

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

Friday, March 12, 1965

Senate called to order by the President.

Prayer by Com. William O. Wilbur, S. A., Augusta.

On motion by Mr. Snow of Cumberland, the Journal of yesterday was Read and Approved.

Orders

(Out of Order)

Out of order and under suspension of the rules, on motion by Mr. Harding of Aroostook,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 16, at 10 o'clock in the morning. (S. P. 463)

Which was Read and Passed.

Sent forthwith to the House for concurrence.

Out of order and under suspension of the rules, on motion by Mr. Harding of Aroostook,

ORDERED, the House concurring, that the President of the Senate, the Speaker of the House, and 3 members on the part of the Senate and 3 members on the part of the House of the Joint Standing Committee on Appropriations and Financial Affairs appointed by the chairman of said committee be authorized and directed to engage a reputable and recognized professional consulting firm for a pilot study for the purpose of, but not exclusively for, evaluating the programs of the Department of Economic Development and recommendations for additions or changes in programs; evaluating the allocation of funds between programs of DED under the present budget; commenting on the overall adequacy of the DED budget in the light of the population and resources of the State of Maine in comparison with the budgets of other comparable and competing states; commenting on apparent qualifications of the supervisory personnel of DED; evaluating the incumbent personnel of the Industrial Promotion Division of DED for the positions now held; studying advertising ac-

counts including all types of expenditures billed to DED; and making recommendations on the general organization structure of DED. The result or preliminary findings of this study shall be reported to the 102nd Legislature not later than May 1, 1965. The expenses of this study, not to exceed the sum of \$20,000, shall be taken from the Legislative Appropriation. (S. P. 464)

Which was Read and Passed.

Sent forthwith to the House for concurrence.

The PRESIDENT: The Chair at this time would like to recognize in the Senate Chamber, the wife of one of our Senators, Senator Harding of Aroostook. Would Mrs. Harding please stand? (Applause)

The PRESIDENT: The Chair recognizes the presence in the Senate Chamber of Captain Alice Wicker, retired Army Nurse, who was a prisoner of the Japanese on Bataan for thirty-nine months. She was liberated on February 2, 1945. Captain Wicker last visited both the Senate and the House on April 6, 1945, at which time she addressed both branches of the Legislature. She is accompanied by her sister, Mrs. William Mincher. Captain Wicker is a sister-in-law of Senator John McDonald of Piscataquis County.

Paper from the House Non-Concurrent Matter

Divided Report from the Committee on Liquor Control on Bill, "An Act Regulating Liquor Salesmen." (H. P. 755) (L. D. 992) Five members reported in Report "A" — Ought to pass; Five members reported in Report "B" — Ought not to pass.

In House, March 5, Recommitted to the Committee on Liquor Control.

In Senate, March 9, Report "B" — Ought Not to Pass Read and Accepted 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. Jacques of Androscoggin, the Senate voted to insist and join in the Committee of Conference,

and the President appointed as Senate conferees, Senators: Jacques of Androscoggin, O'Leary of Oxford and Willey of Hancock.

House Papers

Bill, "An Act Increasing Amount of Property of Bethlehem Lodge, No. 35, A. F. and A. M." (H. P. 1027) (L. D. 1397)

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

Bill, "An Act Exempting Text-books Used in Schools of Higher Education from Sales Tax." (H. P. 1028) (L. D. 1398)

Which was referred to the Committee on Taxation in concurrence.

State of Maine
HOUSE OF REPRESENTATIVES
Office of the Clerk
Augusta, Maine 04330
March 10, 1965

Honorable Edwin H. Pert
Secretary of the Senate
102nd Legislature

Sir:

The Speaker of the House today appointed the following Conferees on the disagreeing action of the two branches of the Legislature on S. P. 226, L. D. 685, Bill, "An Act Increasing Fees of Innkeepers and Victualers:"

Messrs. BLOUIN of Sanford
FAUCHER of Solon
POULIN of Skowhegan

On S. P. 87, L. D. 231, Bill, "An Act Approving the Course of Study in Private Schools," the following House members were appointed as conferees:

Messrs. BERRY of Cape Elizabeth
LENT of Scarborough
GRAHAM of Freeport

Respectfully submitted,
JEROME G. PLANTE
Clerk of the House

Which was Read and Ordered Placed on File.

