

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 17 - JUNE 4, 1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, May 18, 1965

Senate called to order by the President.

Prayer by Rev. John Meisner of Dover-Foxcroft.

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

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

Bill, "An Act Relating to Payment by Dealers to Producers for Milk Purchased." (H. P. 1037) (L. D. 1408)

In House, March 26, Passed to Be Engrossed as amended by House Amendment "A" (H-139)

In Senate, May 12, Passed to Be Engrossed without Amendment, in Non-concurrence.

Comes from the House Indefinitely Postponed in Non-concurrence.

In the Senate, on motion by Mr. Hilton of Somerset, the Senate voted to insist on its former action and ask for a Committee of Conference.

Bill, "An Act Exempting Liquor Bottled or Manufactured in Maine from Additional Taxes." (S. P. 326) (L. D. 1048)

In Senate, April 6, Ought not to pass Report of the Committee Accepted.

Comes from the House, Bill Substituted for the Report and Passed to Be Engrossed as amended by House Amendment "A" (H-286) in Non-concurrence.

In the Senate:

Mr. JACQUES of Androscoggin: Mr. President, I move that the Senate recede and concur.

Mr. CAHILL of Somerset: Mr. President, I would like a little explanation on this if possible. I don't understand what the bill is and I would like to know why the bill was substituted for the report.

The PRESIDENT: The Senator from Somerset, Senator Cahill requests explanation for the motion to recede and concur. Any Senator may answer if he desires.

Mr. MAXWELL of Franklin: Mr. President, as Chairman of the Tax-

ation Committee I think perhaps I should explain a little. This House amendment 286 I believe limits this to a two-year period. The original bill allowed them exemption from additional taxes but this amendment allows it merely for, I think, a two year period and this we agreed to go along with.

The Senate thereupon voted to recede and concur.

Communication

STATE OF MAINE
House of Representatives
Office of the Clerk

May 17, 1965

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

Sir:

The Speaker of the House on May 14 appointed the following Conferees on the disagreeing action of the two branches of the Legislature on (S. P. 155) (L. D. 395):

Bill, "An Act Relating to Weight of 3-Axle Trucks."

Messrs: KEYTE of Dexter
BUSSIÈRE of Lewiston
GIFFORD of Manchester
Respectfully submitted,
JEROME G. PLANTE
Clerk of the House

Which was Read and Ordered Placed on File.

Order

On motion by Mr. Boisvert of Androscoggin

ORDERED, the House concurring, that the Legislative Research Committee is directed to review the report and recommendations of the Ernst & Ernst survey of the Department of Economic Development authorized by the 102nd Legislature, (S. P. 464), for the purpose of formulating such operating procedures and implementing legislation as may be necessary or desirable; and be it further

ORDERED, that the Committee report the results of its study to the next special or regular session of the Legislature. (S. P. 552)

Which was Read and Passed.
Sent down for concurrence.

Reports of Committees

House

Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for Recreational Aid for the Mentally Retarded at Pineland Hospital and Training Center. (H. P. 608) (L. D. 800) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Relating to Driving a Motor Vehicle While Impaired by Consumption of Intoxicating Liquor." (H. P. 500) (L. D. 653) reported that the same Ought not to pass.

(On motion by Mr. Brown of Hancock, tabled pending acceptance of the committee report and especially assigned for later in today's session.)

The same Committee on Bill, "An Act Relating to Percentage by Weight of Alcohol in Blood of Operators of Motor Vehicles." (H. P. 636) (L. D. 861) reported that the same Ought not to pass.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Health and Institutional Services on Resolve Authorizing Disposal of Northern Maine Sanatorium. (H. P. 676) (L. D. 903) reported that the same Ought to pass.

Comes from the House Indefinitely Postponed.

In the Senate, on motion by Mr. Carter of Kennebec, the Ought to pass report was accepted in non-concurrence, the bill read once and tomorrow assigned for second reading.

