what we receive for our money. Thank you.

Mr. DAVIS of Cumberland: Mr. President, I rise in support of the motion of Senator Edmunds of Aroostook. I cannot see what we are going to accomplish under this bill as far as the insurance angle is concerned because it is now one of the requirements that each insured be furnished a copy of the contract. The mortgagee usually holds the policy itself and the insured is furnished with a copy. It breaks the insurance down in detail not only as to coverage but as to amount which remains in his possession. I can't see that adding to the contract is going to help a bit.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I am a member of the Business Legislation Committee too, but I have additional information since our committee hearing and I rise in favor of the motion of Senator Edmunds of Aroostook. I would just submit two points because the others have been made. One is that the average salesman has enough to do trying to sell a car these days without coping with any more figures on a sales contract and that as far as the practical matter of selling a car, especially when it is being sold on a sales contract like this, they talk about so much a month and the fellow says "\$40 a month" and the customer says, "Can't you cut it down to \$38?" and they are liable to cut down on the insurance, and some of this insurance might be something which the man really needs. So I would feel that this bill gets us practically nowhere.

Mr. BROOKS of Cumberland: Mr. President, I don't wish to belabor the point but I feel I must state that at the time the conditional sales contract is signed there is no insurance contract issued to the party. We all know that when we go, those of us who buy cars on time, when we sign our conditional sales contract we are depending on what we see on the conditional sales contract as to the cost of insurance. As far as the salesman being too busy to

have much to do with insurance, I think that only tends to make more important the necessity of a bill of this type, that these salesmen should be familiar enough with the insurance contract to give us the proper classification and the proper premium. And by adding these four lines I feel that the buyer has a better opportunity to get a proper charge and understand it. I would reiterate that this matter of insurance in conjunction with the purchasing of cars is most important and no one buying a car can dissuade a salesman from covering him for a certain type of insurance because the banks and the loan companies specifically state what will be carried for insurance, and if you want to buy the car you will buy the insurance that they require.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, I too have received additional information since I heard this bill but I can assure you I have heard nothing from my constituents, the people that cannot come up here and lobby for themselves but are depending upon me, their representative to do that job and I am sincere in my efforts and I feel they should know what they are paying for and what they are getting.

Mr. MARDEN of Kennebec: Mr. President I would like to ask a question of either Senator Chase or Senator Brooks. Is it a fact that the amendment on this bill would not require the insurance information to be given at all if the premium were included in the financing charges and if this is true, wouldn't this lead to the very abuses which this bill is aimed at curing.

The PRESIDENT: The Senator from Kennebec, Senator Marden has posed a question to the Senator from Lincoln, Senator Chase who may answer if he wishes.

Mr. CHASE of Lincoln: Mr. President, I would like a moment to look over the amendment.

(Senate at Ease)

Mr. BROOKS of Cumberland: Mr. President, in answer to Senator Marden's question, House Amendment B has to do with group accident, health or group life in-

surance which is sometimes included in the selling of automobiles and is an altogether different situation than the one involved here.

The PRESIDENT: Does that answer the question of Senator Marden?

Mr. MARDEN: It may, Mr. President, but I would like a moment to read it again to make sure.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Edmunds to indefinitely postpone.

A division of the Senate was had.

Twenty-five having voted in the affirmative and seven opposed, the motion prevailed and the bill was indefinitely postponed.

Mr. PORTEOUS of Cumberland: Mr. President, in reference to Page 7, Item 8-12-A, Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 515) (L. D. 1535), this morning, to say the least, I was perplexed at just what went on. I have a pretty good idea of what the bill is all about but I would like to see if there is not some way that we could get clarified as to what position we are in and where we stand.

The PRESIDENT: Would Senator Porteous defer his remarks for a moment or two and I think this will be taken care of.

Mr. NOYES of Franklin: Mr. President, apparently there is some question on the way this was handled and therefore I would make a motion that we reconsider our action whereby a Committee of Conference was appointed.

The motion to reconsider appointment of the Committee of Conference prevailed.

On further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be enacted.

Mr. NOYES of Franklin: Mr. President, so that we can get this straightened out, I now move that it be placed on the table unassigned and pending enactment.

The motion to so table prevailed.

Mr. Pike of Oxford was granted unanimous consent to address the Senate.