ORDERS

On motion by Mr. O'Leary of Oxford,

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the salaries of legislative personnel paid from the Legisla-

tive Appropriation, for the purpose of determining the fair and equitable compensation of such personnel; and be it further

ORDERED, that the committee report the results of its study to the 103rd Legislature. S. P. 465

Which was Read and Passed.

Sent to the House for concurrence.

Mr. HARDING of Aroostook: Mr. President, I move that the Senate recess for fifteen minutes for the purpose of the majority party holding a caucus and I would suggest the Judiciary room as the place of the meeting.

The motion to recess prevailed.

After Recess

Senate called to order by the President.

Committee Reports House

Leave to Withdraw

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

Reported that the same should be granted Leave To Withdraw.

Ought Not to Pass

The Committee on Retirements and Pensions on Bill, "An Act Relating to Restoration to Service Under State Retirement Law." (H. P. 847) (L. D. 1148)

Reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act Relating to Service Retirement of Enforcement Officers of Departments of Inland Fisheries and Game and Sea and Shore Fisheries." (H. P. 247) (L. D. 315)

Reported that the same Ought Not to Pass, Covered by other legislation.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Education on Bill, "An Act Relating to Ap-

plication for School District Formation." (H. P. 580) (L. D. 772)

Reported that the same Ought to Pass.

The Committee on Election Laws on Bill, "An Act Providing Only One Way to Split a General Election Ballot." (H. P. 884) (L. D. 1181)

Reported that the same Ought to Pass.

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

The same Committee on Bill, "An Act to Clarify Certain Portions of Election Laws Relating to Ballots." (H. P. 97) (L. D. 1235)

Reported that the same Ought to Pass.

The same Committee on Bill, "An Act Prohibiting the Solicitation of Votes from Persons in Mental Hospitals." (H. P. 909) (L. D. 1237)

Reported that the same Ought to Pass.

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

The Committee on Education on Resolve, "Transferring Corinna Union Academy to Town of Corinna." (H. P. 610) (L. D. 802)

Reported that the same Ought to Pass.

Comes from the House, report Accepted, and Resolve Passed to be Engrossed, As Amended by House Amendment "A" (H-100)

In the Senate, the report was read and accepted in concurrence, the bill read once, House Amendment A read and adopted in concurrence, and the resolve as amended was tomorrow assigned for second reading.

Recommended

The Committee on Business Legislation on Bill, "An Act Relating to Definition of Securities Under Dealers in Securities Laws." (H. P. 622) (L. D. 829)

Reported that the same Ought to Pass.

Comes from the House, Recommended to the Committee on Business Legislation.

In the Senate, the report was read and accepted the bill read once and tomorrow assigned for second reading. Subsequently, on motion by Mr. Bernard of Penobscot, the Senate voted to reconsider this action, and the bill was recommitted to the Committee on Business Legislation in concurrence.

The PRESIDENT: The Chair would like to recognize in the back of the Senate, a group of school children from South Grammar School, 31 pupils of the 5th grade with their chaperones, Father Grondin, Edward Spearin, Mrs. Clarence Dore, Mrs. Eugene Marshall and Edmund Longley. We welcome you here this morning and hope you enjoy and benefit from your stay here. The Chair would like to introduce to you the Senators from your County of Kennebec: Senator Shiro, Senator Dunn and Senator Carter. (Applause)

Divided Reports

The majority of the members of the Committees on Agriculture and Business Legislation to which was referred Bill, "An Act Repealing Milk Control Prices at the Retail Level." (H. P. 25) (L. D. 203) reported that the same Ought Not to Pass.

(Signed)

Senators:

HILTON of Somerset
MANUEL of Aroostook
SPROUL of Lincoln
BROWN of Hancock

Representatives:

LANE of Waterville
BRADSTREET of Newport
EVANS of Freedom
MOSHER of Gorham
WARD of Limestone
GILBERT of Turner
HARRIMAN of Hollis
FECTEAU of Biddeford
AVERY of Kittery
SCOTT of Wilton
BERNARD of Sanford
HUNTER of Durham
LABERGE of Auburn

The minority of the same committees on the same subject matter reported that the same Ought to Pass.

