

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Wednesday, May 17, 1961

Senate called to order by the President.

Prayer by Rev. Malcolm Brown of South China.

On motion by Mr. Davis of Cumberland, Journal of yesterday was read and approved.

**Papers From The House
Non-concurrent Matters**

House Report from the Committee on Appropriations and Financial Affairs—Ought not to pass on Resolve, Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas. (H. P. 568) (L. D. 788)

In House, report read and accepted.

In Senate, May 12, Recommended to Committee on Appropriations and Financial Affairs in non-concurrence.

Comes from the House, that body having insisted, and asked for a Committee of Conference.

In the Senate, on motion by Mr. Davis of Cumberland, the Senate voted to insist on its former action and join in the Committee of Conference. The President appointed as Senate members of such Committee, Senators: Davis of Cumberland, Stanley of Penobscot and Marden of Kennebec.

Bill, "An Act Relating to Chiropractic Treatment Under Workmen's Compensation Law." (S. P. 325) (L. D. 1000)

In Senate, March 24, Indefinitely Postponed.

In House, April 12, Passed to be Engrossed, as amended by Senate Amendment "A" in non-concurrence.

In Senate, May 9, Indefinitely Postponed in non-concurrence.

Comes from the House, that body having insisted, and asked for a Committee of Conference.

In the Senate, on motion by Mr. Mayo of Sagadahoc, the Senate voted to adhere.

Bill, "An Act Relating to Specifying Insurance and Other Benefits in Contracts for Sales Financing of

Motor Vehicles." (H. P. 920) (L. D. 1268)

In House, April 5, Passed to be Engrossed as amended by House Amendment "B" (Filing H-122)

In Senate, May 11, Indefinitely Postponed in non-concurrence.

Comes from the House, that body having insisted, and asked for a Committee of Conference.

In the Senate, on motion by Mr. Edmunds of Aroostook, the Senate voted to adhere.

Bill, "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority." (H. P. 78) (L. D. 121)

In House, April 13, Passed to be Engrossed.

In Senate, April 20, Passed to be Engrossed in concurrence.

In Senate, May 12, Engrossment Reconsidered, and Senate Amendment "A" (Filing S-175) adopted, and the Bill Passed to be Engrossed in non-concurrence.

In House, May 16, Passed to be Engrossed, as amended by Senate Amendment "A", thereto. (Filing H-293) in non-concurrence.

In the Senate, on motion by Mr. Erwin of York, the Senate voted to recede and concur.

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

In Senate, May 11, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed, as amended by House Amendment "A" (Filing H-292) in non-concurrence.

In the Senate, on motion by Mr. Carpenter of Somerset, the Senate voted to recede and concur.

Bill, "An Act Relating to Work on Shade and Ornamental Trees." (S. P. 548) (L. D. 1592)

In Senate, May 11, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed, as amended by House Amendment "A" in non-concurrence. (Filing H-291)

In the Senate, on motion by Mr. Farris of Kennebec, tabled pending consideration and especially assigned for later in today's session.

Communications

State of Maine
House of Representatives
Office of Clerk
Augusta

May 16, 1961

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

The Speaker of the House has appointed the following Conferees on the part of the House on the disagreeing actions of the two branches of the Legislature on:

Bill, "An Act Relating to Compensation for Injuries Under Workmen's Compensation Law." H. P. 937, L. D. 1285.

Messrs: LITTLEFIELD
of Hampden
BREWSTER of Bath
THAANUM of Winthrop

Resolve, Appropriating Funds for Capital Improvements at East Corinth Academy, H. P. 648, L. D. 926.

Messrs: HANSON of Bradford
WELLMAN of Bangor
Mrs: HARRINGTON of Patten
Respectfully,
HARVEY R. PEASE
Clerk of the House

Which was read and placed on file.

Senate Papers

Approved by a majority of the Committee on Reference of Bills for appearance on Senate Calendar.

JOINT RESOLUTION Memorializing Congress to Extend the Northern Terminus of the Proposed Interstate Highway from Houlton to some point Located on the Northern Boundary of the State of Maine. (S. P. 557)

Which was read and adopted.
Sent down for concurrence.

**House Committee Reports
Ought to Pass — New Draft**

The Committee on Natural Resources on Bill, "An Act Authorizing Lucerne-in-Maine Village Corporation to Dam Outlets to Phillips Lake." (H. P. 526) (L. D. 724) reported that the same Ought to

pass in New Draft under title of "An Act Authorizing Lucerne-in-Maine Village Corporation to Construct Dams and Fishway on Phillips Lake." (H. P. 1161) (L. D. 1601)

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

MAJORITY — Ought to Pass As Amended by Committee Amendment "A" (Filing H-273)

MINORITY — Ought Not to Pass

The Majority of the Committee on Legal Affairs on Bill, "An Act Relating to State Valuation of Town of Bristol for School Subsidies." (H. P. 691) (L. D. 969) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-273)

(Signed)
Senators:

LORD of Cumberland
NOYES of Franklin

Representatives:

SPROUL of Bristol
KNAPP of Yarmouth
BRIGGS of Portland
BERMAN of Houlton
KELLAM of Portland
BERRY of Cape Elizabeth

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

(Signed)
Senator:

FARRIS of Kennebec
STEWART

of Presque Isle

Comes from the House, Majority, Ought to pass report accepted, and subsequently the Bill was indefinitely Postponed.

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

**Senate Committee Reports
Ought Not to Pass**

Mr. Stanley from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry (S. P. 1) (L. D. 1) re-

ported that the same Ought not to pass.

Mr. LOVELL of York: Mr. President, I can't imagine just why the Appropriations Committee should come out with a bill such as this, Ought not to pass. I certainly would be remiss in not standing here and telling you my feelings and explaining to you just a little bit why the bill should be substituted for the report.

In the State of Maine last year our tourist business amounted to some \$280 million which Governor Reed has stated in his various talks. Our University of Maine report has stated it amounted to some \$150 million. It is our second largest source of income here in Maine. Now when money is spent on tourism or getting the tourists into Maine, the last two years it has been shown that every dollar spent has brought back sixteen dollars in direct taxes to the State of Maine. When I say direct taxes, I mean the gas tax, profit from liquor, sales tax, and these taxes amounted to some 9 million last year. Now certainly when money is spent on this to promote the tourist business in Maine, it certainly is good business. Where are you going to spend a dollar that will bring you back sixteen dollars? I know we have some very good business men in this Senate. And I question if you can find any investment even in the stock market that will bring you back sixteen dollars in a short time.

And not only that but every dollar that the state invests brings back \$145 in overall tourist business and then this money flows into the State of Maine and turns over three, four, five times among our people here in Maine. Maine has been very backward. I won't try to read to you a couple of matters that I brought up yesterday, one from the Portland Press Herald stating that Maine will probably go along as usual this year spending far less money than they need to spend to get the tourists into Maine and increase our economy. And also an editorial from the Bangor Daily News. I have articles here showing that

Massachusetts for example expects over four hundred million in the tourist business and in fact the six states that do the most tourist business in many states do one third of all the manufacturing. In other words when tourists go into a state they also settle there and start their plants. Now on the other hand, the six states that do the most manufacturing do one third of all the tourist business, and how any committee can turn down a bill asking money for an investment like this is an amazement to me.

As we look around and see what other states are spending and see the economy of the State of Maine, we are the lowest paid state per capita in New England and in Dr. Sly's report it shows \$1663 per capita and with a tax payment of \$153.90 per capita tax payment which is the second highest in New England—and a later report has shown that Maine is the highest tax state per capita in New England. Now I am all for education and I am for better hospitals, I want to see all these things but if we don't go out and spend money, how are we going to be able to earn money and make money? How is our state going to progress?

I know there is a definite feeling of economy in this Senate and in the other Body across the hall but here is not the place for economy when you have a proven fact that every dollar spent will bring back in direct taxes, sixteen dollars. We can't begin to compare with Florida which for every dollar they spend get back \$92 in direct taxes. We don't begin to compare for example with the State of New Jersey. For every dollar they spend on the tourist business they get back \$450 in new business. Here in Maine, we have the assets. We have 2500 miles of sea coast. We have 2500 lakes and ponds and 5000 streams and rivers. We have all these assets. Our tourist business could well be continued on throughout the fall and winter with our various winter sports, with our hunting. But we don't publicize it. If we don't spend money to get money into Maine, certainly we in

this Senate will be very very remiss. I can't imagine that a bill of such importance as this that will bring so much money not only to the coffers of the State Treasury but to all our people in Maine. Everybody benefits from the tourist business. It goes to the hotels, the motels, the farmers, the places that the tourist eats, services, entertainment — everybody benefits from this and those that have retired have benefited to the extent that their taxes are going to be less, if we collect taxes from outside people.

It was stated that some sixteen percent of our taxes are paid by the tourists. Now I know in my own particular county in Acton and Shapleigh for example, eighty percent of their taxes are paid by out of state people. They are developing greatly through the areas. Out of state people are coming in and contributing to our overall economy and as you all know our taxes increased in the last fiscal year by six million dollars. Now half a million of it was from the transient rental tax but five and a half million of it was an increase, \$787,000 increase on the gas tax alone, and the sales tax is nearly two million. Certainly that wasn't from the economy of the State of Maine because we have been more or less in a recession but on the other hand our tax receipts have increased and this year alone I understand is well over a three million increase, and we are still in a recession here in the state. At least the business men tell me so. I know the good Senator from Hancock, Senator Edgar realizes in his area, in Bar Harbor and that section without the summer people, they cry all winter, the merchants do and then when summer comes that is when they do the business. If we don't get out and publicize and promote this business, how is the State of Maine ever going to go along without increasing taxes? We've got to increase the sales tax. We've got to increase all these taxes and overburden the people who are now in a position not to be able to pay any more taxes, with thirty-five thousand people out of work.

