

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

Tuesday, March 9, 1965

Senate called to order by the President.

Prayer by Rev. Elmer Bentley of Augusta.

On motion by Mr. Shiro of Kennebec, the Journal of Friday was Read and Approved.

House Papers

The following papers were approved for appearance on the House Calendar by a majority of the Committee on Reference of Bills, pursuant to Joint Rules 19-C and 11-A.

Bill, "An Act Relating to School Construction Aid in Certain Administrative Units." (H. P. 1023) (L. D. 1386)

Which was received by unanimous consent and referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands." (H. P. 1024) (L. D. 1387)

Which was received by unanimous consent and referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to the Reporting of Traffic Accidents." (H. P. 1025) (L. D. 1388)

Which was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

Joint Resolution

Memorializing the President of the United States and the Secretary of State to Prevail Upon the West German Government to Recall Certain Scientists Developing Missiles for the United Arab Republic, and to Extend Its Statute of Limitations Relative to War Crimes. (H. P. 1022) (L. D. 1390)

WHEREAS, the West German Government has consistently refused to recall German scientists now working in Egypt on the development of missiles for the United Arab Republic, thereby bearing a great responsibility for the creation of a serious threat to the peace of the Middle East; and

WHEREAS, West Germany's failure to extend the statute of limitations against Nazi war criminals after May 8, 1965 will literally open its door for the return of thousands of fugitive Nazis who will be immune to prosecution; now, therefore, be it

RESOLVED That the Maine 102nd Legislature respectfully urges the President of the United States and the Secretary of State to prevail upon the West German Government to take appropriate action to prevent the application on May 8, 1965 of its statute of limitations relative to war crimes, and also to recall West German scientists who are participating in the development of missiles for the United Arab Republic; and be it further

RESOLVED That a copy of this resolution be transmitted forthwith by the Secretary of the Senate to the President of the United States and the Secretary of State. (H. P. 1022)

Which was referred to the Committee on State Government in concurrence.

Joint Resolution

Memorializing Congress to Promote the Protection of Our Gold Reserves.

We, your Memorialists, the House of Representatives and Senate of the State of Maine in the One Hundred Second Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, it is recognized that France is creating a demand upon the United States Gold Reserves by demanding payment of gold in lieu of dollars; and

WHEREAS, such a process places our Gold Reserves and supply in jeopardy by removing substantial amounts of gold from backing our currency; and

WHEREAS, France is obligated to the United States for substantial amounts from World War I and II loans along with the Export-Import Bank Loan; and

WHEREAS, other countries of the world are indebted for substantial amounts from legitimate loans; now, therefore, be it

RESOLVED: That we, the Memorialists, recommend and urge to the Congress of the United States legislative action authorizing the executive branch of our federal government to deduct these debts from the country demanding gold payment whenever that country demands payment in gold in lieu of the dollar. The accomplishment of this action is vital and essential to the monetary system of our country and of the world; and be it further

RESOLVED: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately submitted by the Secretary of State to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State. (H. P. 1021) (L. D. 1389)

Which was referred to the Committee on State Government in concurrence.

Committee Reports House

Changes of Reference

The Committee on Claims on Resolve in Favor of Seth A. Whitcomb of Readfield for Injuries Sustained While State Employee. (H. P. 458) (L. D. 612) reported that the same be referred to Judiciary.

The Committee on Public Utilities on Bill, "An Act Relating to Penalty for Weight Violations of Trucks." (H. P. 158) (L. D. 181) reported that the same be referred to the Committee on Transportation.

The Committee on Towns and Counties on Bill, "An Act Relating to Notice to Utilities in Discontinuing Town and County Roads." (H. P. 783) (L. D. 1036) reported that the same be Referred to the Committee on Highways.

Which Reports were Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Resolve Providing Funds for a Pilot Research Project to Study Means of Increasing Lobster Supply. (H. P.

266) (L. D. 348) reported that the same should be granted Leave to Withdraw — Covered by other Legislation.

The Committee on Business Legislation on Bill, "An Act Relating to Newspaper Advertisements of Motor Vehicle Dealers." (H. P. 685) (L. D. 922) reported that the same should be granted Leave to Withdraw.

The Committee on Education on Bill, "An Act Transferring Education of Indians to the Department of Education." (H. P. 770) (L. D. 1014) reported that the same should be granted Leave to Withdraw — Covered by other legislation.

The Committee on Highways on Bill, "An Act Repealing Restrictions on Advertising Signs Adjacent to Turnpike." (H. P. 808) (L. D. 1100) reported that the same should be granted Leave to Withdraw.

