

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

## SENATE

Thursday, April 7, 1955

Senate called to order by the President.

Prayer by the Rev. George F. Bolster of Gardiner.

Journal of yesterday read and approved.

### House Paper Received by Unanimous Consent

"Resolve in Favor of Allie Cota of Gray." (H. P. 1175) (L. D. 1416)

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

### House Committee Reports Leave to Withdraw

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for Lewis Brown of Standish." (H. P. 694) reported that the same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

### Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Age of Inland Fisheries and Game Wardens." (H. P. 894) (L. D. 1002) reported that the same Ought not to pass.

Comes from the House, indefinitely postponed.

In the Senate, the bill was indefinitely postponed in concurrence.

The Committee on Claims on "Resolve in Favor of the Town of Chapman." (H. P. 93) (L. D. 104) reported that the same Ought not to pass.

The same Committee on "Resolve in Favor of Fred Smith of Newport." (H. P. 247) (L. D. 235) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on Bill "An Act to Clarify the Laws on Federal Social Security for Municipal Employees." (H. P. 443) (L. D. 489) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Ray Taggett of St. Francis Plantation."

(H. P. 678) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Minnie Henderson of St. Francis Plantation." (H. P. 679) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Ray Morris of St. Francis Plantation." (H. P. 680) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Elmer McKenney of Lowell." (H. P. 758) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

### Ought to Pass

The Committee on Towns and Counties on Bill "An Act to Amend the Charter of the Town of Mount Desert to Give the Selectmen Authority to Make Ordinances." (H. P. 281) (L. D. 265) reported that the same Ought to pass.

Comes from the House, report accepted and subsequently bill indefinitely postponed.

In the Senate, the bill was indefinitely postponed in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Bounty on Bear in Franklin County." (H. P. 57) (L. D. 63) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Chain of Ponds in Chain of Ponds Township, County of Franklin." (H. P. 473) (L. D. 518) reported that the same Ought to pass.

The same Committee on "Resolve Closing Alewife Pond in Kennebunk to Ice Fishing." (H. P. 536) (L. D. 593) reported that the same Ought to pass.

The same Committee on Bill "An Act Defining Boundaries of Jefferson and Whitefield Game Preserve." (H. P. 740) (L. D. 821) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in All River Tributaries at Sebago Lake." (H. P. 743) (L. D. 824) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Open Season on Deer in Towns of Deer Isle and Stonington." (H. P. 897) (L. D. 1005) reported that the same "Ought to pass."

The Committee on Judiciary on Bill "An Act Relating to Procedure in Cruelty to Animals Laws." (H. P. 1030) (L. D. 1202) reported that the same "Ought to pass."

The same Committee on Bill "An Act Relating to Service of Process on Nonresidents in Motor Vehicle Laws." (H. P. 1042) (L. D. 1217) reported that the same "Ought to pass."

The same Committee on Bill "An Act Relating to Election of Chairman of State Committees of Political Parties." (H. P. 1128) (L. D. 1326) reported that the same "Ought to pass."

The Committee on Public Utilities on Bill "An Act Changing Name of Rumford and Mexico Water District to Rumford Water District." (H. P. 1047) (L. D. 1222) reported that the same "Ought to pass."

Which reports were severally read and accepted in concurrence, the bills read once and tomorrow assigned for second reading.

#### Ought to Pass

##### N. D.—Same Title

The Committee on Inland Fisheries and Game on "Resolve Regulating Taking of Alewives from Dennysville River, Washington County." (H. P. 905) (L. D. 1013) reported the same in New Draft (H. P. 1172) (L. D. 1410), under the same title, and that it "Ought to pass."

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

#### Ought to Pass

##### N. D. — New Title

The Committee on Natural Resources on "Resolve Authorizing Highway Commission to Cut Certain Growth on Route 117." (H. P. 714) (L. D. 1412), under new title: "Resolve Authorizing the Forest Commissioner to Cut Certain Growth on Route 17." and that it "Ought to pass."

Which report was read and accepted in concurrence, the resolve in new draft, under new title read

once and tomorrow assigned for second reading.

