

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

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Tuesday, March 7, 1967

Senate called to order by the President.

Prayer by Rev. Fr. Leonard A. LeClair of Togus.

Reading of the Journal of yesterday.

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

Bill "An Act Reclassifying Certain Inland Waters of the Kennebec River Basin." (S. P. 116) (L. D. 245)

In Senate, February 14, passed to be engrossed.

Comes from the House re-committed to the Committee on Natural Resources.

In the Senate: Voted to recede and concur with the House.

**Communication  
House of Representatives  
Office of the Clerk**

March 2, 1967

Honorable Jerrold B. Speers  
Secretary of the Senate  
103rd Legislature

Sir:

The speaker today appointed the following members to serve on the Committee to Study Election Laws created by Joint Order (S. P. 341):

Messrs.

RICHARDSON  
of Cumberland  
ROSS of Bath

Mrs.

BOUDREAU of Portland  
Respectfully,  
BERTHA W. JOHNSON  
Clerk of the House

Which was read and ordered placed on file.

**House Papers**

Bill "An Act Increasing Tax on Milk Producers for Promotional Purposes." (H. P. 775) (L. D. 1137)

Comes from the House referred to the Committee on Agriculture.

Which was referred to the Committee on Agriculture in concurrence.

Bill "An Act to Authorize Bond Issue in the Amount of Two Hundred Fifty Thousand Dollars to Develop Coastal Beach Recreational Facilities in Town of Wells." (H. P. 776) (L. D. 1138)

Bill "An Act Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers." (H. P. 777) (L. D. 1139)

Bill "An Act Appropriating Funds to Rehabilitate Facilities at Dow Air Force Base in Bangor." (H. P. 778) (L. D. 1140)

Bill "An Act Authorizing the Issuance of Bonds in the Amount of One Million Two Hundred Thousand Dollars for a Regional Airport to Service Central Maine." (H. P. 779) (L. D. 1141)

Resolve "Appropriating Moneys for Improvements of Pleasant Point and Indian Township Reservations." (H. P. 780) (L. D. 1142)

Come from the House referred to the Committee on Appropriations and Financial Affairs.

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

Bill "An Act Providing for a Truth-in-Lending Act." (H. P. 781) (L. D. 1143)

Comes from the House referred to the Committee on Business Legislation.

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

Resolve, "In Favor of Seth A. Whitcomb of Readfield for Injuries Sustained While State Employee." (H. P. 782) (L. D. 1144)

Comes from the House referred to the Committee on Claims.

Which was referred to the Committee on Claims in concurrence.

Bill "An Act to Provide for Trade and Industrial Teacher Education Service at Gorham State College." (H. P. 785) (L. D. 1147)

Bill "An Act Relating to Definition of a Junior High School." (H. P. 783) (L. D. 1145)

Bill "An Act Permitting Approval of Early Childhood Education Programs." (H. P. 784) (L. D. 1146)

Come from the House referred to the Committee on Education.

Which were referred to the Committee on Education in concurrence.

Bill "An Act Relating to School Committee and Elective Officers of City of Saco." (H. P. 786) (L. D. 1148)

Bill "An Act Relating to Time of Municipal Election in City of Westbrook." (H. P. 787) (L. D. 1149)

Bill "An Act Relating to Election of Constables in City of Westbrook." (H. P. 788) (L. D. 1150)

Come from the House referred to the Committee on Election Laws.

Which were referred to the Committee on Election Laws in concurrence.

Bill "An Act Relating to Brucellosis in Swine." (Emergency) (H. P. 790) (L. D. 1152)

Bill "An Act Relating to Sale of Certain Biologics." (H. P. 789) (L. D. 1151)

Come from the House referred to the Committee on Health and Institutional Services.