Mr. PIKE of Oxford: Mr. President, I hate to go against any of our Senate leadership but this tabling business makes me sick and every time somebody tables or retables something more it makes me sicker. I realize that early in the session it is very necessary to table things but I think at this eleventh hour it is only once in a while it is absolutely necessary to do so.

Now I have been sitting here all quiet and listening as best I could but I've made up my mind just what the trouble is. It is one of three different things. Of course I realize that this isn't the way to "win friends and influence people", to tell folks what they ought to do or what they are doing wrong. But even if my people up in Oxford County let me come back in two years, I don't plan to be a candidate for President of the Senate; I don't expect to be a candidate for floor leader; and I am sure I am not a candidate for Governor or any other high office, so probably it is all safe for me to tell you just what I think.

Now, number one, I don't think affects many of you. Number two affects more and number three—well that affects lots of people. Number one is when folks want to get into the limelight and get on the record or they are afraid that their bill hasn't got merit enough so they, in kid style, put it off, hoping they can think up some amendment that will butter the thing up just a little. Third, and this is what affects most everybody. You aren't on the ball. Many times we have heard, even lately this week, folks say, "I'd like a little more time to study this bill and I move it be placed on the table." Now to me that is all baloney. Perhaps that's all right early in the season, but now, anybody that has interest enough in a bill to table it, they know pretty near what is in that bill, I think. I don't like it. I haven't got a bill on the table but if I did have, I'll bet I'd get it off or die trying.

Now this whole tabling business to me is very unnecessary, upset-

ting, repulsive, revolting, disgusting, distasteful, undesirable and if I can think of any more good adjectives I will put them on.

Mr. NOYES of Franklin: Mr. President, I think later on in the session we will have an order which was introduced about the tabling situation.

The PRESIDENT: I think that Senator Noyes of Franklin meant to ask unanimous consent to address the Senate.

Mr. NOYES of Franklin: Mr. President, I didn't ask unanimous consent. That comes under Senator Pike's Number 3. I didn't know what I was doing.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table Senate Order relative to Removal of Tabled Items, tabled earlier today by Senator Farris of Kennebec pending passage; and that Senator yielded to the Senator from Franklin, Senator Noyes.

Mr. NOYES of Franklin: Mr. President, this pertains to the Order which was introduced this morning and is the matter which we were talking about that effective May 17th, we have a procedure of automatically taking these tabled items off the table in order. I think perhaps in view of what has been said that maybe there will be some further discussion on this but if there isn't I will be glad to make a motion that this Order be tabled until May 17th which will in effect put the order in effect because most certainly the leadership will take it off the table on the 17th.

Mr. ERWIN of York: Mr. President, I ask for a division on this motion.

The PRESIDENT: The question before the Senate is on the motion of Senator Noyes of Franklin, that this order be tabled until May 17th, and a division has been requested.

Mr. EDGAR of Hancock: Mr. President, I don't rise to debate the tabling motion which I realize cannot be done, but I do rise to debate the time of assignment. It is my understanding and I believe the understanding of the members of the caucus which heard this

yesterday, that the Senate would be put on a week's advance notice at least before this Order was to go into effect. Now if this Order is especially assigned for Wednesday of next week, we won't know until Wednesday of next week whether it is going into effect that day. We will have no advance notice and I think the Order should be in effect a week before we start the process.

Mr. NOYES of Franklin: Mr. Franklin, I will withdraw my motion and yield to Senator Edgar.

The Senator from Franklin, Senator Noyes was given permission to withdraw his tabling motion.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, my inclination at the moment is to move the passage of the order and then we will know where we are at and I do move that the Order receive passage.

The motion prevailed and the Order received passage.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 9th tabled item, (S. P. 321) (L. D. 996) Senate report, Ought to pass, from the Committee on Health and Institutional Services on bill, "An Act to Clarify the Nursing Law"; tabled on March 15 by Senator Farris of Kennebec pending acceptance of the report.

Mr. FARRIS: Mr. President and members of the Senate: This bill which is presented is a very brief bill, and in reading it in and of itself it is rather meaningless, and therefore I will explain just what the purpose of the bill is.

In the last session of the legislature a law was enacted and it is in Chapter 69-A which is in the supplement of the Revised Statutes, and this law is to become effective on December 31, 1961.

This entire field of the practice of nursing was thoroughly debated certainly two years ago, and I do know from personal knowledge that at the time the effective date was postponed. At the time the law established December 31, 1961 as the effective date it was the thinking of many people that this was such a comprehensive measure

that it might require further study and amendment possibly during the 100th session of the Legislature.