The Same Committee on Bill, "An Act Providing for an Interchange to the Maine Turnpike from the Town of Old Orchard Beach." (H. P. 911) (L. D. 1239) reported that the same should be granted Leave to Withdraw.

The Committee on Judiciary on Bill, "An Act Revising the Lien Law on Buildings." (H. P. 738) (L. D. 975) reported that the same should be granted Leave to Withdraw.

The Committee on Public Utilities on Bill, "An Act Relating to Notice of Hearing on Railroad Safety Matters." (H. P. 529) (L. D. 703) reported that the same should be granted Leave to Withdraw.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Agriculture on Bill, "An Act Relating to Elevators Used on Farms." (H. P. 508) (L. D. 661) reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act Regulating Use of Pesticides on and Adjacent to Sebago Lake." (H. P. 438) (L. D. 593) reported that the same Ought Not

to Pass — covered by other Legislation.

The Committee on Highways on Bill, "An Act Relating to Reimbursement to Towns for Highway Winter Maintenance." (H. P. 694) (L. D. 932) reported that the same Ought Not to Pass — covered by other Legislation.

The same Committee on Bill, "An Act Relating to Maintenance and Snow Removal of Certain State Highways." (H. P. 212) (L. D. 280) reported that the same Ought Not to Pass — covered by other Legislation.

Which reports were Read and Accepted in concurrence.

Ought to Pass — As Amended

The Committee on Education on Bill, "An Act Relating to Payment of Tax Assessments for Flanders Bay Community School District." (H. P. 208) (L. D. 276) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-79).

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Free Public Access to Waters Stocked with Fish Raised by State." (H. P. 735) (L. D. 1009) reported that the same Ought to Pass, as amended by Committee Amendment "A" (H-80)

The Committee on Legal Affairs on Bill, "An Act Relating to Compensation of Aldermen of City of Lewiston." (H. P. 347) (L. D. 449) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-81)

The same Committee on Bill, "An Act Increasing Compensation of Members of City Council of City of Portland." (H. P. 352) (L. D. 455) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-83)

The same Committee on Bill, "An Act to Repeal the Act Creating the Paris Village Corporation." (H. P. 357) (L. D. 460) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-82)

Which reports were Read and Accepted in concurrence, and the

Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as amended, tomorrow assigned for second reading.

Divided Reports

The Majority of the Committee on Judiciary on Resolve Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3. (H. P. 419) (L. D. 531) reported that the same Ought to Pass.

(Signed)

Senators:

GLASS of Waldo

Representatives:

DANTON of Old Orchard
GILLAN of South Portland
BRENNAN of Portland
DAVIS of Calais
BERMAN of Houlton

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

(Signed)

Senators:

VIOLETTE of Aroostook
STERN of Penobscot

Comes from the House Recommended to the Committee on Judiciary.

In Senate, Recommended to Judiciary in concurrence.

The PRESIDENT: At this time the Chair would like to recognize in the Senate Chamber the wife of one of our Senators, Mrs. Romeo Boisvert of Androscoggin. We welcome you here this morning. (Applause)

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Malt Liquor Licenses." (H. P. 710) (L. D. 948) reported that the same Ought to Pass.

(Signed)

Senator:

JACQUES
of Androscoggin

Representatives:

COTE of Lewiston
BERNARD of Sanford

FAUCHER of Solon
LUND of Augusta
HAYNES of Camden
ROY of Winslow

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

(Signed)

Senators:

SOUTHARD of Penobscot
FALOON of Penobscot

Representative:

MEISNER
of Dover-Foxcroft

Comes from the House Recommended to the Committee on Liquor Control.

In the Senate:

Mr. JACQUES of Androscoggin:
Mr. President, I move the acceptance of the Majority Ought to Pass report of the committee.

Mr. SOUTHARD of Penobscot:
Mr. President, I move that the bill be indefinitely postponed.

Mr. JACQUES of Androscoggin:
Mr. President, I rise just to explain what this bill would do. It seems that a few years ago we were able to serve liquor on steamships. What this bill would do is to change the law and make it read "vessels." It seems that the lawyers got together and discovered that we didn't have any more steamboats in the State of Maine and they thought if they put the name "vessel" on it they would include every ship or boat that we have in our state.

As you know, we have an amendment which provides that there would have to be at least fifty or more passengers on these boats or vessels. We have these summer cruises in the State of Maine — and again this is to help our summer people — and this would affect maybe one or two of these vessels in our State. I know that we had a group from our community that did go on one of those cruises last year. There were forty or fifty members in the group, and they would have a cocktail and they would have lunch and they would fish, and they would dance, I guess — I don't know if the boat is big enough. I have never been on one

of them but I know they have a good time.