I am not going to talk any further but I would move to substitute the bill for the report of the committee and I certainly hope that the Senate will go along with this very, very important motion.

Mr. EDGAR of Hancock: Mr. President, if I may I would like to address a question through the Chair to Senator Davis of Cumberland, and my question is simply this. If the motion of the Senator from York were to prevail, would this be among the bills that would end up on the appropriations table?

The PRESIDENT: The Senator from Hancock, Senator Edgar, poses a question to the Senator from Cumberland, Senator Davis, and that Senator may answer if he wishes.

Mr. DAVIS of Cumberland: Mr. President, in answer I would say if it reaches the stage of enactment, it will then end up on the Special Appropriations Table.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, coming from the area from which I do, of course I am very conscious of the necessity and the value of the tourist trade. I do not think this bill is one that should be lightly dismissed, even though I realize the implications as far as the financial picture is involved but if this is going to end up on the appropriations table and be subject to further consideration later on I do feel that it would be of sufficient importance that it might warrant being allowed to reach that stage at least, and for that reason I would support the motion of the Senator from York, Senator Lovell.

Mr. STANLEY of Penobscot: Mr. President, I would agree with all of the things Senator Lovell of York has said, and I notice he did say there had been an economy movement here in this legislature and I would say that it particularly comes from York County. I think probably that he is well aware of that.

The reason that the Appropriations Committee came out with a unanimous Ought not to pass report on this is that we have quite a good deal of confidence and re-

spect for the department heads that we have in our state government. The department heads have come to us, each and every one of them asking for their appropriation to run their department for the next two years. It is our job to go over their budget to see if we agree with what they are asking for. If we don't we cut them down, and if we feel they should have more money, we add to it.

This particular bill was put in outside of the department. It was not put in as a department bill. The head of the department involved came to us and said, Yes he could always spend more money as we all can. Whether the returns on the extra million dollars would be as high as the Senator from York, Senator Lovell has informed us that they might be, I would question. I would agree with him to the point that we should spend more money for recreational advertising. That we have put too much emphasis on industrial development in the last few years and should do more for recreational advertising. I would agree with that.

I don't believe that this is the bill to do it. I feel that the department head has discussed with us what he feels are his requirements for the next two years, the Governor has come to us with his suggestion as to what we should do, and the committee has pretty much gone along with that. There is an extra \$450,000 roughly for advertising for this department which I think is a fairly decent job. If we get back the number of dollars per dollar that we spend from this \$450,000 that the Senator from York claims that we will get, then I don't know what we would do with it actually.

I would be opposed to the motion of the gentleman to substitute the bill for the report, and I would be opposed for the same reason that the Senator from Hancock is in favor of it that we could put everything on the Appropriations Table and the last night of the legislature we could fight and hassle over those things. I believe that would be poor legislation. Let's stand up and do what we

think is right, now, and not wait until the last night of the session to do it.

Mr. LOVELL of York: Mr. President, the good Senator from Penobscot, Senator Stanley has stated that York County is showing a sort of economy move. Well, when we have been the center of a distressed labor area for some six years and when 22 out of our 28 towns are considered by the United States Department of Labor as the worst type of distressed area, you have got to have some economy or all our people are going to move to Massachusetts or other states to get jobs.

Certainly I don't think the good Senator wants York County to secede to New Hampshire or have all of our people move somewhere else, but if we don't have economy—we are paying now in the State of Maine some 9.3 per cent of our income for taxes. Certainly then if we are going to have economy, we must have economy to keep our people so that they can have food and clothing. But we must spend money where we can get a return for that money and here is an example.

Now the heads of the departments involved in this. I don't know where Senator Stanley got his figure of \$450,000 for advertising—I haven't seen the supplemental budget, but certainly we have never had that figure. Last year for the publicity of tourism we had something like \$150,000. If they are putting in three times that for advertising tourism, fine. As for industrial development, I don't think the good Senator from Bangor realizes what he is saying when the Armour Foundation report that I have here comes out with the statement that Maine needs to spend a million dollars a year for industrial development. For instance last year in Maine for the small amount of money that we spent, we got 2,315 new jobs, 25 new industries and 25 expansions which amounted to eight and a half million dollars in new pay roll and the state of North Carolina spends just ten times that much—I'll admit that Governor Hodges did a tremendous job

and I know Governor Reed will too; he has already received two awards on his industrial development work—but when the state of North Carolina goes out and spends ten times as much and gets ten times as many new industries and ten times as many new jobs—now I can't speak for our heads of departments, as far as tourism is concerned I don't know how aggressive they are. I think they have done very well in the past, but certainly if they had the money to do with, I know they have the ability. I don't say we can come up to the state of Colorado who for every dollar they spent got back \$298. I don't say we can come up with Florida or some of these other states. California, for example. For every dollar they spend they get back \$350. I don't say we can come up with them but certainly here is an opportunity where we can spend money and really get returns so I hope you will go along with my motion.

Mr. PIKE of Oxford: Mr. President and fellow Senators, it is very seldom that the good Senator from York and I agree, but this is one of the times that I am going to agree with him. When he sized up the Senators a little while ago, he said I was the most conservative. Perhaps I am. I want to get my money's worth when I buy anything. But I think this is one of the places where we can. I have been in the summer hotel business practically all of my life in a small way. I have operated two places for quite a good many years and I wish I had what money I spent in advertising. I could sit back and smoke big cigars all the rest of my life. I want to go along with this motion to substitute the bill for the report.

Mr. CHASE of Lincoln: Mr. President, I rise in support of the remarks of the Senator from York, Senator Lovell. I think they are forward looking remarks. This bill is a business proposition for the State of Maine. I have been consistently in this session against a sales tax increase as I have said before. Until such time that I think we need that to help our-

selves and if it is necessary to have a tax increase for such a measure and such a bill as this, I would go along with it. We need to help ourselves. When we were up at the University of Maine, many remarks were made that we had to do something to bring in more income and bring more people into the State of Maine. You gentlemen are all business men. You know that you have to put a dollar out to get one back. I have been waiting the whole session for this bill, this one and the one yesterday, because this is the first time that I've seen any indication in this legislature of a business proposition where we are trying to do something for the State of Maine.

This is a good bill and I certainly hope that you forward looking gentlemen will go along with it because I feel that we certainly should try it. If any of you feel that this money will be thrown away, I don't think you are really looking to the future. I think that we should go along with this bill, try it out and see what the results would be. This is only a million dollars. I say "only a million dollars" and I can state right here that I know of one instance that they spent \$70,000 just to look and inquire to see what kind of an establishment we should build for 500 boys. We spent \$70,000 just to find out what we should do. This million dollars is for everyone in the State of Maine and it is a small amount of money for such a proposition. I certainly hope you will go along with the bill.

Mr. NOYES of Franklin: Mr. President, I did not intend to speak on the bill this morning even though it happens to be mine, especially in view of some of the other bills we have been talking about. But since the interest has been stirred quite a bit I would like to say you will note that this is S. P. 1 and L. D. 1. In other words this was the first bill to be filed. When I filed this bill for a million dollars I never expected and I am sure this legislature will never appropriate a million dollars for recreational advertising. Most certainly other states would. In the Armour report it recommended

that we do. But I filed it for the express purpose of pointing up the necessity of spending more money in the recreation field.

Up until two years ago the State of Maine spent only \$75,000 a year to promote this great industry and then we were fortunate enough to get an increase so that last year we spent \$125,000. Now my good friend, Senator Stanley from Penobscot, who is a member of the Appropriations Committee, has stated that in the supplemental budget there are some \$450,000—I believe the exact figure is \$496,000 for recreational promotion and advertising—that is true, but if you will look at your supplemental budget or any papers you may have pertaining to it, you will see that most of this is for personnel and related activities. I believe the exact figure recommended by the Appropriations Committee is \$120,000 for advertising. This bill was referred to the new Committee on Industrial and Recreational Development and after a public hearing and notwithstanding the fact that I am a member of that committee, we reported that amount out as \$150,000 a year or a total of \$300,000 for the biennium. I think that was a pretty good conservative proposition, but because it involved money it had to be referred in turn to the Committee on Appropriations and Financial Affairs and it came out Ought not to pass.

I think we ought to keep it alive in case there are some reconsiderations. I think it ought to go on the Appropriations Table. I certainly am not going to be one who expects this legislature to approve this bill for a million dollars but after a lot of these programs come out and after we find exactly what they are recommending and providing for, if there is not sufficient money to go along and promote this recreational proposition, then this bill will be alive so that we can put some amount of money on to it. We can use it for a vehicle. I do not have time but I would like to refer you to the Inaugural Address of Governor Reed in which he said that the two things we have got to do in Maine

are the industrial and recreational promotion of this state.

That is all that I want to say at this time.

Mr. PORTEOUS of Cumberland: Mr. President, I am not prepared to debate the pros and cons of the proper way to allocate this money but I am prepared to stand here as a business man who does a lot of advertising, and tell you that \$120,000 as is in the supplemental budget is a drop in the bucket when you come to national advertising. I also stand here to tell you that a million dollars in relation to our recreational business, which by many accounts is in the neighborhood of \$250 million income a year, actually is low. At first blush a million dollars sounds like an awful lot of money but to properly promote a business such as our tourist business, that is less than half of one percent of the total effort.

