

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

Wednesday, May 19, 1965

Senate called to order by the President.

Prayer by Rev. Douglas Robins of Augusta.

On motion by Mr. Southard of Penobscot, the Journal of yesterday was Read and Approved.

Papers from the House

Bill, "An Act Relating to Length of Certain Motor Vehicles." (S. P. 489) (L. D. 1452)

Mr. SOUTHARD of Penobscot: Mr. President, I move that the Senate recede and concur.

Mr. CAHILL of Somerset: Mr. President, would the Secretary read House Amendment "B"?

Mr. CAHILL of Somerset: Mr. President, I thank the Secretary for reading the amendment. To straighten out a little confusion there may have been in the Senate this morning about what this sixty feet applies to, I will say it applies to all trailers with an overhang of five feet. In other words they are going to have a sixty foot load. The bill is just as bad now as it was before. I request a division on the motion.

Mr. MENDELL of Cumberland: Mr. President, on this five-foot overhang, actually what it means is there will be two and a half feet at the front and the rear of the truck that will hang over and this will be on the auto carriers mostly. This overhang, as far as the auto carriers are concerned, will be about ten feet up above the ground. This has nothing to do with weight. This does not violate any federal highway laws and there is no particular safety problem involved. I move that we recede and concur.

Mr. CAHILL of Somerset: Mr. President, I would just like to say one more thing. The bill itself is self-explanatory and specifies there must be two feet and a half sticking out in front and the same thing in back. This is a five-foot exemption for any load.

The PRESIDENT: The motion before the Senate is the motion

to recede and concur and a division has been requested. All those in favor of the motion to recede and concur will please rise and remain standing until counted.

A division was had. Fourteen having voted in the affirmative and 17 in the negative the motion to recede and concur failed of passage.

Mr. O'LEARY of Oxford: Mr. President, I now move that this bill and all accompanying papers be indefinitely postponed.

Mr. MENDELL of Cumberland: Mr. President, I request a division.

The PRESIDENT: A division has been requested. All those in favor of the motion will please rise and remain standing until counted.

A division was had. Eighteen having voted in the affirmative and fourteen in the negative the motion to indefinitely postpone prevailed.

Bill, "An Act Regulating Fly Fishing in Certain Portion of Kennebec River." (S. P. 425) (L. D. 1360)

In Senate, May 11, Passed to Be Engrossed As Amended by Senate Amendments "A" and "C" (S-97) (S-189) in Non-Concurrence. Motion to Reconsider Lost.

Comes from the House, Indefinitely Postponed.

In the Senate on motion by Mr. Carter of Kennebec the Senate voted to insist on its former action.

Bill, "An Act Amending the Banking Laws." (S. P. 379) (L. D. 1216)

In Senate, May 13, Passed to be Engrossed As Amended by Committee Amendment "A" (S-196)

Comes from the House, Passed to be Engrossed As Amended by Committee Amendment "A" and by House Amendment "A" (H-337) in Non-Concurrence.

In the Senate, on motion by Mr. Bernard of Penobscot, the Senate voted to recede and concur.

Bill, "An Act Amending the Pittsfield School District." (S. P. 506) (L. D. 1474)

In Senate, May 11, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "A" (L. D. 1543) in Non-Concurrence.

In the Senate:

Mr. HILTON of Somerset: Mr. President, I move that the Senate concur and I wish to speak briefly.

The PRESIDENT: The Senator may.

Mr. HILTON of Somerset: Mr. President, perhaps I had better give a word of explanation on this matter.

I got this bill in for the Pittsfield School District to amend their charter, and the town of Athens came along and they wanted a similar piece of legislation and it was such a late date that the only way we could get that in was to amend this Pittsfield one, and that is the result of this new L. D. It has passed in the House and I would like to see it go along without any difficulty.

Thereupon, the Senate voted to recede and concur.

Order

On motion by Mr. STERN of Penobscot

ORDERED, the House concurring, that \$1,000 be paid from the Legislative Appropriation to Edith Hary, Law and Legislative Reference Librarian, for services rendered to the 102nd Legislature during the session. (S. P. 553)

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, to Provide Funds for Additional Personnel for the Southern Maine Vocational-Technical Institute at South Portland. (H. P. 390) (L. D. 502) reported that the same Ought Not To Pass.

Ought Not to Pass Report accepted in concurrence.

Ought to Pass

The Committee on Judiciary on Recommitted Bill, "An Act Relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit." (H. P. 589) (L. D. 781) reported that the same Ought to Pass

Which report was read and Accepted in concurrence, the Bill Read Once and tomorrow assigned for second reading.

The same Committee on Bill, "An Act Increasing Clerical Assistance for Justices of Superior Court." (H. P. 415) (L. D. 527) reported that the same Ought to Pass.

Comes from the House, report Read and Accepted, and the Bill Passed to be Engrossed As Amended by House Amendment "A" (H-335)

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

Ought to Pass — As Amended

The Committee on Judiciary on Resolve Authorizing Estate of Grace Haskell to Sue the State of Maine. (H. P. 339) (L. D. 442) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-332)

Which report was read and accepted in concurrence, the resolve read once, Committee Amendment "A" read and adopted and the bill as amended tomorrow assigned for second reading.

The Committee on Labor on Recommitted Bill, "An Act Relating to Employment of Minors Under 16 Years of Age." (H. P. 342) (L. D. 445) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-333)

On motion by Mr. O'Leary of Oxford, the bill and all accompanying papers were indefinitely postponed and sent down for concurrence.

The Committee on Taxation on Recommitted Bill, "An Act Re-

pealing Property Tax Exemption for Pleasure Boats in the State for Storage or Repair." (H. P. 760) (L. D. 997) reported that the same Ought to Pass As Amended by Committee Amendment "B" (H-315)

Comes from the House Passed to Be Engrossed As Amended by House Amendment "A" (H-324)

In the Senate, the report was read and accepted and the bill read once; Committee Amendment "B" was read and adopted in non-concurrence; House Amendment "A" was read and adopted.

Thereupon, on motion by Mr. Maxwell of Franklin, the Senate voted to reconsider its action whereby it adopted Committee Amendment "B" and on further motion by the same Senator, Committee Amendment "B" was indefinitely postponed, and the bill as amended by House Amendment "A" was tomorrow assigned for second reading.

Divided Reports

The Majority of the Committee on Labor on Bill, "An Act Protecting the Right of Public Employees to Join Labor Organizations." (H. P. 741) (L. D. 978) reported that the same Ought Not to Pass.

(Signed)

Senators:

CHISHOLM

of Cumberland

SMITH of Cumberland

Representatives:

KITTREDGE

of South Thomaston

BAKER of Winthrop

BENSON of Southwest Harbor

GAUVIN of Auburn

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

(Signed)

Senator:

O'LEARY of Oxford

Representatives:

DUMONT of Augusta

BEDARD of Saco

LEVESQUE

of Madawaska

Comes from the House, the Majority — Ought Not to Pass — Report Accepted and Reconsideration Motion Lost.

In the Senate:

Mrs. CHISHOLM of Cumberland: Mr. President, I move acceptance of the Majority Ought not to pass report.

Mr. O'LEARY of Oxford: Mr. President, I would oppose the motion and ask for a division. However, in order to straighten this out and to prepare an amendment I wish someone would table it.

Mrs. CHISHOLM: Mr. President, I ask for a division.

The PRESIDENT: The tabling motion has not been made. The motion before the Senate is to accept the Majority Ought not to pass report.

Thereupon, on motion by Mr. Glass of Waldo, the bill was tabled pending motion by Mrs. Chisholm of Cumberland to accept the Majority Ought not to pass report.

The Majority of the Committee on State Government on Bill, "An Act Creating the Land Compensation Board Relating to Soil Conservation." (H. P. 302) (L. D. 405) reported that the same Ought Not to Pass.

(Signed)

Senators:

MAXWELL of Franklin

WILLEY of Hancock

Representatives:

PITTS of Harrison

DOSTIE of Lewiston

STARBIRD

of Kingman Township

BERRY of Cape Elizabeth

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass in New Draft Under New Title: "An Act Relating to Condemnation by Soil and Water Conservation Committee." (H. P. 1125) (L. D. 1535)

(Signed)

Senator:

STERN of Penobscot

Representatives:

EDWARDS of Portland

KATZ of Augusta

LIBHART of Brewer

Comes from the House, Indefinitely Postponed.

In the Senate, on motion by Mr. Maxwell of Franklin, the Majority Ought not to pass report was accepted.

Senate

Ought Not to Pass

Mr. Letourneau from the Committee on Taxation on Bill, "An Act Relating to Class "A" and Class "B" Taxes Under Inheritance Tax Law." (S. P. 439) (L. D. 1370) reported that the same Ought Not to pass.

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

Ought to Pass — As Amended

Mr. Stern from the Committee on Judiciary on Bill, "An Act to Create the Unit Ownership Act." (S. P. 194) (L. D. 766) reported that the same Ought to Pass — As Amended by Committee Amendment "A" (S-227)

Which report was read and accepted and the Bill Read Once. Committee Amendment "A" (S-227) was Read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Judiciary on Bill, "An Act Revising the Laws Relating to Disclosures of Debtors." (S. P. 264) (L. D. 813) reported that the same Ought Not to Pass.

(Signed)

Senator:

GLASS of Waldo

Representatives:

BRENNAN of Portland

DAVIS of Calais

DANTON

of Old Orchard Beach

BERMAN of Houlton

GILLAN

of South Portland

BISHOP of Presque Isle

RICHARDSON

of Cumberland

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

ter reported that the same Ought to Pass, As Amended by Committee Amendment "A" (S-228.)

(Signed)

Senators:

VIOLETTE of Aroostook
STERN of Penobscot

Which reports were read.

Mr. STERN of Penobscot: Mr. President, I move acceptance of the minority report of the committee "Ought to pass" and I would like at this time to address the Senate, if I may, on this motion.

The PRESIDENT: The Senator is in order.

Mr. STERN: Mr. President, this bill here, unless you read it thoroughly and understood it, might seem complicated, but I might say that this bill gives much more protection to the debtor than under the current law. You know we lawyers have an easy time of it as the law now stands because when we want to collect a bill we get a petition before a disclosure commissioner and if he is working at all or earning anything at all the debtor will not be given the poor debtor's oath. This means the man is thrown in jail and he is kept there unless he can get out under the provision of the law. It is very harsh and it hurts the debtor. Now we feel that under this new bill there are certain provisions that would protect some of the unfortunate people here who cannot pay their bills, and I am addressing my remarks to them. Under the present law if a judgment is obtained against you a petition is brought by the creditor to the disclosure commissioner and he somewhat controls the situation where he never could before. If he feels that you should, because of your circumstances and your ability to pay, pay a reasonable amount, he could order you to pay under those terms and find you not in contempt. He more or less has control of it. I think this is for the protection of the debtor.

It seems strange, doesn't it, to hear a lawyer talk in favor of a debtor, but I am doing just that thing, and you will notice

that Senator Violette happens to be signing this minority report with me, and with all due respect and no insult intended to my good friend Senator Glass and all the other members who signed this majority report, there is only one conclusion that I can come to and that is they probably are collection lawyers and they want to be able to collect their bills easily.

Now, seriously, if you read this bill and interpret it and understand it, I might say that a reputable firm or a lawyer from Lewiston, Maine spent several months revising what we consider a harsh and inequitable doctrine as far as poor debtors are concerned.

Now I might give the clinching argument for the passage or non-passage of this bill. If you want to help the lawyers, vote for the majority "Ought to pass", if you want to help the poor debtor, the poor unfortunate, then vote for the minority "Ought to pass."

Mr. GLASS of Waldo: Mr. President, I would like to thank my colleague, the Senator from Penobscot, for some of his remarks as he has opened the door, as we say in the legal profession, for some comments that I will make subsequent to this date in connection with several other bills which are to be reported out of the Judiciary Committee, and I might say they are divided, as this one is.

I am not a collection attorney; I think I am probably one of the poorest bill collectors in the practice. This bill, as Stern did indicate, does alleviate some of the difficulties and some of the harsh rules that are presently existent so far as poor debtors are concerned. However, the bill does not go far enough. It sets up a completely new machinery insofar as the disclosure of debtors is concerned and it would take a long period of time to explain to the Senate just how this machinery is set up at the present time, to explain the functions and duties of a disclosure commissioner. This in effect increases the duties of a disclosure commissioner and practically makes a judge of a disclosure commissioner who, in

his present capacity under the present law is acting in a quasi-judicial fashion. There is no provision in the bill for increasing fees of any of these disclosure commissioners, and because the committee is reporting out several bills which we feel revamp the law concerning poor debtors—they relate to control over collection agencies and other legislation—we are of the opinion that this bill in its present form is unacceptable, and therefore I would urge the Senate to vote against the motion of the Senator from Penobscot and I would request a division.

Mr. CAHILL of Somerset: Mr. President, could I ask a question of the Chair? How are we just normal persons going to determine which one of these two legal beavers is correct before we vote?

The PRESIDENT: The Chair does not care to answer the question.

Mr. SHIRO of Kennebec: Mr. President, I would like to agree with Senator Stern's argument here that the minority "Ought to pass" report should be accepted. I have had a great deal of experience in regard to representation of creditor merchants and I do not think it is a question of whether it is a benefit to the debtor or a benefit to the attorney. I disagree with the statement that a majority report would be in the attorneys' favor. It is a question of what is just between the debtor and the creditor.

A disclosure proceeding, as many persons here may not know, is a proceeding whereby the creditor cites a debtor into court to disclose his financial affairs and his ability to pay the particular debt. If we leave the present law as it is I am certain that the advantage lies with the creditor and the attorney and many times they are in a position to impose undue pressure upon a debtor to pay a claim or else be subject to the danger of being incarcerated. This particular bill as it has been submitted is something which follows what exists now in several other states. In Massachusetts, I believe, they have this particular bill, and what it

does, as has been pointed out, it allows a disclosure commissioner, who in a sense acts as a judge, to determine whether a debtor has the ability to pay a claim, but now the disclosure commissioner has no authority whatsoever to order the debtor to make payments in accordance with his ability. The only thing he can determine is whether or not the debtor has disclosed truthfully and has disclosed all of his assets and financial affairs. If he feels that he has he can render what we call a poor debtor's oath thereby relieving the debtor not from the bill or the liability but simply from the possibility that he may be committed to jail. If he finds he has not or believes that he has not disclosed truthfully and fully then he would issue what we call a capias execution whereby the debtor might be committed to jail if the attorney for the creditor thinks that would be the proper procedure to follow, and the discretion would then lie wholly within the attorney for the creditor or the creditor himself. I feel that this bill, although in some ways it will deter perhaps the speedy collection of a claim would really render more justice between the debtor and the creditor. I think, as I say, that attorneys would rather not have this bill passed because it will delay action many times, and I know it will as far as many claims that I represent, many merchants and creditors, but yet I feel that it would be more just between the parties. The disclosure commissioner who hears, you might say the pleas of the debtor and hears what ability he has to pay would be in a position to order the debtor to pay or make installment payments in accordance with what he thinks is suitable for the ability of the debtor, and that is only proper. The debtor, I think, when he is under the order, would certainly be more inclined to honor the order when it comes from an official party such as a disclosure commissioner, and I think in that way the creditor cannot complain where he has had a fair and just hearing upon it. The

attorneys are usually present; debtors many times do not have an attorney at a disclosure hearing and so very frequently they are at a disadvantage. This is a good bill, I am certain. I have had much experience in regard to it, although I say I would like to retain the discretion and the control over a particular claim and be able to exert as much pressure as I would like on behalf of a particular creditor, I nevertheless feel that this is only just that the debtor be given the opportunity to pay in accordance with his ability as determined by an impartial and independent party, and this is what this bill is really designed to do. If the debtor fails to pay in accordance with the provisions of this bill the creditor can then cite the debtor again before the disclosure commission for contempt of that order, and if the disclosure commissioner feels that the debtor did not have reasonable justification for failure to pay in accordance with his order he can cite him for contempt and he can issue a court order that he be committed to jail or else pay the entire claim. So I believe that on this basis this a good bill, and I would ask that when a vote is taken that we support the minority opinion of this committee.