Senators:

BERNARD of Penobscot
CARTER of Kennebec

Representatives:

McKINNON
of South Portland

Comes from the House Indefinitely Postponed, and motion to Reconsider lost.

Mr. HARDING of Aroostook: Mr. President, I would like to move that the minority "Ought to pass" report be accepted but for only a certain purpose.

As the members of this Senate know, I believe both Republicans and Democrats, as I have discussed this bill with them, I was opposed to it at the time it was put in the party platform and I am still opposed to it. There are times when we cannot agree with everything that is in our party platform and this is one of the few planks that I disagreed with. So the purpose of my asking that the "Ought to pass" report be accepted is so that we may offer an amendment, which is Senate Amendment "B", which of course I cannot offer at this time, but I would like to explain the purpose of Senate Amendment "B" if I may.

As you may know, the State of Maine is not under the milk control law as such. The only purpose of this Senate Amendment "B" is to extend to the political subdivisions of the State, which of course includes the towns and counties and the school administrative districts, the same privileges which the State of Maine now enjoys in the purchase of milk. I cannot see how, in any way, that this is going to adversely affect the farmer. It also extends the same privilege to charitable hospitals, in other words these institutions which have such a hard time to make ends meet and patients sometimes find it very difficult to pay the high cost — to enable charitable hospitals to buy milk on the same basis as the State of Maine. It is for this purpose only that I ask that the minority "Ought to

pass" report be accepted by the Senate.

The PRESIDENT: The motion before the Senate now is the motion to accept the minority "Ought to pass" report of the committee.

Mr. HILTON of Somerset: Mr. President, I would like to ask for a division.

The PRESIDENT: A division has been requested.

Mr. JACQUES of Androscoggin: Mr. President, I rise just to explain my stand on this legislative document.

I am against the bill but I will vote to accept the minority report for the purpose of allowing the Senator to present the amendment. I think we ought to grant that courtesy to the Senator from Aroostook, Senator Harding and I will go along with his motion to accept the minority "Ought to pass" report for the purpose of presenting his amendment.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Aroostook, Senator Harding, to accept the minority "Ought to pass" report and a division has been requested.

A division was had. Eighteen having voted in the affirmative and eleven in the negative, the motion prevailed and the minority "Ought to pass" report was accepted and the bill was given its first reading. Mr. Harding then offered Senate Amendment "B" and moved its adoption. Senate Amendment "B" was read and adopted and the bill as amended was assigned for second reading on the next legislative day.

Mr. SPROUL of Lincoln: Mr. President, I have been trying to follow this through. Apparently we accepted a minority "Ought not to pass" report and then we have an amendment. Does this leave us with the minority or the majority report?

The PRESIDENT: The Chair would inform the Senator that we accepted the minority "Ought to pass" report.

Mrs. SPROUL: The minority "Ought to pass" report?

The PRESIDENT: That is correct. There were two reports: a majority "Ought not to pass" re-

port and a minority "Ought to pass" report.

Mrs. SPROUL: And we have accepted the minority "Ought to pass" report?

The PRESIDENT: That is correct.

Mrs. SPROUL: Mr. President, I understood that the Senator from Aroostook was opposed to this bill in his party platform, and yet he goes along and he introduces an amendment, and, as far as I can see he is taking a contrary position.

Mr. HARDING of Aroostook: Mr. President, I would ask for unanimous consent to address the Senate briefly to attempt to explain to the Senator from Lincoln, Senator Sproul, the procedure which was followed on this.

The PRESIDENT: The Senator from Aroostook, Senator Harding, requests unanimous consent to briefly address the Senate. Is there objection? The Chair hears none and the Senator may proceed.

Mr. HARDING: Mr. President, the Senator is correct in my position and it may seem contrary but I hope that I can explain it.

I have been and am now opposed to the bill as it was proposed. However in order to get this amendment in it was necessary to do it through a certain vehicle, and so we accepted the minority report, which of course, favored the passage of the bill. Now that was before the Senate and received its reading. If the Senator will look at the amendment which the Senate adopted, Senate Amendment "B" she will notice that in the second paragraph it says, "Further amend said bill by striking out everything after the enacting clause and inserting in place thereof the following." In other words, we struck out everything that was in the bill, and all we are doing by this amendment is defining "persons" in the act as it was originally written. Now the word "persons" is defined as "any individual, partnership, corporation, association or other unit except charitable hospitals and the State in all political subdivi-

sions or agencies thereof, including but not limited to school administrative districts and community school districts."