What this bill, L. D. 996 does is to place onto this present law the so-called grandfather clause, that is that anyone who has been practicing professional nursing as defined in the present law as of the effective date of the law, December 31st, shall be permitted to continue practicing in such manner as they have been practicing in the past, and that is of course provided that they do not represent themselves to be either a registered nurse or a licensed practical nurse.

Now the greatest impact of the present law, if the amendment which I have suggested is not adopted, is this: that you have a large number of graduate nurses in the state of Maine who never did obtain their registration and become registered nurses. You also have a large number of nurses in the State of Maine who attended training schools for two years, maybe two and a half years, and for some reason or other, marriage and other situations, never did actually graduate from training school. However they did have good training and they have been engaged in the practice of nursing for many, many years.

Now in order to fully explain the impact of this measure and the law, it is essential that I go back into the history of the nursing law.

We have a Nursing Board and this board is appointed by the Governor for the purpose of registering nurses or issuing licenses to licensed practical nurses, and the Governor must appoint to that nursing board members who are designated by the executive committee of the State Nurses Association. In other words, this nurses association has a great deal of power, it is a very unique situation which they are in, because they can in effect tell the Governor who is going to be on the nursing board, even though the nursing board is representing the public.

Now the board was first created in 1951, and at that time there

were no preliminary formal educational requirements before one could attend a training school in a hospital. At that time all a nurse needed to do to become qualified as a registered nurse was to have a two-year course in a public or private hospital. Then in 1917 a prerequisite was added to the law which was this: that before a person could be admitted to an approved hospital under a training program they must have two years of high school education. Then in 1935 an amendment was placed on the law, some eighteen years later, that before a person could attend a training school or a hospital and become a graduate nurse they must have four years of high school, and at that time a grandfather clause was enacted so in effect anyone who had graduated from an approved training school prior to September 1st of 1935, even though they had only two years high school they still would be eligible to take the examination to become a registered nurse.

Now in this present law there is no such provision and it is working a hardship to this extent — and I know of several instances, one in particular, of a lady who graduated from high school in 1928 and at that time there was a shortage of nurses in the State of Maine and it was pointed out to her the advantage of going to a hospital and becoming a graduate nurse in the nursing profession. So at the end of her second year in high school she did go into training in a hospital and she was graduated from that hospital. Immediately she was hired as a supervisor in the operating room of that particular hospital. Subsequent to that she went to other hospitals and served in supervising capacities. She has been a private nurse, performing private duty for a number of years, and then she opened up a nursing home two years ago and has been working in the nursing field, running a nursing home and furnishing nursing service.

Now when this law was enacted two years ago she wanted to become registered so she went to a hospital, took the prescribed course, a refresher course of form-

al training which was necessary in order to qualify her to take the examination to become a registered nurse. She then comes to the State Nursing Board after completing this course and requests the opportunity to take the examination the next time it is given, and she was told that she could not take the examination because she had only two years of high school and that in order to take the examination she must have four years of high school.

Now if a grandfather clause were enacted it would not be at all important, because this particular individual and other individuals in the same situation would be able to continue practicing nursing as they have been practicing it in the past. I feel that is only fair and just that these people who have been in the nursing field prior to 1935 and who have had years of experience as well as good formal training, that they should not be denied the opportunity to serve in supervisory capacities in hospitals as they are presently doing but which they will not be able to do after December 1st unless we do have a grandfather clause.

Now I know that all of you have undoubtedly heard from the fine association of nurses which we have in the State. I have talked with many of the individual nurses, and when this matter is discussed they recognize the merit and feel that a grandfather clause is a fair proposition. However, the leaders, the officers and so forth, state that this will lower the standards of nursing service if we do enact a grandfather clause.

I do not feel that people who have been engaged in nursing for many, many years, rendering good service, should be legislated out of their profession. I feel it is very unfair and, traditionally in the State of Maine, we have not as a rule enacted legislation which would put people out of their field of endeavor or professional occupation, but we have done that in the existing law and these people will not be able to continue practicing as they have in our hospitals unless we do have

legislation such as is proposed in this bill.

Incidentally, of course anyone who wants to enter the nursing field after December 31, 1961 will, of necessity, have to meet all of the rigid qualifications set up in the law, which is good; it is an upgrading of standards and that I want to see; but I do not want to see people who have been in this work tossed out of their jobs because we have failed to make provision for them as an exception or an exemption.