Ought to Pass — As Amended

The Committee on Business Legislation on Bill, "An Act Authorizing Conversion of Augusta Mutual Insurance Company to a Stock Company." (H. P. 394) (L. D. 506) reported that the same Ought to pass as amended by Committee Amendment "A" (H-325)

The Committee on Judiciary on Bill, "An Act Providing for Questionnaires to be Propounded to

Prospective Jurors." (H. P. 142) (L. D. 165) reported that the same Ought to pass as amended by Committee Amendment "A" (H-327)

The same Committee on Bill, "An Act Providing for an Additional Trial Term for York County." (H. P. 560) (L. D. 730) reported that the same Ought to pass as amended by Committee Amendment "A" (H-326)

The Committee on Towns and Counties on Recommended Bill, "An Act Increasing Salary of Superior Court Messenger of Cumberland County." (H. P. 784) (L. D. 1037) reported that the same Ought to pass as amended by Committee Amendment "A" (H-298)

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

Ought to Pass in New Draft

The Committee on Business Legislation on Bill, "An Act Relating to Community Insurance Company." (H. P. 1067) (L. D. 1446) reported that the same Ought to pass in New Draft under New Title: "An Act to Create the Community Life Insurance Company." (H. P. 1129) (L. D. 1544)

The Committee on Legal Affairs on Bill, "An Act Relating to Number of Members of Superintending School Committee of Town of Old Orchard Beach." (H. P. 744) (L. D. 981) reported that the same Ought to pass in New Draft, under New Title: "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach." (H. P. 1109) (L. D. 1515)

The Committee on State Government on Resolve Proposing an Amendment to the Constitution Relating to the Election of the Clerk of the House of Representatives. (H. P. 1068) (L. D. 1447) reported that the same Ought to pass in New Draft under New Title: "An Act Relating to Positions of Deputy Secretary of the Senate and Deputy Clerk of the House." (H. P. 1131) (L. D. 1546)

Which reports were Read and Accepted. The Bills and Resolve, in New Draft, were Read Once and tomorrow assigned for second reading.

Divided Reports

The Majority of the Committee on Business Legislation on Bill, "An Act Relating to Optional Provisions in Individual Accident and Health Insurance Policies." (H. P. 972) (L. D. 1322) reported that the same Ought to pass.

(Signed)

Senators:

BERNARD of Penobscot
CARTER of Kennebec

Representatives:

HARRIMAN of Hollis
McKINNON
of So. Portland
FECTEAU of Biddeford
LABERGE of Auburn
BERNARD of Sanford

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

(Signed)

Senator:

BROWN of Hancock

Representatives:

AVERY of Kittery
SCOTT of Wilton

Comes from the House Indefinitely Postponed.

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

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Discrimination in Rental Housing." (H. P. 635) (L. D. 860) reported that the same Ought to pass in New Draft under the same title. (H. P. 1112) (L. D. 1518)

(Signed)

Senators:

VIOLETTE of Aroostook
GLASS of Waldo
STERN of Penobscot

Representatives:

BERMAN of Houlton
DAVIS of Calais
RICHARDSON
of Cumberland

DANTON

of Old Orchard Beach
BRENNAN of Portland
BISHOP of Presque Isle

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

(Signed)

Representative:

GILLAN of South Portland

Comes from the House Passed to Be Engrossed and Reconsideration motion lost.

In the Senate, on motion by Mr. Violette of Aroostook, the Majority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill, "An Act Relating to the Sale of Fireworks." (H. P. 708) (L. D. 946) reported that the same Ought to pass.

(Signed)

Senators:

SPROUL of Lincoln
JACQUES

of Androscoggin

Representatives:

HUNTER of Clinton
BOISSONNEAU

of Portland
CONLEY of Portland
LIBHART of Brewer
BAKER of Orrington
COTE of Lewiston

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

(Signed)

Senator:

SHIRO of Kennebec

Representative:

WHEELER of Portland

Comes from the House Majority—Ought to pass report accepted and the Bill Passed to Be Engrossed.

In the Senate:

Mrs. SPROUL of Lincoln: Mr. President, when I left home I was not going to say a word today but I cannot find anyone else to talk on this.

This bill is for the sale of what are presumably safe fireworks, and that is why I signed the re-

port as I did. You will note that Senator Shiro signed the other way. Since signing this report I have talked with several people, or rather they have talked to me, and there is a question in their minds as to whether fireworks in any form are safe or not. Dr. Schumacher came to us in the hearing and spoke a long time, and these were his reasons: He said that children and grown-ups too, particularly children, plan for a long while about things that are coming, and from the mental health aspect he thought that fireworks were a good thing; it gave them something to plan on for the 4th of July and to look ahead to, and it is an outlet for their emotions.

The other side of the picture that has been presented to me since is that different people remember when fireworks injured this person and that person. Now the way it was presented to us was that these fireworks would be absolutely safe and we had hoped to have some sort of a display for instance on the lawn of the state house that you could all see and decide for yourselves whether they were safe or not. There is a question in my mind as I say. I remember the days when the 4th of July was fun and we all enjoyed fireworks and the sparklers and Roman candles and so forth, so I will make the motion for the acceptance of the "Ought to pass" report but I make it with reservations.

