

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, February 17, 1965

Senate called to order by the President.

Prayer by the Rev. John Donovan of Winthrop.

On motion by Mr. Jutras of York, the Journal of yesterday was Read and Approved.

Papers from the House**Non-concurrent matters**

Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory. (S. P. 73) (L. D. 134)

In Senate, February 10, Passed to Be Engrossed as Amended by Committee Amendment "A"

Comes from the House, Passed to Be Engrossed as Amended by Committee Amendment "A" (S-4) and House Amendment "A" (H-25) in Non-concurrence.

In the Senate, that body voted to recede and concur.

Bill, "An Act Relating to Bow and Arrow Hunting on Mount Desert Island, Hancock County." (H. P. 131) (L. D. 155)

In House, February 2, Passed to Be Engrossed.

In Senate, Passed to Be Engrossed in concurrence.

Comes from the House Passed to Be Engrossed as Amended by House Amendment "A" (H-40)

In the Senate:

Mr. BROWN of Hancock: Mr. President, I move that the Senate recede and concur.

Mr. HARDING of Aroostook: Mr. President, I move that the bill be tabled.

Thereupon, the bill and accompanying papers were tabled pending the motion of Senator Brown of Aroostook that the Senate recede and concur.

House Papers

Bill, "An Act Reactivating the Maine Governor's Committee on Aging." (H. P. 793) (L. D. 1071)

Bill, "An Act Providing Subsidy to Driver Education." (H. P. 792) (L. D. 1128)

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

Bill, "An Act Relating to Election of Clerks and Secretaries of Trust Companies." (H. P. 795) (L. D. 1072)

Bill, "An Act Concerning Insider Trading of Domestic Stock Insurance Company Equity Securities." (H. P. 796) (L. D. 1073)

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

Bill, "An Act Relating to Status of Academies, Seminaries and Institutes as Public High Schools for Certain Purposes." (H. P. 797) (L. D. 1074)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Board of Visitors for Institutions Under Department of Mental Health and Corrections." (H. P. 798) (L. D. 1075)

Bill, "An Act Relating to Escape of Women Sentenced to the Maine State Prison." (H. P. 799) (L. D. 1076)

Bill, "An Act Relating to Inmates at Reformatories Attending Funerals." (H. P. 800) (L. D. 1077)

Bill, "An Act Defining Mental Illness for Public Assistance." (H. P. 801) (L. D. 1093)

(On motion by Mr. Girard of Androscoggin, tabled pending reference to a committee and especially assigned for the next legislative day.)

Bill, "An Act Relating to Right to Hold Property of Corporations for Facilities for Elderly Persons." (H. P. 802) (L. D. 1094)

Bill, "An Act Prohibiting Placement of State Children in a Receiving State Without Certain Notification." (H. P. 803) (L. D. 1095)

(On motion by Mr. Girard of Androscoggin, tabled pending reference.)

Bill, "An Act Relating to Practical Demonstrations Without Fee in Schools of Hairdressing and Beauty Culture." (H. P. 804) (L. D. 1096)

Bill, "An Act Authorizing Use of Prisoner Assistance by Certain

Charitable Organizations." (H. P. 805) (L. D. 1097)

Bill, "An Act Relating to Operation of Homemaker Service by Department of Health and Welfare." (H. P. 806) (L. D. 1098)

(On motion by Mr. Girard of Androscoggin, tabled pending reference, and especially assigned for the next legislative day.)

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

Bill, "An Act to Amend the Powers and Duties of the State Highway Commission." (H. P. 807) (L. D. 1099)

Bill, "An Act Repealing Restrictions on Advertising Signs Adjacent to Turnpike." (H. P. 808) (L. D. 1100)

Bill, "An Act Relating to Time of Keeping Open Turnpike Exit to Scarborough Downs." (H. P. 809) (L. D. 1101)

Which were referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Boundaries of Central and Northern Zones for Deer Season." (H. P. 810) (L. D. 1102)

Bill, "An Act Relating to Beaver Skins to be Tagged." (H. P. 811) (L. D. 1103)

Bill, "An Act Providing for a Uniform Deer Hunting Season." (H. P. 812) (L. D. 1104)

Bill, "An Act Relating to Use of Power Boats on North Pond, Oxford County." (H. P. 813) (L. D. 1105)

Bill, "An Act Relating to Publication of Notice of Hearings on Rules and Regulations of Department of Inland Fisheries and Game." (H. P. 815) (L. D. 1106)

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

Bill, "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto." (H. P. 816) (L. D. 1107)

Bill, "An Act Relating to Civil Actions Against Heads of State Institutions." (H. P. 817) (L. D. 1108)

Bill, "An Act Relating to Restricting Certain Trustee Process

Until After Judgment." (H. P. 818) (L. D. 1109)

Bill, "An Act Relating to Expenses of Sanity Examination of Accused Persons in the District Court and Expenses of Blood Tests in Drunken Driving Cases." (H. P. 819) (L. D. 1110)

(On motion by Mr. Glass of Waldo, tabled pending reference.)