In many businesses there is a lopsided control of power. The State of Maine might be compared to a business. On the one hand you have the merchandisers, the promoters, the people who operate the business that entertain the tourists and on the other hand you have the people who control the purse strings and don't think particularly in terms of promotional work. I will tell you this, in many stores of our type through the country where the controller has too firm a grasp on the purse strings and the man in the front office, the president of the company or the general manager isn't promotional minded, you see those businesses being choked down and reduced in size or not progressing at the proper rate. So as you consider this million dollars, do so in the light of whether you believe that you want to further promote the State of Maine. We may not wind up with the full million because it is a lot of money, but please bear in mind that even the million is not out of order as an amount to appropriate for this advertising.

Mr. LOVELL of York: Mr. President, I would ask for a division on this motion and in closing I would say that I hope that—it is

too bad that the directive to get the vacation industry studied by the University of Maine has not been completely circulated because I am sure it would be unanimous, but let me say that facts have proved that 24 tourists a day, that stay one day in our community is equal to an industry with a \$100,000 a year pay roll and that turns over five to seven times before it leaves the area. So you can see how important this is. If our department cannot handle this million dollars and doesn't show results, and they surely will, because you that attended the House meeting here recently, the conference, saw—

The PRESIDENT: The Chair must inform the Senator this is the 4th time he has spoken in debate and without leave from the Senate, the Senator will have to follow the rules.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I just want to mention again that you have on your desks this morning the supplemental budget. It calls for some seven million dollars more than we have in sight at the moment. Now if you disagree with the amount that we have provided for recreational advertising or other promotional advertising I submit to you that the place to change that is in the supplemental budget which can be amended either up or down before passage and I therefore, Mr. President, move indefinite postponement of this bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis that the bill be indefinitely postponed.

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

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

The PRESIDENT: The question now before the Senate is on the motion of Senator Lovell of York to substitute the bill for the report.

A division of the Senate was had.

Fifteen voted in the affirmative and fifteen in the negative.

The PRESIDENT: I shall vote to keep the bill alive.

Thereupon, sixteen having voted in the affirmative and fifteen opposed, the motion prevailed, the bill was read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair would like to call the attention of the Senate to another rule of the Senate, Rule 4. When a member of the Senate in debate shall address another member of the Senate, he shall first state his title, the county and then his name. The Senator from York, Senator Lovell is the correct way to refer to him. I have heard a number of different ways this morning. It would be well for you to go over Rule 4 carefully.

Rule 10 is the one I referred to previously.

Mr. DAVIS from the same Committee on Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development (S. P. 102) (L. D. 247) reported that the same Ought not to pass.

Mr. LOVELL of York: Mr. President, it is unfortunate that these two bills came in succession. I have prepared excerpts from the Armour Foundation report and many other reports that I intended to bring up. It would make this session far too long so I would go over them briefly unless I may have permission of the Senate to make the same motion I did on the last one. I move that this be tabled and assigned for later today.

The motion prevailed and the bill was tabled pending acceptance of the report and especially assigned for later in today's session.

Mr. Sampson from the same Committee on Resolve, Appropriating Funds for Operating Expenses for University of Maine (S. P. 248) (L. D. 765) reported that the same Ought not to pass.

On motion by Mr. Brooks of Cumberland, tabled pending acceptance of the report.

Ought to Pass — New Draft

Mr. Davis from the Committee on Appropriations and Financial

Affairs on Bill, "An Act Establishing a Medical Care and Services Program." (S. P. 219) (L. D. 624) reported that the same Ought to pass in New Draft, under the same title. (S. P. 558) (L. D. 1605)

Mr. Marden from the Committee on Health and Institutional Services on Bill, "An Act Revising Laws Relating to Barbers and Hairdressers." (S. P. 416) (L. D. 1457) reported that the same Ought to pass in New Draft, under the same title (S. P. 556) (L. D. 1603)

Which reports were read and accepted, the Bills, 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 and resolves:

Bill, "An Act Relating to Certain Standards for Nursing Homes" (H. P. 13) (L. D. 32)

Mr. FARRIS of Kennebec: Mr. President, on Item 7-2 we had quite a bit of debate yesterday. This is a very important matter and an amendment is in the process of being prepared which apparently will accomplish the results desired by both sides on this issue. The phraseology is a little difficult and I would request that this be tabled and especially assigned for Friday so that the amendment might be prepared, and I might say that the intended amendment has the endorsement of the Senator from Piscataquis, Senator Parker, and the Senator from Hancock, Senator Edgar.

Mrs. CHRISTIE of Aroostook: Mr. President, I wonder if the Senator from Kennebec, Senator Farris would be willing to table the bill until tomorrow rather than until Friday.

The PRESIDENT: Does the Senator from Kennebec, Senator Farris wish to state another time?

Mr. FARRIS of Kennebec: Mr. President, I would like to assign it for Friday to make sure that we get the language worked out, but I will table it until tomorrow if that is more satisfactory.

Thereupon, the bill was tabled pending passage to be engrossed

and was especially assigned for tomorrow.

House

Bill, "An Act to Create a School Administrative District in the Town of Fort Fairfield." (H. P. 471) (L. D. 671)

Resolve, Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River." (H. P. 1158) (L. D. 1598)

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

House — As Amended

Bill, "An Act Repealing the Time Limitation on Statute Repealing the Two-Inch Clam Law." (H. P. 47) (L. D. 88)

Amended by Senate Amendment "A" (Filing S-189)

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

Sent down for concurrence.

Bill, "An Act to Revise the Civil Defense and Public Safety Council Law," (H. P. 311) (L. D. 1126)

Amended by Committee Amendment "A" (Filing H-281)

Which was read a second time.

Mr. Davis presented Senate Amendment A to Committee Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Mr. DAVIS of Cumberland: Mr. President, you will note that Committee Amendment A provides that a fee shall be charged. The whole purpose of the amendment is in the last line which says that fees so received shall be credited to the general fund. I might say I have cleared this with the Chairman of the Judiciary Committee and he is in accord.

Thereupon, the Senate voted to reconsider its former action whereby Committee Amendment A was adopted; Senate Amendment A to Committee Amendment A was read and adopted; Committee Amendment A as amended by Senate Amendment A was adopted and the

bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Number of Lobster Traps on Trawls in Certain Tidal Waters." (H. P. 900) (L. D. 1234)

Amended by House Amendment "D" (Filing H-284)

Bill, "An Act Continuing the Committee on Aging." (H. P. 1116) (L. D. 1538)

Amended by House Amendment "B" (Filing H-288)

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

Senate

Resolve, Appropriating Moneys to Promote and Advertise Maine's Ski Business. (S. P. 2) (L. D. 2)

Bill, "An Act Relating to Transfer of Portland Municipal Airport by City of Portland to State of Maine." (S. P. 185) (L. D. 431)

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

Sent down for concurrence.

Enactors

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

Bill, "An Act to Include the Town of Winslow in the Kennebec Water District." (H. P. 416) (L. D. 591)

Bill, "An Act Relating to Burden of Proof on Questions of Fact in Industrial Accident Commission Decisions." (S. P. 535) (L. D. 1583)

Emergency

Resolve, Authorizing the State of Maine to Convey Certain Land in the City of Saco. (S. P. 523) (L. D. 1550)

Emergency

Bill, "An Act Regulating the Taking of Alewives in East Machias." (H. P. 1130) (L. D. 1557)

Orders of the Day

Mr. EDMUNDS of Aroostook: Mr. President, I would inquire if L. D. 1285, H. P. 937, "An Act

relating to Compensation for Injuries under the Workmen's Compensation Law" is in the possession of the Senate?

The PRESIDENT: The Chair would inform the Senator from Aroostook, Senator Edmunds, that it is, having been held at the Senator's request.

Mr. EDMUNDS: Thank you, Mr. President.

I now move we reconsider our action whereby we voted to adhere to our previous action that this bill be indefinitely postponed.

Mr. BROWN of Hancock: Mr. President, I request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Edmunds, that we reconsider our action whereby we voted to adhere to our former action. A division has been requested. All those in favor of the motion of the Senator from Aroostook, Senator Edmunds, will rise and stand until counted.

A division was had.

Six having voted in the affirmative and seventeen in the negative, the motion for reconsideration did not prevail.

The PRESIDENT: Pursuant to the Joint Order passed a week ago, the Chair lays before the Senate the first tabled and unassigned matter, (S. P. 309) (L. D. 897) Senate Reports from the Committee on Transportation on Bill, "An Act Relating to Inspection of Motor Vehicles," Majority Report "Ought to pass"; Minority Report "Ought not to pass," which was tabled on March 8th by the Senator from Androscoggin, Senator Jacques, pending acceptance of either report. The Chair recognizes the Senator from Androscoggin, Senator Jacques.

Mr. JACQUES: Mr. President and members of the Senate: This is a bill that has come up in the legislature for the past six years that I can remember of. I was on the Committee on Transportation for the past six years and this bill has turned up every time and it was voted down every time. Now it seems that this year the Governor's Highway Safety Committee

has gone along with the bill, sponsored the bill and pushed the bill as much as they could. Last week I was approached and told that if I did not take that bill off the table that I would be given headlines back in my home city, and I was last Friday; but I think you people know that as far as pressure is concerned I am not afraid of pressure. I would not be where I am today, maybe, if I was afraid of pressure.

This bill here calls for a one-dollar inspection sticker. Now I don't know where this is going to stop. We are going up on the driver's license, we are going up on the inspection sticker. I don't know, we even might have another cent on the gas tax. Nothing has been said yet but it could happen. I saw it happen three years ago when the telephone rate went up.

Now they tell us that this is a good bill: they are going to turn over the power to the State Police, they are going to give us better inspection. I don't doubt that any, but why charge a dollar? Now they are going up a hundred per cent on their fees.