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

### Communication

State of Maine  
Office of the Governor  
Augusta Maine

March 2, 1967

To the Honorable Senate and House of Representatives of the 103rd Legislature:

There is returned herewith, without my approval, Senate Paper 51, Legislative Document 41, entitled, "An Act Authorizing Appointment of the Commissioner of Agriculture by the Legislature."

After due deliberation I find this Act, which would establish appointment of the Commissioner of Agriculture by action of the Maine State Legislature, contrary to the best interests of the people of the State of Maine. With deepest respect for the Senate and House of Representatives, I wish to convey my reasons for exercising the executive right of veto.

(1) It is a sound principle of good administration for the Chief Executive to have powers of appointment and removal consistent with his responsibility. Regardless of what individual of party occupies the Office of Governor, it is desirable that department heads work harmoniously and cooperatively with each other and the Governor in constructing and administering programs for the good of all our people. The principle is recognized as elementary to good management, private business and public administration.

(2) Appointment of the Commissioner of Agriculture by the Legislature violates the well-established constitutional principle of separation of executive, legislative and judicial powers. This principle is embedded in every state constitution and is brilliantly explained in the **Federalist Papers** which were written to clarify the meaning of the United States Constitution of 1787.

(3) The appointment of executive officers by the legislative branch is contrary to present practice in United States. The Commissioner of Agriculture is not now elected or appointed by the legislature in a single state of these United States. In my judgment, no substantial case has been nor can be made to justify making the practice in Maine contrary to all others.

(4) The Governor of the State is duly elected by the people to be responsible for administering the state government. As such, he should have effective tools of management available for his use. The authority to determine who shall serve as his immediate subordinates is one of the most important means of practicing effective good management. There were sound arguments against a strong office of Governor during colonial times when the Governor was arbitrarily appointed by the king to rule over subjects who had not given their consent. And there may have been sound arguments for keeping the Office of Governor a weak and perfunctory one when the Governor was either indirectly elected or elected by a small percentage of the people

because of restricted suffrage. An entirely different attitude should prevail now. In these days of universal suffrage, an enlightened electorate, sophisticated mass communications and widespread literacy, there is much less reason to fear abuse by an elected Chief Executive. The Governor is the only state official who has brought his person and his views before the people of the State and earned their approval. Because of this, he has earned the people's support, and he deserves to have the support of his administrative heads and be allowed all other proper and traditional executive powers.

(5) Complex, modern problems demand coordination and comprehensive planning. This makes it highly desirable that the Governor and his department heads have a relationship of mutual confidence with common goals. Retaining our present provisions for appointment of the Commissioner of Agriculture by the Governor is necessary and appropriate to establish and attain that much needed relationship of confidence and trust.

(6) In 1965 the present method of having the Commissioner of Agriculture appointed by the Governor was established in the State of Maine. This statute received the bipartisan support of both the Legislature and the Governor.

Ladies and Gentlemen of the 103rd Legislature, much legislation has been introduced this session, calling for some reorganizations in our state government, enabling us to better meet the needs of our society in these changing times. As Governor, I have called for forward-looking action, as do the platforms of both parties.

The people of the State of Maine have elected us to that we would pursue progressive policies that reflect a creative spirit and a desire to solve our complex problems. In my opinion, Legislative Document 41, is the first action taken by this Legislature that would be contrary to the progressive spirit that you and I have promised the people of the State of Maine would guide us in our deliberations.

I request that you reconsider your previous action and sustain my veto.

Respectfully,  
KENNETH M. CURTIS  
Governor  
(S. P. 523)

The President laid before the Senate the question: Shall this bill become a law, notwithstanding the objection of the Governor?

On motion by Mr. Johnson of Somerset tabled until the next legislative day.

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### Senate Papers Agriculture

Mr. Greeley of Waldo presented Bill "An Act Relating to Price Paid to Producers for Milk." (S. P. 517)

Which was referred to the Committee on Agriculture and ordered printed.

Sent down for concurrence.