Bill, "An Act Authorizing Qualified Licenses After Conviction for Drunken Driving if Essential to Livelihood." (H. P. 820) (L. D. 1111)

Bill, "An Act Relating to Insanity as a Ground for Divorce." (H. P. 821) (L. D. 1112)

Bill, "An Act to Authorize Municipalities to Finance Industrial and Recreational Projects." (H. P. 822) (L. D. 1113)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Retail Liquor Store Premises With Entrances to Other Premises." (H. P. 838) (L. D. 1129)

Bill, "An Act Relating to Taxes on Spirituous and Vinous Liquors Sold to Certain Instrumentalities." (H. P. 840) (L. D. 1141)

Bill, "An Act Relating to Delivery of Liquor by Manufacturers for Sales Promotion Purposes." (H. P. 841) (L. D. 1142)

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

Bill, "An Act Classifying Certain Waters of East Branch of Sebasticook River." (H. P. 842) (L. D. 1143)

Bill, "An Act Classifying Collier Brook, Cumberland County." (H. P. 843) (L. D. 1144)

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

Bill, "An Act Relating to Amount Paid by State or Railroad Corporation in Abolishment of Grade Crossings." (H. P. 844) (L. D. 1145)

Bill, "An Act Relating to Construction and Operation of Intra-state Natural Gas Pipelines." (H. P. 845) (L. D. 1146)

Bill, "An Act Authorizing Public Utilities Commission to Require

the Interchange of Electric Energy." (H. P. 846) (L. D. 1147)

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

Bill, "An Act Relating to Restoration to Service Under State Retirement Law." (H. P. 847) (L. D. 1148)

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

Bill, "An Act Relating to Suspension of Lobster License for Molesting Lobster Traps." (H. P. 850) (L. D. 1149)

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

Bill, "An Act Relating to Insurance on Public Buildings." (H. P. 852) (L. D. 1150)

Mr. BROWN of Hancock: Mr. President, I move that L. D. 1150 be referred to the Committee on Business Legislation in non-concurrence.

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

Thereupon, the bill was tabled pending the motion by Senator Brown of Hancock that the bill be referred to the Committee on Business Legislation in non-concurrence.

Bill, "An Act Providing for Assessment of a Head Tax by Municipalities to Support Public Schools." (H. P. 854) (L. D. 1151)

Bill, "An Act Relating to Sales and Use Tax Exemptions on Motor Vehicle Fuel." (H. P. 855) (L. D. 1152)

Bill, "An Act Relating to Sales Tax on Farm Machinery and Equipment." (H. P. 856) (L. D. 1153)

Bill, "An Act Relating to Municipal Taxation of Railroad Companies." (H. P. 857) (L. D. 1154)

Bill, "An Act Relating to Sales Tax on Fabrication Charges." (H. P. 858) (L. D. 1155)

Which were referred to the Committee on Taxation in concurrence.

Department of State

To Dana W. Childs,
Speaker of the
House of Representatives
One Hundred
and Second Legislature:

I have the honor to herewith transmit copies of the estimates of expenses of the sixteen counties within the State for the years 1965 and 1966, the same having been filed in this office according to the provisions of Section 253 of Title 30 of the Revised Statutes of 1964.

KENNETH M. CURTIS
Secretary of State

February 15, 1965 (H. P. 956)

Comes from the House Read and Referred to the Committee on Towns and Counties.

In the Senate, read and referred to the Committee on Towns and Counties in concurrence.

Senate Papers Referred to Committees and Ordered Printed Appropriations and Financial Affairs

Mr. Moore of Washington presented Bill, "An Act Establishing an Inter-Agency Committee of State Government." (S. P. 392)

Which was referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Mrs. Chisholm of Cumberland presented Bill, "An Act Providing Subsidy to Driver Education." (S. P. 393)

On motion by Mr. Snow of Cumberland, tabled pending reference and especially assigned for the next legislative day.