If you will look over the bill, L. D. 897, at the end of the bill it says: "Disposition of fees. The amount received from the fees under Section 45 and 47 shall be credited to the general highway fund and there shall be allocated annually from the unappropriated surplus of the fund a sum sufficient to defray the cost of the administration and enforcement of this section."

Now how much does that mean? How many State Police are they putting on the road? Nobody knows.

I agree with the committee that as far as turning the inspection over to the State Police is a good idea, but as far as the cost is concerned I do not see it. So I would move at this time, Mr. President, that we accept the minority "Ought not to pass" report.

Mr. MAYO of Sagadahoc: Mr. President, I rise in opposition to the motion of the Senator from Androscoggin, Senator Jacques. I think that his remarks regarding this bill should be taken very

lightly because this bill definitely will do something for the inspection system in the State of Maine which we have lacked for a number of years.

When the inspection system was originally inaugurated the cost was fifty cents and in all these years it still is fifty cents. The increase to a dollar will in no way hurt the motoring public because the extra half dollar will give a better inspection and will protect the motoring public. By putting the inspection in the hands of the State Police where it should be, the police are around watching these cars and watching the inspection stations and we will have the correct type of supervision of these stations.

Now there are a lot of complaints being made by the legitimate garages during inspection month about the person who comes into the garage and asks for an inspection sticker when there are a number of defects in the car. The garage says they will not give him a sticker unless the person who owns the car has these defects fixed. So what happens? The motorist gets a little red under the collar and says, "OK." He goes down the street a block to a filling station and pays his half dollar and gets his sticker. We are not getting the inspection of our cars that we should have. The whole inspection system from what it was originally set up for has not worked as it should.

I certainly feel that with this increase to a dollar, placing it with the State Police and the income going to the Highway Department and then being reallocated to the State Police is the only sensible way to handle this inspection of automobiles.

I would certainly hope that possibly, if this bill does pass, that an amendment will be placed on the bill so that any inspection station that continually violates the proper inspection of automobiles will eventually lose their license, so that at least the persons who want to protect their lives and their automobiles and their property when they take their car to a good inspection station they will know that their car is going to be in-

spected and they will know that the rest of the cars on the road are also being inspected.

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

Mr. GILBERT of Kennebec: Mr. President and members of the Senate: I also rise in opposition to our good Senator Jacques. Having had a so-called inspection permit myself since it first originated in 1937, I am well aware of the facts of this bill.

No. 1. Our good senator here says that the State Police will inspect. They will inspect to this extent: they will inspect the inspection stations, supervise the stations, and I believe that the State Police will assign certain officers for such purposes as inspecting the stations to be sure they are equipped and have the facilities and have qualified men to inspect cars.

With relation to the fifty cents, it should be understood that actually it is forty-five cents for a sticker and five cents to the state. On going to one dollar it would be ninety cents to the inspection station and ten cents to the state.

Going back to 1937, in those days we had mechanics that you would pay twelve, fourteen or fifteen dollars a week. Also, the equipment for inspecting a car was nothing but a curtain you would drop from the ceiling, which cost approximately a dollar, and you would inspect a car accordingly. Of course in those days you did not have the so-called upper and lower control arms and kingpins and tie-rods like you have today, therefore the expense of inspecting an automobile was about, you might say, a quarter of what it costs today. Today the same man that inspects the automobile is getting anywhere from sixty to seventy-five or eighty-five dollars a week. The equipment to inspect a car, the maintenance of such machines the magic eye, headlight equipment, and so forth will run two or three hundred dollars apiece, while the cost of the same sticker is still forty-five cents. It does make an awful lot of difference, therefore you cannot give it as thorough an

examination as you did in those days for the same money.

Also something else pertaining to the inspection of cars: It is a well-known fact that many of the used-car dealers will at times slap fifty to a hundred stickers on their automobiles without any of the cars being inspected. It is just a case of the motor and serial number being taken, a sticker made out and slapped onto the windshield and the car is going out without being inspected at all. So therefore I hope that the motion of Senator Jacques will not prevail.

Mr. LOVELL of York: Mr. President, might I ask a question on this particular bill from, possibly, the Senator from Sagadahoc, Senator Mayo? Do they feel that the Secretary of State, who now handles this at fifty cents, is not doing a good job?

I have been to many garages for an inspection sticker and the inspection sticker is fifty cents but I generally have fifteen or twenty dollars more added on for one thing or another whether I need it or whether I don't. I am just wondering: Cannot the Secretary of State handle this properly through the State Police now.

The PRESIDENT: The Senator from York, Senator Lovell, poses a question through the Chair to the Senator from Sagadahoc, Senator Mayo, who may answer if he wishes.

Mr. MAYO of Sagadahoc: Mr. President, I am afraid that I could not answer the question that has been asked me because I would not want to put words into the mouth of the Secretary of State.

Mr. PORTEOUS of Cumberland: Mr. President, I will not put words in anybody's mouth but I will say that the Secretary of State has said to me and to the Highway Safety Committee that his department has not the supervisory personnel to take care of the supervision of these inspection stations, and this is a major reason for the proposed change to supervision by the State Police.

I might just add the name of another person who has spoken favorably about this—the Governor himself is very much in favor of

it, and at a meeting of the Highway Safety Committee he asked the Chief of the State Police what effect he thought this change would have, and the Chief said, "Probably the most immediate effect would be that about a third of the stations now doing this inspection might get a little shaky about their position and might not be doing inspections after a while," so evidently there are inspection stations that are not doing the right job.

When this bill was first presented through the mail quite a few cards from two areas especially, saying that in those areas the stations were already charging a dollar and that the people were not exactly kicking but they would like to have everybody else pay a dollar because they thought it was well worthwhile not only for themselves to have their cars safe to operate but to know that cars that were coming toward them on the road at a combined speed of say 120 miles an hour also had a reasonable chance to be well inspected. With the exception of one or two instances, there has been absolutely no objections to this bill in any way, and all the people I have spoken to, filling station and garage people, they recognize the very pressing need for this legislation. So when the Senate acts on Senator Jacque's motion I hope they will turn it down.

Mr. JACQUES of Androscoggin: Mr. President, I do not blame the Senator from Kennebec, Senator Gilbert for getting up and fighting for himself really because he owns a station and naturally that would mean more money for him. I would get up too.

Now as far as inspection is concerned, I drive my car to a garage and the man there says, "You have got a broken windshield," and I say, "Well, I will have it fixed," and so he slaps a sticker on and I go down the road and the State Police stop me and they say, "Let me see your sticker. You have got a broken windshield." I say, "Sure, I have got a broken windshield." So the State policeman goes down to the station where I procured the sticker. The fellow

there says, "The windshield was all right when he came here. There was no broken windshield." So how are they going to prove it? Either they are going to make the station owner a liar or the driver a liar; it is going to be one or the other. I cannot see where the enforcement is going to be any better.

As far as the Secretary of State is concerned, I remember two years ago when we had the boating law and we were going to have numbers on boats. The Secretary of State refused that and he said that would mean too much work for him. I do not blame the Secretary of State for saying he doesn't want this. He would like to turn it over to the State Police. Now we have the Public Utilities Commission and we find two or three men under the direction of the Public Utilities Commission to take care of trucks on the weight measuring. Now why can't we do the same thing in this case: transfer the State Police to the Secretary of State and let him enforce the law?

I say again: We do not know what this is going to cost. It could cost much more than we think it is going to cost. So let's be realistic here and let's have a little conservation. Now those poor taxpayers cannot be here, and I for one represent the taxpayers in my area and it is up to me to get up on my feet and speak for them.

As I said before, this bill was presented here in the past three sessions that I know of, and I do not know in how many other sessions, and it was turned down.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate: This bill only calls for taking the power away from the Secretary of State and giving it to the Chief of the State Police, and it was brought out that the garage man has got to pay ten cents for the sticker so it leaves him ninety cents.

It was also brought out that the mechanics are not under the low wages that they were before. If you want a real inspection on your cars and if you want to have safe cars on your highways, don't try

to get it out of the young man who is just pouring gasoline into the tank when the car stops. You are just kidding yourself; you are just charging the drivers an additional fifty cents because ninety or ninety-nine per cent of the stations today do not have qualified mechanics to do this work. How many stations have we got in the State of Maine here that have a mechanic that knows enough to inspect a car, and how many of the stations have the proper equipment to inspect a car as they are supposed to do by law?

The only thing this does is charge an extra fifty cents to our people. If you want it under the State Police all right, but there is no reason why it should cost the taxpayers more to have it under the State Police than it would to have it under the Secretary of State. Possibly they would have to have ten or fifteen additional State Police on the road as well as ten or fifteen additional cars. This could become a very costly bill and you would not get any more service on your car than you had before.

I do believe in driving a car on the highway that is safe all around with proper lighting, proper windshield, proper brakes and everything else, but a good many times I have taken my car to the garage myself and have got fooled on it; I have taken my car to the garage myself to some mechanic who could not even trace the wire to fix a tail-light, and that was an inspection station. After I got out of that garage I would have to go to another garage to have it done. How are you going to have the proper inspection in that kind of a garage? Even if you pay a dollar you are not going to get any more service.

Just lately I went to a garage to have my brakes adjusted because they were low. Whoever worked on the car all they did was they broke the line under it, they didn't have the part and I had to leave the car there overnight. Come to find out, who was working on the car after I was gone was a sixteen year old boy. Then it cost me what? It cost me nine dollars for

the lines under my car on these brakes and I was one night without my car, and when it came to setting them he was not able to set them either so I drove to another garage without brakes.