#### Ought to Pass as Amended

The Committee on Judiciary on Bill "An Act Relating to Parking Meter Fines." (H. P. 908) (L. D. 1016) reported that the same "Ought to pass" as Amended by Committee Amendment A. (Filing 128)

Comes from the House, re-committed to the Committee on Judiciary.

In the Senate, the bill was re-committed to the Committee on Judiciary in concurrence.

The same Committee on Bill "An Act Relating to Amending Declaration or Pleading Anew After Demurrer." (H. P. 360) (L. D. 398) reported that the same "Ought to pass." as Amended by Committee Amendment A (Filing 200)

Comes from the House, report accepted, Committee Amendment A indefinitely postponed, House Amendment A (Filing 217) adopted, and the bill as amended by House Amendment A passed to be engrossed.

In the Senate, on motion by Mr. Reid of Kennebec, the bill and accompanying papers were laid upon the table pending acceptance of the Committee Report.

The Committee on Highways on Bill "An Act Relating to Special Mobile Equipment Under Motor Vehicle Laws." (H. P. 652) (L. D. 729) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 197).

The Committee on Public Utilities on Bill "An Act Creating the Pittsfield Utilities District." (H. P. 499) (L. D. 550) reported that the same "Ought to pass" with Committee Amendment A (Filing 199)

Which reports were read and accepted in concurrence. Committee Amendments A were read and adopted in concurrence, and the bills as so amended were tomorrow assigned for second reading.

#### Senate Committee Reports Leave to Withdraw

Mr. Reid from the Committee on Judiciary on Bill "An Act Requir-

ing the Business of Loaning Money to be Conducted on Separate Premises." (S. P. 477) (L. D. 1346) reported that the same be granted Leave to Withdraw.

Mr. Farley from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain County Offices in Aroostook County." (S. P. 353) (L. D. 962) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted.

Sent down for concurrence.

#### Ought Not to Pass

The Committee on Public Utilities on Bill "An Act Relating to Definition of 'Contract Carrier'." (S. P. 487) (L. D. 1356) reported that the same "Ought not to pass."

Which report was read and accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Farris from the Committee on Towns and Counties on Bill "An Act Relating to Fee for Permits Granted by Board of Harbor Commissioners for Harbor of Portland." (S. P. 82) (L. D. 171) 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—New Draft Same Title

Mr. Martin from the Committee on Public Utilities on Bill "An Act Relating to Definition of Contract Carrier." (S. P. 114) (L. D. 274) reported the same in New Draft (S. P. 522) (L. D. 1427) under the same title, and that it Ought to pass.

Mr. Butler from the Committee on Retirements and Pensions on Bill "An Act Revising the Maine State Retirement System." (S. P. 67) (L. D. 92) reported the same in New Draft (S. P. 524) (L. D. 1432) under the same title, and that it Ought to pass.

The same Senator from the same Committee on Bill "An Act Providing for Group Life Insurance for State Employees and Teachers." (S. P. 351) (L. D. 960) reported the same in the New Draft (S. P. 525)

(L. D. 1429) under the same title, and that it Ought to pass.

Which reports were severally read and accepted, the bills in new draft read once and tomorrow assigned for second reading.

#### Ought to Pass—New Draft New Title

Mr. Martin from the Committee on Public Utilities on Bill "An Act Relating to Certificates of Organization of Telephone Companies." (S. P. 271) (L. D. 702) reported the same in New Draft (S. P. 523) (L. D. 1423) under a New Title: Bill "An Act Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies." and that it Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill "An Act Increasing Salary of the Recorder of the Westbrook Municipal Court." (S. P. 358) (L. D. 967) reported the same in New Draft (S. P. 1430) Under a New Title: Bill "An Act Relating to Clerk Hire and Increasing Salary of the Recorder of and Westbrook Municipal Court." and that it Ought to pass.

Which reports were read and accepted, the bills in new draft read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair at this time notes the presence in the gallery of a group of students from Frisbee School in Kittery. We hope you have a fine day with us and we hope that after the session you will come down and visit with us and we also hope that when you go home you will decide that you want to have part in these proceedings someday yourself. On behalf of the Senate, I thank you for coming to visit us.