Mr. SNOW of Cumberland: Mr. President, like my colleague from Somerset, Senator Cahill, I hesitate to rise and speak on a matter involving a difference of opinion between two lawyers or several lawyers, however I do happen to be the owner of a small business which occasionally has to employ collection procedures. I have felt for a long time that some of the tools at our disposal to collect bills were unnecessarily harsh, and therefore on this ground I would favor the motion to accept the minority report. I would also like to say that in the case of mistaken identity I was once on the other side and the most violent procedures were employed against me when in truth they should have been employed against another person, and at this time I became very much aware of the present laws we have for

many collections of bills, so I would favor Senator Stern's plea to accept the minority report.

Mr. STERN of Penobscot: Mr. President, I might add a few words to what has been said. When I first started to practice law some 32 years ago I started out in a small way, I collected bills, and I got a judgment against a debtor. The procedure is no different today than it was thirty-two years ago; you petitioned before a friendly lawyer who was a disclosure commissioner and all he had to do was find that a debtor had some earning ability and he would not give him the oath and he would give you a paper to put him in jail. I got this judgment, I put this man in jail. Ladies and gentlemen of this Senate: My action still haunts me today. That debtor stayed in jail for nine months. Of course the creditor had to pay his board, but that action has haunted me and I have never done it since then and I realize how harsh that system is. We still have that system today and all the disclosure commissioner is concerned with is whether the poor debtor has any ability. If he doesn't have any ability he gets the contempt proceedings and he is put in jail. Now I am trying to make amends for what I did some thirty-two years ago. It has not changed and I feel that it is high time that this law is changed so that the debtor will have the reasonable opportunity that this bill spells out to make payments according to his ability, in accordance with the feeling of the disclosure commissioner as to how much he can pay, when and how and so forth. I do feel, for this reason and for some of the reasons stated by my good friend Senator Shiro, who, in my opinion has had more experience along this particular line than any of us, that this is high time that we did something to make this inequitable proceeding changed so that it will be fair for everyone concerned.

Mr. GLASS of Waldo: Mr. President, I can sympathize with what the Senator from Penobscot has said and what the Senator from Kennebec has said. There are in-

equities insofar as the present disclosure proceedings are concerned. However, the majority of the committee, and insofar as this is concerned, the proponents recognized the fact that there were certain essential elements that were missing from this bill. Unfortunately Judiciary has been a very, very busy committee; some one hundred and sixty bills were heard with the last of them still to come out. We did not feel that we had the time to—I will use the word "repair" this particular measure. As I said before, it actually makes a judge out of a disclosure commissioner who is paid, I believe, some three dollars—Senator Shiro can correct me if I am wrong in that connection because I do not have very much experience along these lines. I think he will note, if he examines the bill carefully, that there is no provision for paying the disclosure commissioner but we are adding all of these functions and duties upon his shoulders. As I said before, the committee is coming out with a model act to regulate collection agencies, which is a far-reaching measure and one which has been required for some time; it is coming out with a favorable report in connection with the attachment of wages prior to judgment. I would wish that someone would table this bill until such time as the senate has seen the reports on these other bills to show just exactly what the judiciary committee has done to alleviate some of the harsh provisions of the law as concerns the collection of claims.

Mr. STERN of Penobscot: Mr. President, I want to thank the Senator for his compliment.

I would say that I have to disagree with my good friend Senator Glass. It seems to me we not only have our differences in court but we have our differences in the Senate. I never thought that perhaps one day we would be opposing each other in the Senate. I will never forget the last time that he recommended that my client go to jail when he was County Attorney.

Mr. President, I think he is wrong when he says that it makes

a disclosure commissioner a judge. It does not make him a judge: the judge is the one who decides whether the debtor owes the debt. If you read the provisions of this act, all it says — more often than not the disclosure commissioner is the judge of the district court before whom these proceedings can be brought, and more often than not are brought under the provisions of this statute, and the disclosure commissioner is a lawyer. All that lawyer has to decide is whether or not that man according to his means and his ability and his earnings is able to make the full payment. You do not have to be a judge, you do not have to be a lawyer, all you have to have is a little commonsense. And I want to take issue with my good friend Senator Cahill when he got up there and said that we normal persons do not understand that. The inference is that the lawyers are abnormal. I take issue with that.

Mr. SHIRO of Kennebec: Mr. President, this legislation will actually go a long ways in helping the workingman. Actually a disclosure commissioner, even now, acts as a judge because he has to determine whether or not he would issue an order that a person be committed or not committed. Now as a practical matter what usually takes place anyway and what could take place under this bill also is that when a debtor appears before a disclosure commissioner to disclose his financial affairs usually the attorney for the creditor is there; the debtor, I would say in almost ninety-nine per cent out of a hundred cases, is never represented by an attorney at a disclosure hearing, he is there by himself and he is practically, for legal purposes, unprotected. This bill would at least give him some protection. But what usually takes place is that the attorney for the creditor is there and many times before the hearing takes place he discusses the "claim" with the debtor to try to determine just what ability he has, and very frequently they can arrive at some agreement as to what the pay-

ments should be at that point. If they arrive at an agreement it is then usually submitted to the disclosure commissioner and if he thinks it is reasonable he would then request the debtor to agree to a default judgment and agree to an order that if he fails to pay he would be committed to jail anyway. This is done now, it is very often done, and I am sure that under the present bill the practice would not be eliminated, but, under the present bill I feel it at least gives the debtor a little more of a chance to have a decree or order made which would be fair. Many times now if a debtor is cited before a disclosure commissioner who is not a judge, or if it is a judge, many times it is within the area in which a judge knows the particular attorney quite well, they may be very friendly, and it would happen and has happened, I am sure, where a *capias* is issued without regard to the financial ability of a debtor, but it might be simply, you might say, as a favor to the attorney for the creditor, and that of course should not be. It may have happened in my own experience, I am sure it has, but I feel in this way we are allowing the debtor to have a true day in court to pay a bill in accordance with his real ability. I think this bill is progress; I know since I have practiced we have not had any change in the disclosure proceedings. I think many of us at times have heard of the abuses that have occurred in regard to committing a debtor to jail on a particular claim. Many times it is proper and it is the only course to take in order to secure a creditor's claim, but in many instances it is unnecessary. Some attorneys, I do think, use it indiscriminately regardless of the ability of a debtor, and this bill would correct that situation. Disclosure commissioners are in a sense judges now and, as I say, this bill would mean progress in regard to this particular aspect of the law. It is an important aspect, it is important for a lot of people who have financial problems, and certainly we know that

they exist here in this state, and it is these people that I think this bill will help, and it will help a great deal. So I would ask that you support the minority opinion of this committee.

Mr. GLASS of Waldo: Mr. President, I would like to ask the Senator from Kennebec a question through the Chair, if I might.

Having in mind the fact that he does extensive collection work, I would ask him if he has reviewed that act whether or not in his opinion he can even find a disclosure commissioner who is willing to proceed along the lines laid down in this bill for the existing fee which is established for a disclosure commissioner, which I think is some three dollars and fifty-two cents or three dollars and some odd cents?

The PRESIDENT: The Senator from Waldo, Senator Glass, directs a question through the Chair to the Senator from Kennebec, Senator Shiro, who may answer if he chooses.

Mr. SHIRO: I would like to state that Senator Glass is wrong as to the three dollar fee. The fee is now five dollars.

Mr. STERN of Penobscot: Mr. President —

The PRESIDENT: The Chair would remind the Senator from Penobscot, Senator Stern, that he has already spoken three times on this subject. Does he wish to have unanimous consent to briefly address the Senate? The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President, I usually adhere to the philosophy that if you sit long enough everybody will say what you have in mind anyway and there is no sense in your standing up, and this is just about what has happened here.

I would like to say in regard to Senator Glass's remarks that the "Ought to pass as amended" report makes provision for more compensation to the disclosure commissioner. In the case of a hearing instead of the three dollars he will receive five to ten dollars and five dollars per hour for each additional hour or frac-

tion thereof, so that part of it is taken care of.

I have always felt as a practicing attorney that the disclosure laws are unduly harsh. I think that Maine is one of the few states where you can put a man in jail for a civil debt. Vermont still has that law and perhaps some others do that I am not aware of. I have always felt that this was a very harsh procedure. This bill may not be perfect, but I think one of the problems of the Judiciary Committee was some uncertainty as to the full import of the bill itself. I agree with Senator Glass that with the great number of bills we have committed to our committee, and very often they are drafted by laymen in laymen's language and in order to make them work you would have to redraft and reword a great number of them, and some of them are quite lengthy, so, while many wonderful ideas are expressed to the committee sometimes we cannot act on them because there is just not the time or the staff available to redraft these bills, but the committee has not had opportunity to study the bill because of its length and rather than vote something which they were not certain of they felt that was the report which they ought to put out. I think that this statement is factual. My own thinking is that it goes a considerable way in alleviating to some extent the harshness of the disclosure rule. It does not do away with it because if a man actually does not appear at the hearing to which he is cited, or if he does not follow the order of the disclosure commissioner, we still have imprisonment as a final weapon against him, and I think that this in itself is harsh enough, so I did sign the minority "Ought to pass" report with Senator Stern for these reasons. I concur with his motion and I hope that it prevails.

Mr. JACQUES of Androscoggin: Mr. President, if it is going to rectify a mistake that Senator Stern made 32 years ago I will go along with it.

The PRESIDENT: The motion before the Senate is the motion

of the Senator from Penobscot, Senator Stern, to accept the Minority "Ought to pass" report of the committee. A division has been requested. All those in favor of the acceptance of the minority "Ought to pass" report will please rise and remain standing until counted.

A division was had. Twenty-eight having voted in the affirmative and two in the negative the motion to accept the minority "Ought to pass" report prevailed and the bill was given its first reading. Committee Amendment "A" was read and adopted and the bill as amended was assigned for second reading on the next legislative day.

Second Readers

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

House

Bill, "An Act to Create a Department of Rehabilitation." (H. P. 1075) (L. D. 1455)

Bill, "An Act to Create the Community Life Insurance Company." (H. P. 1129) (L. D. 1544)

Bill, "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach." (H. P. 1109) (L. D. 1515)

Bill, "An Act Relating to Discrimination in Rental Housing." (H. P. 1112) (L. D. 1518)

Bill, "An Act Relating to Positions of Deputy Secretary of the Senate and Deputy Clerk of the House." (H. P. 1131) (L. D. 1546)

Bill, "An Act Relating to Escape of Women Sentenced to the Maine State Prison." (H. P. 1116) (L. D. 1523)

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

Bill, "An Act Permitting Sunday Hunting in Unorganized Territory of Aroostook County" (H. P. 64) (L. D. 75)

Resolve, Authorizing Disposal of Northern Maine Sanatorium. (H. P. 676) (L. D. 1903)

In Senate, Read a Second Time and Passed to Be Engrossed, in Non-concurrence.

House — As Amended

Bill, "An Act Authorizing Conversion of Augusta Mutual Insurance Company to a Stock Company." (H. P. 394) (L. D. 506)

Bill, "An Act Providing for Questionnaires to be Propounded to Prospective Jurors." (H. P. 142) (L. D. 165)

Bill, "An Act Relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens Under State Retirement System" (H. P. 369) (L. D. 471)

Bill, "An Act Providing for an Additional Trial Term for York County." (H. P. 560) (L. D. 730)

Bill, "An Act Increasing Salary of Superior Court Messenger of Cumberland County." (H. P. 784) (L. D. 1037)

Which Were Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

Senate

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. 551) (L. D. 1550)

Which was read a second time and Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs." (H. P. 261) (L. D. 331)

Bill, "An Act for Shrinkage Allowance on Motor Fuel for Service Stations." (H. P. 557) (L. D. 873)

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

Bill, "An Act Creating a Second Assistant County Attorney for Androscoggin County." (H. P. 867) (L. D. 1164)

(On motion by Mr. Girard of Androscoggin, engrossing was reconsidered, Senate Amendment A (S-205) was read; and on motion by Mr. Stern of Penobscot, the bill was tabled pending the mo-

tion of Mr. Girard of Androscoggin to adopt Senate Amendment A; and the bill was especially assigned for the next legislative day.)

Bill, "An Act Relating to Unlawful Practices Under Unfair Sales Act." (H. P. 989) (L. D. 1334)

Bill, "An Act Relating to the Exemption of Aeronautical Fuel from the Sales Tax." (H. P. 1122) (L. D. 1532)

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

Bill, "An Act Appropriating Money to Match Federal Funds Provided Under Titles III and V-A of the National Defense Education Act." (S. P. 56) (L. D. 117)

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

Bill, "An Act Relating to Use of Moneys Received from the Potato Tax." (S. P. 490) (L. D. 1453)

Which Bills were Passed To be Enacted.

Resolve, In Favor of Development of State Park on Lower Range Pond, Poland, Androscoggin County. (H. P. 303) (L. D. 406)

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

Emergency

Bill, "An Act to Increase Cigarette Tax Two Cents." (H. P. 606) (L. D. 798)

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

The PRESIDENT: The Chair would like to recognize in the balcony of the Senate and the Senate Chamber 120 pupils from the 8th grade of Falmouth Junior High School, accompanied this morning by Mr. Theodore Vail, Mrs. Mildred Cole, Mrs. Christine Burr, Mr. Fernald Hodgdon, Mr. Robert Black, and Mr. Clifton Reeves. We welcome you here this morning and hope that you enjoy and benefit from your visit. You are from the town of Fal-

mouth which is in the county of Cumberland and the Chair would like to introduce to you the Senators from your county, Senator Snow, Senator Smith, Senator Chisholm and Senator Mendell. (Applause)

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

Received an affirmative vote of 33 members of the Senate.