Now that is what you are facing. I do not care whether you are going to have the State Police or the Secretary of State, if you have not got qualified men to do the inspections you won't have them. And if you pay a dollar you are not necessarily going to have a qualified man to work on your car for an inspection. If he is going to inspect your car he has to take your car out to give it an inspection, he cannot give your car a proper inspection inside of that station. He cannot inspect your tires, he cannot inspect your brakes, he cannot inspect everything about your car because it will take him more than half an hour to do so. That means that the mechanic is not even getting paid a dollar if he is going to give you the proper inspection.

I don't care if it goes up to five dollars if I can get a sticker for a proper inspection of my car properly done on the highway as long as there is a restriction that they must have a qualified man do the work before they charge the motorist for his sticker.

I certainly am against this bill for this reason: there is no specification as to who is going to work on your car. A lot of you probably have been hooked by the small garage when you have had to take your car there to be fixed and it is a three or four dollar job and you get out of there by paying fifteen or twenty dollars on account of their lack of qualifications.

You may say it is up to you to have your sticker put on in a garage where they have qualified mechanics. We cannot all go to the same garage. If they are going to inspect cars there should be a restriction in the law to provide that they are qualified to do so. The person inspecting your car should go under the State Police possibly to find out if he is qualified to inspect your car. You go in there and you find a

high school boy inspecting your car, and nobody is going to tell me that a kid eighteen or nineteen years old is qualified to say that your car is in A-1 condition to travel on the road. You might find one out of a hundred or so that have worked for quite a few years on their parents' car and know a little about it. But you have not got qualified persons in a great percentage of your state stations now to do work you should have done even if it is under the State Police. If a person has his car inspected and it is not properly inspected by the mechanic at the station this person can go out on the road and he may be stopped by the State Police. Perhaps you can go scot-free because you can prove you had your inspection sticker, but what has it cost you: A lost day's work and everything else to go to court, your name in the paper "under arrest," "summonsed to court."

If we are going to have a law to do something let's do it right and have qualified men to inspect your car.

Mr. PORTEOUS of Cumberland: Mr. President, Senator Couture's remarks about the one dollar perhaps not being all that is necessary are probably well taken, but if you go back to the re-examination problem—sixty-five was thought too low and seventy-five was defeated in the other body—so many of the problems we take up here in the legislature we have to move gradually. Every two years some things are brought up and it sometimes takes three or four years before something is accepted.

Actually what we are doing here is accepting a principle. In proposing this, and also the Highway Safety Committee, I am certainly not convinced that this is the cure-all that will be the most desirable, but going from fifty cents to a dollar is a one hundred per cent increase, and certainly it is better to try that out and it is better to try out the State Police as the supervisory group.

Now in defense of the mechanics — and they certainly should be defended because there are many

of them in this state, the mechanics who work in our garages — I will say that I have my car inspected in about four different spots. One is a filling station and three are automobile dealers. And, I, like many of us here, people throughout the state go to a place where we are familiar with the people who run the station and the people who work on our cars, and it is our free choice at any time to go to a station that employs qualified mechanics. I go to two different automobile dealers and one live-storage garage and one filling station, and in none of those places do I believe there is a teen-age boy employed in examining my car. I have been advised a couple of times that my brakes needed taking up and that has been done, but not necessarily in the place where my car was inspected. I do want to defend the garage mechanics of this state because I imagine, like all of the workers in this state they are by and large very highly qualified. There may be some who are not qualified, but I think it is up to the individual who goes in to be interested enough in his own car to look into the fact of who is actually doing the inspection and who eventually does the work.

Mr. LOVELL of York: Mr. President, I would like to pose a question through the Chair to the Senator from Cumberland, Senator Porteous, if I may.

The PRESIDENT: The Senator from York, Senator Lovell, poses a question through the Chair to the Senator from Cumberland, Senator Porteous, and he may answer if he wishes.

Mr. LOVELL: Mr. President, on the recent bill which I voted for to extend the licenses for two years, the good Senator stated that there were a hundred thousand people in Maine that did not have a driver's license. Now that seemed to me like quite an amount but it has been verified by several others, and I wonder if the good Senator could tell me if this bill would kind of get in some of that extra money from the people driving without a license?

The PRESIDENT: Does the Senator from Cumberland, Senator Porteous wish to answer?

I just want to take note of the fact that our friend, Leonard Cohen is getting tomorrow's news from the Portland Press Herald and the Bangor Daily News of today.

Mr. PORTEOUS: Mr. President, I do not know whether I ought to rise and defend the Gannett papers or not.

I hesitate to answer this question because I think it is a little confused. I would be glad to see him after the session and talk it over with him, but I do not really understand his question.

Mr. COLE of Waldo: Mr. President, I hesitate to enter into this debate because we have now debated this bill for a considerable length of time. However, I feel that we are getting away from the basic philosophy of highway safety. As a member of the Governor's Highway Safety Committee, I will say we are not concerned about the fee, which seems to be the main objection to the bill. It is true we felt that the dollar would certainly bring about better inspections and more efficient work by the inspection stations at a dollar than at the rate of fifty cents. However, the main trouble with our present law—and I do not mean to be critical of the Secretary of State in any way because he does not have the staff to do the job as far as inspection is concerned—it was the unanimous opinion of the Highway Safety Committee, also other safety-minded groups that I know of, that the inspection procedure in our state is ridiculous. It is the weakest system that I know of.

Let me illustrate for a moment some of the things that are going on which were brought out at the hearing and at other times. The fact that many companies such as bakeries and other transportation companies, have their own stickers, and I am afraid they are not doing the job they should do because of the fact they know they can get by without any inspection by the Secretary of State due to the fact that he does not have the proper personnel. There are other stations which operate as has already been stated, and they

pass out stickers by the handful to different groups to put on their cars. Now this is not what we want: we want proper inspections of our vehicles. Such inspections have two effects: they discover flaws in the physical equipment and they focus the attention of motorists on highway safety. It seems to me we are getting entirely away from the main point of our bill. If you insist that fifty cents is the maximum amount, that is perfectly all right with me, although I agree you are not going to get a thorough examination. It would seem to me that a dollar would be reasonable, with the wages that it is now necessary to pay mechanics. I hope that the Senate will not go along with the motion of the Senator from Androscoggin, Senator Jacques.

Mr. CARPENTER of Somerset: Mr. President, I will be very brief on this particular subject because I know it has been thoroughly debated.

I am in favor of the bill. Four years ago before our Research Committee a member of the Secretary of State and I stated there were some twenty to twenty-five thousand vehicles on the road that were not inspected. He said his department was not in a position and did not have the force to take care of this situation. I think, for myself, if we put it under the State Police supervision it will be an excellent idea, because it will keep some of these cars off the road that are not officially inspected.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I am not particularly concerned with the section of the bill which transfers the supervision of this item from the Secretary of State to the State Police, because I think I am right when I say that the State Police supervise these inspections now for the Secretary of State, but I do feel that it is disgraceful to ask these inspection station owners to provide the station, the equipment and the men and to tell them they cannot charge more than fifty cents.

Having heard the sentiment expressed here this morning for a million dollar appropriation, it

seems to me that we are a little out of line in now arguing over fifty cents. I hope that the motion of the Senator from Androscoggin does not prevail.

Mr. JACQUES of Androscoggin: Mr. President, I would like to tell the Senate that more and more people are asking for these licenses to inspect cars, so they cannot be losing any money if they are asking for more. None of these licenses have ever been suspended by the Secretary of State. Now I don't blame them for getting extra money.

Now as far as safety is concerned, I do not think there is anyone in this Senate who is more for safety than I am. I used to race motorcycles professionally for two companies from England. I raced for eleven years, starting when I was seventeen years old, and I know what safety is. As you know, when you are racing you are concerned with the safety of your equipment. Many of these pieces of equipment are tried on racing cars before they put them on automobiles or on motorcycles. As you all know, you have your hydraulic valve-lifters. Well, I was one out of sixteen here in this country to try them on motorcycles. I do not think there is any man here who is more for safety than I am. I served on the Transportation Committee for three terms, and I know this bill has come up and the argument has been so poor that I have voted against it three or four times.

Now as far as this bill is concerned and as far as safety is concerned, it is all right with me to transfer it to the State Police, and if anybody wants to present an amendment to this effect I will go along with it, but I cannot see where you should go out and charge an extra fifty cents, because none of these stations refuse to make these inspections. I think they are making enough money.

As far as saying that some of these used car dealers go into garages for stickers, I know that. I have had a few men that told me this: that they go down to the new car dealers. We are not just talking about filling stations. We

have new car dealers that came downstairs and supported this bill in front of the Transportation Committee, and some of these new car dealers I know gave a hundred stickers to a used car dealer so he could just slap them on cars in his lot.

I cannot see what the State Police can do. They will go and see these cars, naturally they will go and see them, but what can they do about it. It is their word against the other fellow's word, who is lying and who is not.

Now about four years back when I was on the Transportation Committee the Chairman of the Transportation Committee came in one afternoon and told the State Police, "I just got a sticker this morning; I drove to this station and he slapped a sticker on my car and he never inspected my car." That has happened to me. I had a sticker in my pocket last week that I got from a new car dealer but I lost it. I wish I could have shown it to you. What could you do about it? Not a thing. He gave me the sticker and I could have slapped it on my car. I wanted to show you that I could get a sticker. I am well-known to this dealer. You bring your car in his yard and he will ask you, "How is your car?" You say, "It is in good shape," and he will put on a sticker, he won't refuse you a sticker no matter what law you have. If you are sincere with yourself you will want your car to be in safe condition because you do not want to take it over the road if it is not safe.