Now the many, many nurses that up—I believe between four and five hundred attended the hearing on this particular bill, and they appeared in favor of the original bill two years ago—they say that we are lowering the standards. Now I am not so naive as to believe that you are going to have four or five hundred people coming from all parts of the State to a public hearing here in Augusta solely for the reason that they want to raise their standards. I know they want to raise their standards, but that is not the sole reason. A very important reason is the fact that once the graduate nurse is removed from the competitive arena, so to speak, the field entirely to herself or himself, as far as jobs are concerned. The association already has prepared a minimum salary schedule similar to teachers' pay and so forth which will, once this law becomes effective, be presented to our hospitals where nursing services are rendered. That is well and good and I have no objection to that, but I do object most strenuously to taking part in having a law become effective whereby we are legislating from a very vital field in our entire society a number of people who are performing nursing services today. The cost of nursing service naturally will increase and it will increase much more rapidly if we do not have a grandfather clause because there will be so many nurses that will not be able to practice except in the category of a nurses aide.

One might ask: why cannot these graduate nurses become licensed practical nurses. They could, but the requirement to be-

come a licensed practical nurse is only one year's training and these women have had formal training in the hospitals, they have been engaged in the nursing field actively working for twenty-five, thirty or thirty-five years, and they feel, and I think rightly so, that they should stand in a different position and be at a little higher level in their profession than the person who merely goes to a school for one year and becomes a licensed practical nurse.

I have a great deal of correspondence with individuals affected by this—I am not going to read any of it—but one matter in particular I think should be brought to the attention of the Senate is the fact that if this bill is not passed the effect that it will have upon the Calais regional hospital. Now in the hospital in Calais they have a very fine nursing staff, but, being a border community, and I imagine the same thing may be true in some other communities, they have nurses who live in St. Stephens or in the Province of New Brunswick, Canada, who do work in the Maine hospital, and, as a matter of fact, were it not for that labor market on the Canadian side they would not even be able to staff that hospital. Now as it happens in Canada, before one becomes a registered nurse they only have to have three years of high school education and they can go onto their training program and become graduate nurses, but they would not be able to continue practicing as registered nurses in the State of Maine now that we have a four-year high school requirement in our law. It will work tremendous hardship upon that particular hospital I know, and I have no doubt there are others where the same thing will be true.

I do not feel that we will be lowering any standards by enacting this bill. I feel that we will have available the services of these nurses who have given the very best years of their lives to this very dedicated profession.

I realize that my batting average is not very good. I feel much like the way Senator Cyr expressed himself last week: I probably should move the indefinite post-

ponement of the bill if I want to get it through; but I feel very strongly that we would be failing to take action which would have a very serious effect upon a number of people. As the Senator from Lincoln, Senator Chase, has mentioned, this group of people are not an organized group, they do not have any lobbyists, and they must rely solely upon the good judgment of the members of this legislature if they are to have protection.

Now to refresh your memories: the original report which came out of committee was that this bill Ought not to pass. At this time I move and sincerely hope that this bill will be substituted for the report, and when the vote is taken I would request a division.

Mrs. LORD of Cumberland: Mr. President, this bill came before my committee and was reported out ten to nothing "Ought not to pass." I would like to speak very briefly against the motion of the Senator from Kennebec.

This bill destroys one of the major provisions of the law regulating the practice of nursing passed by the 99th Legislature, the protection of the people of Maine from unsafe nursing care. Professional nursing service must be given by nurses trained to give this care. All provisions of this act do not go into effect until December 31, 1961 so there has been no opportunity to give the law a chance to work.

The Maine State Nurses Association has developed programs all over the state to help unlicensed graduates of approved schools of nursing to prepare themselves for licensing. Nursing homes whose spokesmen say these homes will have to close if L. D. 996 does not pass, they will not have to close provided professional nursing care is available for those patients who require this care. There is no state requirement that nursing homes must be managed by licensed professional nurses. The Department of Health and Welfare regulations for licensing nursing homes state as follows: To fulfill training or experience, the person responsible for patient care shall

be either a registered nurse or a licensed practical nurse, a graduate of an approved school of nursing, or a person who is a high school graduate and has had a combination of training in recognized schools of nursing or practical nursing and acceptable experience totalling four years, at least two years of high school education plus five years of acceptable experience.