Bill, "An Act Relating to Borrowing Powers of East Corinth Academy." (H. P. 1065) (L. D. 1443)

Received an affirmative vote of 33 members of the Senate.

Bill, "An Act to Amend the Charter of the Searsport Water District." (S. P. 508) (L. D. 1478)

Received an affirmative vote of 32 members of the Senate.

Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967." (S. P. 534) (L. D. 1524)

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

These being Emergency Measures, and having received the affirmative votes, as indicated, the Bills were Passed to Be Enacted, and having been signed by the President were by the Secretary presented to the Governor for his consideration.

Bond Issue

Bill, "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof." (H. P. 264) (L. D. 346)

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

At this point the President announced the following appointments of Senators to join with members

of the House in Committees of Conference on the disagreeing action of the two branches, as follows:

Bill, "An Act Relating to Uniforms for Deputy Sheriffs." (H. P. 260) (L. D. 330).

Senators:

SMITH of Cumberland
GIRARD of Androscoggin
CASEY of Washington

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

Senators:

HILTON of Somerset
MANUEL of Aroostook
SPOUL of Lincoln

Bill, "An Act Relating to Weight of 3-axle Trucks." (S. P. 155) (L. D. 395)

Senators:

CAHILL of Somerset
SHIRO of Kennebec
MOORE of Washington

Orders of the Day

The President laid before the Senate the 1st item of unfinished business on age 5 of the calendar, (H. P. 500) (L. D. 653) House Report, Ought not to pass from the Committee on Judiciary on Bill, "An Act Relating to Driving a Motor Vehicle While Impaired by Consumption of Intoxicating Liquor"; tabled on May 18 by Senator Brown of Hancock pending acceptance of the report.

Mr. MAXWELL of Franklin: Mr. President, I would like to move to substitute the bill for the report and I would like to take just a minute of your time to perhaps state my reasons why. I have been asked by the Maine Highway Safety Committee to give a brief statement in support of L. D. 653, H. P. 500 relating to driving a motor vehicle while impaired by consumption of intoxicating liquor. I don't pretend to have the legal background of some of my good friends from the legal profession but it appears to me that this bill is very definitely a step in the right direction.

Admittedly it will not be the total answer to the problem of

the drinking driver but we certainly have not found the answer in our present law. The Maine Highway Safety Committee points out that sixty-five percent of the drivers in liquor involved accidents in a given year were virtually untouched by the law. This bill will attempt to dip into this gray area of no arrests.

This driving when impaired law which has enjoyed huge success in New York State, constitutes a lesser offense which would go on the books in addition to the present law. There is no danger, however, of every drinking driver rushing to the court house to plead guilty to the lesser charge, because the proposed law stipulates that in order to plead guilty to the lesser offense, the driver would first have to submit to a chemical test.

The American Medical Association, the Uniform Vehicle Code and any medical authority you would care to consult would tell you that at a blood alcohol level of point-10, every driver is affected to the point where he should not drive a car. Yet in Maine we tolerate drinking and driving up to a level of point-15. It's plain to see that this law would sandbag no one who does not deserve to be sandbagged.

There may be some who fear that the 60 day license suspension and \$50 to \$100 fine for first offense driving when impaired, is not tough enough. The fact is, however, that in order to have acceptable and workable drinking laws we must adopt realistic penalties.

In the case of the present driving while under the influence law, the Maine Highway Safety Committee has suggested reducing the license suspension from one year to six months on the first offense. They did this because they were aware of the fact that too many juries are presently sympathetic with drinking drivers because of the severity of the penalty. They feel also that a six months license suspension will accomplish just as much as the one-year penalty.

In the case of the aggravated drinking-driving law, they suggest it be repealed, no conviction to their knowledge ever having been realized in Maine. Consequently the law only clutters up the law books. Again, this package is not the whole answer to be sure, but it is an important step in the right direction. The Safety Committee, the Chiefs of Police Association, and a number of lawyers consulted by the committee and a large segment of Maine's county attorneys have expressed their approval of this attempt to make our drinking driving laws more realistic and workable. Much time and thought has gone into the drafting of this bill. I hope you will favor its passage.

The PRESIDENT: The motion before the Senate is the motion of Senator Maxwell of Franklin to substitute the bill for the report.

Mr. VIOLETTE of Aroostook: Mr. President, I am afraid that from here on in you will be hearing considerably more from lawyers than you have heard up to this date as you are well aware. I would like the Senate to be mindful that the Judiciary Committee is fully aware of the problems that are related to drinking and the operation of motor vehicles and we certainly take all the facts that Senator Maxwell as well as the proponents of this bill stated when they appeared before the committee. We are fully and completely aware of them.

It is also the feeling equally of the committee, the entire committee, that this bill as it is presently written, with regard to the double offense of operating under the influence and operating while under impairment is not a good bill. It is not a good bill for the basic reason that it was our considered judgment that it would lead to people being brought in, arrested, for one charge and under the coercive effect of taking a blood test and then if the blood test did not measure up to the fifteen over one hundred per cent which is prima facie evidence of operating while under the influence and after that has happened, then he is caught under impairment. The

proponents of the bill and several of those who appeared before the committee after the hearing had been terminated stated that many doubts in their minds had been raised with regards to the various parts of the bill and its aspects. There was no clear cut answer to the question whether or not the offense of operating while under impairment was included in the greater offense of operating while under the influence. It was the opinion of the committee that this was entirely unacceptable to us. If a law could be devised where you would have a law for operating while under the influence and then an entirely separate law to make provisions for operating while under impairment, I think this would have been acceptable to the committee.

We do not like, and I personally as an attorney and as an individual do not like the double effect of this law of hauling you in under one charge and if that doesn't measure up, pinning you with a lesser charge. That is the effect that this law would have and I don't like it as I say, as a practicing attorney who represents people with these charges and I don't like it as an individual. This is a two edged sword.

Now as I say, I am completely mindful of the problems we have with regard to operation and liquor mixed up. I think there is room for a law of this nature. I commend the committee which drafted this bill with regard to alleviating some of the hardships with regard to suspensions. I think Maine has some of the most severe and stringent regulations with regard to the period of suspension for operating under the influence and I think that the record bears out that this has not had any great effect in reducing the number of people who have had liquor and operated.

The Committee was unanimously of the opinion that as written this is not good law and this is the reason why we unanimously voted this bill out Ought not to pass, and I hope that in view of this, the motion of the Senator from Franklin does not prevail.

Mr. STERN of Penobscot: Mr. President, I want to concur in the remarks made by Senator Violette but I do want to add just a few words. Most of my work is trial work; most of the trials today are drunken driving cases. If you want to flood the court with these cases, you will have to have extra judges and extra courts and you want to make us lawyers rich, vote for the bill.

Mr. VIOLETTE: Mr. President, I ask for the indefinite postponement of this bill and its accompanying papers. And I request a division.

A division of the Senate was had.

Twenty-seven having voted in the affirmative and five in the negative, the motion to indefinitely postpone prevailed.

The President laid before the Senate the first tabled and today assigned item (S. P. 141) (L. D. 382) Senate Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Money for Cottage Renovations at Boys Training Center; tabled on May 12 by Senator Carter of Kennebec pending acceptance of the report, and on motion by Mr. Carter of Kennebec, the Ought not to pass report was accepted.

Sent down for concurrence.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 992) (L. D. 1373) House Reports from the Committee on Business Legislation on Bill, "An Act to Establish Savings Bank Life Insurance"; Majority Report, Ought not to pass; Minority report, Ought to pass; tabled on May 13 by Senator Boisvert of Androscoggin pending acceptance of either report; and on further motion by the same Senator, the Ought Not to pass, Majority report was accepted.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 497) (L. D. 465) Bill, An Act Relating to the Change of Name of Association of Historical Societies and Museums"; tabled on May 13 by Senator Smith

of Cumberland pending assignment for 2nd reading.

On motion by Mr. Smith of Cumberland, the bill was given its second reading.

Mr. O'LEARY of Oxford: Mr. President, I would ask if there has been an amendment prepared on this bill which would change the name by putting Maine after the original name of the association.

The PRESIDENT: This bill is being passed to be engrossed without amendment.

Mr. O'LEARY: Mr. President, it would appear to me that I have been misled in my thinking. As I understand it the name Maine is going to be first so it will be the Maine Association of Historical Societies and Museums and not the Association of Historical Societies and Museums of Maine. I would oppose the bill and move for its indefinite postponement.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, since last week, I have found out that there is presently a law that the name Maine shall not be used.

The PRESIDENT: The motion before the Senate is the motion of Senator O'Leary of Oxford to indefinitely postpone the bill.

Mr. HOFFSES of Knox: Mr. President, I ask for a division.

A division of the Senate was had.

Eight having voted in the affirmative and twenty-five opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be engrossed and sent down for concurrence.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 335) (L. D. 1080) Bill, "An Act Relating to Tuition for Students Attending Secondary School Outside of Residence"; tabled on May 14 by Senator Hoffses of Knox pending passage to be engrossed; and on motion by that Senator, the bill was passed to be engrossed and sent down for concurrence.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 926) (L. D.

1264) House Report, Refer to 103rd Legislature, from the Committee on Legal Affairs on bill, "An Act Providing for the Registration of Home Improvement Companies and Salesmen"; tabled on May 17 by Senator Jacques of Androscoggon pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted.

The President laid before the Senate the 6th tabled and today assigned item (H. P. 605) (L. D. 797) House Reports from the Committee on Taxation on Bill, "An Act Increasing State Tax in Unorganized Territory"; Majority Report, Ought not to pass; Minority Report, Ought to pass, tabled on May 17 by Senator Maxwell of Franklin pending acceptance of either report.

Mr. HARDING of Aroostook: Mr. President, I move that the Minority report, Ought to pass, be accepted.

Mr. MAXWELL of Franklin. Mr. President, ladies and gentlemen of the Senate, I feel it is my duty as Chairman of the Taxation Committee to get up here this morning and to express to you my views and also to defend my position whereby I signed the Ought not to Pass report.

I would like to start out by saying that although death and taxes are both inevitable, death has one thing in its favor. It doesn't get worse every time the legislature meets.

I feel that in this instance, our Governor was wrongly advised and I feel that in this instance if we vote for this tax that two wrongs don't make a right. An Act Increasing State Tax in Unorganized Territory, (L. D. 797). The Taxation Committee held a long public hearing on this bill. The effects of this tax increase on the pulp and paper industry were described to the Committee with thoroughness and in detail. Based on the evidence presented to it, the Committee reported the bill out Ought not to pass, by a vote of eight to two. One of these two was the sponsor.

Some people in discussing this tax increase have said "This is a negligible tax and is really not going to hurt the paper industry." If this is a small tax, it is only small in terms of what it brings in. It is not small in any sense when you apply it to woodland owners, and particularly to the paper industry. One of the major features we look for in a fair and sensible tax is whether or not it is a broad based tax. 36% of the present wildlands tax (which this bill would increase by nearly 50%) is paid by only one company. 80% of this tax would be paid by Maine's four major paper companies.

This is not what you call a broad based tax by any stretch of the imagination. It is a tax which happens to single out one industry, and this industry, no matter how you measure it, is the backbone of Maine's economy. It employs more people, pays more taxes, and spends more money in this state than any other industry we have.

There are those people who feel that the wildlands tax is a small one and has not been sufficiently increased in the last ten years. I would point out to you that the taxes paid on the unorganized towns for the whole State of Maine has increased by 84% during the last ten years both through increases in tax rate and increases in state valuation. In 1964 the tax paid on wildlands amounted to over two million dollars. Remember that 80% of this amount is paid by only four companies. In addition to the existing wildlands tax these lands already bear other taxes in the form of school taxes, forestry district taxes, fire protection taxes, county taxes, school capital taxes, and road taxes.

Back in 1960 well before the tax on unorganized territory was raised to its present level, Dr. Sly, an expert from Princeton University was hired by the State of Maine to make an objective study of the State of Maine tax structure. He stated in his report, and I quote, "There is no evidence that would support an increase in property taxes on the forest industry, because of any favored

treatment, as opposed to municipal property”.

We should bear in mind that trees in the State of Maine just don't grow as fast as trees down South. Because of this and because of the fact that our taxes on timberlands in Maine are higher than down south, our wood costs more as a raw material for paper than it does in competing areas. By continuing to raise the cost of this necessary raw material, Maine is surely pricing itself out of the market.

Obviously the taxation committee realized this fact in making its eight to two ought not to pass report and this is something we must all realize.

Many, many newspapers over the past two or three months since we have been here have had articles regarding this tax and others, and on Monday morning, May 17, 1965, I picked up the Lewiston Sun and discovered an editorial here that I would like to take time to read to you.

“Hiking the tax on wildlands in Maine appears at first glance, to be a quick and easy way of getting some additional money. After all, the wildlands are owned for the most part, by large land owners and corporations. They have few votes in an election and they won't miss the extra dollars in taxes.

“Actually, the truth of the matter is far different. The proposal currently before the Legislature to increase the state tax on wildlands to \$15 per thousand of valuation is unreasonable and unfair. Moreover, far from solving the state's money raising problem, it is more likely to create new and grave problems for the future by discouraging further expansion of the vital pulp and paper industry in Maine.

“Add the fact that the tax was increased only four years ago, and that the new hike would mean a 100 per cent increase within five years, and the inequity of the proposal is self evident.

“The question often is raised as to whether the owners of the wildlands pay their just share of taxation. Dr. John F. Sly, of Prince-

ton, who conducted an exhaustive study of Maine taxation five years ago, explored that very question. His report to the state said:

“The overall conclusion is this: There is no evidence that would support an increase in the property taxes on the forestry industry because of favored treatment of its property as opposed to municipal property.”

“Significantly, the Sly report also pointed out: ‘There is nevertheless an undercurrent of feeling in the state that the forest industry is undertaxed or at least, that it is lightly taxed. This is a difficult thing to show with conclusiveness’.

“In spite of the findings of Dr. Sly, the Legislature, in 1961, raised the wildlands tax from \$7.25 to \$11 per thousand.

“Before another hike is undertaken, the legislature should delve more deeply into the question of whether the forest industry is bearing a fair share of the tax burden. It should not be swayed by an undercurrent which may have not factual basis. The net effect of these increases on the industry are too serious for action to be taken without thorough study and fullest consideration.

“The lawmakers also should consider the seldom recognized fact that the owners of wildlands pay far more than the state levy on their property. The forest industry pays \$4.75 per thousand to support the forestry district, which provides fire safety and pest control for the timberlands. Each township with wildlands can levy a tax up to one half of one percent of valuation; the County Commissioners can levy a road tax of up to 3 per cent of the township's valuation figure; a school tax can be levied of up to ten mills, under certain circumstances; and a capital school levy of not more than one per cent of valuation can be imposed.