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### Claims

Mr. Katz of Kennebec presented Resolve to Reimburse Raymond Lammers of Augusta for Payment of Restaurant Liquor License. (S. P. 518)

(This Resolve was approved for appearance on the calendar, pursuant to Joint Rule No. 10.)

(Signed) Jerrold B. Speers,  
Secretary of Senate.

Which was referred to the Committee on Claims and ordered printed.

Sent down for concurrence.

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### Highways

Mr. Wyman of Washington presented Bill "An Act to Provide a Feasibility Study for Express Highway Through Washington County." (S. P. 519)

Which was referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

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### State Government

Mr. Berry of Cumberland presented Bill "An Act Creating a Capitol Planning Commission." (S. P. 520)

Which was referred to the Committee on State government and ordered printed.

Sent down for concurrence.

#### **Towns and Counties**

Mr. Ferguson of Oxford presented Bill "An Act Relating to Payments of Accounts and Claims Against a County or Municipality." (S. P. 521)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

#### **Transportation**

Mr. Wyman of Washington presented Bill "An Act Relating to Movement of Contractor's Equipment Over State Highways." (S. P. 522)

Which was referred to the Committee on Transportation and ordered printed.

Sent down for concurrence.

#### **Committee Reports**

##### **House**

##### **Leave to Withdraw**

The Committee on Highways on Bill "An Act Relating to Relocation Assistance in Municipal Highway Projects." (H. P. 350) (L. D. 498)

Reported that the same should be granted Leave to Withdraw.

Comes from the House report Read and accepted.

Which report was Read and accepted in concurrence.

##### **Ought Not to Pass**

The Committee on Education on Bill "An Act to Create a School Administrative District in the Town of Cape Elizabeth." (H. P. 95) (L. D. 123)

Reported that the same Ought not to Pass.

The Committee on Education on Bill "An Act Repealing Prohibition of Use of Certain Names by Institutes Not Given Right to Grant Degrees." (H. P. 97) (L. D. 296)

Reported that the same Ought not to Pass.

On motion by Mr. Johnson of Somerset, tabled pending acceptance of the report.

The Committee on Highways on Bill "An Act Removing Tolls from

Augusta Memorial Bridge." (H. P. 349) (L. D. 497)

Reported that the same Ought not to Pass.

On motion by Mr. Lund of Kennebec tabled pending acceptance of the report.

The Committee on Taxation on Bill "An Act Exempting Textbooks Used in Schools of Higher Education from Sales Tax." (H. P. 387) (L. D. 534)

Reported that the same Ought not to Pass.

Comes from the House reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

##### **Ought to Pass**

The Committee on Public Utilities on Bill "An Act to Enable Houlton Water Company to Supply Water and Sewerage Service to the Town of Hodgdon." (H. P. 541) (L. D. 773)

Reported that the same Ought to Pass

Comes from the House report read and accepted, and the Bill Passed to be Engrossed.

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

The Committee on Towns and Counties on Bill "An Act Increasing number of Medical Examiners in Washington County." (Emergency) (H. P. 393) (L. D. 540)

Reported that the same Ought to Pass.

Comes from the House report Read and Accepted and the Bill Passed to be engrossed.

Which report was read and accepted in concurrence, the Bill read once and tomorrow assigned for second reading.

##### **House - As Amended**

The Committee on Election Laws on Bill "An Act Relating to Counting of Election Ballots." (H. P. 314) (L. D. 448)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-33)

Comes from the House report Read and accepted, and the Bill Passed to be engrossed as Amend-

ed by Committee Amendment "A" (H-33)

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

#### Divided Report

Five members of the Committee on Appropriations and Financial Affairs on Resolve "In favor of the City of Augusta." (H. P. 7) (L. D. 19)

Reported in Report "A" that the Resolve Ought to Pass As Amended by Committee Amendment "A" (H-34)

(Signed)

Representatives:

HUMPHREY of Augusta  
BIRT of E. Millinocket  
DUNN of Denmark  
SCRIBNER of Portland  
HINDS of South Portland

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

(Signed)

Senators:

BERRY of Cumberland  
ALBAIR of Aroostook  
DUQUETTE of York

Representatives:

BRAGDON of Perham  
JALBERT of Lewiston

Comes from the House Report "A" - Ought to Pass As Amended Read and accepted, and the Resolve passed to be engrossed as Amended by Committee Amendment "A" (H-34)

Mr. Berry of Cumberland: Mr. President, I move that we accept Report B Ought Not to Pass in non-concurrence.