Mr. GILBERT of Kennebec: Mr. President and members of the Senate: After listening to this debate here I am thoroughly convinced that this bill should receive passage. The Senator from Androscoggin, Senator Couture, has proven to us the necessity of this bill. We certainly need qualified men; we certainly need inspection by the State Police. According to this bill, before anyone can receive this so-called permit to inspect cars they have to fill out an application and they also have to put down the name of the qualified mechanic. In this particular case the State Police will come in beforehand and inspect the premises, in-

spect the facilities, inspect the qualifications of the man. So, after listening to this debate, I am more than ever convinced that this bill should receive passage. Being an inspector myself, together with another one of our senators here, I know I cannot vote on this question, but I certainly want to make it clear that I am convinced that this bill should receive passage. Thank you.

Mr. COUTURE of Androscoggin: Mr. President, if somebody says the bill will pass it won't pass by my vote, that I can assure you.

The good Senator from Cumberland, Senator Porteous, says we go to the stations that we know will take care of our car. A few of them will do so, I agree with him, but in the meantime what are you going to do with people who live in the country, who come downtown for their car to be inspected? Naturally when they see a sign "Cars Inspected" they will stop there and they will have their car inspected. A person living right in the heart of the city certainly will know where to go to have the best job done on his car if he is not in too much of a hurry, but most of the time I have to leave my car there for a couple of hours and go to work without it.

I think the Senator has also proved the point that some of them are not qualified to inspect the cars in some places. Unless they tie up in this bill here the qualifications of the men who inspect the cars and the qualifications of the equipment. I will not go along with it.

So far as the matter of fifty cents is concerned, I do not care about fifty cents personally, but here we are adding a dollar to the cost of a license and fifty cents more for a sticker, another little bit more on gasoline and so on. It is rumored now that possibly an increased tax on gasoline will come along, so we will get out of this session here and find every motorist taxed to the limit as usual.

I say again: if it is possible to have an amendment providing for the qualifications of the persons who inspect the cars, I will go along with it, if they are like the

people that Senator Gilbert has brought out he has in his own business, but not unless we have these restrictions.

Mind you, the State Police stop motorists who have no stickers on their cars and they have to go into court. Your local police also have control of this matter, but how many are taken to court for being without a sticker? The only thing we lack there—if you do not get a good inspection for fifty cents you will not get a good inspection for a dollar either.

The matter of giving out stickers by the handful was also mentioned. Where is the law? The Secretary of State has the power to revoke their license, but I cannot recall one instance where their license was revoked. What more are you going to have under the State Police? Will this dollar force the State Police to do their duty? Will this dollar force the Secretary of State to do his duty. I do not believe it. What I believe is it is fifty cents out of the working people's pocket and no better service.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Jacques that the Senate accept the Minority Ought not to pass report.

A division of the Senate was had.

Two having voted in the affirmative and twenty-seven opposed, the motion did not prevail.

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

Mr. Jacques of Androscoggin presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Mr. MAYO of Sagadahoc: Mr. President, I move the indefinite postponement of Senate Amendment A and ask for a division.

Mr. JACQUES of Androscoggin: Mr. President, if they are talking about safety, this will provide safety but it will not provide the extra fifty cents they want.

The PRESIDENT: The question is on the motion of the Senator from Sagadahoc, Senator Mayo, that Senate Amendment A be in-

definitely postponed, and a division has been requested.

A division of the Senate was had.

Twenty-five having voted in the affirmative and three opposed, the motion prevailed and the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate Chamber, about 17 students from Carmel High School, the class in Problems of Democracy with their teacher, Miss Wallace and a parent, Mrs. Fogg. It certainly is a pleasure to have this group with us. We hope that your stay is enjoyable and educational. We hope that you visit the Museum and the House across the hall. We hope that some day you sit in the Senate Chambers representing the County in which you live. We have in the Senate Chambers, your representative from one of your towns, Representative Carter, and the two Senators from Penobscot County, Senator Stanley and Senator Bates. (Applause)

Mr. STILPHEN of Knox: Mr. President, I have a memo here that we have a matter that was assigned for later in the day yesterday, which we did not get to. I wonder if that is correct?

The PRESIDENT: The Chair will inform the Senator from Knox, Senator Stilphen, that we have Item 1-6 tabled by the Senator from Kennebec, Senator Farris for later in the day, and Item 6-4.

Mr. STILPHEN: Mr. President, I am talking about yesterday. I understand that yesterday we had a specially assigned item we did not reach yesterday when the adjournment motion was made, and I assumed that would be the first order of business today.

The PRESIDENT: The Chair will inform the Senator from Knox, Senator Stilphen, that the President was not in the Chambers when you adjourned, and not acquainted with what was done.

Mr. NOYES of Franklin: Mr. President, I think the Senator from Knox, Senator Stilphen has in mind on Page 14, Item 49, H. P. 53, L. D. 94, An Act Relating to

Travel Allowance for Members of the Legislature.

Thereupon, on motion by Mr. Noyes of Franklin, the Senate voted to take from the table the 49th tabled item (H. P. 53) (L. D. 94) bill, "An Act Relating to Travel Allowance for Members of the Legislature, tabled by that Senator yesterday pending motion by Mrs. Christie of Aroostook to accept the Minority Ought not to pass report; and Mr. Noyes of Franklin moved the pending question.

Mr. LOVELL of York: Mr. President, I ask for a division.

A division of the Senate was had.

Five having voted in the affirmative and twenty-four opposed the motion did not prevail.

Thereupon, on motion by Mr. Noyes of Franklin, the Ought to pass report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the second tabled item (H. P. 241) (L. D. 355) House Reports from the Committee on Inland Fisheries and Game on Resolve Closing South Brook, Piscataquis County to all Fishing; Majority report, Ought to pass; Minority report, Ought not to pass; tabled on March 8, by Senator Parker of Piscataquis pending motion by Senator Carpenter of Somerset to accept the Minority Ought not to pass report.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, first if I might ask through the Chair the status of this bill and who signed the majority and the minority reports.

The Secretary read the status of the bill.

The PRESIDENT: Mr. President perhaps I heard wrong, on page 6, the item on this bill says that the majority report, Ought to pass was accepted.

The PRESIDENT: The Chair will inform the Senator that in the House the Ought to pass report was accepted because the bill was passed to be engrossed.

Mr. PARKER: Mr. President that is the reason I asked the question. First, before I attempt to state the reasons why I am in

favor of this bill, I think most of those here would like to know where South Brook is, what it does, and the reasons why I am opposing the motion of the Senator from Somerset, Senator Carpenter to accept the Minority Ought not to pass report. Most of you who have ever been in Piscataquis County know where Dover-Foxcroft is. North of Dover-Foxcroft about four miles is Sebec Lake. Sebec Lake is twelve miles in length and six miles across. The principal tributary coming in to Sebec Lake is known as Wilson Stream. Wilson Stream is the body of water that brings Wilson Pond into Sebec Lake. South Brook is one of the many brooks that empty into Wilson Pond. Therefore we are discussing a brook that empties into Wilson Pond that goes into Sebec Lake. Therefore my interest in this bill.

I have here in my hands reports from the Fish and Game Department on both Upper Wilson Pond and Lower Wilson Pond. South Brook enters into Upper Wilson Pond and there is a small thoroughfare between Upper Wilson and Lower Wilson. Lower Wilson Pond has approximately twenty-five cottages. Upper Wilson Pond has, if my information is correct, has four. The suggested management for Upper Wilson Pond I would like to read to you and this is the management suggested by the Fish and Game Department and I expect they got their information from the biologists who made this examination. "Suggested management. Upper Wilson Pond should be managed for brook trout. Water quality for cold water species is excellent. Stream spawning facilities for brook trout are not adequate in the face of heavy fishing pressure". I want to emphasize those words. "Salmon spawning facilities are very poor. The thoroughfare between Upper and Lower Wilson is of limited value as a spawning and nursery area for brook trout," therefore it is necessary to have some tributaries."

The reason I am going into some detail as to some of the brooks that enter into Upper Wilson Pond being closed is the fact that I just brought out, a recommendation of

the biologists that this is a suggested managed area for brook trout.

I have in my hand here the signatures of members of the Wilson Pond Association that are desirous of having South Brook that enters into this pond closed to all fishing and I might say that this carries the signatures of many prominent people in Piscataquis County, including one who can't speak to us any longer and that is a good friend of mine and of many of us here, Gus, Wilbur Harris. He owned a cottage on this lake and that is why he happened to be there when the ice was going out and as you know, he lost his life.

I am sure that my good friend from Somerset County who made the motion to accept the Ought not to pass report has a good reason he believes to oppose the passage of this bill and without saying any more as far as I am concerned, I will yield to him because I would love to hear what he has to say and why he believes that this South Brook should not be closed.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, I expect I must rise here and support my motion in view of the fact that two or three days ago I help kill a bill in my section that wanted a particular brook closed to fishing.

Some years ago and I believe our good President of the Senate, Senator Hillman, was a member of our Fish and Game Committee we reduced our special laws, and various types of fish and game laws to a small pamphlet that I have right here. We used to have a book about this high, so we knew whereof we were when we went fishing, so to speak. We made the laws uniform. We opened all the streams we could open and I will state why we did open them.

All brooks are automatically closed under our general laws on August 15th. Trout do not go up to spawn until approximately September 1st so that takes care of that situation. Now if these brooks are closed and years go by, these brooks are a poacher's paradise and poachers might occasionally catch a trout out of some of these streams and that is exactly

what happened. That is the reason they wanted many of these streams to be closed. The streams are inhabited by two different species of trout during the year. One is the native trout and the other is a migratory trout. The native trout, if he is permitted to stay there will hinder the incoming of the migrant trout and it may seem strange but it is just as true as I stand here. Therefore the closing of the stream the entire year is really senseless. As a matter of fact it is extremely poor legislation because if you get native trout in the stream hindering the migrant trout from coming in, then you are attempting to put into law an act that will lessen the spawning for that particular lake.