This bill really didn't have much opposition except we tried to incorporate the word "vessel" and we set a standard of fifty or more passengers, that the boat would carry at least fifty passengers. Naturally there could be ten people on the vessel and they could be served. If these vessels are docked they would not be affected by it; they would not be able to serve when they are docked but just when they are on the water.

I hope, Mr. President and members of the Senate, that you do not go along with the motion to indefinitely postpone. This is something we need in order to promote summer recreation in our State. When the vote is taken, Mr. President, I ask that it be taken by a division.

The PRESIDENT: The Chair would ask that the Senator please approach the rostrum.

(At ease)

Called to order by the President.

Mr. JACQUES: Mr. President, I notice that there is an amendment but the amendment was never presented, so I move that we concur with the House.

The motion prevailed and the bill was recommitted to the Committee on Liquor Control in concurrence.

The Majority of the Committee on Towns and Counties on Bill, "An Act Authorizing Expenditure of Moneys by Oxford County for Economic and Recreational Development." (H. P. 176) (L. D. 197) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-70)

(Signed)

Senators:

CASEY of Washington
GIRARD of Androscoggin
BERNARD of Penobscot

Representatives:

KILROY of Portland
HAMMOND of Paris
SULLIVAN of Portland

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

ter reported that the same Ought Not to Pass.

(Signed)
Representatives:

CROMMETT
of Millinocket
BUSSIERE of Lewiston
WIGHT of Presque Isle
FARRINGTON of China

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

In the Senate, the reports were read and on motion by Mr. O'Leary of Oxford, the Majority Ought to Pass report was accepted, the bill read once, Committee Amendment A read and adopted, the rules suspended, the bill given its second reading and passed to be engrossed as amended in concurrence.

Five members of the Committee on Liquor Control on Bill, "An Act Regulating Liquor Salesmen." (H. P. 755) (L. D. 992) reported in Report "A" that the same Ought to Pass.

(Signed)
Senators:

SOUTHARD of Penobscot
FALON of Penobscot

Representatives:

LUND of Augusta
MEISNER
of Dover-Foxcroft
BERNARD of Sanford

Five members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass.

(Signed)
Senator:

JACQUES
of Androscoggin

Representatives:

COTE of Lewiston
FAUCHER of Solon
HAYNES of Camden
ROY of Winslow

Comes from the House, Recommended to the Committee on Liquor Control.

Mr. JACQUES of Androscoggin: Mr. President, I do not think that this bill should go any further than it has here. This is a bill that would not allow liquor salesmen

to serve in the legislature. We had a good hearing on it, we heard the pros and cons and it got pretty hot in committee.

The PRESIDENT: Would the Senator make a motion?

Mr. JACQUES: I move, Mr. President, that this bill be indefinitely postponed — that we accept the minority report of the committee.

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, moves that we accept the "Ought not to pass" report of the committee, and the Senator wishes to speak on his motion.

Mr. JACQUES: Mr. President, if we pass this bill we are really trying to discriminate by saying that liquor salesmen should not serve in the legislature. Pretty soon they are going to tell us that a man who builds bridges for the State also cannot serve in the legislature, or maybe that a lawyer cannot serve here because he might have interests in it, and later on you are going to get another bill that you cannot have any kind of interest. That means that if you have a savings account and the bank loans money to one of these liquor establishments you are not going to be able to be in the legislature. So I would say, Mr. President, that this bill should not pass, and that is one of the reasons I move for indefinite postponement.

Mr. SHIRO of Kennebec: Mr. President, I would also like to endorse the position taken by Senator Jacques that the Senate accept the "Ought not to pass" report on this bill. I think it represents a grave danger, actually, and discrimination against persons who may hold public office. Actually, a liquor salesman should not stand in any different position as far as the public benefit goes than any other person who may have any particular interest in certain legislation. I would urge the Senate very strongly that we accept the "Ought not to pass" report.

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, moves that Report "B",

which is the "Ought not to pass" report of the committee, be accepted.

The motion prevailed and Report "B" "Ought not to pass" was accepted in nonconcurrence. Sent down for concurrence.

Conference Committee — House

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act to Authorize the Town of Pownal to Form a School Administrative District." (H. P. 47) (L. D. 59) reported that the House Recede from its action whereby the Bill was Passed to Be Engrossed, Adopt Conference Committee Amendment "A" (H-86) submitted therewith, and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A"; and that the Senate Recede from its action whereby it Accepted the Majority Ought Not to Pass Report of the Committee, Concur with the House in the Acceptance of the Minority Ought to Pass Report, Adopt Conference Committee Amendment "A", and Pass the Bill to be Engrossed as amended by Conference Committee Amendment "A" in concurrence.