On motion by Mr. Katz of Kennebec, the Bill was tabled pending motion of Mr. Berry of Cumberland.

#### Senate

##### Leave to Withdraw — Covered by other Legislation

Mr. Anderson for the Committee on Election Laws on Bill "An Act Prohibiting Signing Name of Another Upon Absentee Ballot Applications." (S. P. 244) (L. D. 604)

Reported that the same should be granted Leave to Withdraw, as covered by other legislation.

Report of the Committee was accepted. Sent down for concurrence.

#### Ought Not to Pass

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Fee for Renewal of Master Plumber's License." (S. P. 49) (L. D. 39)

Reported that the same Ought Not to Pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. MacLeod for the Committee on Business Legislation on Bill "An Act Relating to Savings Bank Dividends." (S. P. 104) (L. D. 175)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for second reading.

Mr. Mills for the Committee on Judiciary on Bill "An Act Repealing the Law Making Prescribing of Contraceptives a Crime." (S. P. 266) (L. D. 647)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for second reading.

Mr. Lund for the Committee on State Government on Bill "An Act Relating to Audits for Judiciary and Legislature." (S. P. 71) (L. D. 153)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for second reading.

#### Ought to Pass As Amended

Mr. Snow for the Committee on Education on Bill "An Act to Revise the Teacher Certification Laws." (S. P. 62) (L. D. 106)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-11)

Which report was read and accepted and the Bill read once. Committee Amendment "A" was read by the Secretary as follows.

**COMMITTEE AMENDMENT**  
"A" to S. P. 62, L. D. 106, Bill, "An Act to Revise the Teacher Certification Laws."

Amend said Bill in section 1 by adding at the end of that part designated "\$58" (same in L. D. 106) the following underlined sentence: "The board may in accordance with such rules and regulations as it prescribes, authorize the employment of teacher aides, teacher assistants or other semi-professional personnel for service in the kinds of school described in this section."

Further amend said Bill in section 2 by adding at the end of the first paragraph of that part designated "\$1751" (same in I. D. 106) the following underlined sentence: 'Authorizations may be granted by the commissioner, under rules and regulations prescribed by the board, for the employment of teacher aides, teacher assistants or other semi-professional personnel for service in the kinds of schools described in this section.'

Committee Amendment "A" was adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Mr. Harding for the Committee on Judiciary on Bill "An Act Relating to Breaking and Entering House and Camp Trailers." (S. P. 317) (L. D. 840)

Reported that the same Ought to Pass As Amended by Committee Amendment "A"

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" was Read by the Secretary as follows:

**COMMITTEE AMENDMENT**  
"A" to S. P. 317, L. D. 840, Bill, "An Act Relating to Breaking and Entering House and Camp Trailers."

Amend said Bill in the Title by inserting after the word "Entering" the words 'Mobile Home or'

Further amend said Bill by inserting after the underlined words and comma "house trailer," in the 8th line (6th line of L. D. 840) the underlined words "mobile home, inhabitable"

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

### Divided Report

The Majority of the Committee on Election Laws on Bill "An Act to Eliminate the Straight Party Ballot in the Election Laws." (S. P. 1) (L. D. 4)

Reported that the same Ought to Pass.