I think we should also remember that the person to whom the Senator from Kennebec, Senator Farris, referred must have gone before the present board for this license because this new board does not take effect until 1961. So if she said she couldn't get a license because of only two years in high school, that is the present board and not the new board that would be set up under this provision.

I strongly oppose the motion of the Senator from Kennebec, Senator Farris, to substitute the bill for the report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that the Senate substitute the bill for the report.

Mr. CARPENTER of Somerset: Mr. President, as a member of that particular committee I have to concur with the remarks of the Senator from Cumberland, Senator Lord.

I believe that this is an extremely poor bill. At that particular hearing, if I remember correctly, we had a well-known surgeon and a physician testify against the bill. I am very fearful that this would destroy many of our fine nursing homes throughout the state. I therefore hope that the motion of the Senator from Kennebec, Senator Farris, does not prevail.

Mr. FARRIS of Kennebec: Mr. President, at the hearing there were medical men, doctors, who appeared as individuals speaking solely for themselves. The executive committee of the Maine Medical Association is of the opinion that a grandfather clause should be enacted. The Association of Hospital Administrators is

also of the opinion that this measure should be enacted.

In conclusion, I want to point out that anyone coming into this nursing field in the future will have to conform to the strict requirements of the new law. Also, to clarify the statement by the Senator from Cumberland, Senator Lord: even though the practice of professional nursing in accordance with this law does not become effective until December 31st, the board and the structure of the State Board, that portion of the law and other portions of the law did become effective ninety days after the close of the previous legislature.

Mr. STILPHEN of Knox: Mr. President, I have to say a word because I married a registered nurse.

I feel that the profession of nursing is at a high level at the moment and I think that anything we do to open the door by a grandfather clause in any of our licensing laws is very bad. I hope that the motion of the Senator from Kennebec, Senator Farris, does not prevail.

Mr. FARRIS of Kennebec: Mr. President, I am very happy to see that the Senator from Knox recognizes that we do have such high standards at the present time in the State of Maine, and if this amendment goes through it merely means that we will continue to have the exact high standards which we do have today.

The PRESIDENT: The question before the Senate is on the motion of Senator Farris of Kennebec to substitute the bill for the report.

A division of the Senate was had.

Thirteen having voted in the affirmative and fifteen opposed, the motion did not prevail.

Thereupon, on motion by Mrs. Lord of Cumberland the Ought not to pass report of the committee was accepted.

The PRESIDENT: Earlier in the afternoon there were twenty-seven pupils from the graduating class of Lebanon elementary school accompanied by the eighth grade teacher. They were in the balcony. I could not recognize them due to the fact that we were debating a

bill. I am sorry it happened but there wasn't a thing we could do about it. I would like to have Senator Brewster convey our regrets to the children and send them a copy of the record please.

On motion by Mr. Stilphen of Knox, out of order and under suspension of the rules:

ORDERED, the House concurring that the legislative research committee be authorized and directed to study the feasibility of having the Maine Port Authority charge and collect tolls for the use of the ferry service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation by vehicles, freight and passengers, subject to the approval of the Public Utilities Commission; and be it further

ORDERED that the Committee report the results of the study to the 101st Legislature.

Thereupon, the Order received a passage.

Sent down for concurrence.

Mr. SAMPSON of Somerset: Mr. President, I move that the Senate reconsider its action whereby it accepted the Ought not to pass report on bill, "An Act to Clarify the Nursing Law, originally Item 9 on the calendar.

Mrs. LORD of Cumberland: Mr. President, I move that the bill be tabled and unassigned.

The PRESIDENT: The Chair will inform Senator Lord of Cumberland that the motion to reconsider has precedence over the tabling motion.

Mrs. LORD: Mr. President, I would like to speak against reconsideration. I feel that this thing has been debated long enough. Perhaps some that were in the other session, the 99th session of the legislature didn't hear the debate on this but many here have heard it and I would say that I can give some more information now if you would like it, but I think it has been debated enough and I would hope that the Senate will not reconsider at this time.