Business Legislation

Mr. Glass of Waldo presented Bill, "An Act Relating to Ownership of Property by Non-stock Corporations." (S. P. 394)

Mr. Carter of Kennebec presented Bill, "An Act Relating to Coercion in Placing Insurance on Real and Personal Property." (S. P. 395)

Which were referred to the Committee on Business Legislation.

Sent down for concurrence.

Education

Mrs. Chisholm of Cumberland presented Bill, "An Act Providing for Tax Sheltered Annuities for Employees of School Administrative Units." (S. P. 396)

Which was referred to the Committee on Education.

Sent down for concurrence.

Election Laws

Mr. Carter of Kennebec presented Bill, "An Act Relating to Location of Voters' Marks on Ballots." (S. P. 397)

Which was referred to the Committee on Election Laws.

Sent down for concurrence.

Health and Institutional Services

Mr. Casey of Washington presented Bill, "An Act Relating to Governor, Lieutenant Governor and Tribal Committee of the Passamaquoddy Tribe." (S. P. 402)

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

Sent down for concurrence.

Judiciary

Mr. Casey of Washington presented Bill, "An Act Relating to Age of Operators of Motor Vehicles." (S. P. 398)

Mr. Glass of Waldo presented Bill, "An Act Relating to Title References in Conveyances of Real Estate." (S. P. 399)

Mr. Shiro of Kennebec presented Bill, "An Act Relating to Bonds in Attachment on Trustee Process." (S. P. 400)

Mrs. Sproul of Lincoln presented Bill, "An Act Providing for Professional Immunity of Nurses in Emergency Cases." (S. P. 401)

Which were referred to the Committee on Judiciary.

Sent down for concurrence.

Liquor Control

Mr. Jacques of Androscoggin presented Bill, "An Act Relating to Time of Ordering Liquor by Certain Licensees." (S. P. 403)

Which was referred to the Committee on Liquor Control.

Sent down for concurrence.

Retirements and Pensions

Mr. Carter of Kennebec presented Bill, "An Act Providing for Compulsory Retirement of Teachers at Age 65." (S. P. 404)

Which was referred to the Committee on Retirements and Pensions.

Sent down for concurrence.

State Government

Mr. Casey of Washington presented Bill, "An Act Authorizing Expenditure from Funds of Passamaquoddy Tribe for Legal Services to Protect Lands." (S. P. 405)

The same Senator presented Bill, "An Act Relating to Compensation of Representative of Indian Tribes at the Legislature." (S. P. 406)

Mr. Glass of Waldo presented Bill, "An Act Relating to Closing State Liquor Stores and Licensees in Case of Riots, Hurricanes and Floods." (S. P. 407)

Which were referred to the Committee on State Government.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Transportation on Bill, "An Act Relating to Speed of Commercial Vehicles." (H. P. 574) (L. D. 744) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

The Committee on State Government on Bill, "An Act Providing Free Hunting and Fishing Licenses and Motor Vehicle Operator Licenses for Persons Seventy Years of Age or Over." (H. P. 373) (L. D. 475) reported that the same Ought Not to Pass.

Which reports come from the House, Read and Accepted.

In the Senate, read and accepted in concurrence.

Recommended

The Committee on Sea and Shore Fisheries on Bill, "An Act Regulating Digging of Clams in Wells, York County." (H. P. 538) (L. D. 712) reported that the same Ought Not to pass.

Comes from the House Recommended to the Committee on Sea and Shore Fisheries.

In the Senate, on motion by Mr. Jutras of York, the Ought Not to Pass report was accepted in non-concurrence.

Sent down for concurrence.

Ought to Pass

The Committee on Judiciary on Bill, "An Act Relating to Regulation of Vehicles on Publicly Owned Property." (H. P. 338) (L. D. 441) reported that the same Ought to Pass.

Comes from the House report Read and Accepted.

In Senate, Report Read and Accepted in concurrence, the Bill Read Once and tomorrow assigned for second reading.

The Committee on Election Laws on Bill, "An Act Prohibiting the Marking of Absentee Ballots Before Certain Officials." (H. P. 49) (L. D. 61) reported that the same Ought to Pass.

Comes from the House Recommended to the Committee on Election Laws.

In the Senate, on motion by Mr. Letourneau of York, the bill was recommended to the Committee on Election Laws in concurrence.

The Committee on Inland Fisheries and Game on Bill, "An Act Prohibiting Taking of Fish as Bait in Certain Inland Waters." (H. P. 224) (L. D. 291) reported that the same Ought to Pass.