On motion by Mr. Girard of Androscoggin the bill was tabled until the next legislative day pending the motion of the Senator from Lincoln, Senator Sproul, to accept the Majority "Ought to pass" report.

The Majority of the Committee on State Government on Bill, "An Act to Create a Department of Rehabilitation." (H. P. 99) (L. D. 108) reported that the same Ought to pass in New Draft under the same title: (H. P. 1075) (L. D. 1455)

(Signed)

Senators:

STERN of Penobscot

MAXWELL of Franklin
WILLEY of Hancock

Representatives:

PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD of Kingman
BERRY of Cape Elizabeth
LIBHART of Brewer

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

(Signed)

Representative:

KATZ of Augusta

Comes from the House, the New Draft Passed to Be Engrossed.

In the Senate, on motion by Mr. Stern of Penobscot, the Majority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on State Government on Resolve, Authorizing Director of Bureau of Public Improvements to Convey Certain Land in Hallowell to Robert G. Stubbs. (H. P. 552) (L. D. 723) reported that the same Ought to pass as amended by Committee Amendment "A" (H-220)

(Signed)

Senators:

STERN of Penobscot
MAXWELL of Franklin
WILLEY of Hancock

Representatives:

PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD of Kingman
KATZ of Augusta
LIBHART of Brewer

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

(Signed)

Representative:

BERRY of Cape Elizabeth

Comes from the House Indefinitely Postponed.

In the Senate:

Mr. JUTRAS of York: Mr. President, if we could hear from a member of the committee a little more about this bill.

The PRESIDENT: The Senator from York, Senator Jutras, requests through the Chair information in regard to this Resolve, (L. D. 723), and any Senator may answer if he so chooses.

Mr. MAXWELL of Franklin: Mr. President and ladies and gentlemen of the Senate: What this bill does is to allow the Bureau of Public Improvements to convey I think 1.7 acres of land in Hallowell to Robert Stubbs in exchange for about two acres of land which is alongside of the Girls' School down there. This is merely swapping some land so that he can get access to fifty odd acres that he wants to develop up back of the Hallowell Girls' School. I would move that we accept the "Ought to pass" report.

On motion by Mr. Carter of Kennebec the bill was tabled until the next legislative day pending the motion of the Senator from Franklin, Senator Maxwell, to accept the majority "Ought to pass" report.

The Majority of the Committee on Taxation on Bill, "An Act Relating to Definition of Farm Tractor Under Sales and Use Tax Law." (H. P. 718) (L. D. 956) reported that the same Ought not to pass.

(Signed)

Senators:

MAXWELL of Franklin
LETOURNEAU of York
WILLEY of Hancock

Representatives:

CURRAN of Bangor
HANSON of Gardiner
WOOD of Webster
DRIGOTAS of Auburn
ROSS of Bath

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

(Signed)

Representatives:

COTTRELL of Portland
MARTIN of Eagle Lake

Comes from the House, Majority — Ought not to pass report Accepted.

In the Senate, on motion by Mr. Maxwell of Franklin, the Ma-

jority Ought not to pass report was accepted in concurrence.

Senate

Mr. Brown from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1966 and June 30, 1967." (S. P. 36) (L. D. 208) reported that the same Ought to pass in New Draft under the same title: (S. P. 551) (L. D. 1550)

Which report was Read and Accepted and the Bill, in New Draft, was Read Once and tomorrow assigned for Second Reading.

Second Readers

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

House — As Amended

Resolve, Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine. (H. P. 452) (L. D. 606)

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

Senate

Bill "An Act Providing for Appeal of Sentence in Criminal Cases." (S. P. 548) (L. D. 1547)

Bill "An Act Relating to Agreements Between Attorney and Client." (S. P. 550) (L. D. 1549)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Definition of Kidnapping." (S. P. 149) (L. D. 390)

Bill "An Act Relating to Mental Examination and Observation of Persons Accused of Crime." (S. P. 513) (L. D. 1485)

Bill "An Act Increasing Salaries of Judges of the District Court." (S. P. 55) (L. D. 378)

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

Sent down for concurrence.