Mr. FERGUSON of Oxford: Mr. President I hope the Senate will reconsider their action where they accepted the Ought not to pass re-

port. I feel so strongly on this bill myself inasmuch as I believe that some of the Senators did not fully understand what this bill stands for. It is too bad how some of our professional nurses who have been in the nursing field for a good many years and graduated from nursing school prior to the time it was required to have a four year high school education. I know several instances where there are nurses with two years high school education. I know of one particular case where a nurse who is a supervisor at the Bellevue Hospital in New York City, and who is today a supervisor in that very hospital and she had only two years high school. Had she been in the State of Maine, she would have been out of business on January 1, 1962. We have many, many good nurses in the State of Maine who have given excellent service who will not be able to practice after January 1, 1962 unless we accept this amendment and I hope that the Senate will go along with reconsideration.

Mr. BOARDMAN of Washington: Mr. President, I would like very much for this matter to be reconsidered. It was my error in regard to the debate on this bill that I did not get up and stand on my two feet at that time. However, I thought that a good portion of the Senators realized what the situation was in their own locality and the effect it might have. Now certainly I know what the situation is in Calais. Of course we are on the border, and there must be other communities, particularly in Aroostook County, that would be affected the same way. Now I want to indicate to you people that so far as Calais is concerned and as far as I am concerned as a Senator from Washington County, I do support this measure to the fullest extent.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: Aroostook County has been mentioned, and all the communications I have had in regard to this bill have been in opposition to it. I have had no one ask me—

The PRESIDENT: Would the senators please confine their re-

marks to the subject at hand, which is reconsideration.

Mrs. CHRISTIE: I beg your pardon, Mr. President.

The PRESIDENT: The Chair would like to ask the Senator from Somerset, Senator Sampson: Did you vote on the prevailing side?

Mr. SAMPSON of Somerset: Yes, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Sampson, that we reconsider our action whereby this bill was assigned for second reading.

Mr. ERWIN of York: Mr. President, I ask for a division on the motion to reconsider.

The PRESIDENT: All those in favor of the motion of the Senator from Somerset, Senator Sampson that we reconsider our action will rise and stand in their places until counted.

A division was had.

Nineteen having voted in the affirmative and nine in the negative, the motion to reconsider prevailed.

Mr. FARRIS: Mr. President, I now move that the bill be substituted for the report.

Mrs. LORD of Cumberland: Mr. President, I object to this procedure and I would like to make a few remarks.

At the time this bill was passed the Maine Nurses Association sent our notices all over the State of Maine as to courses to be offered for any person that was in the position of having the knowledge but not having the diploma or the qualifications to become a registered nurse. That is all we are talking about is an RN degree, because the only thing the person cannot do is get this degree, and if they have this degree they must register. It does not affect other nurses. The assistant nurse, the practical nurse also may register but if you have an RN degree you must register.

Now this has been open all over the State of Maine. I have here a handbill which was distributed at the 1960 convention of the Maine State Nurses Association at the Poland Spring House, October 3 and 4:

"To all Nurses: Help, we need you. What for? To inform five other nurses. What about? This educational opportunity sponsored by the Maine State Nurses Association? For whom? All graduate nurses. What subjects? Medical, surgical, obstetric, pediatric and psychiatric nursing. Where? Portland, Waterville, Bangor, Presque Isle. When? October, 1960 to March 1961."

Courses are offered for all of these women to go and take courses and qualify for an RN degree. I say it is dangerous to allow a person to have this degree unless they have earned it. It would be like permitting people to be lawyers as long as they did not call themselves that or letting people be doctors as long as they did not call themselves doctors. I think this is a move in the right direction. It certainly is a good health measure when you hire a nurse to know whether you have an RN or some other nurse who perhaps can do very well who has not the qualifications. With the new medicines they are using now and the new methods, if you have an RN you know she is qualified. This way you blanket them in and you get in anyone who is able to nurse but who does not have the qualifications for an R.N.

Mr. CHASE of Lincoln: Mr. President and members of the Senate: It has been my observation throughout this 100th Legislature that there is a tendency for a profession to close their ranks. That is well and good, but I am thinking of this bill particularly. If we should happen to have a national emergency, which is well possible, or an epidemic of some kind where the welfare and health of our citizens is involved, we would be very glad to call on these nurses aides and practical nurses. I hate to sit here in the Senate and see these ranks closed to the degree of discouraging people from entering these various professions and especially this one.

I can remember in wartime when I worked in the Bath Iron Works. At that time I was a tin knocker; I was studying to be one, and before wartime it took a long time to get into the top classification,

but let me tell you: while this national emergency was on these boys took hold and they gave them a chance to go ahead. Now have we got to wait until such time develops that the health of our people is in jeopardy and then find we have closed the ranks so badly that we will not have sufficient nurses to tend the people who are in distress?