As I said before we have a small pamphlet now of special laws and it is through the aid of the fish biologists division some six years ago. They worked hard and tirelessly and had an extremely difficult job that we didn't get through legislature on account of such instances as that of Senator Parker where a few camp owners want a particular stream closed. Personally I think we should think of the resource itself because if you listen to petitions, I probably could get a petition up here in the state house to have Senator Parker hung in the morning at ten o'clock but after he was hung, I am sure the signers would say, "Well I didn't know what I signed. I wouldn't have signed that. I am very fond of Senator Parker". But that's about what petitions amount to. I can remember some weeks ago up in a store in Skowhegan and one man said to me "There were two men came and wanted my signature for something. I asked what it was about and he said, "I don't know, it was something that pertained to state business." I certainly hope the Senate will go along and not put another special rule on a book that is serving a useful purpose. I move that the bill and accompanying papers be indefinitely postponed.

Mr. PARKER of Somerset: Mr. President, now that we know that some Senators do have some regard for me regardless of whether they might get out a petition to

have me hung, and now that we know we are afraid of closing a brook that is a tributary to pond where even the biologists of the State of Maine recommend that it be a pond for the propagation of brook trout, and now that we know that some of our members do not believe that prominent cottage owners that live around the pond know something about what should be done with the tributaries as far as opening or closing them, and now that we are beginning to learn that when a brook is closed we have no wardens that can look after that brook and see that no poachers do poach, I am beginning to learn why the good Senator from Somerset opposed this bill.

But, I just want to leave these members this thought: If you believe that what I have read you and I assure you is from a report of the Fish and Game Department that Upper Wilson Pond should be managed for brook trout, if you believe that closing one of the brooks to fishing is not the proper method of conserving the brook trout in this pond, if you believe that the majority of the members of the committee that heard this bill were wrong, then you vote for indefinite postponement. But, if you believe that practically every member and every owner of cottages around this lake knew what they were doing when they signed this petition and it includes if you could look at it, prominent men of Piscataquis County, and if you believe in home rule, then you will, I am sure, not vote for indefinite postponement and if we are able to lick this indefinite postponement, I shall make a motion to accept the Majority Ought to pass report.

Mr. CARPENTER of Somerset: Mr. President, if I may pose a question to the Senator from Piscataquis, Senator Parker, through the Chair. Was it the intent of the Senator from Piscataquis, Senator Parker to say that the fisheries biologists department had recommended closing the stream?

The PRESIDENT: The Senator from Somerset, Senator Carpenter, poses a question to the Senator from Piscataquis, Senator Parker, who may answer if he wishes.

Mr. PARKER of Piscataquis: Mr. President, if at any time in my talk I have indicated that they wish to close the stream, I am speaking of the biologists, I did not so intend. My whole quotation that I have made was that Upper Wilson Pond should be managed for brook trout and that the members who have signed this petition who are prominent men in Piscataquis County believe that South Brook should be closed to all fishing.

On motion by Mr. Carpenter of Somerset

A division of the Senate was had.

Six having voted in the affirmative and twenty opposed the motion by Senator Carpenter to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Parker of Piscataquis, the Majority Ought to pass report of the committee was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Mr. LOVELL of York: Mr. President, due to the fact that I am a little faint from hunger, I move the Senate recess until 1:30.

The PRESIDENT: The Chair would like to state that we have taken two bills off the table this morning. At the rate we are going, we will be here until Labor Day. I am sure of that.

The question is on the motion of the Senator from York, Senator Lovell, that the Senate recess.

On motion by Mr. Noyes of Franklin

A division of the Senate was had.

One having voted in the affirmative and twenty-three opposed, the motion to recess did not prevail.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table the 14th tabled item (S. P. 303) (L. D. 891) Senate Report, Ought not to pass from the Committee on State Government on "Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council"; tabled on April 5 by Senator Carpenter of

Somerset pending acceptance of the report; and on further motion by the same Senator, the bill was recommitted to the Committee on State Government.

Sent down for concurrence.

The President laid before the Senate the third tabled item (H. P. 828) (L. D. 1143) House reports from the Committee on Liquor Control on bill, "An Act Permitting Sale of Liquor for One Hour after Midnight;" Majority report, Ought to pass with Committee Amendment A; Minority report, Ought not to pass; tabled on March 10 by Senator Lovell of York pending motion by Senator Christie of Aroostook to accept the Minority Ought not to pass report.

Mr. LOVELL of York: Mr. President and members of the Senate, this is a very inconspicuous bill that was before the Liquor Control Committee and came out of that committee eight to two Ought to pass, and now it has been mentioned this morning that we have been spending a good deal of money. Of course that is only temporarily, it hasn't been fully approved but we voted a million dollars for recreational development. This bill and the next bill will mean a million dollars a year to our State Treasury. This first bill in permitting Class A restaurants and hotel cocktail lounges to stay open until one A.M. at a very conservative estimate has been estimated as bringing in approximately \$200,000 a year. In order to make this acceptable to all members of the Senate, I have prepared an amendment and as you all well know at the present time when daylight saving time goes into effect, the first of May and runs through October, the various vendors of liquor are permitted to stay open until 1 A.M.

This amendment which I am sure will be agreeable allows the rest of the year from the time Daylight Saving Time goes off until it goes back on, allows the hotels with cocktail lounges, and Class A restaurants and private clubs to stay open to 1 A.M. This seems very logical but to make the bill very agreeable we have cut out the

so-called vender of the malt beverage and it has been explained that outside of the summer time, the vendors of malt beverage exclusively possibly should not have this beverage after midnight because in many cases they have to work the next day and they certainly want them all to get to work. This particular bill or the amendment refers to only the three operations, Class A restaurants, hotel lounges and private clubs and so that I can put the amendment on and as I say this will bring some \$200,000 a year over the biennium in sales tax and extra profit on liquor revenue to help us with our state expenses, it isn't something that is new because we are already doing it during the daylight saving time season. So I would hope that the pending motion by Senator Christie would be defeated so that I can place this amendment on the bill, and I think that it has general approval. I know that in various instances and persons I have talked with, they feel that this will be helpful. It certainly won't increase any more alcoholism that it does at present by staying open in the summer time. I move for a division on the motion of the Senator from Aroostook, Senator Christie.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: Being the Chairman of the Liquor Control Committee it is my purpose to try to carry out the purposes of that committee which I believe is the best possible control, and I feel that the more we expand the liquor business the poorer will be our control. For that reason, I am opposed to even this amendment to this bill.

Mr. JACQUES of Androscoggin: Mr. President, maybe if I speak against the amendment this thing will go through, but, being on the Liquor Control Committee, I will say that this bill had a very good hearing and the majority of the committee reported "Ought to pass" 8 to 2. We had, I will say maybe twenty-five persons who appeared before the committee to speak for the bill and we had just as many speak against the bill,

but it came out of committee "Ought to pass" 8 to 2.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate: If I heard the good Senator Christie of Aroostook correctly, she mentioned that as Chairman of that committee that it is her duty to see that the majority vote is respected, yet she moved here for the acceptance of the minority "Ought not to pass" report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Senate accept the minority "Ought not to pass" report of the committee. A division has been requested. All those in favor of the motion of the Senator from Aroostook, Senator Christie, will rise and stand until counted.

A division was had.

Eight having voted in the affirmative and twenty-one in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Lovell of York, the majority "Ought to pass" report of the committee was accepted and the bill was given its first reading.

Committee Amendment "A" was read and adopted.

Mr. LOVELL of York: Mr. President, I present Senate Amendment "A" and move its adoption.

The PRESIDENT: The Chair will inform the Senator that the amendment as presented is not properly drawn.

Thereupon the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair lays before the Senate the 4th tabled and unassigned matter (H. P. 830) (L. D. 1145) House Reports from the Committee on Liquor Control on Bill, "An Act Relating to Sunday Sales of Liquor by Hotels and Clubs"; Majority Report "Ought to pass"; Minority Report, "Ought not to pass," which was tabled on March 14th by the Senator from York, Senator Lovell, pending acceptance of minority "Ought not to pass" report, (Motion of Senator Christie of Aroostook.)

Mr. LOVELL of York: Mr. President and members of the Senate: This is a very important bill and means some half a million dollars

to the State in sales tax and profit on liquor, which, as you all know, was nine and a half million dollars last year, and by allowing this bill to pass it would mean over the biennium a million dollars.

To make this bill pleasing to everyone, the good Senator from York, Senator Mayo, prepared an amendment to this bill. This bill came out of committee 8 to 2 as "Ought to pass". The good Senator Mayo informed me that he had a luncheon appointment and had to leave for that appointment. I do not know if I can present his amendment, but I would like to table this bill until tomorrow so the good Senator Mayo can be here to present his amendment to make this agreeable to everyone.

This was simply to allow Maine hotels and Class A restaurants to meet the competition of the five other New England states which are now serving liquor on Sundays. I have had a great deal of correspondence on this bill. I would move to table this until tomorrow.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Lovell, that this bill be tabled until the next legislative day.

MR. NOYES of Franklin: Mr. President, out of order I request permission to address the Senate.

The PRESIDENT: The Chair will inform the Senator that there is a motion before the Senate.

Mr. LOVELL: Mr. President, I will withdraw my motion.

The PRESIDENT: The Senator from York, Senator Lovell, asks permission to withdraw his motion.

Permission was granted.

The PRESIDENT: The Senator from Franklin, Senator Noyes, may proceed.