As the law now stands, the State of Maine as such does not come under the milk control law, and we are extending that exemption which now exists so far as the State of Maine is concerned to charitable hospitals and to all political subdivisions and agencies of the State, including but not limited to the school administrative districts and the community school districts. In other words, the law will stand as it is under this amendment except for the redefining of the word "persons."

I wonder if this clarifies the Senator's question.

Mrs. SPROUL: Mr. President, maybe I am a little slow this morning, but after all this do we end up with the majority "Ought not to pass" report of the committee or do we end up with the minority "Ought to pass" report? That is what I am concerned with. If you can straighten me out on that I will be happy.

The PRESIDENT: The Chair will inform the two Senators that the bill is no longer before us. The only way it can come before us is to reconsider. You may ask for unanimous consent to address the Senate if you so desire. Does the Senator from Aroostook wish to do that?

Mr. Harding of Aroostook was granted unanimous consent to address the Senate.

Mr. HARDING: Mr. President, in answer to Senator Sproul's question as to whether or not we adopted the minority report or the majority report, I would say that in the final analysis we did neither, we only adopted this amendment to the law as it now stands which merely redefines the word "persons."

The PRESIDENT: I think it might clarify it to some extent if the Chair might add: that in a sense what we did was to substitute the amendment for the bill as such. That, in effect, is what has taken place.

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Religious Confessionals as Privileged Communications." (H. P. 18) (L. D. 18) reported that the same Ought to Pass in New Draft under same title. (H. P. 1013) (L. D. 1352)

(Signed)

Senators:

VIOLETTE of Aroostook
STERN of Penobscot

Representatives:

BRENNAN of Portland
DANTON

of Old Orchard Beach
BISHOP of Presque Isle
GILLAN of South Portland

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

(Signed)

Senators:

GLASS of Waldo

Representatives:

RICHARDSON
of Cumberland
BERMAN of Houlton
DAVIS of Calais

Comes from the House, Majority—Ought to Pass in New Draft Report Accepted, and the Bill Passed to Be Engrossed.

In the Senate, on motion by Mr. Violette of Aroostook, tabled pending acceptance of either report and especially assigned for Tuesday next.

Committee Reports

Senate

Leave to Withdraw

Mr. Cahill from the Committee on Highways on Bill, "An Act Appropriating Moneys for Construction of a Road for Elliottsville Plantation." (S. P. 146) (L. D. 387) reported that the same should be granted Leave to Withdraw.

Mr. Norris from the same Committee on Resolve Designating Interstate Highway System in Penobscot as "John F. Kennedy Memorial Highway." reported that the same Ought Not to Pass.

Mr. Violette from the Committee on Public Utilities on Bill, "An Act Relating to Promotion of Locomotive Engineers without Experi-

ence." (S. P. 385) (L. D. 1201) reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Snow from the Committee on Education on Bill, "An Act Relating to Commercial Driver Education Instructors Appointed by Secretary of State." (S. P. 199) (L. D. 580) reported that the same Ought to pass.

Mr. Violette from the Committee on Judiciary on Bill, "An Act Relating to Trespass on Lands of the University of Maine." (S. P. 357) (L. D. 1120) reported that the same Ought to Pass.

Which reports were Read and Accepted. The Bills were Read Once and tomorrow assigned for second reading.

Ought to Pass—As Amended

The same Senator from the same Committee on Resolve, "Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine." (S. P. 197) (L. D. 578) reported that the same Ought to pass — As Amended by Committee Amendment "A" (S-60)

The same Senator from the same Committee on Bill, "An Act Relating to the Validation of Certain Instruments." (S. P. 312) (L. D. 1025) reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-61)

Which reports were Read and Accepted. The Bill and Resolve were Read Once and Committee Amendments "A" were Read and Adopted. Thereupon, the Bill and Resolve, As Amended, were tomorrow assigned for second reading.