“Overall, some of the Maine wildlands are subject to six varieties of taxation over and above the state property tax levy! All are subject to at least two extra taxes on the town and county levels.

"We urge the legislature to avoid increasing the tax this year because of the damage which such a step can cause. We recommend that the lawmakers instruct the Legislative Research Committee to study taxation of our wildlands so that the question of equity can be fully answered with facts."

I have here some figures prepared for me by the Association for Multiple Use of Maine Timberlands. I passed out these to each one of the desks in the Senate Monday. I hope you took time to look them over. I would merely like for a moment to dwell upon what the pulp and paper industry has done in the State of Maine over the past decade.

Maine paper companies have entered into an expansion program totaling some \$292 million. Just stop and think of that a minute. A breakdown of the companies involved and their estimated expenditures is as follows: Oxford Paper Company in Rumford, \$40 million completed; S. D. Warren Company in Westbrook, \$18 million completed; International Paper Company in Jay, \$54 million underway.

I might add that I come from the town of Jay and therefore International Paper Company and all of its workers become my constituents.

Standard Packaging Corporation in Lincoln, \$15 million under way; St. Croix, Georgia Pacific, Woodland, \$25 million under way; St. Regis Paper Company, Bucksport, \$25 million under way; Penobscot Chemical Fibre Corp., Great Works, \$15 million under way; Great Northern Paper Company in Millinocket and East Millinocket, \$100 million completed.

This makes a grand total of \$292 million being spent by Maine's pulp and paper industry.

I would like to go on by saying that Maine's wood using industries employ 29% of all the workers in the state who take home 33% of the Maine payroll. Some 340 Maine companies make around 360 different articles from trees and about 90% of the timber cut in Maine is used in the manufacture of pulp, paper and lumber. More than 385 camp sites and

picnic areas are provided on privately owned timberlands of Maine for use by the general public.

Perhaps these people would get sick of doing that. Many of these are reached by traveling over privately owned lands and maintained woods roads. There are more than \$17 million acres of commercial forest land in Maine. Seventy-six different species of trees grow in Maine; fourteen softwood species and 62 hard. All are potentially useful to the state's economy. I would therefore urge very careful consideration before we pass such a tax.

And I would like to quote the words of James Foley who was a philosopher many, many years ago, when he said,

"It ain't so far from right to
wrong
The trail ain't so hard to lose.
There's times I'd most give
my horse to know
Which one to choose.

There ain't no signs or
guideposts up
To keep you on the track
Wrong's sometimes white
as driven snow
And right looks awful black."

Thank you.

The PRESIDENT: The motion before the Senate is the motion of Senator Harding of Aroostook to accept the Minority Ought to pass report.

Mr. HILTON of Somerset: Mr. President, I would like to reply to some of the remarks of Senator Maxwell of Franklin. I try to cut a little pulpwood once in a while and sell it. When I do, the wood lies only six miles away from the mill. I have to sell it for \$1.25 less than it does if it comes from the town of Bingham. If I can haul to Augusta I can get \$1.50 a cord more than I can in Madison. I can put the same wood on the cars to go to Berlin mills in New Hampshire and get the same price loaded on the cars as you would get at the Madison mill. If they can afford to pay this \$2.50 I think they could afford to pay us, which they don't.

I think they save enough on local wood to pay this tax. There is another item. About half of the farmland in the State of Maine — and I think that is a conservative figure — is in woodland and that land in incorporated townships they pay a pretty good tax. They have to support schools, fire departments, plowing the snow and I think the taxes are higher there than they are in the unorganized towns.

Another item. They tell a b o u t how many people they employ which is probably correct. There are a lot that they employ that are not United States citizens. They say they can't get natives to cut wood. Well, to begin with the wages are not anywhere near what they pay the employees who work in the mill. Therefore they will tell you that a man says, "I haven't got a job" and they want pulp cutters. "Well," he says, "there's no future in that." There is a lot of land adjoining mine that has just been sold for stumpage, to a jobber in Canada. There are four or five men cutting that wood and every mite of that money except what the owner is getting for stumpage and what they are paying for their board and tobacco goes to Canada. I am in favor of raising the tax on those wildlands for those reasons.

Mr. SNOW of Cumberland: Mr. President, Senator Maxwell mentioned in his discussion with us, the S. D. Warren Paper Company which is a constituent in my town of Westbrook. I know the management of this company very well. I have talked with them about certain matters before the legislature. They have at no time suggested to me that I should vote against the increase in this tax. I would also like to note that this company has just enjoyed its most profitable first quarter in the entire 111 year history of the company and yesterday morning they were publicized in the Portland papers as giving \$200,000 to the Maine Medical Center.

I would also like to note that some people very close to me are among the principal stockholders of the Great Northern Paper

Company. These interests have contacted me in respect to other legislation before us but I have not been contacted by them with a request to oppose an increase in the wildland tax. That is all.

The PRESIDENT: The motion before the Senate is the motion to accept the Minority ought to pass report.

Mr. FALON of Penobscot: Mr. President, in Penobscot County, the county which I represent, we have three different paper companies and five or six different mills. None of them have expressed a desire to me to vote against this particular bill. These companies will buy all the land they can get their hands on to but try to buy some from them and it seems to be difficult. It seems to me if the wildland tax is such a burden to these paper companies, that they would relinquish some of this land, especially around some of our lakes. They will lease land to you but they won't sell a lot on a lake. I think this should be taken into consideration. Therefore I think this is a justifiable bill and a good bill.

Mr. MAXWELL of Franklin: Mr. President, I would ask that this bill lie upon the table until Friday next.

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

The PRESIDENT: The motion before the Senate is the motion of Senator Maxwell of Franklin that the bill be tabled pending the motion to accept the Minority Ought to pass report.

A division of the Senate was had.

Three having voted in the affirmative and twenty-nine opposed, the motion to table did not prevail.

Thereupon, a viva voce vote being had,

The Ought to pass report was accepted, the bill read once, and on motion by Mr. Harding of Aroostook, the rules were suspended, the bill read a second time and passed to be engrossed in concurrence.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 964) (L. D. 1299) Bill, "An Act Relating to Licensing of Embalmers, Funeral Directors and Funeral Homes"; tabled on May 17 by Senator Shiro of Kennebec pending adoption of Senate Amendment A, Filing S-192.

Mr. SHIRO of Kennebec: Mr. President, is the Senate in possession of Senate Amendment A to Committee Amendment A?

The PRESIDENT: The Chair would inform the Senator that there are two amendments to this bill; Senate Amendment A and Committee Amendment A. Committee Amendment A has been adopted and Senate Amendment A to the bill is now pending.

Thereupon, on motion by Mr. Shiro of Kennebec, Senate Amendment A was indefinitely postponed; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby Committee Amendment A was adopted and the same Senator presented Senate Amendment A to Committee Amendment A and moved its adoption.

Which Amendment (S-211) was read.

Mr. JUTRAS of York: Mr. President, I have been trying all along to figure this out, this Senate Amendment A to Committee Amendment A and I still can't do it. However, if I am in order, I would like at this time to present Senate Amendment B to H. P. 964, L. D. 299.

The PRESIDENT: The Senator is not in order. The pending amendment is Senate Amendment A to Committee Amendment A.

Mr. SHIRO of Kennebec: Mr. President, I would like to explain to the Senate that Senate Amendment A to Committee Amendment A provides that licenses now issued by the State Board of Funeral Directors and Embalmers would expire on December 31st of each year. The committee upon considering this particular bill, made an amendment and we felt that perhaps the Board would feel it more advisable or practical to have licenses expire within one year from

the date of issue no matter what date the expiration should fall upon. However, after we had made the amendment, we then later were contacted by members of the Board and were convinced that all licenses should expire on December 31st of each year, and therefore that is what this particular amendment does. It simply allows the licenses as originally provided in the law, and as exists now, that they all expire on December 31st and that is the only purpose of this particular amendment.

Thereupon, Senate Amendment A was adopted and Committee Amendment A as amended by Senate Amendment A was adopted.

Thereupon, Mr. Jutras of York presented Senate Amendment B to the bill and moved its adoption.

Senate Amendment B (S-225) was read.

Mr. SHIRO of Kennebec: Mr. President, I move that Senate Amendment B be indefinitely postponed and I would like to speak on it briefly.

The PRESIDENT: The Senator may.

Mr. SHIRO of Kennebec: Mr. President, this particular bill, L. D. 1299 was heard before the Legal Affairs Committee. Actually the only matter which was under discussion was the matter of raising the fees. There is nothing else in the bill as was presented to the Legal Affairs Committee which relates to the Senate Amendment B. Of course I am reluctant to oppose my good friend Senator Jutras from York but I think it is perhaps obligatory upon me as Chairman of the Legal Affairs Committee to simply point out to the Senate the particular action by the committee and just what significance it may have here.

Senate Amendment B, I believe, pertains to allowing a license to continue or to be dormant for a period of time for a person who is not actively engaged as a funeral director or embalmer and that then it may simply be re-activated at any time that the person wishes to become active in that particular profession. I would like to state that there has been

a great deal of opposition to this particular proposal in this amendment by the funeral directors and embalmers in my locality. I have been contacted by several and I would feel that it would be somewhat impractical in administration. I know in other matters, agencies or State Boards which have had to do with licensing, we have had the same proposals come before the committee in regard to allowing a person who has obtained a license to retain it even though he was not active in the particular profession. We have always felt that it was rather difficult in the administration by the particular board.

However, I think that the Senate would want to hear from Senator Jutras and consider what particular contentions he would have. He is a member of this profession and therefore I would yield to the Senator from York, Senator Jutras, but I would ask that when a vote is taken, we have a division on the matter.

Mr. JUTRAS of York: Mr. President, I want to thank Senator Shiro for the courtesy extended for me to be heard this morning. This amendment I wrote myself to protect my own interests. I will read it to you word by word: "Any person holding an embalmer's license or a funeral director's license issued under this or any other law may when not actively engaged in the profession of embalming or funeral directing request the Board of Examiners of Funeral Directors and Embalmers to hold said licenses in a non-active or dormant status without cost to the petitioner. Petitioner may upon future request have said licenses reactivated by paying the required fee for the current year."

That does not entail much administration. When one is interested in protecting his own rights he will write to the State Board and let them know exactly what his status is and the reasons why. That is all that it takes is a letter, a correspondence with the Board.

Now I understand that in the State of Maine there is a shortage of embalmers and funeral directors. If that be the case, why do

they want to eliminate people who hold licenses and make these licenses void because they are not renewed on a particular day? It happened to me this year in the State of New Hampshire. I am licensed in New Hampshire, Massachusetts and Maine. I didn't renew my license in New Hampshire for \$25 because I couldn't afford it. I was elected to the legislature and I knew I was not going to use it for a number of years. The law reads over there that if you do not renew it by the first of the year you automatically lose it, so I lost it. I don't want to lose it in Maine. I don't know. I may be reelected and I may not. I may be with state government for some time. I have a license in the State of Maine and I like to protect it. That is the only reason and there is nothing wrong with this amendment and I hope that when you do have a division that the motion to uphold this Senate Amendment B prevails.

Mr. CAHILL of Somerset: Mr. President, I would like to ask a question of the Chair. Do I understand right now that Senate Amendment A with a filing number of S-192 has been indefinitely postponed?

The PRESIDENT: The Chair would answer the Senator that Senate Amendment A, Filing S-192, is indefinitely postponed. Senate Amendment A to Committee Amendment A has been adopted and Committee Amendment A as amended by Senate Amendment A has been adopted.

Mr. CAHILL: And, Mr. President, which is the amendment we are now to have a division on?

The PRESIDENT: We are now to have a division on Senate Amendment B, Filing Number 225. The motion before the Senate is the motion of Senator Shiro of Kennebec that Senate Amendment B be indefinitely postponed. A division has been requested.

Mr. CARTER of Kennebec: Mr. President, I can sympathize with the good Senator from York, Senator Jutras but in this case I feel I must go along with my colleague from Kennebec County in support-

ing the motion to indefinitely postpone this amendment.

As I understand it, the reason for the bill being introduced in the first place was to raise the license fees because the State Board has operated under a deficit last year which amounted to approximately \$700. If this amendment is adopted, this will further create an additional deficit and they will be no further ahead so I will move that the Senate go along and indefinitely postpone this amendment.

Mr. JUTRAS of York: Mr. President, I do not believe that the fee of licenses here is so important as to pay for the operations of the Board of Embalmers and Funeral Directors in the State of Maine and this is not a harmful exemption. Not too many people are in this category and for anyone as a public servant who asks for this bit of courtesy and is denied it, I think is unjustifiable at this time. I am sure that the organization realizing the full implication of this by denying this would not want to deny this privilege at this time.

The PRESIDENT: The motion before the Senate is the motion to indefinitely postpone Senate Amendment B.

A division of the Senate was had.

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

Thereupon, Senate Amendment B was adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 8th tabled and today assigned item (S. P. 50) (L. D. 221) "An Act Creating a Second Assistant County Attorney for Penobscot County"; tabled on May 18 by Senator Smith of Cumberland pending passage to be engrossed; and on further motion by that Senator, the bill was retabled until the next legislative day.

The President laid before the Senate the 9th tabled and today assigned item (H. P. 383) (L. D.

485) Resolve Designating Maine Turnpike and Interstate No. 95 as "The Gold Star Memorial Highway"; tabled on May 18 by Senator Harding of Aroostook pending consideration; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to reconsider its former action whereby Committee Amendment A was adopted; and to reconsider its action whereby Senate Amendment A to Committee Amendment A was adopted.

On further motion by the same Senator, Senate Amendment A to Committee Amendment A was indefinitely postponed, Committee Amendment A was indefinitely postponed, House Amendment A was indefinitely postponed.

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

Which amendment was read and adopted and the bill was passed to be engrossed.

The President laid before the Senate the 10th tabled and today assigned matter (S. P. 386) (L. D. 1202) Senate Report from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Catching Lobsters by Skindivers." Majority Report "Ought not to pass;" Minority Report "Ought to pass," which was tabled on May 18th, 1965 by Senator Jacques of Androscoggin pending motion by Senator Moore of Washington to accept the Majority "Ought not to pass" report.

Mr. JACQUES of Androscoggin: Mr. President, I will ask the Senate if they will please bear with me so I can present an amendment which has not been reproduced and which is on my desk. I would like to have you not accept the "Ought not to pass" report so that I can present the amendment tomorrow.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Washington, Senator Moore, to accept the majority "Ought not to pass" report.

Mr. MOORE of Washington: Mr. President, as a member of Sea and Shore Fisheries and as a

member of that committee who signed the majority "Ought not to pass" report on this bill, I feel that I must make a comment.