Comes from the House Indefinitely Postponed.

In the Senate, on motion by Mr. Manuel of Aroostook, the bill was indefinitely postponed in concurrence.

Ought to Pass — As Amended

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Raccoons." (H. P. 334) (L. D. 437) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-26)

Comes from the House Report Accepted, and the Bill Passed to Be Engrossed as Amended by Committee Amendment "A".

In Senate, Report Accepted in concurrence, and the Bill Read Once; Committee Amendment "A" (H-26) Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

The Committee on Public Utilities on Bill, "An Act to Create the Brewer Sewerage District." (H. P. 154) (L. D. 177) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-32)

Comes from the House Report Accepted, and the Bill Passed to Be Engrossed as Amended.

In the Senate, on motion by Mr. Sterns of Penobscot, tabled pending acceptance of the report.

The same Committee on Bill, "An Act to Amend Charter of Westbrook Sewerage District." (H. P. 157) (L. D. 180) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-29)

Comes from the House, Reports Accepted, and the Bill Passed to Be Engrossed as Amended.

In Senate, Report Accepted in concurrence, and the Bill Read Once; Committee Amendment "A" (H-29) Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

The same Committee on Bill, "An Act Relating to Dissolution of York Sewer District." (H. P. 246) (L. D. 314) reported that the same Ought to Pass, as Amended by Committee Amendment "A" (H-30).

Comes from the House, Report Accepted, and the Bill Passed to Be Engrossed, as Amended.

In Senate, Report Accepted in concurrence, and the Bill Read Once; Committee Amendment "A" (H-30) Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

The same Committee on Bill, "An Act Relating to Authority of Rumford Water District to Take

Land in Town of Peru." (H. P. 363) (L. D. 465) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-28)

Comes from the House, Report Accepted, and the Bill Passed to Be Engrossed, as Amended.

In Senate, Report Accepted in concurrence, and the Bill Read Once; Committee Amendment "A" (H-28) Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

The same Committee on Bill, "An Act to Increase Borrowing Capacity of Topsham Sewer District and to Provide a Lien for Charges." (H. P. 364) (L. D. 466) reported that the same Ought to Pass, as Amended by Committee Amendment "A" (H-31)

Comes from the House, Report Accepted, and the Bill Passed to Be Engrossed, as Amended.

In Senate, Report Accepted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

The Committee on Retirements and Pensions on Bill, "An Act Increasing Death Benefits Under State Retirement Law." (H. P. 368) (L. D. 470) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-33)

Comes from the House Report Accepted, and the Bill Passed to Be Engrossed, as Amended.

In Senate, Report Accepted in concurrence, and the Bill Read Once; Committee Amendment "A" (H-33) Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Highways on Bill, "An Act Relating to Expenditure of Town Road Improvement Funds." (H. P. 129) (L. D. 153) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-35)

(Signed)

Senators:

CASEY of Washington

CAHILL of Somerset
NORRIS of Oxford

Representatives:

NADEAU of Biddeford
LENT of Scarborough
WALTZ of Waldoboro
ROSS of Brownville
CARTER of Etna
STOUTAMYER of Madison

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(Signed)

Representative:

DUDLEY of Enfield

Comes from the House, Majority — Ought to Pass as Amended Report Accepted, and the Bill, Passed to Be Engrossed as Amended.

In the Senate, on motion by Mr. Cahill of Somerset, the Majority Ought to Pass report was accepted in concurrence, the bill read once, Committee Amendment A read and adopted and the bill as amended was tomorrow assigned for second reading.

The Majority of the Committee on Health and Institutional Services on Bill, "An Act Governing Schools of Barbering in State Juvenile Institutions." (H. P. 50) (L. D. 62) reported that the same Ought Not to Pass.

(Signed)

Senators:

CARTER of Kennebec
DUNN of Kennebec
HILTON of Somerset

Representatives:

WHITE of Guilford
PEASLEE of Farmingdale
BINNETTE of Old Town
BALDIC of Waterville
HAUGEN

of South Portland
CRESSEY

of North Berwick

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

(Signed)

Representative:

CARSWELL of Portland

Comes from the House Indefinitely Postponed.

In the Senate, on motion by Mr. Carter of Kennebec, the bill and accompanying papers were indefinitely postponed in concurrence.

Committee Reports Senate

Ought Not to Pass

Mr. Maxwell from the Committee on State Government on Resolve Providing for Distinctive Name Tags for Members of the Legislature. (S. P. 218) (L. D. 677) reported that the same Ought Not to Pass.