Comes from the House, Report Accepted, Conference Committee Adopted, and the Bill Passed to Be Engrossed, as amended by Conference Committee "A".

In the Senate, the report was read and accepted and the Senate voted to reconsider its former action whereby it accepted the Ought Not to Pass report.

Thereupon, the Ought to Pass report was accepted and the bill read once, Conference Committee Amendment A read and adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended in concurrence.

The PRESIDENT: At this time the Chair would like to recognize a group from Waldoboro High School and their chaperones William Blodgett, Robert Green and Mildred Damon. The Senator from Lincoln County is not present this

morning. She has sickness in her family. We welcome you here this morning and hope that you benefit from and enjoy your stay here. The Chair would like to introduce at this time another visitor, former Senator Wilmot Dow from Lincoln. (Applause)

Committee Reports Senate

Leave to Withdraw

Mr. Stern from the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Elect the Secretary of State. (S. P. 45) (L. D. 216) reported that the same should be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Dunn from the Committee on Election Laws on Bill, "An Act Authorizing Use of Ditto Marks in Preparing Lists Under Election Law." (S. P. 281) (L. D. 843) reported that the same Ought to Pass.

The same Senator from the same Committee on Bill, "An Act Relating to Time Polls Must Remain Open on Election Day." (S. P. 282) (L. D. 844) reported that the same Ought to Pass.

Mr. Casey from the Committee on Highways on Resolve Appropriating Funds for a Motor Vehicle Registration Service and Storage Building. (S. P. 82) (L. D. 226) reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills and Resolve were Read Once and tomorrow assigned for second reading.

Ought to Pass in New Draft — same title

Mr. Faloon from the Committee on Education on Recommended Bill, "An Act Relating to Age of Compulsory Education." (S. P. 85) (L. D. 229) reported that the same Ought to Pass in New Draft, under same title, (S. P. 456) (L. D. 1392)

On motion by Mr. Moore of Washington, tabled pending accept-

ance of the report and especially assigned for Tuesday next.

Divided Reports

The Majority of the Committee on Education on Bill, "An Act Relating to Approval of School Building Plans." (S. P. 114) (L. D. 341) reported that the same Ought to Pass as amended by Committee Amendment "A" (S-55)

(Signed)
Senators:

SNOW of Cumberland
FALON of Penobscot

Representatives:

LEVESQUE of Madawaska
GRAHAM of Freeport
CARROLL of Limerick
HANSON of Lebanon

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

(Signed)
Senator:

MENDELL of Cumberland

Representatives:

GIFFORD of Manchester
RICHARDSON of Stonington

On motion by Mr. Snow of Cumberland, the Majority Ought to Pass report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

The Majority of the Committee on Labor on Bill, "An Act Relating to Chiropractic Treatment Under Workmen's Compensation Law." (S. P. 95) (L. D. 262) reported that the same Ought to Pass.

(Signed)
Senators:

O'LEARY of Oxford
SMITH of Cumberland
CHISHOLM of Cumberland

Representatives:

BEDARD of Saco
GAUVIN of Auburn
LEVESQUE of Madawaska
DUMONT of Augusta

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

ter, reported that the same Ought Not to Pass.

(Signed)
Representatives:

BENSON of Southwest Harbor
BAKER of Winthrop
KITTREDGE of South Thomaston

On motion by Mr. O'Leary of Oxford, the Majority Ought to Pass report was accepted, and on motion by Mr. Glass of Waldo, the bill and accompanying papers were tabled pending first reading.

Second Readers

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

House — As Amended

Resolve to Reimburse Daniel S. Webb of Wilton for Loss of Calves Killed by Bears. (H. P. 401) (L. D. 513)

Resolve to Reimburse Arthur E. Thompson of New Gloucester for Fire Loss. (H. P. 460) (L. D. 614)

Resolve in Favor of Margaret Sinclair of Windham for Fire Loss. (H. P. 461) (L. D. 615)

Bill, "An Act Relating to Adequate Brakes on Truck Tractors and Semi-trailers." (H. P. 575) (L. D. 745)

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

Senate

Bill, "An Act Relating to Executions on Civil Judgment." (S. P. 232) (L. D. 690)

Bill, "An Act Relating to Valuation of Shares of Joint Owners for Inheritance Tax Purposes." (S. P. 233) (L. D. 691)

Bill, "An Act Permitting Municipalities to Provide for Single Assessor." (S. P. 245) (L. D. 755)

Bill, "An Act Increasing Payments to Lincoln County Law Library." (S. P. 253) (L. D. 763)

Bill, "An Act Relating to Schedule of Transportation Charges Under Milk Commission Law." (S. P. 278) (L. D. 840)

(On motion by Mr. Glass of Waldo, the bill was read a second time and tabled pending passage

to be engrossed; especially assigned for Friday, March 12.)