The PRESIDENT: The Chair would like to recognize in the Senate gallery, 23 pupils from the Penobscot Valley High School. We welcome you this morning and hope that you enjoy and benefit from your visit. You are from the town of Howland which, of course, is in Penobscot County. The Chair would like to introduce to you the Senators from that County, Senator Faloon, Senator Southard, Senator Stern and Senator Bernard. (Applause)

Enactors

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

Bill, "An Act Reactivating the Governor's Committee on Children and Youth." (H. P. 387) (L. D. 500)

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

Bill, "An Act Relating to Definition of Aid and Disabled Under Aid to the Disabled." (H. P. 1114) (L. D. 1521)

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

Bill, "An Act Creating a Second Assistant County Attorney for Penobscot County." (S. P. 50) (L. D. 221)

On motion by Mr. Stern of Penobscot, engrossing was reconsidered, Senate Amendment B (S-213) was read and adopted and the bill as amended was passed to be engrossed in non-concurrence. Subsequently, on motion by Mr. Smith of Cumberland, engrossing was reconsidered and the bill was tabled pending passage to be engrossed, and especially assigned for tomorrow.

Bill, "An Act to Control and Eradicate Salmonella Infections." (S. P. 173) (L. D. 539)

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

Bill, "An Act Relating to Amount of Aid to Aged, Blind or Disabled." (S. P. 261) (L. D. 810)

Bill, "An Act Relating to Operation of Motorcycles While Learning to Drive." (S. P. 371) (L. D. 1138)

Bill, "An Act Relating to Investigation in Divorce Cases Involving Child Custody." (S. P. 410) (L. D. 1306)

Bill, "An Act Relating to Condemnation of Land for Highway Purposes." (S. P. 498) (L. D. 1477)

Bill, "An Act Relating to Coercion in Placing Insurance on Real and Personal Property." (S. P. 510) (L. D. 1480)

Bill, "An Act Imposing Limitation Upon Holding Both Permit for Common Carriers and Contract Carriers." (S. P. 512) (L. D. 1483)

Which Bills were Passed to Be Enacted.

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)

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

Resolve, Appropriating Moneys for Location of Vocational Educational Institute in Northern Kennebec County or Southern Somerset County. (H. P. 1097) (L. D. 1494)

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

Emergency

Bill, "An Act to Provide Funds for the Continuing of Maine's Participation in the New England Pavilion at the New York World's Fair." (H. P. 616) (L. D. 825)

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

Emergency

Bill, "An Act Relating to Inspection of Certain Farm Trucks." (H. P. 1104) (L. D. 1508)

Which Bill, being an emergency measure, and having received the affirmative vote of 28 members of

the Senate, was Passed to Be Enacted.

Emergency

Bill, "An Act Relating to Road-side Beautification." (S. P. 499) (L. D. 1476)

Which Bill, being an emergency measure, and having received the affirmative vote of 29 members of the Senate, was Passed to Be Enacted.

Emergency

Resolve, Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens. (H. P. 248) (L. D. 316)

(On motion by Mrs. Chisholm of Cumberland, tabled pending final passage.)

Orders of the Day

Mr. HARDING of Aroostook: Mr. President, there will be a caucus of the Democratic members of the Senate at quarter of eleven and I now move that the Senate recess for one half hour.

The motion prevailed and the Senate recessed for one half hour.

After Recess

Senate called to order by the President.

The President laid before the Senate the 1st tabled and today assigned item (H. P. 799) (L. D. 1076) House Report, Ought to pass in New Draft under same Title (H. P. 1116) (L. D. 1523) from the Committee on Health and Institutional Services on Bill, "An Act Relating to Escape of Women Sentenced to the Maine State Prison"; tabled on May 11 by Senator Glass of Waldo pending acceptance of the report; and on further motion by the same Senator, the Majority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 526) (L. D. 1504) Bill, "An Act Revising the Minimum Wage Law"; tabled on May 12 by Senator Stern of Pe-

nobscot pending adoption of Senate Amendment B, Filing S-191 as amended by Senate Amendment A, filing S-194 thereto; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby it adopted Senate Amendment A to Senate Amendment B; on further motion by the same Senator, Senate Amendment A to Senate Amendment B was indefinitely postponed; the same Senator then presented Senate Amendment B to Senate Amendment B (S-220)

Senate Amendment B to Senate Amendment B was read and adopted, Senate Amendment B as amended by Senate Amendment B was adopted and the bill as amended was passed to be engrossed and sent down for concurrence.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 715) (L. D. 953) House Reports from the Committee on State Government on Bill, "An Act to Exempt University of Maine from Laws Relating to Bureau of Public Improvements"; Majority report, Ought not to pass; Minority report, Ought to pass; tabled on May 12 by Senator Stern of Penobscot pending acceptance of either report.

Mr. STERN of Penobscot: Mr. President, I would like to present Senate Amendment A to L. D. 953 and move its adoption.