Mr. NOYES of Franklin: Mr. President, I was going to say that this can be moved up one step because it will come up as a second reader tomorrow; otherwise I would have to ask for a division if there is a tabling motion.

Mr. LOVELL of York: I give in to the power of the leadership and I will continue.

This bill, as I mentioned will bring in half a million dollars in sales tax and liquor profit. Now our sales tax, as you know, last year

mounted to 7.3 million dollars and it is climbing all the time.

Now we are serving liquor six days in the week and on Sunday every single state in New England is serving alcoholic beverages in restaurants and hotels serving food. Now this amendment that will go on this bill when we get the good Senator from Sagadahoc here, makes it so that we can meet the competition in other states, and it provides that on Sunday the only organizations that can serve liquor are Class "A" restaurants and motels with dining rooms, and that is from one to eight, and the patron must purchase a minimum of one dollar's worth of food, because we wouldn't want any ordinary straight drinking.

Now I understand from many hotel owners in York County and all over the state that this would be a great boost to their business, particularly in York County where we find on Sunday persons are going to New Hampshire and Massachusetts and getting their dinners there because they can have a cocktail before dinner or a refresher after dinner; they are going to New Hampshire and other states and this business is all going out of the State of Maine.

Certainly we want to help not only the restaurant owners and our Class "A" hotel owners to be successful, but it also means a great deal of extra revenue in the gas tax and the cigarette tax and other taxes.

Now I understand from hotel owners that I have letters from, particularly in the Ogunquit, York, Old Orchard area, many persons from Massachusetts, Connecticut and other states, knowing that Maine has this particular law, will not come to Maine for week-ends. So I at this time hope that the motion of the good Senator from Aroostook, Senator Christie, will be defeated to that this bill can come up for its second reading for the purposes of amendment.

Mrs. CHRISTIE of Aroostook: Mr. President, I ask for a division, but before we vote I would like to know the source of Senator Lovell's information about the income that would revert to the state because of it, because I am

just wondering where he gets his information.

Mr. JACQUES of Androscoggin: Mr. President, again I rise for the committee report, and I hope that the Senate will go along with the majority "Ought to pass" report. This came out of committee 8 to 2 also.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Senate accept the minority "Ought not to pass" report of the committee. A division has been requested. All those in favor of the motion of the Senator from Aroostook, Senator Christie, will rise and stand until counted.

A division was had.

Eight having voted in the affirmative and nineteen in the negative, the motion did not prevail.

On motion by Mr. Jacques of Androscoggin, the majority "Ought to pass" report of the committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

The PRESIDENT: The Chair lays before the Senate the 5th tabled and unassigned matter, (S. P. 393) (L. D. 1259) Senate Report "Ought not to pass" from the Committee on Business Legislation on Bill, "An Act Relating to Establishment of Branch Banks," which was tabled on March 17th by the Senator from Somerset, Senator Carpenter, pending acceptance of report, and the Chair recognizes that Senator.

On motion by Mr. Carpenter of Somerset, the report of the committee was accepted.

The PRESIDENT: The Chair lays before the Senate the 6th tabled and unassigned matter, (H. P. 923) (L. D. 1271) "An Act Relating to Procedure of Application for and Organization of School Administrative Districts," which was tabled on March 24th by the Senator from Waldo, Senator Cole, pending enactment, and the Chair recognizes that Senator:

Mr. COLE of Waldo: Mr. President, the main reason why I tabled this particular bill was the fact that in Section 3 of this L. D. 1271 it takes away what I consider the constitutional rights of a municipi-

ality; in other words, as the law now stands the towns voting to enter an administrative district vote by a majority of the individuals in each town where this proposed bill limits the town to the whole district. In other words two towns could vote a small town into a district or vice versa. I don't particularly like the proposed wording of the bill and I move its indefinite postponement.

Mr. BATES of Penobscot: Mr. President, with respect to L. D. 1271, it came out of committee unanimously Ought to pass and has progressed to the point of the pending question of enactment. I think the Senator from Waldo, Senator Cole is unduly disturbed. You cannot take one section of this bill alone as he has, and analyze it without looking at the rest of the document. Section 1 of this bill provides that the residents of a town shall vote to authorize the school committee to apply for the formation of a school district. This assures the townspeople that they cannot be dragged through town meetings forced to vote on district formation at the whim of a school committee vote. To me that is certainly a safeguard. This gives the townspeople the right to veto district formation, the same right they now have. Under present laws some towns have voted five times on district formation. This would not have been necessary had the towns people been able to veto the application in the first instance. With that as a background, we now turn to Sections two, three and four of L. D. 1271 which provide that the vote to form a district shall be by vote of the entire district, and not by the individual towns. Since the right to establish their thinking and veto the district is exercised at the application stage of the formation. Actually this document originated as a result of a study of the Committee on school construction aid and review of the Sinclair Law. Realizing that Maine has what is called a semi progressive type of legislation, it was easily discovered by research work that those states that do have this type of legislation, the majority of them have legislation similar to what 1271

provides, such as in California, Colorado, Iowa, Wyoming, North Dakota, Idaho, Missouri, Oregon, Indiana, Oklahoma and Alaska. I believe that passage of 1271 will solve some of the existing problems that each and every one of us hear about. I rise to oppose the motion for indefinite postponement.

Mr. ERWIN of York: Mr. President, I very much regret having to get into this particular debate but it has been brought to my attention by a constituent that this brings about what was once stated publicly in the State of Maine by proponents of the formation of Sinclair Act school administrative districts that we are using the carrot technique of leading the donkey as long as we can and when that fails we will use a club.

I rise to oppose the motion of the Senator from Waldo, Senator Cole and what I don't like about this bill is that although it is true that at the application stage a municipality may vote or not to instruct the superintending school committee to file an application, it is still an application. That is in the first section.

When you get over to Section 4, it requires another vote because it anticipates that perhaps the information which comes before the municipality after the application stage brings forward facts upon which the towns will want to vote but you cannot escape the fact that the bold face type in Section 4 just below it where it says that if the Commission finds that a majority of the residents within—and they have stricken “each of the municipalities” and put “within the proposed district” and then it goes on to say “voting on the article submitted to them have voted in the affirmative, then the district shall be born”. Now it is conceivable that two relatively large towns may be going into a district with two relatively small towns and one of the small towns after the application stage, has changed its mind. There is nothing wrong with a town which is about to spend a lot of money and get involved in a fairly serious proposition changing its mind, and if they change their minds and if

the small town votes No, still the majority of the voters in all the district can thereupon force the little town into the district whether or not its citizens wish to go and I think that the forming of these districts is serious enough so that at the final stage before a community commits itself to the district, it should have the option to refuse to accept the facts that are finally presented to them. For that reason I support the motion to indefinitely postpone this bill.

The PRESIDENT: The question is on the motion of the Senator from Waldo, Senator Cole that the bill be indefinitely postponed.

Thereupon, on motion by Mr. Cole of Waldo, A division of the Senate was had.

Nineteen having voted in the affirmative and eight opposed, the motion to indefinitely postpone prevailed.

Sent down for concurrence.

The President laid before the Senate the 7th tabled item (S. P. 498) (L. D. 1498) bill, “An Act Creating a Constitutional Commission” tabled on March 28 by Senator Farris of Kennebec pending assignment for second reading; and on motion by Mr. Farris of Kennebec, the bill was tomorrow assigned for second reading.

The President laid before the Senate Item 1-6, bill, “An Act Relating to Work on Shade and Ornamental Trees (S. P. 548) (L. D. 1592) tabled earlier in today's session by the Senator from Kennebec, Senator Farris pending consideration; and on further motion by the same Senator, the Senate voted to recede and concur.

The President laid before the Senate Item 6-4, Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development (S. P. 102) (L. D. 247) tabled earlier in today's session by Senator Lovell of York pending acceptance of the report.

Mr. LOVELL of York: Mr. President, this is so important to the future of the State of Maine and my material is going to take a good deal of time not only to establish

the importance of this and what other states are doing, and the importance to the whole economy of the state of Maine, with some thirty-five thousand people out of work and Dr. Sly's report and what not that I move that the bill be tabled unassigned and I will take it off the table at your wish but we don't have time enough today to go into it as I intend to.

Thereupon the bill was tabled unassigned.

Mr. Stilphen of Knox was granted unanimous consent to address the Senate.

Mr. STILPHEN: Mr. President, I know we are proceeding under the Order which was passed relative to taking things off the table but how does one get an item off the table when he wishes to move it along in the Legislature under this procedure?

The PRESIDENT: The Order says that they shall be taken off the table as they appear on the Senate calendar. Now the Secretary and the Chair have discussed this matter and out of order we could take these bills off the table if there is no objection. Does the Senator from Knox, Senator Stilphen wish to take a matter off the table?

Mr. STILPHEN of Knox: I do not, sir, I just thought it would be good information for the Senate.

The PRESIDENT: It is a good matter to clear up.

Mr. Chase of Lincoln was granted unanimous consent to address the Senate.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, as the old saying goes, "When the leaves get the size of a mouse's ear, it is time to plant your corn and catch your fish". Whereas you good Senators are a long way from home and whereas it looks as if your stay here will be lengthy, I, the Senator from your great county of Lincoln invite you, between your deliberations and frustrations to pick up a fish rod and drive down through this beautiful area of the State and perhaps taste of some of the delicious fish and you might continue to follow the streams to our rugged coast and perhaps try some of our delicious sea food. I am sure you will thoroughly enjoy it, and furthermore the time taken for your enjoyment will lighten your burdens here.

The PRESIDENT: I am sure that more of us should take up your invitation.

On motion by Mr. Noyes of Franklin Adjourned until 9:30 tomorrow morning.