#### Ought to Pass—as Amended

Mr. Silsby from the Committee on Public Utilities on Bill "An Act Relating to Condemnation Proceedings by Water Districts." (S. P. 332) (L. D. 896) reported that the same Ought to pass with Committee Amendment A.

Mr. Martin from the same Committee on Bill "An Act Relating to Regulations of Railroads by Public

Utilities Commission." (S. P. 378) (L. D. 1074) reported that the same Ought to pass with Committee Amendment A.

Mr. Fournier from the Committee on Sea and Shore Fisheries on "Resolve Relating to Use of Seines in Medomak River, Lincoln County," (S. P. 307) (L. D. 812) reported that the same Ought to pass as Amended by Committee Amendment A.

Which reports were severally read and accepted and the bills and resolve read once. Committee Amendments A were adopted without reading, and the bills and resolve as so amended were tomorrow assigned for second reading.

### Second Readers

**The Committee on Bills in the Second Reading reported the following bills and resolves:**

#### House

Bill "An Act Relating to Restrictions on Turnpikes." (H. P. 752) (L. D. 833)

Bill "An Act Exempting Foreign Charitable Corporations from Certain Fees." (H. P. 855) (L. D. 941)

Bill "An Act Relating to Payments to Knox County Law Library." (H. P. 858) (L. D. 944)

Bill "An Act Relative to the Number of Employees Under Group Accident and Sickness Insurance Policies." (H. P. 868) (L. D. 980)

Bill "An Act Relating to Bonds to Towns for License to Build Fish Weirs." (H. P. 938) (L. D. 1041)

Bill "An Act Relating to Merger of Domestic Mutual Insurance Companies." (H. P. 1028) (L. D. 1200)

Bill "An Act Increasing the Salary of the Judge of Western Oxford Municipal Court." (H. P. 1051) (L. D. 1226)

Bill "An Act Increasing the Salary of the Judge of the Rumford Municipal Court." (H. P. 1052) (L. D. 1227)

Bill "An Act Increasing the Salary of the Judge of the Norway Municipal Court." (H. P. 1053) (L. D. 1228)

Bill "An Act to Grant a Charter to the Town of Brunswick." (H. P. 1075) (L. D. 1270)

Bill "An Act Relating to Number of Employees Under Group Life Insurance Policies." (H. P. 1094) (L. D. 1277)

Bill "An Act Relating to Open Season on Otter and Fisher." (H. P. 1161) (L. D. 1387)

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

#### House—as Amended

Bill "An Act Relating to Excise Tax on Aircraft." (H. P. 123) (L. D. 126)

Bill "An Act to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine." (H. P. 434) (L. D. 480)

Bill "An Act Relating to Terms of the Superior Court in York County." (H. P. 667) (L. D. 743)

Bill "An Act Relating to Excise Tax on Malt Liquor." (H. P. 672) (L. D. 748)

"Resolve Opening Part of Passagassawaukeag River for Salt Water Fishing." (H. P. 684) (L. D. 752)

Bill "An Act Relating to Payment of Expenses and Increasing Salary of Judge of Lisbon Municipal Court." (H. P. 696) (L. D. 762)

Bill "An Act Increasing the Salary of the Judge of the Livermore Falls Municipal Court." (H. P. 697) (L. D. 763)

Bill "An Act Relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court." (H. P. 803) (L. D. 877)

Bill "An Act Relating to Digging Clams in Kennebunkport, York County." (H. P. 968) (L. D. 1094)

Bill "An Act Relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court." (H. P. 1022) (L. D. 1162)

Bill "An Act Relating to Salary of Judge of the Lewiston Municipal Court." (H. P. 1035) (L. D. 1207)

Bill "An Act Amending the Charter of the City of Calais." (H. P. 1071) (L. D. 1266)

Bill "An Act Amending the Laws on Registration of Podiatrists." (H. P. 1135) (L. D. 1333)

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

#### Senate

Bill "An Act Relating to Moving Motor Vehicles Seized on Attachment." (S. P. 432) (L. D. 1191)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

#### Senate—as Amended

Bill "An Act to Revise the Inland Fish and Game Laws." (S. P. 184) (L. D. 436)

Which was read a second time and on motion by Mr. Carpenter of Somerset, the bill was laid upon the table pending passage to be engrossed.