(Signed)  
Senators:

ANDERSON of Hancock  
BERRY of Cumberland

Representatives:

HAWES of Union  
HENLEY of Norway  
HODGKINS of Greene  
JANNELLE of

Scarborough

The Minority of the same Committee on the same subject matter

Reported that the same Ought not to Pass

(Signed)

Senator:

COUTURIER of

Androscoggin

Representatives:

BOUDREAU of Portland  
BERNARD of Auburn  
BOURGOIN of Fort Kent

Mr. MacLeod of Penobscot: Mr. President, I move that the Senate accept the Majority Ought to Pass report.

Mr. ANDERSON of Hancock: Mr. President, I rise in support of the motion of the gentleman from Penobscot. I think it is high time that the electors stood on their own two feet, and I certainly hope that the motion to accept the Ought to Pass report will be accepted.

The PRESIDENT: As many as are in favor of the acceptance of the Majority Ought to Pass report of the committee will say aye; those opposed nay.



A viva voce vote being taken, the motion prevailed and the Majority Ought to Pass report of the committee was accepted, the bill was given its first reading and tomorrow assigned for second reading.

### Second Readers

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

#### House

Bill "An Act Relating to Spearing Suckers in Rivers, Streams and Brooks." (H. P. 145) (L. D. 209)

Bill "An Act to Repeal and Amend Certain Private and Special Laws Relative to Sea and Shore Fisheries." (H. P. 243) (L. D. 351)

Bill "An Act Relating to Legislative Apportionment for Cranberry Isles, Hancock County." (H. P. 285) (L. D. 405)

Bill "An Act Establishing American History Month in Maine." (H. P. 160) (L. D. 223)

Bill "An Act to Enable Municipalities to Provide Funds for Community Action Programs Under the Federal Anti-Poverty Program." (Emergency) (H. P. 430) (L. D. 594)

Bill "An Act Permitting the Removal of Disabled Motor Vehicles for Repair." (H. P. 432) (L. D. 596)

Bill "An Act Relating to Definition of Child Under World War Assistance Program of Department of Veterans Services." (H. P. 80) (L. D. 105)

Bill "An Act Appropriating Funds for Testimonials for Marking Unmarked Graves of Revolutionary War Soldiers." (H. P. 127) (L. D. 191)

Which were read a second time and passed to be engrossed in concurrence.

#### House - As Amended

Bill "An Act Relating to State Police Retirement Benefits Under the Maine State Retirement System." (H. P. 157) (L. D. 220)

Which was read a second time and passed to be engrossed as amended in concurrence.

Resolve "Providing for Purchase of Two Hundred Copies of "Pittsfield on the Seabasticook." (H. P. 25) (L. D. 46)

Which was read a second time and Passed to be engrossed, as Amended by Committee Amendment "A" (H-25) in Non-concurrence.

Sent down for concurrence.

#### Senate

Bill "An Act Relating to Reimbursement for Additional Professional Work by Teachers." (S. P. 210) (L. D. 473)

Bill "An Act to Clarify the Statutes Relating to Single Assessors." (S. P. 491) (L. D. 1153)

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:

"An Act Relating to Automobile Mileage Allowance for State Employees." (H. P. 9) (L. D. 21)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table pending enactment.

"An Act Relating to Open Season on Muskrat in Penobscot County." (H. P. 61) (L. D. 86)

"An Act Relating to Bridge Academy." (S. P. 65) (L. D. 109)

"An Act Relating to Powers of Bustin's Island Village Corporation." (H. P. 111) (L. D. 138)

"An Act Relating to Proof of Age for Applicant for Motor Vehicle Operator's Permits and Licenses." (H. P. 179) (L. D. 242)

"An Act Prohibiting Unauthorized Person from Driving a Motor Vehicle." (S. P. 134) (L. D. 262)

"An Act Relating to Hunting from Automobiles by Double Amputees." (H. P. 190) (L. D. 279)

"An Act Relating to Penalty in Prohibiting Dangerous Knives." (S. P. 160) (L. D. 331)

"An Act Authorizing State Board of Education to Enter into Contract with Certain Non-public Schools for

Conduct of Vocational Education Programs." (H. P. 305) (L. D. 439)

"An Act Relating to Prohibition of Use of Term "College" to Certain Educational Institutions." (H. P. 262) (L. D. 384)

"An Act Requiring that School Expenditures be Reported on a Fiscal Year Annually." H. P. 309) (L. D. 443)

Which were passed to be enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve "Providing Funds for the Narraguagus River Water Control Program." (H. P. 90) (L. D. 119)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table pending enactment.