The PRESIDENT: Does the Senator wish to accept the minority Ought to pass report first? The bill is not before us for amendment.

Mr. STERN: Mr. President, I rise to a point of information. What is the present status of the bill?

The PRESIDENT: The pending question is to accept either the Majority Ought not to pass or the Minority Ought to pass report.

Mr. STERN: Mr. President, I would like to present this amendment and move its adoption and then I would like to move that the minority report "Ought to pass, be accepted as amended by Senate Amendment A, if this is

proper. If not, I stand to be corrected.

Mr. BROWN of Hancock: Mr. President, would the Secretary please read the committee reports?

The Secretary read the committee reports.

The PRESIDENT: Is it the pleasure of the Senate to accept the Minority Ought to pass report?

Mr. JACQUES of Androscoggin: Mr. President, I have a question to ask of the Chairman of the Committee, Senator Maxwell of Franklin. Does this mean that if we accept the ought to pass report that the Bureau of Public Improvements will not have anything more to do with the University of Maine in construction?

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, poses a question through the Chair of the Senator from Franklin, Senator Maxwell, who may answer if he so chooses.

Mr. MAXWELL of Franklin: Yes, Mr. President, it does. If we accept the minority report "Ought to pass" this would eliminate the University of Maine from the Bureau of Public Improvements. This is why I was a signer of the "Ought not to pass" report.

Mr. JACQUES: Mr. President, I hope the Senate does realize what we are doing over here and I move that when the vote is taken that it be taken by a division.

The PRESIDENT: A division has been requested. Would the Senator from Penobscot, Senator Stern, please approach the rostrum?

(At ease)

Called to order by the President.

Mr. STERN of Penobscot: Mr. President, if I may I would like to take this opportunity to explain to the Senate just what his amendment is and what it does. I think perhaps if I read this amendment and explained it to you it might perhaps solve a lot of confusion as to what this amendment to the minority report will do. What the University of Maine would like to do is to still have this under the control of the Bureau of Public

Improvements; they are not contesting that but they feel that they should be able to say within their priorities or within the appropriation what buildings should go up or what should be done first. They feel that they, the trustees, are in a much better position. They have their own engineers, they have their own architects, and without taking this outside of the protection of the Bureau of Public Improvements they should be able to say, "Well, we want this scientific building to go up first," or "We want this dormitory. We know that this is for our best interests. We are in a better position to say that his should have a priority." Now this does not in any way affect, we claim, any of the powers of the Bureau of Public Improvements. I would like to read the amendment because it is self-explanatory:

"Senate Amendment "A" to H. P. 715, L. D. 953, Bill, "An Act to Exempt University of Maine from Laws Relating to Bureau of Public Improvements.

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

R. S., T. 5, Sec. 1741, amended. The first paragraph of section 1741 of Title 5 of the Revised Statutes is amended by adding at the end thereof, the following: 'Nothing in this section shall apply to the construction, improvement or repair of any or all grounds, buildings, facilities and public services which are by law under the management of the Trustees of the University of Maine, except that:

1. Programs. The University of Maine shall report to the Bureau of Public Improvements the development of its overall long range capital improvement programs, the retention of architects and final complete costs of all capital construction.

2. Plans. The university shall submit to the Bureau of Public Improvements architects' plans and specifications for all capital construction.

3. Advice. The university may request advice from the Bureau of

Public Improvements in connection with engineering and architectural matters.

4. Date. The university shall prepare, at the request of the Governor and Council or the Legislature, data pertaining to its existing or proposed capital improvements.

5. Responsibilities. The Bureau of Public Improvements shall have full responsibility for placing requests for capital construction from the University of Maine within the state-wide priority schedule of requests from all agencies but the authority for establishing priorities within the university's program shall be the responsibility of the university's board of trustees and may be made by the Bureau of Public Improvements in the light of changing needs and moneys available with the advice and consent of the university's board.' "

The University of Maine strongly feels that this is not in any way detracting or superseding the powers of the Bureau of Public Improvements. It is something that the University of Maine feels that there is an absolute necessity for. They feel in effect that what this bill or the amendment primarily does is to let them choose because they are in a much better position to say to the Bureau of Public Improvements what they want and what they need.

We heard this bill in our State Government Committee and at that time the argument was that either we exempt the University of Maine from the Bureau of Public Improvements or we don't. The amendment was not taken up, nothing was discussed, but we feel, after a great deal of deliberation, that the University of Maine officials, the architects — and no one in the Bureau of Public Improvements has said in any way that they did not have a staff as equal, as capable of determining the needs of the university. We feel, because of this, that this amendment is something that if we want the University of Maine to grow, is a necessity. You look around to the other states where Universities are growing so tremendously out of proportion to

what the University of Maine is, and we feel that this is a must amendment and we urge that you go along with the amendment.