The PRESIDENT: At this time the Chair would like to recognize in the Senate balcony a group of students from Bridgton High School, the junior and senior classes accompanied by their chaperones Mrs. Parker and Mrs. Pike. We welcome you here this morning and hope you enjoy and benefit from your stay. Bridgton is in Cumberland County and the Chair would like to introduce the Senators from that County. Senator Smith, Senator Snow, Senator Chisholm and Senator Mendell. (Applause)

Bill, "An Act Providing Remedies for the Unauthorized Practice of Law." (S. P. 288) (L. D. 850)

Bill, "An Act Relating to Approval of Appointment of Assistant County Attorney for Kennebec County." (S. P. 299) (L. D. 913)

Bill, "An Act Relating to Loans by Banks to Development Credit Corporation of Maine." (S. P. 450) (L. D. 1385)

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

Senate — As Amended

Bill, "An Act Relating to Duties of Pawnbrokers." (S. P. 207) (L. D. 588)

Bill, "An Act Relating to Publication of Foreclosure Notices." (S. P. 208) (L. D. 589)

Bill, "An Act Relating to Term of Single Municipal Assessors." (S. P. 246) (L. D. 756)

Bill, "An Act Relating to Boards of Assessment Review in Certain Municipalities." (S. P. 247) (L. D. 757)

Bill, "An Act Relating to Ways to Great Ponds." (S. P. 252) (L. D. 762)

Bill, "An Act Authorizing Androscoggin County to Raise Money for Garage and Court House Capital Improvements." (S. P. 154) (L. D. 1124)

Which were Read a Second Time and Passed to Be Engrossed, as amended.

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Hospitalization for Mental Illness of Convicts in County Jails." (H. P. 68) (L. D. 79)

Bill, "An Act Providing for Adult Identification Cards Under Liquor Law." (H. P. 149) (L. D. 172)

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.)

Bill, "An Act to Create the Brewer Sewerage District." (H. P. 154) (L. D. 177)

Bill, "An Act Relating to Taking of Alewives in Tremont, Hancock County." (H. P. 215) (L. D. 283)

Bill, "An Act Increasing Number of Members of Superintending School Committee of Town of Fairfield." (H. P. 234) (L. D. 303)

Bill, "An Act Relating to Trespass on Unimproved Land Devoted to Preservation of Wildlife." (H. P. 238) (L. D. 307)

Bill, "An Act Amending Charter of St. Mark's Home, Augusta." (H. P. 267) (L. D. 349)

Bill, "An Act Relating to Marine Worm Licenses, Marine Worm Research and Establishment of the Marine Worm Fund." (H. P. 288) (L. D. 370)

Bill, "An Act Relating to Amount of Property Held by Portland Public Library." (H. P. 315) (L. D. 418)

Bill, "An Act Increase Salaries of Members of Council of City of Rockland." (H. P. 359) (L. D. 462)

Bill, "An Act Increasing Payments to Franklin County Law Library." (H. P. 381) (L. D. 483)

Bill, "An Act to Reconstitute School Administrative District No. 32." (H. P. 407) (L. D. 519)

Bill, "An Act Relating to Enforcement of Laws Relating to Taking Alewives in Town of Blue Hill." (H. P. 413) (L. D. 525)

Bill, "An Act Regulating Taking of Alewives in Narraguagus River." (H. P. 414) (L. D. 526)

Bill, "An Act Revising the Laws Relating to Credit Unions." (H. P. 456) (L. D. 610)

Bill, "An Act Relating to Filing of Corporation Clerk's Acceptance and Registration." (H. P. 457) (L. D. 611)

Bill, "An Act to Reconstitute School Administrative District No. 35." (H. P. 469) (L. D. 622)

Bill, "An Act Relating to Authority of Bureau of Social Welfare." (H. P. 480) (L. D. 633)

Bill, "An Act Providing for Access Roads to Public Industrial Development Areas." (H. P. 485) (L. D. 638)

(On motion by Mr. Cahill of Somerset, placed on the Special Highway Appropriations Table pending enactment)

Bill, "An Act Relating to Relief of Paupers in Deorganized Places." (H. P. 576) (L. D. 746)

Bill, "An Act Permitting Berwick to Apply for Aid Under the Bridge Act for Construction of Eddy Bridge." (H. P. 1010) (L. D. 1304)

On motion by Mr. Cahill of Somerset, placed on the Special Highway Appropriations Table pending enactment.)