Resolve "Authorizing Marcella Levasseur to Bring Action Against the State of Maine." (H. P. 193) (L. D. 282)

Which were finally passed, and having been signed by the President were by the Secretary presented to the Governor for his approval.

#### Emergency

"An Act Relating to Recognition of Certain Motor Vehicle Licenses Held by Members of Armed Forces or Their Spouses." (S. P. 132) (L. D. 260)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

"An Act Relating to Reregistration of Motor Vehicles for Members of Armed Forces Returning from Overseas Duty." (S. P. 135) (L. D. 263)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary

presented to the Governor for his approval.

#### Emergency

"An Act Increasing the Borrowing Capacity of the Winter Harbor School District." (S. P. 161) (L. D. 332)

This being an emergency measure and having received the affirmative vote of 30 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the governor for his approval.

#### Emergency

"An Act Validating Certain Proceedings of the Town of Norway and Authorizing Said Town to Issue General Obligation Securities." (H. P. 232) (L. D. 322)

This being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

"An Act Increasing the Borrowing Authority of the Gouldsboro School District." (S. P. 162) (L. D. 333)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was Passed to be enacted, and having been signed by the President was by the Secretary presented to the governor for his approval.

#### Orders of the Day

On motion by Mr. Lund of Kennebec, the Senate voted to take from the table the 10th tabled and unassigned matter, (H. P. 211) (L. D. 301) House Report, Ought to pass with Committee Amendment "A" filing H-12 from the Committee on Business Legislation on Bill, "An Act Relating to Uninsured Motorist Coverage in Insurance Policies," which was tabled on February 28 by the Senator Pending acceptance of report.

Mr. LUND: I move the pending question.

Mr. GOOD of Cumberland: Mr. President, there is certain legislation, of course, that members of the Senate have not been able to hear any debate on simply because they are not on the committee that hears the legislation. As far as this bill here, I really don't know at this time whether I am opposed to or in favor of the bill, but I think there are certain things that the Senate should know before they vote either way on the bill.

In a way, this is compulsory insurance. In the insurance policy that you have today there is a clause which states that if you wish you can buy uninsured motorist insurance, and the premium on that is about four dollars a year. It is relatively small, because the instances when the companies have to pay a claim are not very frequent. Now this would pay up to ten or twenty thousand dollars for bodily injury to you or others in the car if an uninsured motorist ran into you or otherwise caused bodily injury. It does not cover your automobile. Now in order to collect under this clause it is necessary that there be negligence upon the part of the uninsured motorist, and the determination of whether the uninsured motorist was negligent will be decided by your company. If your company decides, in their opinion, that there was not any negligence, then it is referred to a board of arbitration, and I suppose in the instance you would have to hire your own lawyer to defend your position in order to collect from your own company. You can buy this type of insurance at this time. However, this bill would make it mandatory that you carry this type of insurance in your policy and pay the premium for it.

Now it has been stated that if this is made compulsory the premium would drop from four dollars to one dollar. Perhaps that might be a good buy. You have opportunity to buy in your insurance policies today something that will do practically the same thing, and that is medical insurance. The premium is a little higher, probably eight or nine dollars and the coverage would be perhaps only

a thousand dollars, and that would cover everyone in your car; if you had four in your car you could recover up to four thousand dollars. When you carry medical insurance, you do not have to prove negligence upon the part of the other party; the company will pay for the bodily injury regardless of who was or who was not negligent. Under this bill, you have to show that there was negligence.