Mr. JUTRAS of York: Mr. President, as a justification for such a request, has the University of Maine been denied any priorities and denied progress by the Bureau of Public Improvements? I notice in this amendment that it says that the University may request engineering advice and we know that they do not intend to request engineering advice because, as claimed in the amendment, they do have their own engineering staff and they want to do as they please without consulting anyone.

Mr. JACQUES of Androskoggin: Mr. President and members of the Senate: I think if you look at L. D. 953 you will see that the amendment is longer than the present bill. I think you might as well have substituted the amendment for the bill. Mr. President, I do not see anything wrong with the trustees of the University of Maine going to the Bureau of Public Improvements and letting them know what they are contemplating doing and let them hash it over with them. Why should the State of Maine give them a blank check and tell them to do what they want and that is it. I feel that the Bureau of Public Improvements should have some say on what is going to be done at the University of Maine as far as buildings are concerned.

The PRESIDENT: The question before the Senate is the motion of the Senator from Penobscot, Senator Stern to accept the Minority Ought to pass report; a division on the motion has been requested.

A division of the Senate was had.

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

Thereupon, the Majority Ought not to pass report was accepted.

Mr. SMITH of Cumberland: Mr. President, in regard to tabled item No. 2, I was late and I wonder if there is any chance of having a division on this?

The PRESIDENT: The Chair would inform the Senator in regard to Item 2 that we reconsidered Senate Amendment "A" and indefinitely postponed Senate Amendment "A" to Senate Amendment "B", and indefinitely postponed Senate Amendment "A" to Senate Amendment "B" was presented and passed as amended by Senate Amendment "B" and the bill was passed to be engrossed in non-concurrence.

Mr. SMITH: A point of information, Mr. President. What would be my procedure in having a division on that amendment?

The PRESIDENT: Your motion would be to reconsider our action whereby we passed L. D. 1504 to be engrossed.

Mr. SMITH: I would like to reconsider our action and request a division on Senator Stern's amendment.

The PRESIDENT: The Senate may be at ease, and would Senator Smith approach the rostrum.

(At ease)

Called to order by the President.

On motion by Senator Smith of Cumberland, the Senate voted to reconsider its action whereby it passed L. D. 1504 to be engrossed, and on further motion by the same Senator the bill was tabled pending engrossment.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 1110) (L. D. 1516) Bill, "An Act Relating to Arrests for Motor Vehicle Violations"; tabled on May 13 by Senator Glass of Waldo pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Which amendment (S-221) was read and 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 5th tabled and today assigned item (H. P. 465) (L. D. 619) House Reports from the Committee on Education on Bill, "An

Act Relating to Conveyance of Secondary School Pupils"; Majority report, Ought to pass; Minority Report, Ought not to pass, tabled on May 13 by Senator Snow of Cumberland pending acceptance of either report; and at the request of that Senator, the Secretary read the status of the bill.

Mr. SNOW of Cumberland: Mr. President, this Legislative Document 619 would have required all communities to provide the conveyance of secondary school pupils. It was reported favorably by a majority of the committee on education. The committee believes it a worthy bill. However, in view of the action of the other body, in view of the lateness of the session, and in view of the controversial nature of this matter, I move the acceptance of the Ought Not to Pass Minority Report of the committee.

The motion prevailed and the Ought Not to Pass Report was accepted.

The President laid before the Senate the 6th tabled and today assigned item (H. P. 1029) (L. D. 1399) House Reports from the Committee on Highways on Bill, "An Act Providing Funds for Land Damage and Rights of Way for Maine Quebec Highway"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on May 14 by Senator Glass of Waldo pending motion by Senator Manuel of Aroostook to accept the Minority Ought to pass Report.

Mr. MOORE of Washington: Mr. President, when the vote is taken I ask for a division.

Mr. CAHILL of Somerset: Mr. President, I don't know what the final report was on this; I think it was eight to two Ought not to pass and I would hope that the motion to accept the Minority Ought to pass report would not prevail.

The PRESIDENT: The motion before the Senate is the motion of Senator Manuel of Aroostook to accept the Ought to Pass report.

Mr. JACQUES of Androscoggin: Mr. President, I have a question to ask of any member who can

answer this. At the present time do we pay land damages when we build highways.