#### Enactors

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

An Act relating to Salaries of Council Members of City of Portland (S. P. 97) (L. D. 228)

An Act relating to Waiver of Indictment (S. P. 216) (L. D. 557)

An Act relating to Use of Dealer or Transit Motor Vehicle Registration Plates (S. P. 259) (L. D. 688)

An Act relating to Registration Fees for Certain Motor Vehicles Used for Commercial Purposes (S. P. 280) (L. D. 696)

An Act relating to Prior Convictions in Operating Motor Vehicles Under Influence of Liquor (S. P. 287) (L. D. 798)

An Act relating to Preference in State Employment to Mothers of Veterans (S. P. 297) (L. D. 805)

An Act to Extend the Power to Serve to Public Utilities Organized by Special Act of the Legislature (S. P. 330) (L. D. 895)

An Act to Revise the Laws Relating to the State Library (S. P. 369) (L. D. 1065)

An Act relating to Expenses of Persons Committed to State Prison for Safekeeping (S. P. 392) (L. D. 1106)

An Act relating to Trespass Upon Lands Appurtenant to Maine State Prison (S. P. 393) (L. D. 1107)

An Act relating to Authority of and Uniforms for Officers of the Maine State Prison (S. P. 394) (L. D. 1108)

An Act relating to the Taking of Alewives in the Town of Columbia Falls (S. P. 417) (L. D. 1178)

An Act relating to the Appointment of Conservators (S. P. 503) (L. D. 1385)

An Act relating to Appointment and Duties of Trustees of Presque Isle Sewer District (H. P. 378) (L. D. 415)

An Act relating to Fees for Hunting and Fishing Licenses (H. P. 424) (L. D. 470)

An Act to Incorporate the Mexico Sewer District (H. P. 500) (L. D. 551)

An Act relating to the Taking of Minnows for Bait (H. P. 534) (L. D. 591)

An Act Setting Off Part of Berwick to South Berwick, York County (H. P. 545) (L. D. 602)

An Act relating to Compensation and Inspections of State Board of Barbers and Hairdressers (H. P. 550) (L. D. 607)

An Act relating to Dumping Rubbish and Bottles on Highways from Motor Vehicles (H. P. 669) (L. D. 745)

An Act relating to Shipping of Malt Liquor to Maine Wholesalers (H. P. 674) (L. D. 750)

An Act relating to the Incorporation of Saint Johns Lodge, Masons, of South Berwick, Number Fifty-one (H. P. 806) (L. D. 847)

An Act relating to Donations or Gifts of Money to a Municipality (H. P. 854) (L. D. 940)

An Act Permitting Hunting with Bow and Arrow in Waldo County (H. P. 895) (L. D. 1003)

An Act Creating Voting Places for Indians (H. P. 910) (L. D. 1018)

An Act Providing for Excise Tax on House Trailers (H. P. 1020) (L. D. 1160)

An Act to Incorporate the Moscow Water District (H. P. 1162) (L. D. 1388)

An Act Providing for a Dam or Tidegate in the Ogunquit River (H. P. 1031) (L. D. 1203)

An Act Permitting Re-opening of Examinations for State Employment by Disabled Veterans (H. P. 1165) (L. D. 1394)

Which bills were severally passed to be enacted.

An Act Relating to Sales to and Consumption of Liquor by Minors (S. P. 302) (L. D. 810)

On motion by Mr. Low of Knox, tabled pending passage to be enacted.

An Act Relating to Delivery of Motor Vehicles Sold by State on Bids (H. P. 488) (L. D. 533)

On motion by Mr. Jamieson of Aroostook, tabled pending passage to be enacted.