Now I would like to know how many states have this compulsory type insurance and who was at the committee hearing speaking in favor of the public on this bill. Thank you.

The PRESIDENT: The pending motion is the motion of the Senator from Kennebec, Senator Lund, that we accept the Ought to Pass as amended report of the committee.

Mr. MacLEOD of Penobscot: Mr. President, I will try to answer a couple of the questions raised by the distinguished Senator from Cumberland, Senator Good. As far as the number of states that now have this type of coverage, there are now 26, there were 23 prior to last year and five more legislatures passed it, making a total of 28 at the present time, and I assume that other states that do not have it will have it before their legislatures, the same as we do today.

This would, in effect, replace the compulsory automobile liability insurance which some states have and which has proven not to be too successful. Of those states which tried to add it, there were nine last year that had bills introduced for compulsory automobile liability insurance and none of them passed. In two of the states it was just going to cover motorcycles alone.

I do not say that this legislation is perfect, I do not say that the administration of it would be perfect by going through a board of arbitration rather than the courts. As the distinguished Senator from Penobscot, Senator Stern, said in an aside: "They will need more lawyers. I am for the bill."

It may not be perfect, there may be other ways it can be handled. As far as who appeared before the committee representing

the public, to answer Senator Good's question: I cannot recall that there were really any what you call public people represented. I have attended and heard bills at many hearings, and it is very, very rare that the public is represented. This is a sad thing, but there was nobody representing the public there that day. It was mostly representatives of insurance agencies and insurance agents.

He pointed out that the cost would be nominal; it is four dollars now and it would probably go to one or two dollars if more people were covered. About 86 per cent of the people in the State of Maine do carry their own liability insurance. This is to protect that 86 per cent from the 14 per cent who do not. I abhor compulsion of any type, but we have to live with it in our society of today. We have to take a driver's test to get our license, we have to have our automobile inspected periodically, and there are many other examples of compulsion. This is one form of compulsion that will not hurt the State of Maine or the driving public. I hope that the Ought to Pass report is accepted. Thank you.

Mr. GOOD of Cumberland: Mr. President, of course this bill does not take the place of compulsory automobile insurance, because this does not cover your car when the driver of an uninsured automobile runs into your car, even though he may be negligent. This only takes care of bodily injuries, so there would be no relationship, really, between this bill and compulsory automobile insurance, which I would not approve of.

I move that this bill be tabled pending acceptance of the committee report.

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

On motion by Mr. Johnson of Somerset, the Senate voted to take

from the table the 16th tabled and unassigned matter (H. P. 773) (L. D. 1120) Bill, "An Act Relating to Trucking of Livestock." Tabled March 2 by that Senator pending reference.

On motion by Mr. Barnes of Arrostook, the Bill was referred to the Committee on Agriculture.

Sent down for concurrence.

On motion by Mr. Brewer of Sagadahoc, the Senate voted to take from the table the 17th tabled and unassigned matter (S. P. 494) Resolve, to Reimburse Town of Vanceboro for Aid Extended William Gardner. Tabled March 3 by the same Senator pending reference; and on further motion by the same Senator, the Resolve was referred to the Committee on Claims.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 20th tabled and unassigned matter (H. P. 4) (L. D. 8) Bill, "An Act to Revise the Electricians Law." Tabled March 2 by the same Senator pending passage to be engrossed. On further motion by the same Senator, the Bill as amended was passed to be engrossed and sent down for concurrence.

On motion by Mr. Couturier of Androscoggin, the Senate voted to take from the table the 13th tabled and unassigned matter (S. P. 487) Bill, "An Act Relating to Constitution of Police Department of City of Lewiston." Tabled March 1 by the same Senator pending reference. On further motion by the same Senator, the Bill was referred to the Committee on Legal Affairs.

Sent down for concurrence.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.