Mr. CAHILL of Somerset: Mr. President, if you will look at your L. D.'s you will find that this bill requests that the State of Maine and the Highway Commission allocate \$50,000 a year to the County of Aroostook for the purpose of purchasing right of way and so forth for the Maine-Quebec Highway which is not the customary thing by a long ways so far as state highway funds are concerned. Under normal conditions either the county would have a road through there or the towns would have town roads and they would request the state to put money into it, but nowhere in any of the previous legislatures that I know of has anything like this ever come to pass. I would hope that the motion does not prevail.

Mr. HARDING of Aroostook: Mr. President and members of the Senate: I am speaking on this bill, of course, only as the Senator from Aroostook. I think you folks are aware that the people of Aroostook County for a great many years have attempted to get a Maine-Quebec highway built. They have tried various means thus far without success. I think this bill may be of particular interest to you folks at this time because of the talk which we have had on the Allagash Riverway Authority, because this road, if it were constructed, would go through the very southerly tip of the bounds of the Allagash Riverway Authority.

I think I should also mention in regard to this bill that when this highway is built it will require that the County of Aroostook lay out this land and that the funds for the maintenance of the highway and the building of it will come primarily from the County of Aroostook and from the townships which are unorganized where it will be laid through. This money will be coming from the general highway fund and if this road is built and if this great area is opened up I feel that the token amount which is being asked for here will be one of the wisest

investments that the State of Maine has ever made, and so I would ask as a Senator from Aroostook County your support on this particular bill.

Mr. JUTRAS of York: Mr. President, I believe that Governor Reed, when he first came to the legislature many years ago, that was his first bill that he did introduce, and ever since then we have been trying to pass such a bill. Anything for progress in Maine is going to happen in one of the sixteen counties. This is one step to move Maine forward and I believe that we should support the gentleman from Aroostook not because it is an Aroostook bill but because it means progress to the State of Maine.

Mr. CAHILL of Somerset: Mr. President, I appreciate what is trying to be accomplished here but the only point I would like to make here is that it is being done in reverse. If the county were to go ahead and lay the road out and buy their own right of way there are funds within the highway fund that can be spent on this road without special legislation of any type. You have TRI money you could get in there, you have state aid you could get in there if you wanted to. I still hope that the motion to accept the minority report does not prevail.

Mr. CASEY of Washington: Mr. President and members of the Senate: I made this trip back in January over this road through Aroostook. The reason I went was that this bill first came before my committee, and in all fairness to the county I felt that a trip over that road to see what they were asking for and to find out just what it involved was reason enough for me to go. I am very much in favor and I voted in favor of this bill to open this area. I believe that if this area was opened it would bring in a lot more revenue to the State. I think also that the senators should keep in mind that if they wrote to their senators in Washington and to their congressmen that there might be funds available through Appalachian type bills which might be able to help them in this area. I would also like to

say that in speaking with Bill Hathaway last Friday night he is going to Ottawa this week on Thursday and they are going to discuss Trans-Canada highways connecting Canada and going through Maine, and this would be something that they might look into. I think it would be very interesting and they might get some help there. Thank you.

Mr. MAXWELL of Franklin: Mr. President and members of the Senate: I would like to support Senator Cahill in his motion to accept the "Ought not to pass" report of the committee. Secondly, I would like to point out to the Senator from Aroostook that according to my map of the Allagash wilderness waterway proposal this road would go through about the center of it and not the southern tip of it. I would hope when we vote we vote for the "Ought not to pass" report.

Mr. JACQUES of Androscoggin: Mr. President, I am not against the building of that highway but I am against the method of doing it. We have not done this for many years and I do not think we should start this.

Mr. JUTRAS of York: Mr. President and ladies and gentlemen of the Senate: Just because it has not been done in previous sessions does not mean it cannot be done and should not be done. If we are sincerely interested in the progress of Maine we have to go along with the minority report.

The PRESIDENT: The question before the Senate is the motion of Senator Manuel of Aroostook, to accept the Minority Ought to pass report. A division of the Senate has been requested.

A division of the Senate was had.

Eleven having voted in the affirmative and twenty opposed, the motion did not prevail.

Thereupon, the Majority Ought not to pass report was accepted.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 1025) (L. D. 1388) Bill, "An Act Relating to the Reporting of Traffic Accidents"; tabled on May 17 by Senator Glass of Waldo pending con-

sideration; and on further motion by the same Senator, the Senate voted to recede and concur.