Mr. HARDING: Mr. President, first of all I would like to say that I am not speaking on this matter as a party measure, and also I would like to mention to the President that I am speaking on a tabling motion but it concerns the time of the tabling rather than the tabling motion itself. It becomes important, I think this body will agree, when I mention some of the problems which have been presented and which have to be considered for a possible amendment, for instance the width of the name tag, as to whether it will be lowered an inch or raised an inch.

The PRESIDENT: Will the Senator confine himself as to time?

Mr. HARDING: Mr. President, the important part of it is the time it is going to take to develop these amendments and whether or not these signs will be a flashing sign or whether they will be —

The PRESIDENT: The Senator is out of order, unless he —

Mr. HARDING: So I would like to move that the matter be tabled for one week and specially assigned.

Mr. JACQUES of Androscoggin: Mr. President, I move that the bill lie on the table.

The PRESIDENT: The Chair did not rule the previous Senator out of order, and therefore the Senator from Aroostook, Senator Harding, moves that Item 6-17, L. D. 77 lie on the table for one week from today. Is this the pleasure of the Senate?

Mr. JACQUES of Androscoggin: Isn't the Senator out of order when he debates a tabling motion, Mr. President? He debates the bill

and then he tables the bill. Isn't he out of order when he does that?

The PRESIDENT: The Chair was questioning it but the Chair did not rap the gavel and therefore he was not ruled out of order. Is it now the pleasure of the Senate that this bill be tabled for one week from today?

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

Mr. Stern from the Committee on State Government on Bill, "An Act Relating to Appointment of State Humane Agents." (S. P. 72) (L. D. 133) reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Faloon from the Committee on Education on Bill, "An Act Relating to Number of School Directors in a School Administrative District." (S. P. 238) (L. D. 748); reported that the same Ought to Pass.

Mr. Snow from the Committee on Education on Bill, "An Act Relating to School Administrative District Budget Meetings." (S. P. 115) (L. D. 342) reported that the same Ought to Pass.

On motion by Mr. Snow of Cumberland, tabled pending acceptance of the report, and especially assigned for the next legislative day.

Mr. Willey from the Committee on State Government on Bill, "An Act Relating to Boxing and Prize Fights." (S. P. 200) (L. D. 581) reported that the same Ought to Pass.

Which report was Read and Accepted, the Bills Read Once and tomorrow assigned for second reading.

Ought to Pass As Amended

Mrs. Chisholm from the Committee on Retirements and Pensions on Bill, "An Act Providing for Coverage of Employees of Maine State Employees Association Under State Retirement System." (S. P. 71) (L. D. 132) re-

ported that the same Ought to Pass as Amended by Committee Amendment "A" (S-13).

Which report was Read and Accepted and the Bill Read Once; Committee Amendment "A" (S-13) was Read and Adopted, and the Bill, as Amended, tomorrow assigned for second reading.

Change of Reference

Mr. Maxwell from the Committee on State Government on Bill, "An Act Providing for Additional Trial Term in Penobscot County." (S. P. 211) (L. D. 592) reported that the same should be referred to the Judiciary Committee.

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Providing for Group Insurance for Civilian Technicians Employed by the Military." (H. P. 195) (L. D. 250)

Bill, "An Act to Incorporate Dial Acceptance Corporation." (H. P. 308) (L. D. 411)

Bill, "An Act to Incorporate the Ajax Finance Corp. of Maine." (H. P. 310) (L. D. 413)

Bill, "An Act to Incorporate the Thompson Finance Company." (H. P. 311) (L. D. 414)

Bill, "An Act to Incorporate the Regional Mortgage Company, Inc." (H. P. 312) (L. D. 415)

Bill, "An Act to Incorporate Lincoln Acceptance Corporation." (H. P. 313) (L. D. 416)

Bill, "An Act to Incorporate Cole Acceptance Corporation." (H. P. 314) (L. D. 417)

Bill, "An Act to Reimburse Town of Hanover for Aid Extended Floyd Merrill." (H. P. 317) (L. D. 420)

Bill, "An Act Relating to Pilot Programs for School Entrance Age." (H. P. 201) (L. D. 256)

Bill, "An Act Relating to Closed Time on Rabbits in Waldo County." (H. P. 272) (L. D. 354)

Bill, "An Act Relating to the Bonded Indebtedness, Stock Struc-

ture and the Power to Hold Real and Personal Property of Phillips Water Company." (H. P. 155) (L. D. 178)