Second Readers

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

House

Bill, "An Act Relating to Definition of Average Weekly Wages Under Workmen's Compensation Law." (H. P. 232) (L. D. 301)

Resolve Providing Pension for Mrs. Viola R. Townsend of Hudson. (H. P. 370) (L. D. 472)

Resolve Providing for a State Pension for Floyd Merrill of Bath. (H. P. 371) (L. D. 473)

Bill, "An Act Increasing Fees for Inspections and Inspection Certificates for Elevators." (H. P. 507) (L. D. 660)

Bill, "An Act Relating to Definition of Elevator Under Elevator Laws." (H. P. 509) (L. D. 662)

Bill, "An Act to Classify Interstate Tributaries of the Androscoggin River Between New Hampshire and Maine." (H. P. 525) (L. D. 699)

Bill, "An Act Relating to Classification of Dunstan River, in Town of Scarborough, Cumberland County." (H. P. 527) (L. D. 701)

Bill, "An Act Relating to Retirement of Employee Option by Local Districts Under Maine State Retirement System." (H. P. 535) (L. D. 709)

Resolve Providing a Pension for Paul Caron of Wallagrass Plantation. (H. P. 537) (L. D. 711)

Bill, "An Act Relating to Payments to Androscoggin County Law Library." (H. P. 565) (L. D. 735)

Bill, "An Act Regulating Manufacture and Sale of Stuffed Toys." (H. P. 590) (L. D. 782)

(Which was read a second time. Mr. O'Leary of Oxford presented Senate Amendment A (S-63) and moved its adoption. Which amendment was adopted and the bill as amended was passed to be engrossed in non-concurrence.)

Bill, "An Act to Extend the Charter of the R. and T. Cement Railroad Company." (H. P. 599) (L. D. 791)

Bill, "An Act Relating to Service Retirement of Members in Hazardous Employment in Department of Mental Health and Corrections." (H. P. 654) (L. D. 882)

Bill, "An Act Increasing the Compensation of the Trustees of the Portland Water District." (H. P. 679) (L. D. 906)

Bill, "An Act Relating to Licensing of Children's Homes and De-

fining Day Care Facilities." (H. P. 693) (L. D. 930)

Bill, "An Act Clarifying the Offense of Affray." (H. P. 703) (L. D. 941)

Bill, "An Act Relating to Payment of Insurance Premiums of School Employees." (H. P. 730) (L. D. 968)

Bill, "An Act Clarifying the Education of Penobscot and Passamaquoddy Indian Children." (H. P. 733) (L. D. 971)

Bill, "An Act Authorizing Municipalities to Raise Money for Assistance to Water or Sewer Districts." (H. P. 757) (L. D. 994)

Bill, "An Act Creating the Newport Water District." (H. P. 764) (L. D. 1001)

Bill, "An Act Creating a Sewer District in the Town of Newport." (H. P. 765) (L. D. 1002)

Bill, "An Act Creating a Sewer District in the Town of Corinna." (H. P. 766) (L. D. 1003)

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 Remedy for Paupers' Refusal to be Removed." (H. P. 902) (L. D. 1212)

(On motion by Mr. O'Leary of Oxford, tabled pending passage to be engrossed.)

Bill, "An Act Providing for Area Directional Sign for Sebago and Long Lakes on Maine Turnpike." (H. P. 917) (L. D. 1240)

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

House — Amended

Bill, "An Act to Clarify Law Relating to Junked Automobiles." (H. P. 512) (L. D. 665)

Bill, "An Act Increasing Indebtedness of Jay Village Water District." (H. P. 611) (L. D. 803)

Bill, "An Act Changing the Designation of Clerk of the Public Utilities Commission to Secretary of the Commission." (H. P. 713) (L. D. 951)

Resolve Designating May Mountain in Island Falls as Robin-

son Mountain. (H. P. 954) (L. D. 1290)

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

Senate

Bill, "An Act Relating to Service Retirement of Liquor Inspectors." (S. P. 324) (L. D. 1046)

Bill, "An Act Relating to Payments to the State by Municipalities for Winter Maintenance on State Highways." (S. P. 455) (L. D. 1391)

Bill, "An Act Exempting State Owned Motor Vehicles and Trailers from Registration and to Provide Special Plates for U. S. District Attorney and Assistant U. S. District Attorneys." (S. P. 462) (L. D. 1393)

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

Sent down for concurrence.