The President laid before the Senate the 8th tabled and today assigned item (S. P. 492) (L. D. 1457) Bill, "An Act Authorizing Town of Island Falls to Construct Certain Road"; tabled on May 17 by Senator Casey of Washington pending enactment.

This being an emergency measure, a division of the Senate was had.

Thirty-one having voted in the affirmative and none opposed, the bill was passed to be enacted.

Pursuant to Senate Order of May 12, the President laid before the Senate the following tabled items:

The President laid before the Senate the 1st tabled and unassigned item (H. P. 945) (L. D. 1065) Bill, "An Act Relating to Hours for Sale of Liquor" tabled on March 3 by Senator Jacques of Androscoggin pending consideration, and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 2nd tabled and unassigned item (H. P. 494) (L. D. 647) Resolve, Opening Certain Waters in Aroostook and Piscataquis County to Ice Fishing; tabled on March 10 by Senator Boisvert of Androscoggin pending final passage; and that Senator moved the pending question.

This being an emergency measure, a division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed, the resolve was finally passed.

The President laid before the Senate the 3rd tabled and unassigned item (H. P. 369) (L. D. 471) House Report Ought to pass with Committee Amendment A Filing H-102 from the Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens under State Retirement System"; tabled

on March 16 by Senator Harding of Aroostook pending acceptance of the report; and on further motion by the same Senator, the Ought to pass report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 4th tabled and unassigned item (S. P. 269) (L. D. 817) Bill, "An Act Relating to Sales and Use Tax Liability of Lessors of Tangible Personal Property"; tabled on March 17 by Senator Glass of Waldo pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed and sent down for concurrence.

The President laid before the Senate the 5th tabled and unassigned item (H. P. 383) (L. D. 485) House Report, Ought to pass as amended by Committee Amendment "A", Filing H-59 from the Committee on Veterans and Military Affairs on Resolve, Designating Maine Turnpike and Interstate No. 95 as "The Gold Star Memorial Highway"; tabled on March 24 by Senator Harding of Aroostook pending consideration; and on further motion by the same Senator, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 6th tabled and unassigned item (H. P. 350) (L. D. 453) House Report, Ought not to pass from the Committee on Legal Affairs on Bill, "An Act Relating to an Electrical Inspector for City of Lewiston"; tabled on March 30 by Senator Jacques of Androscoggin pending acceptance of the report; and on further motion by the same Senator, the Ought not to pass report was accepted.

The President laid before the Senate the 7th tabled and unassigned item (S. P. 386) (L. D. 1202) Senate Reports from the Committee on Sea and Shore

Fisheries on Bill, "An Act Relating to Catching Lobsters by Skin-divers"; Majority Report, Ought not to pass; Minority report, Ought to pass; tabled on March 30 by Senator Jacques of Androscoggin pending motion by Senator Moore of Washington to accept the Majority Ought not to pass report; and on further motion by Senator Jacques of Androscoggin, the bill was retabled and especially assigned for tomorrow.

The President laid before the Senate the 8th tabled and unassigned item (S. P. 455) (L. D. 1391) Bill, "An Act Relating to Payments to the State by Municipalities for Winter Maintenance on State Highways"; tabled on March 31 by Senator Cahill of Somerset pending consideration; and on motion by Mr. Harding of Aroostook, the Senate voted to recede and concur.

The President laid before the Senate the 9th tabled and unassigned item (H. P. 454) (L. D. 608) House Reports from the Committee on Business Legislation on Bill, "An Act Decreasing Interest Rate for Small Loan Agencies"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 2 by Senator O'Leary of Oxford pending motion by Senator Bernard of Penobscot to Accept the Majority Ought not to pass report; and on further motion by the same Senator, the bill was retabled and especially assigned for tomorrow.

The President laid before the Senate the 10th tabled and unassigned item (H. P. 1064) (L. D. 1440) Resolve Providing for a Study of the State Personnel System tabled on April 7 by Senator Casey of Washington pending assignment for second reading; and on motion by Mr. Harding of Aroostook, the resolve was indefinitely postponed and sent down for concurrence.

The President laid before the Senate the 11th tabled and unassigned item (H. P. 64) (L. D.

75) House Report Ought not to pass from the Committee on Inland Fisheries and Game on Bill, "An Act Permitting Sunday Hunting in Unorganized Territory of Aroostook County"; tabled on April 9 by Senator Violette of Aroostook pending acceptance of the report; and on further mo-

tion by the same Senator, the bill was substituted for the report, read once and tomorrow assigned for second reading.

On motion by Mr. Harding of Aroostook

Adjourned until tomorrow morning at 9:30 o'clock.