Bill, "An Act Relating to Imposition of Sentence to the County Jail by the Court." (H. P. 1011) (L. D. 1305)

Bill, "An Act Providing for Research of Commercial Fishery Resources by Department of Sea and Shore Fisheries." (S. P. 99) (L. D. 266)

Bill, "An Act Creating the Uniform Hazardous Substances Labeling Act." (S. P. 77) (L. D. 297)

Bill, "An Act Relating to Organization of Cemetery Corporations." (S. P. 183) (L. D. 548)

Bill, "An Act Relating to Corporate Names." (S. P. 184) (L. D. 549)

Bill, "An Act to Reconstitute School Administrative District No. 31." (S. P. 187) (L. D. 552)

Bill, "An Act to Reconstitute School Administrative District No. 24." (S. P. 188) (L. D. 553)

Bill, "An Act to Provide Protection for Physically Abused Children." (S. P. 195) (L. D. 574)

Which Bills were Passed to Be Enacted.

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending final passage)

Resolve Authorizing Kermit O. Stadig to Bring Civil Action Against State of Maine. (H. P. 230) (L. D. 299)

Resolve Changing Name of Ames Cove, Knox County, to Flood's Cove. (H. P. 240) (L. D. 309)

Which resolves were finally passed.

Resolve in Favor of Town of Woolwich for Loss of Tax Revenues. (H. P. 316) (L. D. 419)

(On motion by Mr. Norris of Oxford tabled pending final passage.)

Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River. (H. P. 412) (L. D. 524)

(On motion by Mr. Cahill of Somerset, placed on the Special Highway Appropriations Table pending final passage)

Resolve Providing Pension for Emily Withee of Vassalboro. (H. P. 536) (L. D. 710)

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending final passage)

Resolve Granting World War I Bonus to Stanley D. Royles of Portland. (H. P. 613) (L. D. 805)

(On motion by Mr. Duquette of York, placed on the Special Appropriations table pending final passage.)

The PRESIDENT: The Chair would like to recognize in the Senate Chamber a group of 8th grade students from Freeport Junior High School accompanied by Dean Bryer, Principal and Peter Hughes, Catherine LaPierre and Leonard Chase. We welcome you here this morning. We hope that you enjoy and benefit from your stay here. I would like to introduce to you the Senators from your County of Cumberland: Senator Smith, Senator Snow, Senator Mendell and Senator Chisholm. (Applause)

Emergency

Resolve Providing for Pension for Mrs. Mary Belanger of Caribou. (H. P. 92) (L. D. 101)

Bill, "An Act to Establish a Keep Maine Scenic Program. (H. P. 291) (L. D. 373)

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.)

Emergency

Bill, "An Act Relating to Area Directional Sign for Acadia National Park." (H. P. 481) (L. D. 634)

This Bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Emergency

Resolve Permitting Owners of Maple Ridge Island to Construct Road Across Dismal Swamp. (H. P. 521) (L. D. 694)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was finally passed.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 420) (L. D. 532) bill, "An Act Relating to Improper Conditions for Industrial Safety"; tabled on March 5 by Senator O'Leary of Oxford pending passage to be engrossed; and on motion by Mr. Hoffses of Knox, the bill was retabled and especially assigned for tomorrow.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 147) (L. D. 170) bill, "An Act Increasing Compensation of Councilmen of City of South Portland"; tabled on March 5 by Senator Jacques of Androscoggin pending passage to be engrossed.

Mr. JACQUES of Androscoggin: Mr. President, I understand that the Senate has already voted on the amendment and I move that the Senate reconsider its action whereby the amendment was adopted last Friday.

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, moves that the Senate reconsider its action whereby Senate Amendment A was adopted. Is this the pleasure of the Senate?

Mr. SNOW of Cumberland: Mr. President, I hope the Senate will defeat the motion of the Senator from Androscoggin, Senator Jacques, to reconsider, and I would like to give a little background on this amendment.

I was requested to place the amendment on the bill by Representative Hogan of South Portland, who assured me that he was acting for a majority of the South Portland legislative delegation.

There has been some controversy in South Portland over this matter. The amendment is strongly favored by some segments of the community on the grounds that the pay increase established by this act is more than is warranted for a city the size of South Portland. They feel, therefore, that it should be returned to the people to act upon in referendum. Thank you.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Androscoggin, Senator Jacques, to reconsider the action whereby we adopted the amendment.

Mr. JACQUES of Androscoggin: Mr. President, I rise only because I am a member of the Legal Affairs Committee which listened to this bill for three-quarters of an hour. Maybe I should let the Chairman of the committee speak on this, but I think I would be remiss in my duty if I didn't get up to speak on this matter.