Enactor

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

Bill, "An Act to Create the Mapleton Sewer District." (H. P. 426) (L. D. 569)

Which Bill was Passed to Be Enacted.

Additional Paper from the House

Out of order and under suspension of the rules.

Enactor

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

Emergency

Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967." (S. P. 442) (L. D. 1354)

Which Bill, being an emergency measure and having received the affirmative vote of 25 members of the Senate, was passed to be enacted.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 107) (L. D.

115) bill, "An Act Relating to the Transportation of Refrigerated Products"; tabled on February 26 by Senator Harding of Aroostook pending passage to be engrossed.

Mr. MENDELL of Cumberland: Mr. President, I move the pending question.

Mr. CAHILL of Somerset: Mr. President, I would move that the bill be retabled until two weeks from today.

Mr. MENDELL: Mr. President, I request a division on the tabling motion.

A division of the Senate was had.

Twelve having voted in the affirmative and fourteen in the negative, the motion did not prevail.

Thereupon, the bill was passed to be engrossed.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 60) (L. D. 335) bill, "An Act Relating to Tandem Axle Weights"; tabled on March 2 by Senator Harding of Aroostook pending passage to be engrossed.

Mr. MENDELL of Cumberland: Mr. President, I move the pending question.

Mr. CAHILL of Somerset: Mr. President, I move that the bill be retabled until two weeks from today.

Mr. MENDELL: Mr. President, I ask for a division on the tabling motion.

A division of the Senate was had.

Eleven having voted in the affirmative and thirteen in the negative, the motion did not prevail.

Thereupon, the bill was passed to be engrossed.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 278) (L. D. 840) bill, "An Act Relating to Schedule of Transportation Charges Under Milk Commission Law"; tabled on March 9 by Senator Glass of Waldo pending passage to be engrossed; and on motion by Mr. Hoffses of Knox, the bill was retabled by request and especially assigned for the next legislative day.

The President laid before the Senate the 4th tabled and today

assigned item (H. P. 471) (L. D. 642) House Report, Ought to Pass as amended by Committee Amendment "A" (H-50) from the Committee on Election Laws on bill, "An Act Relating to Boards of Registration in Certain Towns"; tabled on March 9 by Senator Bernard of Penobscot pending motion by Senator Letourneau of York that the bill and reports be indefinitely postponed; and on motion by Mr. Smith of Cumberland, the bill was retabled by request and especially assigned for March 19.

The President laid before the Senate the 5th tabled and today assigned item (S. P. 458) bill, "An Act Eliminating Motor Vehicle Dealer Registration Board"; tabled on March 1 by Senator Maxwell of Franklin; and on motion by that Senator, the bill was referred to the Committee on State Government.

Sent down for concurrence.

The President laid before the Senate the 6th tabled and today assigned item (S. P. 250) (L. D. 760) Senate Report, Ought to pass as amended by Committee Amendment A (S-58) from the Committee on State Government on bill, "An Act Prohibiting Obstruction of Discontinued Woods Roads"; tabled on March 10 by Senator Glass of Waldo pending acceptance of the report; and on motion by Mr. Maxwell of Franklin, the bill was retabled and especially assigned for March 19.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 383) (L. D. 485) Resolve Designating the Maine Turnpike and Interstate No. 95 as "The Gold Star Memorial Highway"; tabled on March 10 by Senator Manuel of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the Senate voted to reconsider its former action where-by Committee Amendment A was adopted.

The same Senator presented Senate Amendment A to Committee Amendment A.

The Secretary read Senate Amendment A (S-64)

Which amendment was adopted, Committee Amendment A as amended by Senate Amendment A was adopted, and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the 8th tabled and today assigned item (S. P. 322) (L. D. 109) Senate Report Ought to Pass, from the Committee on Public Utilities on bill, "An Act Relating to Authority of Water Companies to Acquire Property"; tabled on March 10 by Senator Harding of Aroostook pending acceptance of the report; and on motion by Mr. Boisvert of Androscoggin, the report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 9th tabled and today assigned item (H. P. 420) (L. D. 532) Bill, "An Act Relating to Improper Conditions for Industrial Safety"; tabled on March 10 by Senator O'Leary of Oxford pending motion by Senator Hoffses of Knox that the Senate reconsider passage to be engrossed.