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: When I made my remarks before I said I had had no communications in favor of this bill. I did have contact with one woman who had charge of a nursing home and she was afraid that this law as it is now would put her out of business. I made it a point to go to the Attorney General's office and get an interpretation of the law, and he said that it would not put her out of business as long as she did not claim to be a registered nurse; as long as she claimed to be only a practical nurse or the head of a nursing home it would not put her out of business. So these people who are not registered nurses may still practice in the field for which they are qualified, that is if they are practical nurses and have that training they may practice as practical nurses; they may practice as nurses aides or anything else as long as they specify that is their qualification, but they cannot practice as RN's unless they have earned this degree.

Mr. CARPENTER of Somerset: Mr. President, I move this legislative document lie on the table and be specially assigned for tomorrow.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that this bill lie on the table and be specially assigned for the next legislative day.

Mr. FERGUSON of Oxford: Mr. President, I ask for a division.

The PRESIDENT: All of those in favor of the motion of the Senator from Somerset, Senator Carpenter, will rise and stand in their places until counted.

A division was had.

Seven having voted in the affirmative and twenty in the negative, the motion to table did not prevail.

Mr. PORTEOUS; Mr. President, I apologize to the Chair that I was indecisive in getting up and do not think I rose in time to be registered as opposed to the tabling motion. I do not believe the secretary counted me.

The PRESIDENT: The tabling motion did not prevail.

The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that the bill be substituted for the report.

Mr. LOVELL of York: Mr. President, I would like to just mention to the Senate that I just wonder what we are doing with the professions in this State here when we are attempting, as we have done in the past twenty years, to raise our life span up to seventy or seventy-two years of age through various methods of modern medicine, when we attempt to relax our laws. I know that in the pharmacy profession, of which I am a member, we certainly want to make our profession the finest and give our citizens the best possible means they can have to help them keep their health or gain their health back. I know we have a good doctor in the Senate here, who, I am sure, wants the standards of his profession to be of the highest. I am sure that he would not want a man who had worked in a hospital a couple of years, or had gone through high school possibly, to do operating on people.

I think that over the years under this nursing bill the opportunity has been given to the practical nurses and to the nurses with certain standards of education to take this examination even though they may have had only two years of high school. Certainly in these modern times they have had this opportunity. Certainly in these modern times I think we must get the standards of our professions up to the highest.

Now the Senator from Lincoln, Senator Chase, has said that this would stop a great number of ladies from becoming nurses. It

certainly wouldn't, in fact there will be more nursing schools in the State of Maine. It will not reduce the number of nurses; they can still take courses to be nurses aides and so on.

In my particular county—and I think the other senators from the county are in accord—we have had a great number of communications from nurses and other persons who are greatly opposed to this bill. I certainly want to go on record as favoring Mrs. Lord's motion that this bill Ought not to pass.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I think there is still a good deal of misunderstanding about this bill.

This bill would not affect any nurses who have trained, I understand, since 1935 or 1937, but the 1951 amendment provides that a nurse graduated from an accredited nursing school and practicing for the last twenty years or longer would be eliminated from the nursing field unless she became a registered nurse on or before December 31, 1961.

This bill protects the nurses who are already in the nursing field, the elderly nurses who never became registered. They are trained, graduated nurses and they are doing a very creditable job for the citizens of the State of Maine. I am certainly not for lowering the present standards or the requirement for four years of high school. I have a daughter who will go to the University of Maine. She is at Gould Academy now and she wants to become a trained nurse. I certainly object to any bill that might take our good elderly nurses out of the field of nursing at this time. This is the very bill that will protect the good graduate nurses in the State of Maine.

Mr. STILPHEN of Knox: Mr. President, may I pose a question through the Chair to the Senator from Oxford, Senator Ferguson.

The PRESIDENT: The Senator from Knox, Senator Stilphen, poses a question through the Chair to the Senator from Oxford, Senator Ferguson, and he may answer if he wishes.

Mr. STILPHEN of Knox: Mr. President, the Senator from Oxford, Senator Ferguson, mentions the fact of the nurses who were graduated from accredited schools prior to 1957. I would like to ask him if they did not have the opportunity to take the State Board and become RN's during that time up until this law went into effect and after they graduated from these schools?