The City Council of South Portland have never had a raise since 1951 and now they are saying that we should send this out to referendum. Now just a week or so ago we enacted legislation for the trustees of the Water District on which they never asked for a referendum, and we enacted another salary hike this morning for the Portland City Council and the Lewiston City Council, and we never asked for a referendum. I have been on the Municipal Affairs Committee, I have been on the Legal Affairs Committee and we have listened to these charters for years and we never attached a referendum to it. I hate to get into local conflicts, but I can see what is happening. I have some letters from the Taxpayers

Associations here, and, Mr. President, I would like to read one from the Taxpayers Association of South Portland. I will not read everything there is here.

"This Association is unanimously"—the Director wishes to go on record as approving the increase from \$600 to \$1000 annual salary paid to each councillor. This is signed by Mr. Dane.

Then I have another letter here which states:

"Dear sir:

I am not a councillor and I am strongly opposed to the amendment of Senator Snow calling for a referendum on the pay raise for the South Portland City Council. The Portland Council is receiving a raise with no referendum; the trustees of the Water District are receiving a raise with no referendum. Never to my knowledge has the legislature sent a pay raise to referendum."

I have another letter here from the South Portland City Council. I know there is one of them that wants this to go to referendum, but I think, Mr. President, that we listened to this bill and nobody opposed the bill, but all of a sudden there is opposition to it. I know there is nothing wrong to having opposition to some of these bills, but I do not think it would be fair to send this out to referendum and put the city to the expense of calling this referendum. It is another extra cost and it has never been done before. I hope that the Senate will go along with indefinitely postponing the amendment.

Mr. SNOW of Cumberland: Mr. President, could I ask through the Chair for the number of this amendment. I have been unable to locate it in my book.

The PRESIDENT: The Senator requests through the Chair for the number of the amendment. The number is S-38.

Mr. SNOW: Thank you, Mr. President.

I would like to follow Senator Jacques' example, only I will read just one letter and this will conclude what I have to say. This letter is from the League of Women Voters of South Portland, Maine:

"Dear Senator Snow:

It is my understanding that L. D. 170, An Act Increasing Compensation of Councilmen of the City of South Portland" has been tabled in the Senate because of objections to the amendment that related to its being returned to the voters of South Portland. The League of Women Voters of South Portland spent four years studying the city charter which was finally adopted by the citizens in a referendum vote in 1963. We feel that changes in the charter and particularly changes relating to the use of South Portland tax money should be brought back to its citizens for referendum. The city charter still is part of our current program and we feel strongly on this issue."

I might add that I have all the letters that Senator Jacques has plus about twenty more I would guess. I would point out again that I was requested to file this amendment by a majority of the South Portland representation in the House.

Mr. SHIRO of Kennebec: Mr. President, I feel perhaps as Chairman of the Legal Affairs Committee it is only appropriate that I make some remarks in regard to the motion which is before the Senate.

I did not object to the amendment previously proposed by Senator Snow for a referendum because I felt perhaps the matter would carry over for a few days and if there were no objection to a referendum by either the members of the Senate or House or by persons in the vicinity of South Portland we would have no difficulty and I would sort of feel that the referendum then could proceed. However, we have received opposition to a referendum, not only by some members of the community of South Portland but also by persons who hold official positions in the local government there.

I would state this: that at the hearing before the Legal Affairs Committee we had a rather extensive hearing and there was no opposition whatsoever voiced by any group or individual at the

time. The committee discussed the matter very carefully and very thoroughly, we felt, and therefore we recommended that the councilmen of the City of South Portland be raised to \$1000. They are presently receiving \$600. Now we have had before the Legal Affairs Committee several bills concerning raises for local governmental officials and in no instance have we had occasion to provide for a referendum. The committee felt that in each instance they could consider intelligently the matter of the raise of salaries. I understand that traditionally this is done and a referendum is not provided. It would be somewhat of a departure from the usual custom of the Legal Affairs Committee to provide for a referendum in this particular type of matter of increasing the salary. I can only state that as far as information goes in regard to the hearing and consideration by the Legal Affairs Committee that I felt it was given proper consideration, and we felt that all the testimony adduced at the hearing indicated that it would be proper to raise the salary of the city councilors. The raising of salaries of councilors in various communities seems to be rather prevalent and many communities such as South Portland have not had increases for several years, quite a few years in this particular instance. We feel that with the amount of time they spend on their services to the city, and in the case of South Portland they put in a lot of work and perform a lot of services, and that the amount of \$1000 actually would not be fully adequate compensation for the services they render. I would feel in this particular instance that the motion to indefinitely postpone the amendment should have the favor of the Senate.

The PRESIDENT: The motion before the Senate is the motion to reconsider our action whereby we adopted Senate Amendment "A".