We of the Sea and Shore Fisheries Committee heard this particular piece of legislation at a specially assigned date, and also this legislation seemed to show up in practically all of our deliberations as far as our committee hearings were concerned, in fact we discussed this off and on throughout the entire period during which we held public legislative hearings, and at the final session of discussion in regard to this legislation I feel that it was adequately pointed out that the members of the entire lobster industry of Maine are against this particular piece of legislation. I would inform the Senators that this is not the first appearance of this legislation; it has been argued very intensively in the past and always reported out as it is now reported out "Ought not to pass." At the last session at which this bill was heard in public session I believe the Commissioner of Sea and Shore Fisheries very adequately stated in a prepared statement that he too was against this legislation because of the possibilities which might arise as a result of the passage of this legislation.

Now we all know, as I have stated before, that the lobster business in the State of Maine is a big business, it is one of our larger businesses. There is a customary annual catch through the prepared lobster trap of approximately twenty-one million pounds and this has remained constant over the last two or three years, and there is a feeling that perhaps this is the limit that the lobster fisherman can acquire as far as the statewide annual catch is concerned. Now if we pass this legislation regardless of whether we set aside certain areas or not these people are going to be able to acquire a certain number of pounds of lobsters. They claim it is for personal consumption only but nevertheless it is taking away from the monstrous lobster industry which we are very well noted for in the State of Maine, and I cannot go along with that situation.

It has been suggested by myself to members of these skindiving organizations as a result of the argument which they have presented a number of times to the members of the Sea and Shore Fisheries legislative committee that they take this particular situation to our courts of the State of Maine to decide whether or not we have the authority to prevent them from catching lobsters by the method of skindiving. They seem to contend that it is unconstitutional but as of yet I find no member of these organizations, and some of them number as high as 1000 members, has attempted to do this, and I feel that if they are so persistent in proving this point and if they are adequately convinced that it is unconstitutional for us to prevent them from acquiring a certain number of lobsters for their personal consumption that they should take this procedure, and I feel it can be done at a very small cost to that particular group or any one individual, and if they could prove adequately that the State of Maine laws were unconstitutional there would be no need of them coming to the legislative session and requesting this privilege. Also as a result of that, I do not feel that they would have any limitation as to the number of lobsters they could catch by the method of skindiving, the same as any lobster fisherman: he can catch as many lobsters as he wishes. So therefore I must ask my fellow senators to go along with the majority "Ought not to pass" report.

The PRESIDENT: The question before the Senate is that we accept the majority "Ought not to pass" report of the committee.

Mr. JACQUES of Androscoggin: Mr. President, when the vote is taken I move that it be taken by a division.

The PRESIDENT: A division has been requested. All those in favor of accepting the majority "Ought not to pass" report of the committee will please rise and remain standing until counted.

A division was had.

Mr. JUTRAS of York: Mr. President, I would like to correct my vote.

The PRESIDENT: The motion that we accept the majority "Ought not to pass" report. Do you wish to vote for or against the motion?

Mr. JUTRAS: Against the motion.

The PRESIDENT: The Chair will order another division. All those in favor of accepting the majority "Ought not to pass" report of the committee will please rise and remain standing until counted.

A division was had. Fifteen having voted in the affirmative and sixteen in the negative the motion to accept the majority "Ought not to pass" report did not prevail.

On motion by Mr. Jacques of Androscoggin the Senate voted to accept the minority "Ought to pass" report of the committee, the bill was given its first reading and assigned for second reading on the next legislative day.

The President laid before the Senate the 11th tabled and today assigned item (H. P. 454) (L. D. 608) House Report 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 May 18 by Senator Bernard of Penobscot pending motion by the same Senator to accept the Majority Ought not to pass report; that Senator moved the pending question.

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

The President laid before the Senate the 12th tabled and today assigned item (H. P. 708) (L. D. 946) House Reports from the Committee on Legal Affairs on Bill, "An Act Relating to the Sale of Fireworks"; Majority Report, Ought to pass; Minority Report, Ought not to pass, tabled on May 18 by Senator Girard of Androscoggin pending motion by Senator Sproul of Lincoln to accept the Majority Ought to pass report;

and Senator Girard of Androscoggin moved the pending question.

Mrs. SPROUL of Lincoln: Mr. President, I don't know whether it is the sign of a big man or a small man to change his mind, but I signed the "Ought to pass" report on this bill. I have thought a lot about it and a good many people have talked to me about it. On my way out yesterday some one spoke to me — and some of them should know too — they said, "Mrs. Sproul, I have no axe to grind but I have seen many children who have come into my office after being burned by supposedly harmless firecrackers and things such as sparklers." At the time it was presented to us by Dr. Schumacher it sounded like a good bill. I always enjoyed fireworks and thought they were good fun, but I really at this point do not think this is a good bill. I am afraid now I do not know how to go about correcting my motion of yesterday, but at this point I am not in favor of the bill.

The PRESIDENT: The Senator may withdraw her motion if she so chooses.

Mrs. SPROUL: I withdraw my motion to accept the "Ought to pass" report and I now move to accept the "Ought not to pass" report.

The PRESIDENT: The Senator from Lincoln, Senator Sproul, moves to accept the minority "Ought not to pass" report of the committee.

Mr. FALON of Penobscot: Mr. President, as I understand this bill it calls for Class C fireworks. In viewing the exhibit we had in the rotunda out there I did not see anything that would be detrimental to our children provided they were not held in their hands and I did not see anything there that would be held in their hands while they were lighting them.

When I was a boy, which was not too many years ago, I had a three-inch firecracker go off in my hand and this is probably one of the largest firecrackers that were on the market at the time. It numbed my hand a little bit but it didn't hurt me. I have also seen children come into doctors'

offices burned by stoves or hot water. Are you going to outlaw these items. I think the 4th of July should be observed with firecrackers. After all, what is the 4th of July? It is the celebration of our independence, and I think for no more reason than this children should have firecrackers, and even us grown-ups. I have some firecrackers right now. I like them and I think I get a kick out of it when even young children are lighting them maybe in December sometime and not the 4th of July. I do not think it is going to be detrimental to our society. I would like to see the firecrackers brought back if it is no more than for the 4th of July, therefore I hope that the motion of the good Senator from Lincoln, Senator Sproul, does not prevail.

Mr. HILTON of Somerset: Mr. President, I did not intend to get into this argument but I had a brother who was thirteen years old, he was celebrating and he had one of these large firecrackers and that firecracker was defective because when he just barely touched a match to it he didn't have time to throw it away and it flared up and burned his face and burned his hair. There was a watering tub right handy and he dunked his head into it. Well, for a few days he had to stay around the house but he came along all right. We have been without firecrackers for quite a few years. I remember one time when I was on the board of selectmen you had an agreement amongst the people who sold firecrackers that they wouldn't sell them previous to the 4th. Well, different merchants, three or four of them, were going to sell firecrackers and you would see boys the last day of June shooting off firecrackers. I would say, "Where did you get your firecrackers?" and they would tell me. I would go up to this fellow and say, "You know you were down at the town office and you agreed not to sell firecrackers until such a day." "Well," he says, "I bought them, I have got money in them and I am going to sell them if I can." I think it is some of those things that contributed to doing away with firecrackers. Where we have

been without them for some time it is not going to work the hardship on the young people that it would if we had taken them away where they had previously had them.

Mr. JACQUES of Androscoggin: Mr. President, I happen to be serving on the Legal Affairs Committee and I am one who signed the majority report "Ought to pass." This bill came out of committee 8 to 2 I believe. It had a very good hearing. Dr. Schumacher put up most of the argument for the bill and I could not see anything but to vote for the bill at the present time.

In the City of Lewiston we have a celebration and we spend around fifteen hundred dollars on that day. We have been doing that for quite a few years now. I think it is nice to have fireworks and firecrackers. We do not have the horses on the street any more, so I cannot see why Senator Hilton would oppose this type of legislation. I ask for a division.

Mr. HILTON of Somerset: Mr. President, I would like to reply to Senator Jacques that there are horses up in my neck of the woods, they are on the street and they might be there on the 4th of July.

Mr. JUTRAS of York: Mr. President, may I ask through the Chair of any Senator: Is it legal right now to purchase firecrackers outside the state and explode them in the State of Maine before the 4th of July?

The PRESIDENT: The Senator from York, Senator Jutras, puts a question through the Chair to any Senator who may answer if he so chooses.

Mr. SHIRO of Kennebec: Mr. President, the Legal Affairs Committee were informed that it was not legal to take into the state live fireworks under the present law.

Mr. JACQUES of Androscoggin: That is correct. This is without a permit. If you have a permit you can because we have them with a permit.

Mrs. SPROUL of Lincoln: Mr. President, it seems as though we are losing sight of one fact here. There are firework displays which are put on under the supervision,

I believe it is under the department of the Insurance Commissioner and fire inspectors. You can still have fireworks if they are properly supervised and put on by people who know how to do it. Maybe that is the better way. Maybe that is better than just letting everyone have a firecracker and hold it in their hand when they do not know what to do with it. That is the reason I have changed my mind.

Mr. STERN of Penobscot: Mr. President, if we don't have a vote on this without further argument I am going to explode at this late hour.

Mr. CASEY of Washington: Mr. President, in Woodland we have our fireworks display on Labor Day. We hire the Interstate Fireworks from Springfield, Massachusetts to come down and display our fireworks for us. We have an aerial display. First we get permission for the insurance division here in the state at Augusta, we send it to the fireworks company and they send a licensed man down to shoot off these fireworks and they are supervised. I believe this is the only way they can be shot off at this time.

Mr. JUTRAS of York: Mr. President, I am sure that the Senator from Penobscot could relieve himself of all his frustrations if he had a firecracker day on the 4th of July to look forward to.

A division of the Senate was had.

Ten having voted in the affirmative and twenty-one opposed, the motion to accept the Ought Not to pass report of the Committee did not prevail.

Thereupon, on motion by Mr. Jacques of Androscoggin, the Majority Report of the Committee was accepted, the bill read once and tomorrow assigned for second reading.

Mr. HARDING of Aroostook: Mr. President, there has been some discomfiture over the long session here and we might have a recess. I would like to believe that we could come back at one o'clock and perhaps be here until three so we could make an impression on lifting these items

from the table. After three o'clock I think there would then be an opportunity for the committees which need to have executive sessions to hold their executive sessions so that they can complete their work. So at this time I would move that the Senate stand recessed until one o'clock.

(Recess)

After Recess

Senate called to order by the President.

The President laid before the Senate the 1st tabled and unassigned item (H. P. 802) (L. D. 1094) Bill, "An Act Relating to Right to Hold Property of Corporations for Facilities for Elderly Persons"; tabled on April 13 by Senator Harding of Aroostook pending enactment, 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. 125) (L. D. 149) House Reports from the Committee on Highways on Resolve, in Favor of New Canada Plantation for Sly Brook Road Construction; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 14, by Senator Cahill of Somerset pending acceptance of either report; and on further motion by the same Senator, the Majority Ought not to pass report was accepted.

The President laid before the Senate the 3rd tabled and unassigned item (H. P. 128) (L. D. 152) Bill, "An Act Determining Weight Limits of Trucks."; tabled April 14, by Senator Cahill of Somerset pending assignment for second reading.

Mr. CAHILL of Somerset: Mr. President, in view of all the legislation we have already passed I would move that this be indefinitely postponed.

Mr. VIOLETTE of Aroostook: Mr. President, I fail to see the reason for the indefinite postponement of this bill. I think this is

a very good and legitimate bill and has a great deal of merit to it.

This is L. D. 152 and it reads: "In determining excess of limits, limits shall include maximum weights allowed under section 1652, plus the allowance of 15 per cent for the months of December, January or February, if properly licensed, plus the 10 per cent tolerance provided for in section 1655." Section 1655 allows for a tolerance of 10 per cent of the overweight of the truck in regard to assessing fines in the case of overweights. Now five years ago the 15 per cent excess for the months of December, January and February was granted to specialized types of hauling such as wood and forest products. After this 15 per cent additional tolerance was allowed then the courts got into some difficulties in assessing the penalties. There was some confusion. Some courts allowed the ten and fifteen per cent tolerance weight in determining the overweight penalty and other courts allowed only the 10 per cent. This bill is an attempt to clarify the matter of the Court in assessing the fine for overweight of the truck. They would take into consideration the 10 per cent allowed all trucks and then the 15 per cent additional tolerance during those months allowed to those specialized product transportation trucks. I think this is a good bill, Mr. President and members of the Senate, and I do not think it should be indefinitely postponed. I ask for a division.

Mr. CAHILL of Somerset: Mr. President, the bill does attempt to do what the Senator from Aroostook says, however I believe if you look through what we have already passed you will find we have passed a bill that allows the judge to determine when he shall fine and when he shall not. Under that assumption I can see no use for this bill.

Mr. VIOLETTE of Aroostook: Mr. President, to further clarify this: As far as the bill which Senator Cahill mentions which would authorize the judge to determine the amount of the fine, that has

a limited application. Once he has determined the amount of the overweight violation then he assess a fine. After he has done that it is up to him within his discretion to suspend the fine either in whole or in part. This bill here is, in the first instance, to determine whether there is actually a violation, whether there is an overweight, whether the law as to overloading has been violated. I submit that if these people are given 15 per cent tolerance during the months of December, January and February it should not be taken away from them in judging the amount of the excess overweight when they come into court and a decision has to be made as to whether or not they have violated the law. This is determining whether the man is in violation or not. The other law which we have passed takes application after it has been determined that the truck owner is in violation and when he is in violation how much fine will be assessed. This is not the same thing at all. This will determine whether or not he is actually over the limit.

The PRESIDENT: The motion before the Senate is the motion of Senator Cahill of Somerset to indefinitely postpone this bill. A division has been requested.

A division of the Senate was had.

Three having voted in the affirmative and twenty-six opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was given its second reading and passed to be engrossed in concurrence.

The President laid before the Senate the 4th tabled and unsigned item (H. P. 772) (L. D. 1015) Bill, "An Act Relating to Sale or Compounding of Drugs by Apothecary Only"; tabled April 14, by Senator Chisholm of Cumberland pending passage to be engrossed; and that Senator moved the pending question.

Thereupon, the bill was passed to be engrossed in concurrence.

The President laid before the Senate the 5th tabled and unas-

signed item (H. P. 848) (L. D. 1261) Bill, "An Act Relating to Repeal of Sardine Tax on Exports."; tabled April 14, by Senator Chisholm of Cumberland pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

The President laid before the Senate the 6th tabled and unsigned item (S. P. 486) Joint Resolution petitioning Congress to Propose an Amendment to the Federal Constitution to Preserve the Bicameral Aspect of State Legislature tabled on April 14, by Senator Manuel of Aroostook pending adoption; and on motion by Mr. Brown of Hancock, the Joint Resolution was retabled and especially assigned for Monday next.