Resolve in Favor of Amy M. Mies-ter of Otisfield (H. P. 341) (L. D. 1389)

Resolve Regulating Fishing in Little Tunk Lake, Hancock County (H. P. 779) (L. D. 862)

Resolve Regulating Fishing in West Lake in Hancock County (H. P. 780) (L. D. 863)

Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company (H. P. 788) (L. D. 871)

Which resolves were severally finally passed.

Resolve to Reimburse the Maine General Hospital for Care and Hospitalization of Leland Curtis (S. P. 243) (L. D. 676)

Resolve in Favor of Alvah T. Leighton of New Gloucester (H. P. 466) (L. D. 511)

Resolve in Favor of Ronald A. Faulkinham of Belfast (H. P. 519) (L. D. 582)

Resolve to Reimburse Alexander Belanger of Lewiston for Damages by State Ward (H. P. 582) (L. D. 1390)

Resolve in Favor of Fred Kinner of Lewiston (H. P. 583) (L. D. 1391)

Which resolves, on motion by Mr. Collins of Aroostook, were laid upon the table pending final passage.

Mr. LOW of Knox: Mr. President, may I ask which bill was just tabled on my motion?

The PRESIDENT: The Chair understood your motion to refer to bill, An Act Relating to Sales to and Consumption of Liquor by Minors (S. P. 302) (L. D. 810)

Mr. LOW: There seems to be some confusion in the item. I wished to table L. D. 1106.

Thereupon, on motion by Mr. Low of Knox, the Senate voted to take from the table bill, An Act Relating to Sales to and Consumption of Liquor by Minors (S. P. 302) (L. D. 810) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion

by the same Senator the bill was passed to be enacted.

On motion by Mr. Low of Knox, the Senate voted to reconsider its action taken earlier in today's session whereby it passed to be enacted An Act Relating to Expenses of Persons Committed to State Prison for Safekeeping (S. P. 392) (L. D. 1106); and on further motion by the same Senator, the bill was then laid upon the table pending passage to be enacted.

#### Orders of the Day

On motion by Mr. Reid of Kennebec the Senate voted to take from the table Item 24 on Page 3 of today's calendar, Report of the Committee on Judiciary on Bill "An Act Relating to Amending Declaration or Pleading Anew After Demurrer," (H. P. 360) (L. D. 398) reporting that the same "Ought to pass" as amended by Committee Amendment A; and on further motion by the same Senator, the report of the committee was accepted and the bill read once; Committee Amendment A was indefinitely postponed in concurrence, House Amendment A was read and adopted in concurrence, and the bill as amended by House Amendment A was tomorrow assigned for second reading.

On motion by Mr. Low of Knox, the Senate voted to take from the table An Act Relating to Expenses of Persons Committed to State Prison for Safekeeping (S. P. 392) (L. D. 1106) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. LOW of Knox: Mr. President, the language of this bill is not clear. The Attorney General has pointed out that it might be construed that any county which sent a prisoner to State Prison for temporary safekeeping might become liable for all the expenses of the prisoner. In order to clarify that language I offer Senate Amendment A and move its adoption:

SENATE AMENDMENT "A" to S. P. 392, L. D. 1106, Bill "An Act Relating to Expenses of Persons



Committed to State Prison for Safekeeping."

Amend said Bill in the next to last line by striking out the underlined word "the" before the underlined word "amount" and inserting in place thereof the underlined words and punctuation: 'each such person, a proportional'

Which amendment was adopted.

Mr. FARRIS of Kennebec: Mr. President, may I inquire as to the status of the bill at the moment.

The PRESIDENT: The bill has had its two several readings, and the motion is in order that it pass to be engrossed.

Thereupon, on motion by Mr. Farris of Kennebec, the bill and accompanying papers were laid upon the table pending passage to be engrossed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 44th tabled and unassigned matter, Bill "An Act to Clarify the Liquor Laws," (S. P. 245) (L. D. 685) tabled on April 6th by that Senator pending adoption of House Amendment "A".

Mr. BOUCHER of Androscoggin: Mr. President, I would like to have the report of the committee.

The PRESIDENT: The Secretary will read the committee report.