Mr. SNOW of Cumberland: Mr. President, I have just received word that support for the amendment among the South Portland delegation in the House is unanimous.

Mr. JACQUES of Androscoggin: Mr. President, again I rise not that I want to tell South Portland what to do but to state that if we start tacking on referendums on salary hikes we should do it for members of the Legislature, we should do it for water districts, we should do it for trustees of water districts, we should do it for superintendents of schools, and we should also do it for the teachers' salaries which we are hiking here. We all know that this doesn't make any sense. I am a member of the City Council in Lewiston and I know what would happen. I know that pressure would be applied on me to pass legislation in the City of Lewiston to say: if you don't vote for my legislation I will vote against your salary hike, and this is what could happen in the City of South Portland. There was no opposition in the other body, nobody opposed it and they didn't try to tack a referendum on it. I am just defending the action of the committee and I say if we start doing this, Mr. President and members of the Senate we are going to have to do it on every one of these other bills and we are just inviting trouble, and this is going to cost money to these communities and I don't want to see that done.

Mr. SHIRO of Kennebec: Mr. President, it was mentioned by the Senator from Cumberland, Senator Snow, the position taken by the League of Women Voters. Perhaps it is the League of Women Voters in that community but I think I should point out to the Senate another instance where the League of Women Voters took somewhat of a contradictory stand. It had to do with a hearing before the Legal Affairs Committee concerning the method of election, a change in the city charter of Portland as to the method of electing councilmen, and there they very strongly urged that we do not allow a referendum. That is something that would be a far more significant change than is presently before us in this particular matter of raising the salaries of councilmen from \$600 to \$1000 a year,

and here in this particular instance the League of Women Voters states that there should be a referendum whereas in the other instance they stated that there should not be a referendum.

The PRESIDENT: The motion before the Senate is the motion made by the Senator from Androscoggin, Senator Jacques, that the Senate reconsider its action whereby it adopted Senate Amendment A.

Mr. SNOW of Cumberland: Mr. President, I would ask for a division on the motion.

A division of the Senate was had.

Eighteen having voted in the affirmative and twelve opposed, the motion prevailed.

Thereupon, on motion by Mr. Jacques of Androscoggin, Senate Amendment A was indefinitely postponed and on further motion by the same Senator, the bill was passed to be engrossed.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 983) (L. D. 1255) Bill, "An Act Relating to Board Approval of School Administrative Districts"; tabled on March 5 by Senator Sproul of Lincoln pending motion by Senator O'Leary of Oxford to indefinitely postpone the bill and reports; and on motion by Mr. Brown of Hancock, the bill and accompanying papers were retabled and especially assigned for Tuesday next.

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 Relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (L. D. 1387) was referred to the Committee on Highways; and on further motion by the same Senator, the bill was referred to the Committee on Transportation in non-concurrence.

Sent down for concurrence.

On motion by Mr. Shiro of Kennebec, the Senate voted to take from the table the 16th tabled and

unassigned item (S. P. 97) (L. D. 264) Bill, "An Act to Clarify Condemnation of Schoolhouse Lots"; tabled by that Senator on February 26 pending passage to be engrossed; and on further motion by the same Senator, the bill was recommitted to the Committee on Legal Affairs.

Sent down for concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 3rd tabled and unassigned item (H. P. 852) (L. D. 1150) Bill, "An Act Relating to Insurance on Public Buildings"; tabled by that Senator on February 17 pending motion by Senator Brown of Hancock that the bill be referred to the Committee on Business Legislation in non-concurrence; and that Senator moved the pending question.

Thereupon, the bill was referred to the Committee on Business Legislation in non-concurrence.

Sent down for concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 6th tabled and unassigned item (H. P. 931) (L. D. 1281) Bill, "An Act Relating to Insurance on Public Buildings"; tabled by that Senator on February 24 pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Business Legislation in concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 17th tabled and unassigned item (S. P. 69) (L. D. 130) Bill, "An Act Permitting Merger of Maine General Hospital with Maine Medical Center"; tabled by that Senator on February 26 pending enactment; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

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

Which amendment (S-53) was read and adopted, and the bill

as amended was passed to be engrossed in non-concurrence
Sent down for concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 10th tabled and unassigned item (S. P. 410) (L. D. 1306) Bill, "An Act Relating to Investigation in Divorce Cases Involving Child Custody"; tabled by that Senator on

February 26 pending reference; and on further motion by the same Senator, the Senate voted to insist on its former action whereby the bill was referred to the Committee on Appropriations and Financial Affairs.

On motion by Mr. Harding of Aroostook

Adjourned until tomorrow morning at ten o'clock.