The President laid before the Senate the 7th tabled and unsigned item (H. P. 211) (L. D. 279) House Reports from the Committee on Highways on Bill, "An Act Relating to Permits by Highway Commission for Trucks in Construction Areas."; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 15, by Senator Cahill of Somerset pending acceptance of either report; and on motion by Mr. Boisvert of Androscoggin, the bill was retabled and especially assigned for Friday next.

The President laid before the Senate the 8th tabled and unsigned item (H. P. 627) (L. D. 934) House Reports from the Committee on Highways on Bill, "An Act Appropriating Funds for Construction of a Span on the Westport-Wiscasset Bridge."; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 15, by Senator Norris of Oxford pending acceptance of either report; and on further motion by the same Senator, the Minority Ought to pass report was accepted, and the bill read once.

Mr. Norris of Oxford presented Senate Amendment A and moved its adoption.

Which amendment (S-231) was read and adopted, and the bill as

amended was tomorrow assigned for second reading.

The President laid before the Senate the 9th tabled and unsigned item (H. P. 748) (L. D. 985) House Reports from the Committee on Liquor Control on Bill, "An Act Relating to Definition of Hotel Under Liquor Law." Majority Report, Ought to pass in New Draft same title (H. P. 1063) (L. D. 1439); Minority Report, ought not to pass; tabled on April 16, by Senator Jacques of Androscoggin pending acceptance of either report; and on motion by Mr. Harding of Aroostook, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 10th tabled and unsigned item (H. P. 160) (L. D. 334) House Reports from the Committee on Sea and Shore Fisheries on Bill, "An Act Limiting Number of Lobster Traps per Person"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 16, by Senator Jutras of York pending Acceptance of either report; and on further motion by the same Senator, the Majority Ought Not to pass report was accepted.

The President laid before the Senate the 11th tabled and unsigned item (S. P. 147) (L. D. 388) Senate Reports from the Committee on Inland Fisheries and Game on Resolve, Opening Cold Stream Pond, Penobscot County, to Ice Fishing; Majority Report, Ought to pass; Minority Report, Ought not to pass; tabled on April 21, by Senator Bernard of Penobscot pending motion by Senator Southard of Penobscot to accept the majority ought to pass report.

Mr. BERNARD of Penobscot: Mr. President, I would like to say a few words on this.

The PRESIDENT: The Senator may.

Mr. BERNARD: Mr. President, when we were discussing the fly-fishing bill on the Kennebec River Senator Moore brought out the fact that the Department of Inland Fisheries and Game had the authority to hear these bills at the

location where the people who were concerned were and had the authority to make decisions. I do not believe that the committees in the legislature should be cluttered up with these L. D.'s when they can be taken care of at the location.

I would ask for a division when the vote is taken and I hope the senators can see their way clear to vote with me and defeat the motion before the Senate.

Mr. FALON of Penobscot: Mr. President, can I inquire what the motion is at this time?

The PRESIDENT: The motion before the Senate is the motion of the Senator from Penobscot, Senator Southard, to accept the majority "Ought to pass" report.

Mr. FALON: Mr. President and members of the Senate: It is true that the Inland Fisheries and Game Committee has had a lot of bills that have cluttered up their committee hearings that could be taken care of on the local level. However, when this bill was introduced I was not aware of this. In talking with the Fish and Game department, this was not brought to my attention. However, there have been many bills before the Fish and Game Committee contrary to this rule.

There seems to be quite a number of inconsistencies in the voting on fish and game measures. For instance, on the fly-fishing bill in Kennebec County the good Senator from Penobscot, Senator Bernard, did not observe this rule and voted for opening it, and in the debate on April 22nd he mentioned that it wasn't good fishing but the fisherman gets the fresh air and this is worth the price of a license. Fresh air is not the matter of the debate here but I am trying to point out the inconsistency in voting for these measures. Yesterday we passed as an enactor a bill opening up certain waters in Aroostook and Piscataquis County to ice-fishing with no opposition. This has seemed to be the trend up until this time and we have this bill before us now. I should think that the Senate would be consistent in their voting in relation to fish and game

laws and vote with me in accepting the committee report, which by the way was one of the very few bills to come out of the Committee on Inland Fisheries and Game with a favorable report.

Mr. STERN of Penobscot: Mr. President, I do not know how I get into the middle of these things but here I am between my two good friends and fellow senators from Penobscot County. If they wanted me to speak on something about the law I think I know a little something about it, but I know nothing about ice-fishing. I do want to say that I have had many of my constituents contact me about this and they want me to vote with my good friend Senator Bernard on this. I asked them what it was all about, and the only reason, if it is a good reason, I will just state what they told me. They say that when these people go up there ice-fishing they make a mess, they do damage to the property up there. We are all property owners up there and we feel that we are not around there when they do go ice-fishing and that the amount of damage they do and the mess they leave there we feel you should bring to the attention of the Senate. This is the only reason I have and I feel I owe a duty to my constituents to state it for what it is worth. I want to concur with Senator Bernard in his motion that the minority report be accepted.

Mr. SOUTHARD of Penobscot: Mr. President, could we have the committee report read, please.

(The committee report was read by the Secretary)

The PRESIDENT: The motion before the Senate is the motion of the Senator from Penobscot, Senator Southard, to accept the majority "Ought to pass" report of the committee.

Mr. FALON of Penobscot: Mr. President, I think the point about damage to camps has been exaggerated somewhat. This lake has never been open to fishing so therefore the camps were never destroyed by fishermen. I do not recall, except in one instance, where any camp was ever broken into anyway. This was across the

lake and the only access to this particular camp was by boat. My parents have lived on the lake for eleven years and they have never even had as much as a rock stolen from their lot.

The point I would like to bring out is: What would happen to our ice-fishing if camp owners on all the lakes in Maine were as selfish as these camp owners tend to be? We wouldn't have any ice-fishing on any lakes. Now I know for a fact that the good senator from Penobscot, Senator Bernard, does ice-fish on other lakes and I am sure he would be quite perturbed if these camp owners closed that lake, but he has been a better lobbyist than I have and he has a little more support so I am not going to debate a losing cause.

Mr. BERNARD of Penobscot: Mr. President, I would like to apologize to the Senate for the amount of time we have taken on this bill. I thought it was pretty well covered before.

The reasons for keeping this lake closed are entirely different. I was accused of voting inconsistently. I wish to say that the reasons for which I voted before are entirely different than my reasons for voting for this bill. This lake has a lot of valuable property, it is a village lake. There are, within a radius of two to thirty miles fifty wilderness lakes which are open to ice-fishing and they wouldn't be taking any chances of anyone wanting to go out and get some fresh air and exercise if this lake was closed. This is also a lake that needs conservation because of the fact that it is fished very hard. Being a village lake, in the summertime when it is open it is fished very hard. There is the problem of vandalism. This lake has never been opened, that is true, but we can take examples of other lakes that have been opened and the problem of vandalism, especially on a lake that is thickly settled, is a very big item indeed.

The PRESIDENT: The motion before the Senate is the motion to accept the Majority ought to

pass Report. A division has been requested.

A division of the Senate was had.

Ten having voted in the affirmative and sixteen opposed, the motion did not prevail.

Thereupon the Minority Ought not to pass report was accepted.

The President laid before the Senate the 12th tabled and unassigned item (S. P. 297) (L. D. 911) Senate Reports from the Committee on Public Utilities on Bill, "An Act Relating to Operation on Certain Motor Vehicles for Profit."; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 22 by Senator Boisvert of Androscoggin pending acceptance of either report and on further motion by the same Senator, the Majority Ought not to pass report was accepted.

The President laid before the Senate the 13th tabled and unassigned item (H. P. 651) (L. D. 879) House Reports from the Committee on Public Utilities on Bill, "An Act to Regulate Sewer Utilities."; Majority Report, Ought to pass; Minority Report, Ought not to pass; tabled on April 23, by Senator Boisvert of Androscoggin pending acceptance of either report.

Mr. BOISVERT of Androscoggin: Mr. President, I move that we accept the Majority "Ought to pass" report.

Mr. LETOURNEAU of York: Mr President and members of the Senate: I would oppose the motion of the Senator from Androscoggin, Senator Boisvert. I would like to say that the big problem here is bringing sewer systems under public utility legislation. Sewer system and treatment facilities are rigidly regulated by the Federal Public Health Service and the State Water Improvement Commission. At the moment, to bring in the Public Utilities Commission would unduly complicate matters and be very time-consuming. The only reason for Public Utilities Commission regulation at all is to review the rates

to be charged, and by the time the requirements of Public Health Service and the Water Improvement Commission have been met it is a foregone conclusion that Public Utilities review now becomes futile and time-consuming. Most sewer district trustees are local businessmen who, with the assistance of the engineers who designed the system, can establish a fair and reasonable rate structure.

This act carries an appropriation of \$21,000 for the fiscal year ending June 30, 1966 and \$20,000 for the fiscal year ending June 30, 1967 to carry out the purposes of this act and, like most regulations, this would most likely increase as time goes on.

I think most of us believe in home rule and I think we can find enough people to operate our own sewer system. I have no brief for the Public Utilities Commission but they have a tremendous work load and subjecting them to this regulation would only give them a greater work load and delay the granting of rates.

At the hearing the Public Utilities Commission stated that they either wanted to be in or not to be in, that is either to regulate or not to regulate. As of now it is not mandatory for the PUC to regulate sewer system rates. There is L. D. 1268 yet to appear before us stating that sewer systems shall not be subject to or regulated by the Public Utilities Commission.

For these reasons, I would oppose the motion of the Senator from Androscoggin, Senator Boisvert and when the vote is taken I ask for a division.

Mr. BOISVERT of Androscoggin: Mr. President, L.D. 879 is a department bill. It had a long hearing and I know why the good Senator from York is opposing the bill and we certainly appreciate the wonderful job that they have done in their county, but when we look at the over-all problem statewide we do believe that this type of legislation is now needed.

In years past towns and cities have come before the legislature to request a charter for a sewer district. They are different in many ways, each community has a charter of its own. Some are regulated by the Public Utilities Commission, others are not. Some are regulated for rates, others are not regulated for rates. We certainly appreciate that some municipalities are well equipped for the administration, the planning of sewer districts, but, on the other hand as we look over the state some small communities will have to face the problems in years to come and will need help and the Public Utilities Commission had everything to come to their aid. For that reason alone, I do believe that this legislative document should pass. I do believe that when the vote is taken you fellow senators will take into consideration that this is a public utility and, being such, it should be classified like other public utilities and come under full regulation of the Public Utilities Commission.

Mr. JUTRAS of York: Mr. President, I notice on L.D. 1268 that this legislative document was presented by Mr. D'Alfonso of Portland, and it reads: "Sewer districts and every other person, firm, corporation, association owning, controlling or managing any sewer system for compensation shall not be deemed to be a public utility" et cetera, so, in order to be consistent I must uphold Senator Letourneau's motion to accept the minority "Ought not to pass" report.

Mr. LETOURNEAU of York: Mr. President and members of the Senate: I feel that if you can build your own sewer district that we have someone in each of our municipalities that is able to set the rates and operate it. The Public Utilities Commission has a tremendous work load and if you want to attempt to regulate your rates or anything that is concerned with your sewer system you may have to wait for quite awhile. I will give you an instance that happened in Sanford. When

American Cyanimide decided to come to Sanford naturally they wanted the town to extend the water system and then the sewerage system to the area. Well, I am afraid in that particular case if we had to wait until the Public Utilities Commission rendered judgment we might have lost a million dollar industry. They wanted to come in and they wanted to come in right away.

The PRESIDENT: The motion before the Senate is the motion to accept the Majority Ought to Pass report.

A division of the Senate was had.

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

Thereupon, the Minority Ought not to Pass report was accepted.

The President laid before the Senate the 14th tabled and unassigned item (S. P. 27) (L. D. 1362) Senate Report Ought to pass as Amended by Committee Amendment "A" Filing S-153 from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Fees for Fishing and Hunting Licenses."; tabled on April 27 by Senator Manuel of Aroostook pending acceptance of report; and on motion by Mr. Harding of Aroostook, the bill was retabled.

The President laid before the Senate the 15th tabled and unassigned item (S. P. 325) (L. D. 1047) Senate Report from the Committee on State Government on Bill, "An Act Increasing Salaries of Members of Liquor Commission; Ought to pass, in New Draft under New Title on Bill, "An Act Relating to Expenses of Members of Liquor Commission."; (S. P. 519) (L. D. 1496) tabled on April 28 by Senator Jacques of Androscoggin pending acceptance of report; and on further motion by the same Senator, the report of the committee was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 16th tabled and unassigned item (H. P. 16) (L. D. 16) Bill, "An Act Providing for Penob-

scot County Funds for Buildings for Education Programs for Retarded Children."; tabled on April 28 by Senator Faloou of Penobscot pending enactment; and that Senator moved the pending question.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate the 17th tabled and unassigned item (H. P. 884) (L. D. 1181) Bill, "An Act Providing Only One Way to Split a General Election Ballot."; tabled on April 28 by Senator Harding of Aroostook pending enactment; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 18th tabled and unassigned item (S. P. 95) (L. D. 262) Bill, "An Act Relating to Chiropractic Treatment Under Workmen's Compensation Law."; tabled on April 28 by Senator Bernard of Penobscot pending Motion by Senator Glass of Waldo to Recede and Concur.

Mr. O'LEARY of Oxford: Mr. President, I request a division on the motion to recede and concur, and as I said on April 28 when the good Senator from Penobscot, Senator Bernard, tabled this bill for me that I would have an amendment prepared. I had this amendment prepared by Sidney Wernicke of Portland and I believe it will do away with all of the objections to this piece of legislation. I move that we have a division.

Mr. GLASS of Waldo: Mr. President, in reading the proposed amendment to be offered by Senator O'Leary should the motion to recede and concur not prevail, it reads: Such employee shall be entitled to chiropractic services as needed and paid by the employer provided commission finds services to be reasonable and proper." I will direct a question through the Chair to Senator O'Leary and ask him exactly what change this proposed amendment will make to the bill.

The PRESIDENT: The Senator from Waldo, Senator Glass, directs

a question through the Chair to the Senator from Oxford, Senator O'Leary, who may answer if he so chooses.

Mr. O'LEARY of Oxford: Mr. President, under the original bill it says, "shall be entitled to reasonable and proper medical, surgical and hospital services, nursing, medicines, Chiropractic treatment shall not be defined as the practice of medicine" etc. It does not here limit the amount of treatment that would be necessary. This amendment is an attempt to meet certain objections raised in debate on the original bill. It creates a new category of treatment under the law which is neither medicine or surgery. As the law has always read the Commission has to do two things. First it must find that the accident is one covered by law and, second, that the treatment for the injury is reasonable and proper. At present this is more or less automatic because it is handled by medical or osteopathic doctors but the law still requires the commission to certify methods of handling to be reasonable and proper, thus if an injured employee goes to a chiropractor for treatment and is restored to work as a result the commission will hold his treatment to have been reasonable and proper. If he were not helped the ruling would naturally be that such treatment has not been reasonable and proper. The purpose of this amendment still is and has always been to insure that an injured employee has some chance of having his accident paid for by his employer. It is that simple.