Bill, "An Act Relating to Stock Structure of Washburn Water Company." (H. P. 156) (L. D. 179)

Bill, "An Act Repealing the Time Limitation on Law Repealing the Two Inch Soft-Shell Clam Law." (H. P. 249) (L. D. 317)

Bill, "An Act Increasing Maine Forestry District Taxes." (H. P. 169) (L. D. 190)

Bill, "An Act Directing an Improvement of Property Tax Administration." (H. P. 257) (L. D. 327)

Resolve in Favor of the City of Augusta. (H. P. 378) (L. D. 480)

Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 2) (L. D. 2)

Bill, "An Act Relating to Fire Department Officers as Fire Wards." (H. P. 106) (L. D. 114)

Bill, "An Act Relating to Additional Persons to Aid Overseers of the Poor." (H. P. 178) (L. D. 199)

Bill, "An Act Relating to Expending Aroostook County Funds for Maine Potato Blossom Festival." (H. P. 380) (L. D. 482)

Which were Read a Second Time and Passed to Be Engrossed in concurrence.

House — As Amended

Bill, "An Act in Relation to Capital Stock of Rumford Bank and Trust Company." (H. P. 196) (L. D. 251)

Bill, "An Act Permitting Entrances from Liquor Premises to Owners' Living Quarters." (H. P. 284) (L. D. 366)

Which were Read a Second Time and Passed to Be Engrossed, as Amended, in concurrence.

Enactors

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

Emergency

Bill, "An Act to Allocate Money from the General Highway Fund for State Aid Construction." (S. P. 62) (L. D. 123)

Which Bill, being an emergency measure and having received the affirmative vote of 31 members of the Senate, was Passed to be Enacted.

Bill, "An Act Authorizing the Municipalities of Cumberland and North Yarmouth to Form a School Administrative District." (H. P. 48) (L. D. 60)

On motion by Mr. Duquette of York, the bill was placed on the Special Appropriations Table pending passage to be enacted.

The PRESIDENT: The Chair at this time would like to recognize in the balcony, students from Waynflete Junior High School, the 7th and 8th grades accompanied by their chaperones Mrs. Jackson, Mrs. Quirk, Mr. Dickison and Mr. Palmer, all from Portland, Maine.

We welcome you here this morning and we hope that you enjoy and benefit from your stay here. The Chair would like to introduce the Senators from your county, the County of Cumberland. Senator Smith, Senator Snow, Senator Mendell and Senator Chisholm. (Applause).

Orders of the Day

On motion by Mr. Glass of Waldo, the Senate voted to take from the table the 1st tabled and unassigned item (S. P. 304) Bill, "An Act to Regulate Community Antenna Television Companies as Public Utilities"; tabled by that Senator on February 4 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Public Utilities. Sent down for concurrence.

On motion by Mr. O'Leary of Oxford, the Senate voted to take from the table the 8th tabled and unassigned item, (H. P. 216) (L. D. 284) Bill, "An Act Relating to Sale of Publications of Department of Inland Fisheries and Game"; tabled by that Senator on February 12 pending adoption of Senate Amendment A; and on further motion by the same Senator, Senate Amendment A was adopted,

and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Snow of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby (Item 1-2) Bill, "An Act Providing Subsidy to Driver Education" (H. P. 792) (L. D. 1128) was referred to the Committee on Appropriations and Financial Affairs; and on further motion by the same Senator, the bill was tabled pending reference and especially assigned for the next legislative day.

On motion by Mr. Snow of Cumberland, the Senate voted to take from the table the 5th tabled and unassigned item (S. P. 90) (L. D. 234) Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws"; tabled by that Senator on February 11 pending motion by Senator O'Leary of Oxford to indefinitely postpone Senate Amendment A.

Mr. O'LEARY of Oxford: Mr. President, at this time I wish to withdraw my motion to indefinitely postpone Senate Amendment A.

The PRESIDENT: The Senator from Oxford, Senator O'Leary has withdrawn his motion which is his prerogative.

Thereupon, on motion by Mr. Brown of Harding, the bill was tabled pending adoption of Senate Amendment A and was especially assigned for Tuesday next.

On motion by Mr. Snow of Cumberland, the Senate voted to take from the table the 6th tabled and unassigned item (H. P. 46) (L. D. 58) Bill, "An Act Relating to Attending Secondary School Outside of Residence"; tabled by that Senator on February 11 pending passage to be engrossed; and that Senator yielded to Senator Sproul of Lincoln.