Mr. O'Leary of Oxford: Mr. President, I would oppose the motion to reconsider.

Mr. HOFFSES of Knox: Mr. President, the reason I moved to reconsider this bill last Wednesday was only because I was not quick enough before the hammer came down to offer an amendment. The bill was amended by the Senator from Waldo, Senator Glass and was passed to be engrossed and I got up too late.

If this bill is reconsidered, and I hope it will be, I would move to have it amended by Senate Amendment 'B' which has filing number S-59 in your books.

If you compare this amendment with the bill, L. D. 532 you will find that it really accomplishes all that the bill itself tries to do. There are only two changes. One is that it broadens and clarifies the words "health of the persons employed" so that you can tell what these words apply to. Under

the bill itself it is left vague and under the amendment it is directed to specifics such as heat, light, ventilation and sanitary arrangements. The second thing the amendment does is to change the last section of Section 1 in the bill. This sentence gives any agent of the Department of Labor and Industry the absolute power to order any employer from a gas station right up to a pulp mill the complete authority on his own to order removed immediately any condition that he himself in his own mind deems to be an extraordinary hazard. All the amendment would do is to allow the department to go right into court and get an injunction against the hazard. Any lawyer will tell you that a temporary restraining order, which is a form of injunction relief, can be obtained in a matter of hours. It will at least give a third party, namely the Court, some say-so as to whether the situation is in fact an extraordinary emergency and whether it needs to be removed immediately or only within the next twenty four hours or within the next three days. Under the present law the employer is given at least thirty days.

I am all for the object of this bill, which is to promote industrial safety, but I just think that the amendment would make the bill a more sensible and reasonable way to accomplish industrial safety. I hope you will reconsider this bill so that I may offer Senate Amendment "B".

Mr. O'LEARY of Oxford: Mr. President and members of the Senate: In the original L. D. 532 Senate Amendment "A" just has the words "public utilities" but this amendment here goes further. Perhaps the first part of his amendment may be beneficial, but I have not taken this into too serious consideration. However, the last section of this amendment is what I am concerned with. In the original bill here they still have thirty days when alterations or additions are deemed necessary, but in the case of extraordinarily hazardous conditions under the amendment they have to go to Superior Court whereas in

the original bill it can be stopped right there. I believe the application as applied by the Commissioner would be to those that are deemed life-saving measures. I would ask that the motion to reconsider not be granted.

The PRESIDENT: The motion before the Senate is the motion made by Senator Hoffses of Knox, that the Senate reconsider passage to be engrossed.

Mr. MENDELL of Cumberland: Mr. President, I move that the bill be tabled until the next legislative day.

Thereupon, the bill was tabled pending the motion by Senator Hoffses of Knox that the Senate reconsider passage to be engrossed, and was especially assigned for the next legislative day.

On motion by Mr. Violette of Aroostook, the Senate voted to take from the table the 10th tabled and unassigned item (S. P. 196) (L. D. 575) Senate Report Ought to Pass as amended by Committee Amendment A (S-32) from the Committee on Judiciary on Resolve Authorizing Mary Howe Goodall and Stanley Howe to Bring Civil Action Against the State of Maine; tabled by that Senator on February 26 pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

On motion by Mr. O'Leary of Oxford, the Senate voted to take from the table the 16th tabled and unassigned item (S. P. 244) (L. D. 754) bill, "An Act Regulating the Running and Training of Dogs in Training Areas Enclosed with Rabbit Proof Fences"; tabled by that Senator on March 3 pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Violette of Aroostook, the Senate voted to take from the table the 18th tabled and

unassigned item (S. P. 185) (L. D. 550) Senate Report, that the same be referred to the Committee on Judiciary from the Committee on Claims, on Resolve to Reimburse Fred P. Haskell of New Gloucester for Fire Damage; tabled by that Senator on March 5 pending acceptance of the report; and on further motion by the same Senator, the report was

accepted and the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

The Adjournment Order having been received from the House, read and passed in concurrence, the Senate

Adjourned until Tuesday next at ten o'clock in the morning.