Mr. GLASS of Waldo: Mr. President, I submit, ladies and gentlemen of the Senate, that the amendment does absolutely nothing. Under the present law, Title 39, Section 52 it says: "Injured employee shall be entitled to all reasonable and proper medical, surgical and hospital services, nursing, medicine, and mechanical surgical aids as needed paid by the employer." "Section 2. Upon knowledge and notice of such injury the employer shall properly furnish to the employee such services and aids." "Section 3. In

case the employer fails to furnish any of the aids and services the employee may procure said services or aids and the commission may order the employer to pay for the same provided they were reasonable and adequate."

Now this bill has been introduced by the chiropractic association over the past ten or twelve years and on none of these occasions did they see fit to add this particular amendment, for the reason, I submit, that it does nothing. This bill was killed in the House and I think it is about time we gave it a decent burial. I believe that the only reason this amendment is offered is to revive the bill so it can be sent down to the House possibly to delay our adjournment. I therefore would hope that the Senators would go along with me in my motion to recede and concur.

Mr. SHIRO of Kennebec: Mr. President, I disagree with the statement of Senator Glass that this amendment does nothing, however I agree with him that the bill should certainly be defeated.

The amendment points out the argument which we had some time ago when it was said that this bill places the injured employee at a disadvantage, and I think this amendment shows on logic and reason that it does. When the amendment states that if the employee can show to the satisfaction of the commission that the treatment by a chiropractor was reasonable and proper then he is entitled to recover. It is not assumed ahead of time that that treatment is reasonable and proper, that has to be determined. In other words, the employee at first, when he has chiropractic is taking a chance and he is incurring a liability for chiropractic treatment before he has a hearing only on the hope that the commission is then going to decide that it is proper. Supposing — and the amendment submits that question — it may not be proper, and if it is not there is no question that the employee is going to sus-

tain the liability and responsibility for treatment which he may have at first thought he was going to be compensated for. This is not a bill which is going to help an employee, and I would certainly concur with Senator Glass's motion.

Mr. O'LEARY of Oxford: Mr. President, once again I find myself debating with two of my more learned colleagues and I have to disagree with their arguments in their entirety. We debated this bill before and it was pointed out that under the Workmen's Compensation law now anybody who uses the services of a chiropractor will not be allowed to be paid under the Workmen's Compensation law. However, it comes out of the workingman's pocket. All this bill says is that if you use the services of a chiropractor the commission will make the payments, it will not come out of the workingman's pocket. That is all we are attempting to do here. I would once again request a division.

The PRESIDENT: The motion before the Senate is the motion to recede and concur. A division has been requested.

Thirteen having voted in the affirmative and sixteen opposed, the motion to recede and concur did not prevail.

Thereupon, on motion by Mr. O'Leary of Oxford, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; the same Senator presented Senate Amendment "A" and moved its adoption.

Which amendment 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 19th tabled and unsigned item (H. P. 628) (L. D. 835) House Report; Ought to pass as Amended by Committee Amendment "A" Filing H-248 from the Committee on Inland Fisheries and Game on Bill, "An Act Increasing Salary of Commissioner of Inland Fisheries and Game."; tabled on April 29, by Senator

Manuel of Aroostook pending acceptance of report; and on motion by Mr. Harding of Aroostook, the bill was retabled.

The President laid before the Senate the 20th tabled and unsigned item (H. P. 939) (L. D. 1275) House Report; Ought to pass as Amended by Committee Amendment "A" Filing H-249 from the Committee on Towns and Counties on Bill, "An Act Establishing Clerk of Courts in Androscoggin County as Full-Time and Providing Compensation Therefor."; tabled on April 29 by Senator Jacques of Androscoggin pending acceptance of report.

Thereupon, 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 21st tabled and unsigned item (H. P. 1091) (L. D. 1487) Bill, "An Act to Authorize Municipalities to Finance Industrial and Recreational Projects."; tabled on April 29 by Senator Violette of Aroostook pending passage to be engrossed; and on motion by Mr. Harding of Aroostook, the bill was retabled.

The President laid before the Senate the 22nd tabled and unsigned item (H. P. 120) (L. D. 144) House Report; Ought not to pass from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Moneys to Repair Runway of Rockland Airport"; Tabled on April 29 by Senator Duquette of York pending acceptance of report, and on motion by Mr. Duquette of York, the bill was substituted for the report, read once and tomorrow assigned for second reading.

The President laid before the Senate the 23rd tabled and unsigned item (S. P. 360) (L. D. 1122) Bill, "An Act Relating to Labeling of Imported Meats Sold in Retail Stores; tabled on April 29 by Senator Chisholm of Cumberland pending enactment; and

on motion by Mr. Harding of Aroostook, the bill was retabled.

The President laid before the Senate the 24th tabled and unassigned item (H. P. 1098) (L. D. 1501) Resolve, to Reimburse Delmont R. Hawkes, of Standish, for Well Damage; tabled on April 30 by Senator Harding of Aroostook pending reference; and on motion by Mr. Norris of Oxford, the bill was indefinitely postponed.

The President laid before the Senate the 25th tabled and unassigned item (H. P. 1101) (L. D. 1506) Resolve, to Reimburse Mrs. Hazel Costigan of Milford for Well Damage; tabled on May 4 by Senator Harding of Aroostook pending reference; and on motion by Mr. Norris of Oxford, the bill was indefinitely postponed.

The President laid before the Senate the 26th tabled and unassigned item (H. P. 1102) (L. D. 1507) Bill, "An Act Relating to Condensed Summary of State's Financial Report"; tabled on May 4, by Senator Harding of Aroostook pending reference; and on further motion by the same Senator, the bill was indefinitely postponed.

The President laid before the Senate the 27th tabled and unassigned item (S. P. 518) (L. D. 1492) Bill, "An Act Providing for a Limited Open Season on Moose in Aroostook County for Conservation Research Purposes"; tabled May 5, by Senator Manuel of Aroostook pending consideration, and on further motion by the same Senator, the Senate voted to recede and concur.

The President laid before the Senate the 28th tabled and unassigned item (S. P. 189) (L. D. 554) Bill, "An Act Relating to Fixing the number of Personnel at the State Teachers Colleges and State Vocational - Technical Institutes"; tabled on May 5, by Senator Snow of Cumberland pending consideration; and on further motion by the same Senator, the

Senate voted to insist on its action.

The President laid before the Senate the 29th tabled and unassigned item (S. P. 177) (L. D. 543) Senate Report from the Committee on Appropriations and Financial affairs on Bill, "An Act Relating to Dedication of Student Payments and Fees at the State Teachers Colleges and State Vocational-Technical Institutes"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on May 5, by Senator Duquette of York pending acceptance of either report; and on motion by Mr. Snow of Cumberland, the Minority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 30th tabled and unassigned item (S. P. 180) (L. D. 545) Senate Reports from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Exemption of the State Teachers Colleges and State Vocational-Technical Institutes from Line Category Budget Control"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on May 5 by Senator Snow of Cumberland pending acceptance of either report; and on further motion by the same Senator, the Minority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 31st tabled and unassigned item (H. P. 1105) (L. D. 1510) Bill, "An Act Relating to Taking of Alewives in Little River and Boyden Stream"; tabled on May 6, by Senator Harding of Aroostook pending reference; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 32nd tabled and unassigned item (H. P. 226) (L. D. 293) House Report; Ought to pass as Amended by Committee

Amendment "A"; Filing H-270 from the Committee on Inland Fisheries and Game on Resolve, Directing a Study of the Moose Population in Maine; tabled on May 6 by Senator Manuel of Aroostook pending acceptance of report and on further motion by the same Senator, the bill was indefinitely postponed.

The President laid before the Senate the 33rd tabled and unassigned item (H. P. 662) (L. D. 889) House Report; from the Committee on Taxation on Bill, "An Act Imposing Tax on Cigars and Tobacco Products," Majority Report, Ought not to pass; Minority Report, Ought to pass as Amended by Committee Amendment "A" Filing H-284; tabled on May 6 by Senator Harding of Aroostook pending acceptance of either report; and on further motion by the same Senator, the bill was retabled.

On motion by Mr. Moore of Washington, the Senate voted to reconsider its former action taken on Item 5 on page 9 of the calendar on (H. P. 848) (L. D. 1261) bill, "An Act Relating to Repeal of Sardine Tax on Exports"; whereby the bill was passed to be engrossed earlier in today's session; and the same Senator presented Senate Amendment A and moved its adoption.

Which amendment (S-224) 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 34th tabled and unassigned item (H. P. 782) (L. D. 1035) House Reports from the Committee on Taxation on Bill, "An Act Exempting Gas for Cooking and Heating in Homes from Sales Tax;" Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on May 7 by Senator Harding of Aroostook pending acceptance of either report; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 35th tabled and unassigned item (S. P. 437) (L. D. 1369) Senate Report; Ought not to pass from the Committee on Taxation on Bill, "An Act Eliminating Use of Stamps Under Cigarette Law"; tabled on May 7 by Senator Carter of Kennebec pending acceptance of report; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 36th tabled and unassigned item (H. P. 1096) (L. D. 1493) Resolve, Repealing Authorization for Disposal of Western Maine Sanatorium"; tabled on day 7 by Senator Norris of Oxford pending passage to be Engrossed; and on further motion by the same Senator, the resolve was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 37th tabled and unassigned item (S. P. 191) (L. D. 571) Bill, "An Act to Eliminate Straight Ballot Voting In Elections and Order of Offices on Ballots"; Tabled on May 7 by Senator Harding of Aroostook pending enactment; and on motion by Mr. Harding of Aroostook, the bill was retabled.

The President laid before the Senate the 38th tabled and unassigned item (S. P. 224) (L. D. 683) Bill, "An Act Increasing Salary of Commissioner of Agriculture"; tabled on May 7 by Senator Chisholm of Cumberland 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 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 39th tabled and unassigned item (H. P. 712) (L. D. 950) House Report — Ought not

to pass from the Committee on Public Utilities on Bill, "An Act Relating to Hearings for Permits for Contract Carriers"; tabled on May 11, by Senator Boisvert of Androscoggin pending consideration; and on further motion by the same Senator, the Senate voted to recede and concur.

The President laid before the Senate the 40th tabled and unsigned item (H. P. 416) (L. D. 528) House Reports; from the Committee on Judiciary on Bill, "An Act Relating to Trial Terms of Superior Court in Washington County"; Report "A", Ought to pass; Report "B", Ought not to pass; tabled on May 11, by Senator Casey of Washington pending acceptance of Either Report; and Senator Casey of Washington yielded to Senator Stern of Penobscot.

Mr. STERN of Penobscot: Mr. President, I thank the Senator from Penobscot, Senator Casey. I think the reason that Senator Casey yielded to me is perhaps that he does not want to get into the middle of a fight down in Washington County, but I live in Penobscot County and I am trying to do what I think is right and just and I think I am going to state some of the reasons why we have a problem in this particular bill.

You notice that there are two reports, Report A "Ought to pass" and Report B "Ought not to pass." This matter came before the Judiciary Committee, and sometimes we find it very difficult to agree, lawyers especially. That is why we are still in session and perhaps will be continuing in session some time longer. We had a difference of opinion. The difference of opinion was that five members of Judiciary thought we should change a term of court from Calais where it has been for the last hundred years and where I have had the pleasure of attending court many, many times. Down there they have fine accommodations, fine lodgings, fine food, and they have a nearby golf course. Not only that, but down in Calais you have a situa-

tion — let's see, Danforth is about 120 miles from Calais and for those people who have to summons witnesses into court it is quite a trip to go from Calais to Machias. Now there is considerable feeling down in Washington County and the people down in Machias want to hold court in Machias because they feel that is the exact center of population. But there are other factors, we claim that should be taken into consideration.

Calais has about sixty per cent of the population and Machias has about forty per cent, and Calais is about fifty to sixty miles from Machias, depending on the route that is taken.

The opponents say, "If we have this court in Machias we will save a few hundred dollars," but I feel, as many members of the committee apparently do, that the necessity and convenience of having that one term in Calais should not be overlooked. It has excellent court room facilities and it has an adequate law library. We feel that the lawyers and the public should have the benefit and the convenience and that the town should have the benefit and the convenience and that the town should have the benefit of having all of these people who have to come into court one term a year, in June, when the weather is fine and there is no difficulty in travel, that they should have what they have had for the last hundred years.

I haven't had any judge call me and tell me that they were critical of the fact that they want a term of court in Machias. As far as I know, none of the judges are against going to that fine community of Calais in the summer month of June. It is beautiful down there, believe me, and I do not think any of the lawyers who have had the opportunity and the pleasure to try cases down there would in any way object to that one term being held in Calais.

You will also take into consideration that this is not an unusual thing to have a term of court in one end of the county and another term of court at the other end of the county, because it has come

to my attention that Aroostook County has that same situation, and I am sure that neither one of these fine senators from Aroostook would want to deprive them of having one of the terms of court in Caribou and the others in Houlton. I am sure they enjoy the change. We feel that Calais pays more than one-half of the county taxes and I think there are considerations other than the convenience of the attorneys who practice in Machias and naturally do not want to go beyond the confines of the town where their practice is. I think perhaps the majority of lawyers in Machias would naturally want this, but there are other lawyers who go down to practice from adjacent counties and I am one of them, and I would not like to be deprived of the opportunity of going down to Calais in June over that beautiful Air Line road to practice law down in Calais, Maine.

Now I do not feel that this Senate, where we have a fifty-fifty split should deprive Calais of a term of court which the community, the restaurants, the hotels, the people have relied on for so many years for the extra few hundred dollars that they might possibly save. I know there might be opposition on this but I want to state my opinion on this because I have no personal interest in this whatsoever. I hope that when the Senate votes on this — this confuses me because I will have to look up Report A and Report B, but I want the report that we should not change the term from Calais to Machias, whatever report that is, and I move that that report be accepted.

Mr. MOORE of Washington: Mr. President, if I may I would request that the Secretary read the report of the committee and the present standing of the bill.

(The report was read by the Secretary.)

Mr. STERN of Penobscot: Mr. President, I forgot to add, and I am glad he reminded me that originally when these lawyers argued before Judiciary I was swept away by the very force of their

argument and their logic, and perhaps under the sweep of the emotion that I had after their arguments I voted for Report A, but since then I have had time for calm deliberation, I have had the opportunity to talk to people from Calais, I have had the opportunity to talk to other lawyers. I say again, I have had this experience before. The older I get the wiser I get, and I should not make snap decisions. I say to the members of the Senate that after I have had an opportunity to discuss this with other people that it would be an injustice to the people of Calais, and this is the reason that I am on my feet asking and imploring the Senate to please do not take away the June term from Calais, and I ask you to report in favor of Report B.