The SECRETARY: Bill "An Act to Clarify the Liquor Laws," (S. P. 254) (L. D. 685), Report from the Committee on Liquor Control reporting the same "Ought to pass" as amended by Committee Amendment "A".

On March 29th the Senate accepted the report and on March 29th Committee Amendment "A" was adopted. On March 30th the bill was passed to be engrossed as amended by Committee Amendment "A". Comes from the House passed to be engrossed as amended by House Amendment "A" and as amended by Committee Amendment "A" in non-concurrence.

Mr. BOUCHER: Mr. President and members of the Senate: This House Amendment "A" was offered in committee and was denied. After the bill was reported "Ought to pass" with Committee Amendment "A" apparently the House members of the committee decided to present

House Amendment "A" and did not consult the committee at that time. Therefore I move the indefinite postponement of House Amendment "A".

The PRESIDENT: The Secretary will read House Amendment "A".

The SECRETARY: House Amendment "A" to Bill "An Act to Clarify the Liquor Laws." (S. P. 254) (L. D. 685)

Amend said bill in Section 10 by adding at the end thereof the following underlined sentence:

'No merchandise shall be construed to be reasonably compatible with a stock of malt liquor for the purpose of licensing a retail store which consists of gasoline or oil, used or new cars, parts thereof or accessories, clothing, hardware, paints or building material, electrical appliances or equipment or household furniture or furnishings.'

In the House read and adopted.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that House Amendment "A" be indefinitely postponed in non-concurrence. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Androscoggin, Senator Boucher, will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was indefinitely postponed and the bill was passed to be engrossed as amended by Committee Amendment "A" in non-concurrence.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table "An Act relating to Expenses of Persons Committed to State Prison for Safekeeping" (S. P. 392) (L. D. 1106) tabled by that Senator earlier in today's session pending passage to be engrossed as amended by Senate Amendment "A", and on further motion by the same Senator the bill was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence

Sent down for concurrence.

Mr. Chapman of Cumberland was granted unanimous consent to address the Senate:

Mr. CHAPMAN: Mr. President and members of the Senate: Even at this late date I request unanimous consent to introduce a resolve. In explanation of that request I would like to state the following:

A short while ago certain escapees from the State School for Boys in the process of their escape stole an automobile, and in pursuit by police officers after they had stolen the automobile got into a rather bad accident, injuring one Kenneth Boynton and his wife and child rather seriously. As a result of that, suit was brought against the superintendent of the State School for Boys by these parties who were injured, particularly in view of the fact that the escapees involved were financially irresponsible and execution-proof. After the parties to the suit conferred with the Attorney General's office it was thought, according to a certain theory of law, that the State of Maine itself might be liable, and on that basis the Attorney General's office prepared an authorization resolve for suit against the State of Maine in the conventional manner, there being precedent for this, and presented it to me with request for introduction. As I say, this took place a short while ago and after the deadline for introduction of bills was in effect.

I might say that this particular resolve is not to assess liability or responsibility on the State of Maine, it relates merely to permission to

sue, and even that permission must be reviewed by the committee itself. I have inquired of the Chairman of the Committee on Claims and have been assured that it will delay their work in no manner and will not delay the adjournment of this legislature. I therefore request that the resolve be accepted by unanimous consent.

The PRESIDENT: The Senator from Cumberland, Senator Chapman, presents a resolve. The Secretary will read the resolve by title only.

The SECRETARY: "Resolve authorizing Kenneth H. Boynton and Ernestine Y. Boynton of South Portland to sue the State of Maine."

The PRESIDENT: Is there objection to the reception of the resolve? The Chair hears none and the resolve is received.

On motion by Mr. Chapman, the resolve was referred to the Committee on Claims, ordered printed.

Sent down for concurrence.

The PRESIDENT: The Chair would make a general comment on the adjournment motion. Tomorrow being Good Friday, it might be desirable that the session be at one o'clock rather than one-thirty. The Chair awaits a motion.

On motion by Mr. Reid of Kennebec,

Adjourned until tomorrow afternoon at one o'clock.