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I think I said "1937." Up until that time they were not required to have four years of high school. I presume at this time at this late date they would have a chance to take it, but it is a question of whether or not without the four years of high school they could qualify for the very severe tests that are given now.

The PRESIDENT: Does that answer the question of the Senator from Knox, Senator Stilphen?

Mr. STILPHEN of Knox: Mr. President, I do not believe I made myself clear. My question was: At the time these girls graduated from training schools did they not then have the opportunity, whether it was in 1937 or 1930 or 1932 or when it was, did they not have the opportunity to take the State Board and become RN's and if they did not why didn't they?

The PRESIDENT: Does the Senator from Oxford, Senator Ferguson, understand the question?

Mr. FERGUSON of Oxford: Mr. President, I believe I do.

In answer to the Senator from Knox, Senator Stilphen: Certainly they did, but there were a lot of these nurses who neglected to become registered nurses.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: Possibly I could clarify in some way the question that was asked by my seatmate, Senator Stilphen.

I know that during wartime many girls graduated from accredited schools and went off into the service as nurses. It is my understanding now that if these girls or women would come back to the State of Maine after the end of this year, after December 31 of 1961, these girls that left im-

mediately to enter the service as youngsters, that they would not be eligible to work in the State of Maine under the law as it is written, but they would be able to work under the amendment as presented by Senator Farris. That is my understanding of the way the law is written.

Mrs. LORD of Cumberland: Mr. President, I do not want to monopolize the speaking here. I did not know this was coming up and I have a lot of material but I have not been able to place my hands on it.

I think you will find that the law actually does not prevent anyone from nursing. The law provides that you have to be registered as an RN if you are going to practice as an RN; it does not say you cannot practice in any other way as long as you want to if you do not claim an RN degree, so I do not think it is going to affect any of these people. Twice before the law has been rewritten and they have been blanketed in each time to take care of nurses that have not had the training and who perhaps could not get it at the time. But now they have had two chances already and I think that is enough. I think we should keep this profession at the highest by voting against this bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that the bill be substituted for the report.

Mr. PIKE of Oxford: Mr. President and fellow Senators: Our good Senator from Kennebec, Senator Farris, when he was talking before on this question had quite a lot to say about the grandfather clause. Well, I am a grandfather but I can't vote for this one. I hate to go against my good seatmate, Senator Ferguson. We served in the other branch together and we have been here in the Senate together before this, we have campaigned all over Oxford County together, and it makes me feel bad to go against him, but I have had lots and lots of letters on this from nurses and I have not had a single one that was in favor of Senator Ferguson's idea.

The PRESIDENT: Did Senator Ferguson of Oxford request a division.

Mr. FERGUSON of Oxford: I did, Mr. President.

A division of the Senate was had.

Seventeen having voted in the affirmative and eleven opposed, the motion prevailed; the bill was then given its first reading and tomorrow assigned for second reading.

Mr. NOYES of Franklin: Mr. President, I move that the Senate adjourn to nine-thirty tomorrow morning.

Mr. PORTEOUS of Cumberland: Mr. President, I rise to a point of order. I believe that on the table there is a bill especially assigned for this afternoon.

Mr. NOYES of Franklin: Mr. President, the Senator from Cumberland is correct and therefore I will withdraw my motion to adjourn.

The President laid before the Senate, bill, "An Act Relating to Notification for Renewal of Operator's Licenses and Providing for a Two Year License" (H. P. 949) (L. D. 1297) (Item 7-3) tabled earlier in today's session by Senator Jacques of Androscoggin pending motion by Senator Porteous of Cumberland to indefinitely postpone Senate Amendment A.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, I think this is a very good bill but I don't like the amendment. I move that the Senate recede and concur.

Mr. PORTEOUS of Cumberland: Mr. President, I believe that the motion before the Senate is on the amendment of the Senator from Aroostook, Senator Christie, that would strike out the meat of this bill, the notification, and my motion was for the indefinite postponement of the amendment.

The PRESIDENT: The Senator from Cumberland, Senator Porteous is right. The question before the Senate is on that Senator's motion to indefinitely postpone Senate Amendment B.

Mr. JACQUES of Androscoggin: Mr. President, I wish to withdraw my motion.

Mr. Jacques of Androscoggin was given permission to withdraw his motion.

Thereupon, on motion by Mr. Porteous of Cumberland Senate Amendment B was indefinitely postponed and the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Noyes of Hancock

Adjourned until tomorrow morning at nine-thirty.