The PRESIDENT: The Senator from Penobscot, Senator Stern, moves that we accept Report B, "Ought not to pass."

Mr. VIOLETTE of Aroostook: Mr. President, you have heard the eloquence of the Senator from Penobscot here on the floor of this Senate, and this is nothing as compared to his argumentative eloquence in committee. Somebody must have done a job on him in the committee because he voted "Ought to pass." Now in spite of his great eloquence in committee where he voted for the bill and despite his great eloquence here where he votes against the bill, he still has not convinced me that I also ought to change my vote on it.

Mr. MOORE of Washington: Mr. President and members of the Senate: I believe in the past it has been rather the custom for legislation in regard to Washington County to be kicked around rather gracefully up here, and I do not mean any disrespect in the remark which I will now make, but I am rather disillusioned in regard to Senator Stern in that recently it has seemed to be a habit for this gentleman to quite often change his mind as far as committee reports are concerned. I would also like to state that I hope that I will never be considered afraid to perhaps get up

on the floor of this Senate or before any other group of people and argue for a point which I feel is logical.

Now this bill has appeared before the legislative body several times in the past, and I would thank the Judiciary Committee of this session for turning out a so-called divided A and B report because this is the first logical and efficient report that this piece of legislation has ever received. I would also like to state at this time that this piece of legislation has no political affiliation to it as far as I am concerned whatsoever. It has been supported by both Democrats and Republicans. Also I would like to state that this term of court was established in the city of Calais a hundred odd years ago, and at that time I can appreciate the convenience of such an institution simply because of the mileage involved between Machias and Calais, but today as a result of the speedy transportation vehicles and the efficient highways which we have in our county it is only a forty minute ride from Machias to Calais and the maximum distance from Machias to any other point in the county would be a little over an hour perhaps. That is speaking specifically of Vanceboro and Danforth.

I would like to state that all of the County Commissioners in our county are in favor of this legislation, the Clerk of Courts in our county is in favor of this legislation, the County Treasurer is in favor of this legislation, and perhaps I would correct a saving statement here which was offered by Senator Stern, who evidently feels that he knows more of our county problems than we as representatives do. I understand from the County Treasurer that the changing of this court procedure would save the county somewhere in the vicinity of between fifteen hundred and two thousand dollars a year, which I feel is an adequate saving. All of the county delegation is in favor of this legislation except possibly two. The opposition of one has already been voiced with no avail. I can assure you

that if I felt this legislation was not logical regardless of whether it was for my county or any other county, I hope I have proven the fact to my fellow senators that I would have voted against it, but because of the support of this legislation and the logic involved I feel that after a number of years of attempting to promote this move I would ask that my fellow senators go along with me.

Mr. STERN of Penobscot: Mr. President, I feel constrained to answer my good friend Senator Moore from Washington County. The day that I become so stubborn and that I cannot listen to reason and that I cannot be impressed by logic and what is just and fair and equitable, that is the day that I want to retire.

Let me say further that I have no particular interest in Washington County or what they do there. By the very fact that they have had this term in Calais for one hundred years and by the very fact that they have over this period of years been unable to change this term, the fact that they have had it before prior legislatures, and the fact that our Judiciary Committee has split five to five on their report and now it is six to four, should have tremendous weight and should be considered by this body as to whether or not I know what I am talking about or whether or not there is some logic to retain the term at Calais which has been here for a hundred years. Now I am sure if this Senator wants to take this term of court from one community and put it in another he is interested, he is living in Machias. I do not blame him for arguing the way he does and perhaps I would have too under the circumstances. But there are other people to be considered, there are other factors to be considered, and I am trying to consider them and I hope that this body will consider them. If we take away this term from Calais the next session somebody is going to come in from Aroostook and want to take it away from another community and the next session somebody is going to come in from Oxford County and want

to take it away. I hope that you gentlemen from your respective counties will take that into consideration. But there is merit in this. I was on the committee and I do not remember that kind of saving, but for the sake of argument let's assume that the county would save \$1500, I say shame on the county for wanting to save \$1500 if they could please the people of Calais by having a court term held in Calais. This would far outweigh it, assuming you are right on your \$1500. I say that, taking everything into consideration, the fact that it has never been changed over the years and all the other things that I have related, we should not take away from that community of Calais, which has sixty per cent of the population, that term of court. I again ask you fair-minded senators to please stick with Report B which is at least five and now six from the Judiciary Committee.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Penobscot, Senator Stern, to accept Report B, Ought not to pass.

Mr. VIOLETTE of Aroostook: Mr. President, I request a division.

A division of the Senate was had.

Fourteen having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, Report A was accepted, the bill read once and tomorrow assigned for second reading.

The President laid before the Senate the 41st tabled and unsigned item (H. P. 503) (L. D. 656) Bill, "An Act Relating to Minimum Wages for Firemen"; tabled on May 11, by Senator Harding of Aroostook pending enactment; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 42nd tabled and unsigned item (H. P. 620) (L. D. 857) Bill, "An Act Revising the Savings Bank Laws"; tabled on May 11, by Senator Carter of Ken-

nebec 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 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 43rd tabled and unsigned item (H. P. 842) (L. D. 1143) House Report; Ought to pass from the Committee on Natural Resources on Bill, "An Act Classifying Certain Waters of East Branch of Sebasticook River", tabled on May 11, by Senator Stern of Penobscot pending acceptance of report; and on motion by Mr. Maxwell of Franklin, the bill was retabled and especially assigned for tomorrow.

The President laid before the Senate the 44th tabled and unsigned item (S. P. 43) (L. D. 214) Senate Reports; from the Committee on State Government on Resolve, Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate"; Majority Report, Ought not to pass; Minority Report, Ought to pass in New Draft (S. P. 539) (L. D. 1529) tabled on May 12, by Senator Mendell of Cumberland pending acceptance of either report; and on motion by Mr. Harding of Aroostook, the resolve was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 45th tabled and unsigned item (H. P. 904) (L. D. 1232) House Report; Ought not to pass from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Create a Maine State Board of Human Research and Development," tabled on May 13 by Senator Duquette of York pending acceptance of report; and on motion by Mr. Duquette of York, the bill was substituted for the report, read once, House

Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

The President laid before the Senate the 46th tabled and unassigned item (H. P. 225) (L. D. 292) House Reports; from the Committee on Inland Fisheries and Game on Bill, "An Act Providing for Adequate Fishways in Dams;" Majority Report, Ought to pass in New Draft (H. P. 1108) (L. D. 1514) Same Title, Minority Report, Ought not to pass; tabled on May 13, by Senator Manuel of Aroostook pending acceptance of either report; and on further motion by the same Senator, the Majority Ought to pass report was accepted and the bill read once.

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

Which amendment (S-229) was read and adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 47th tabled and unassigned item (S. P. 383) (L. D. 1199) Senate Report; Ought to pass in New Draft Under Same Title (S. P. 540) (L. D. 1538) From the Committee on Legal Affairs on Bill, "An Act Revising the Electricians Licensing Laws;" tabled on May 13, by Senator Jacques of Androscoggin pending acceptance of report; and on motion by the same Senator, the Ought to pass report was accepted, the new draft read once and tomorrow assigned for second reading.

The President laid before the Senate the 48th tabled and unassigned item (S. P. 349) (L. D. 1115) Senate Reports; from the Committee on Education on Bill, "An Act Requiring all Municipalities to Join School Administrative Districts by 1970;" Majority Report, Ought to pass; Minority Report, Ought not to pass; tabled on May 13, by Senator Norris of Oxford; pending motion by Senator Snow of Cumberland to accept the Majority Ought to pass report; and Mr. Norris of Oxford yielded to Senator Snow of Cumberland.

On motion by Mr. Snow of Cumberland, the Majority Ought to pass report was accepted, and the bill read once.

Mr. Snow of Cumberland presented Senate Amendment A and moved its adoption.

Which amendment was read and adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 49th tabled and unassigned item (S. P. 428) (L. D. 1375) Bill, "An Act Clarifying the Inland Fisheries and Game Laws;" tabled on May 13 by Senator Manuel of Aroostook pending consideration; and on motion by Mr. Manuel of Aroostook, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to further reconsider its action whereby Committee Amendment A was adopted.

Thereupon, House Amendment A to Committee Amendment A was read and adopted, Committee Amendment A as amended was read and adopted, House Amendment A to the bill was read and adopted, House Amendment B to the bill was read and adopted and House Amendment C to the bill was read and adopted.

Thereupon, Senator Manuel of Aroostook presented Senate Amendment A and moved its adoption.

Which amendment was read and adopted (S-230) and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the 50th tabled and unassigned item (H. P. 626) (L. D. 833) House Report; Leave to Withdraw from the Committee on Health & Institutional Services on Bill, "An Act Relating to Relative Financial Responsibility to Recipients of Aid to the Aged, Blind or Disabled;" tabled on May 13, by Senator Carter of Kennebec pending acceptance of report; and that Senator moved that the bill be retabled.

Mr. HARDING of Aroostook: Mr. President, may I inquire of Senator Carter of Kennebec if he would consider having this tabled until the next legislative day.

Thereupon, on motion by Mr. Carter of Kennebec, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 51st tabled and unassigned item (H. P. 71) (L. D. 81) House Reports; from the Committee on Judiciary on Bill, "An Act Relating to Sale or Inhalation of Certain Vapors and to the Possession of Certain Drugs"; (H. P. 1123) (L. D. 1533) Minority Report, Ought not to pass; tabled on May 13, by Senator Violette of Aroostook pending acceptance of either report; 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 52nd tabled and unassigned item (S. P. 531) (L. D. 1519) Bill, "An Act Relating to Salaries of County Officers in the Several Counties of the State"; tabled on May 13, by Senator Jacques of Androscoggin pending passage to be engrossed; and on further motion by the same Senator, this bill was retabled and especially assigned for tomorrow.

The President laid before the Senate the 53rd tabled and unassigned item (S. P. 529) (L. D. 1511) Bill, "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1966 and June 30, 1967"; tabled on May 13 by Senator Harding of Aroostook pending enactment; and that Senator moved the pending question.

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

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

The President laid before the Senate the 54th tabled and unassigned item (H. P. 482) (L. D. 635) Bill, "An Act to Authorize

the Issuance of Bonds in the Amount of Nine Million Six Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways"; tabled on May 13, by Senator Harding of Aroostook pending enactment, and on motion by Mr. Duquette of York, the bill was placed on the Special Appropriations Table pending passage to be enacted.

The President laid before the Senate the 55th tabled and unassigned item (H. P. 1121) (L. D. 1531) Bill, "An Act to Incorporate the Kittery Sewer District"; tabled on May 14, by Senator Harding of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 56th tabled and unassigned item (S. P. 230) (L. D. 767) Bill, "An Act Providing for a New Charter of the City of Lewiston"; tabled on May 14, by Senator Jacques of Androscoggin pending Adoption of Senate Amendment "A"; Filing S-179.

Mr. JACQUES of Androscoggin: Mr. President, I move that the bill be retabled.

Mr. HARDING of Aroostook: Mr. President, may I inquire if Senator Jacques would consider having this tabled until the next legislative day?

The PRESIDENT: The Senator from Aroostook, Senator Harding directs an inquiry to Senator Jacques of Androscoggin, who may answer if he so chooses.

Thereupon, on motion by Mr. Jacques of Androscoggin, the bill was retabled and especially assigned for Friday next.

The President laid before the Senate the 57th tabled and unassigned item (S. P. 44) (L. D. 215) Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions"; tabled on May 17, by Senator Mendell of Cumberland pending motion by the same Senator to insist and ask for a Committee of Conference; and on motion by Mr. Harding of Aroostook, the bill was

retabled and especially assigned for the next legislative day.

The President laid before the Senate the 58th tabled and unassigned item (H. P. 102) (L. D. 110) House Report; Ought not to pass from the Committee on Taxation on Bill, "An Act Relating to Sweepstake Races and Allocating Proceeds for Educational Purposes"; tabled on May 17, by Senator Faloon of Penobscot pending motion by Senator Maxwell of Franklin to accept the Ought not to pass report; and on motion by Mr. Faloon of Penobscot, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 59th tabled and unassigned item (H. P. 625) (L. D. 832) Bill, "An Act Relating to Definition of Aid to Dependent Children"; tabled on May 17, by Senator Duquette of York pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

The President laid before the Senate the 60th tabled and unassigned item (H. P. 552) (L. D. 723) House Reports; from the Committee on State Government on Resolve, Authorizing Director of Bureau of Public Improvements to Convey Certain Lands in Hallowell to Robert G. Stubbs; Majority Report, Ought to pass as Amended by Committee Amendment "A" Filing H-220; Minority Report, Ought not to pass; tabled on May 18, by Senator Carter of Kennebec pending motion by Senator Maxwell of Franklin to accept the Majority Ought to pass report; and on motion by Mr. Norris of Oxford, the bill was indefinitely postponed.

The President laid before the Senate the 61st tabled and unassigned item (H. P. 248) (L. D. 316) Resolve, Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens; tabled on May 18, by Senator Chisholm of Cumberland pending final passage; and on motion

by Mr. Harding of Aroostook, the resolve was retabled.

The President laid before the Senate the 62nd tabled and unassigned item (S. P. 526) (L. D. 1504) Bill, "An Act Revising the Minimum Wage Law"; tabled on May 18, by Senator Smith of Cumberland pending passage to be Engrossed; and that Senator yielded to Senator O'Leary of Oxford.

On motion by Mr. O'Leary of Oxford, the Senate voted to reconsider its former action whereby it adopted Senate Amendment B and to further reconsider its action whereby it adopted Senate Amendment B to Senate Amendment B; and on further motion by the same Senator, Senate Amendment B to Senate Amendment B was indefinitely postponed; and on further motion by the same Senator, Senate Amendment B to the bill 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 63rd tabled and unassigned item (H. P. 945) (L. D. 1065) Bill, "An Act Relating to Hours for Sale of Liquor"; tabled on May 18, by Senator Jacques of Androscoggin pending consideration; and on further motion by the same Senator, the bill was retabled and especially assigned for Friday next.

On motion by Mr. Smith of Cumberland, the Senate voted to reconsider its action taken in today's session whereby it passed to be engrossed Item 62 on page 18 of the calendar, (S. P. 526) (L. D. 1504) Bill, "An Act Revising the Minimum Wage Law"; and to further reconsider its action whereby it adopted Senate Amendment B; and to further reconsider its action whereby it indefinitely postponed Senate Amendment A to Senate Amendment B.

On further motion by the same Senator, Senate Amendment A to Senate Amendment B was adopted, Senate Amendment B as

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

On motion by Mr. Harding of Aroostook

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