Mrs. SPROUL of Lincoln: Mr. President and members of the Senate: This bill directly concerns at least one school in Lincoln County, in Dresden, Bridge Academy, which has a small group of students, I would say it is about fifty, and in my own town we have a

hundred students and twenty of another town, so that is getting quite close to the area that this bill takes in. As I see this bill now, tuition would have to be paid by the towns if students went out of town to take mathematics, science or language courses. We already put up with the provision as to occupational courses and seem to be able to handle that, but this, I would think, would be a great expense to the towns. I see this as another attempt to force schools into administrative districts, and whichever side we are on in regard to this question I am sure we all object to being forced into something. If I understood correctly the other day, the Senator from Cumberland said that it would be the policy from now on for the Department of Education to sell school districts rather than to — I forget the words that he used.

We listened all yesterday afternoon to the problems of Norway and South Paris and what happened when they went into a school district there. Possibly this is something to come in the future, but we have no desire to be forcing something. I do not think that is American; I do not think that mandatory school districts are along with our line of thinking. It borders on the police state.

I move indefinite postponement of this bill and all its accompanying papers.

The PRESIDENT: The Senator from Lincoln, Senator Sproul moves that this bill and accompanying papers be indefinitely postponed.

Mr. SNOW of Cumberland: Mr. President, I would like the privilege of answering the Senator from Lincoln, Senator Sproul.

This measure, which bears the endorsement of the legislative committee on Education, is an effort to give youngsters who attend small and possibly inefficient, inadequately staffed schools, or who at least attend schools that do not offer courses which they desire to take, this measure gives them an opportunity to transfer to another school for the purpose of taking courses in mathematics,

science or a foreign language. It seems to me that if a student is attending a small school which does not offer the course which he needs, which does not offer courses which will lead to the future training that he desires, that he should have the privilege of attending a larger school for the purpose of taking courses which will meet his future needs. I do not regard this as an effort to increase the number of school districts in the State, neither do I feel that this is mandatory legislation of the type of which I spoke the other day.

To mention that briefly, the Committee on Education felt at that time that the Department of Education should make more effort to sell its programs rather than to mandate them. In this case I do not feel that this argument is applicable. If the young people of our schools are not permitted to attend schools where they can choose courses which will meet their future needs, we are placing a handicap and an undue hardship on them.

I would suggest that Senator Sproul's motion to indefinitely postpone this bill be defeated.

Mr. O'LEARY: Mr. President, I was not aware of the facts of this bill until they were brought forth here on the floor this morning, but I can visualize along with Senator Sproul where an entire town that is supporting a school system may have to pay tuition fees for its whole membership to go to one of these other schools. I cannot see how this is going to be any aid to education, and I support the motion to indefinitely postpone this bill.

Mr. SNOW of Cumberland: Mr. President, I would like to answer Senator O'Leary in this fashion: The Committee on Education questioned the Department of Education rather closely in connection with transfer of a large number of pupils from one community to another for the purposes of taking courses in the other community. The Department of Education did not feel that this would be a problem.

I would also point out that there is no provision in this meas-

ure to provide transportation to another community for the purposes of gaining an education there.

Mrs. SPROUL of Lincoln: Mr. President, this is bound to affect small towns, and presumably there must be other small towns all over the state. Certainly some of them have schools with less than a hundred. It is going to come right back onto the towns; they have got to pay for it. Now if we do not furnish certain courses such as Industrial Arts they can go outside and the town pays. As I see this bill, this is exactly what happens.

The argument was presented to me that eventually the towns are going into school districts anyway. Maybe I am not on the point, but as I see it it is a way of getting in the back door. I do not like this bill. It certainly does not help one of my towns and probably does not help another. The Town of Liberty had a problem and they came in before the Committee on Legal Affairs with a bill of something like eight thousand to get out of the school district. I still say I cannot go along with any measure such as this.

I did, on the Senator's suggestion, go to the Department of Education, and I said, "Is this your bill?" They assured me that it was not their bill and that they did not think it up, that it might work out all right but it wasn't their bill.

I still move for indefinite postponement and ask for a division.

Mr. O'LEARY of Oxford: Mr. President, I would like to ask the Senator from Cumberland, Senator Snow, through the Chair if I may: For example, in the town of Dixfield where they have a school administrative district and it is just a short ways to Gould Academy in Bethel, which has a high tuition rate, and if a number of seniors attending Dixfield, which does not have the classes to offer that they have in Gould Academy, what would be the cost to the town and what would be the salvation of their homes and property if these people had to pay higher taxes for their tuition? Do

you honestly in your own heart feel that this is a good bill?

The PRESIDENT: The Senator from Oxford, Senator O'Leary, directs an inquiry through the Chair to the Senator from Cumberland, Senator Snow, who may answer if he chooses.

Mr. SNOW of Cumberland: Mr. President, I can answer part of that question. I am not aware of the number of pupils who attend school in Dixfield. I will remind him that if there are over one hundred students they would not be permitted under this act to transfer to another school.

Naturally I am unable to answer his question as to cost to the town of Dixfield without investigation of the tuition charged and other factors which would delay this measure for some time.

Now he asked me if I believed this was a good measure. I would not be speaking for it if I did not believe it to be a good measure. I do not think that the eight or nine members of the Committee on Education, who considered this bill very carefully, would have reported it "Ought to pass" if they did not believe it was a good measure. I would point out to the Senator that this bill was held in committee for some time and it received more deliberation than some other measures because the committee itself wanted to have some of the questions answered which I have tried to answer here today.

The PRESIDENT: Does the Senator feel that his inquiry has been answered?

Mr. O'LEARY of Oxford: I do, Mr. President.

Mr. MOORE of Washington: Mr. President, I would like to direct a question to Senator Snow, if I may through the Chair, in regard to this particular bill, I may be wrong, but I do not see any specific regulation which governs the so-called payment of tuition. In my particular area we have such schools of small population and in our case, if these students of these towns wish to attend a larger school, they are permitted to do so at their own family expense.

That is to its entirety. I would like to inquire as to whether or not if in these small towns there were several students who wished to attend a better qualified curriculum school, does this bill specifically in any way make it mandatory for the town to pay the so-called tuition. As I read it there is nothing specific that states that the town would be responsible for those who wished to attend another high school. In my area it isn't the case.

The PRESIDENT: The Senator from Washington, Senator Moore, directs an inquiry through the Chair to the Senator from Cumberland, Senator Snow who may answer if he so chooses.

Mr. SNOW of Cumberland: Mr. President, in answer to Senator Moore, I would say that there is no specific provision in this bill setting tuition charges or establishing them. We would assume that this would be a matter for negotiation between the communities involved. As Senator Moore knows, the tuition charges paid by one town to a school in another town vary from community to community.

The PRESIDENT: Does the Senator feel that his question is answered?

Mr. MOORE: I do, Mr. President.

Mr. O'LEARY of Oxford: Mr. President, it seems that maybe I am confused here. There was a question asked and I would like a more specific answer to it from the Senator from Cumberland. It says here that a student may "elect" to attend some approved secondary schools. Now if he elects, I would like to know if it is mandatory that the tuition be paid and who is going to pay it?

The PRESIDENT: The Senator from Oxford, Senator O'Leary, directs an inquiry through the Chair to the Senator from Cumberland, Senator Snow who may answer if he chooses.

Mr. SNOW of Cumberland: Mr. President, in answer to the question by Senator O'Leary of Oxford, I would say that — I would

read this provision of the bill to him which says "may elect to attend some other approved secondary school in the state to which he may gain admission for the purpose of studying or of completing a sequence of courses in mathematics, science, or a foreign language, not offered or contracted for by the administrative unit of his legal residence."

It would be assumed in this that the tuition would be provided by the town from which he was moving to attend a school in another community.

The PRESIDENT: Does the Senator feel that his question is answered?

Mr. O'LEARY: Yes, thank you, Mr. President.

The PRESIDENT: The question before the Senate is the motion made by the Senator from Lincoln, Senator Sproul that the bill, L. D. 58 be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Ten having voted in the affirmative and 22 opposed, the motion to indefinitely postpone did not prevail.

Mr. O'LEARY of Oxford: Mr. President, I would request that this matter be tabled.

Mr. HARDING of Aroostook: Mr. President, I ask for a division on the tabling motion.

A division of the Senate was had.

Sixteen having voted in the affirmative and sixteen in the negative, the President declared that the motion prevailed, and the bill was tabled pending passage to be engrossed.

On motion by Mr. Jutras of York, the Senate voted to take from the table the 9th tabled and unassigned item (H. P. 335) (L. D. 438) House Report, Ought to pass from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking Smelts at Damariscotta Mills, Lincoln County"; tabled by that Senator on February 16 pending acceptance of the report; and on further motion by the same Senator, the report

was accepted, the bill read once, House Amendment A (H-37) read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Harding of Aroostook,

Adjourned until Friday, February 19 at ten o'clock in the morning.