

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 16, 1957

Senate called to order by the President.

Prayer by Rev. Andrew F. Cone of Gardiner.

On motion by Mr. Fournier of York, Journal of Friday read and approved.

Mr. Lessard of Androscoggin was granted unanimous consent to address the Senate.

Mr. LESSARD: Mr. President and members of the Senate: I would like to note that in our chamber here today we have some twelve members of the Order of Brothers of the Sacred Heart.

This is a universal order. They are teachers. They are teachers of our schools in the City of Lewiston, namely St. Peter's, St. Mary's and St. Dominic's High School, of which no doubt you have heard many times.

This order was founded in 1821 in Lyons France by Rev. Father Coindre. They came to America as teachers in 1847. All of these men have majored in the field of education and have dedicated their lives to the teaching of male youth. I am sure we appreciate the fact that we have men and women today who will dedicate their lives to giving education to our children. There are some 2800 of these men throughout the world who do this sort of work, besides the mission fields.

I am sure, Mr. President, although perhaps the certificate you hold will not allow you to go too far above the grade which is designated, the committee has decided we will allow you under your instruction privileges to carry on this class and help to let our visitors know what we are doing here in the Senate. Thank you very much.

The PRESIDENT: The Chair thanks the Senator from Androscoggin, Senator Lessard, and in behalf of the Senate we welcome you to our session this morning. We will do what we can to impress you, first, with the dignity of this Body, and secondly, to impress you with our procedures and show you the

care and attention every legislative matter has.

At the same time the Chair notes the presence of a group of youngsters from Harmony High School. We welcome you to the Senate Chamber today, and each one of us will dedicate his Senate day in seeing that your time is well spent here today in becoming a little better acquainted with the legislative processes of the State of Maine. I thank both groups for meeting with us in the Senate Chamber. I think all of you have Senate calendars, and as we go through the calendar I will speak very, very briefly off the record and tell you what each section means.

Papers from the House

Bill, "An Act Establishing Columbus Day as a Legal Holiday." (S. P. 411) (L. D. 1144)

In Senate on April 4, passed to be engrossed.

Comes from House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Boucher of Androscoggin, the Senate voted to insist, and ask for a Committee on Conference.

House Committee Reports Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse Town of Caribou for Aid to Alpee Ouellette." (H. P. 681) (L. D. 970) reported that the same Ought not to pass.

Comes from House, recommended to the Committee on Claims.

In the Senate, on motion by Mr. Silsby of Hancock, the resolve was laid upon the table pending consideration of the Ought not to pass report.

The Committee on Agriculture on Bill, "An Act Relating to Price Control on Milk." (H. P. 1021) (L. D. 1455) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

Leave to Withdraw

The Committee on Judiciary on Bill, "An Act Creating a Municipal District Court System for Androscoggin County." (H. P. 813) (L. D.

1156) reported that same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Agriculture on Bill, "An Act Relating to Duties of Animal Husbandry Specialist." (H. P. 963) (L. D. 1364) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Damages Done by Dogs and Wild Animals." (H. P. 979) (L. D. 1403) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Amount Recovered in Actions for Injuries Causing Immediate Death." (H. P. 777) (L. D. 1110) reported that the same Ought to pass.

The Committee on Transportation on Bill, "An Act Relating to Record of Contents of Motor Trucks." (H. P. 958) (L. D. 1359) 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 Judiciary on "Resolve Giving Recognition to the Eastern Orthodox Church as a Major Faith in Maine." (H. P. 746) (L. D. 1060) reported same in New Draft (H. P. 1046) (L. D. 1487), same title, and that it Ought to pass.

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

Ought to Pass —as amended

The Committee on Judiciary on Bill, "An Act Relating to Limitation of Financial Responsibility Law." (H. P. 647) (L. D. 916) reported that the same Ought to pass as amended by Committee Amendment A (Filing 174)

(On motion by Mr. Boucher of Androscoggin, tabled pending consideration of the ought to pass as amended report.)

The Committee on Natural Resources on Bill, "An Act Relating to Granting Mining Rights by Forest Commissioner." (H. P. 786) (L. D. 1119) reported that the same Ought

to pass as amended by Committee Amendment A (Filing 177)

The Committee on Welfare on Bill, "An Act Relating to Removal of Persons from Indian Tribal Reservations." (H. P. 799) (L. D. 1131) reported that the same Ought to pass as amended by Committee Amendment A (Filing 178)

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

STATE OF MAINE HOUSE OF REPRESENTATIVES Office of the Clerk Augusta

April 12, 1957

Honorable Chester T. Winslow
Secretary of the Senate
98th Legislature

Sir:

The Speaker of the House today appointed the following conferees on the part of the House on the disagreeing actions of the two branches of the Legislature on: Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River H. P. 460, L. D. 653.

Messrs. PLANTE

of Old Orchard Beach
HANCOCK of York
HIGGINS of Scarborough

Respectfully,

(Signed)

HARVEY R. PEASE
Clerk of the House

Which was read and ordered placed on file.

Senate Committee Reports Leave to Withdraw

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Brewer Band Parent Association." (S. P. 289) (L. D. 733) reported that same be granted Leave to Withdraw

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Amending the Uniform Interstate Compact on Juveniles." (S. P. 333) (L. D. 899) reported that same be granted Leave to Withdraw

Mr. Butler from the same Committee on Bill, "An Act Prohibiting Throwing, Depositing and Dumping of Rubbish in Certain Places." (S. P. 447) (L. D. 1266) reported that same be granted Leave to Withdraw

Mr. Low from the Committee on Taxation on Bill, "An Act Suspending Sardine Tax on Certain Cases of Sardines." (S. P. 222) (L. D. 565) reported that same be granted Leave to Withdraw

(On motion by Mr. Brown of Washington, tabled pending consideration of the leave to withdraw report.)

Mr. Wyman from the same Committee on Bill, "An Act Repealing the Poll Tax." (S. P. 412) (L. D. 1145) reported that same be granted Leave to Withdraw.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought not to Pass

Mr. Cole from the Committee on Highways on Bill, "An Act Relating to Reimbursement to Towns for Snow Removal." (S. P. 234) (L. D. 634) reported that the same Ought not to pass.

(On motion by Mr. Silsby of Hancock, tabled pending consideration of the ought not to pass report.)

Mr. Parker from the same Committee on Bill, "An Act Relating to Cost of Relocating Facilities in Federal - Aid Interstate Highway Projects." (S. P. 385) (L. D. 1081) reported that the same Ought not to pass.

(On motion by Mr. Parker of Piscataquis, tabled pending consideration of the ought not to pass report, and especially assigned for Thursday next.)

Mr. Butler from the Committee on Judiciary on Bill, "An Act to Authorize Corporations to Hold Stockholders' Meetings Outside the State." (S. P. 408) (L. D. 1141) reported that the same Ought not to pass.

Mr. Butler from the same Committee on Bill, "An Act Changing Name of Recorders of Municipal Courts to Associate Judges." (S. P. 486) (L. D. 1394) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act to Provide for Liens on Real Estate by

Judgment." (S. P. 485) (L. D. 1395) reported that the same Ought not to pass.

Mr. Martin from the Committee on Public Utilities on Bill, "An Act Relating to Condemnation Proceedings by Belfast Water District." (S. P. 247) (L. D. 648) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. St. Pierre from the Committee on Labor on Bill, "An Act Relating to Compensation Under Workmen's Compensation Act for Loss of Distal Phalanx of Thumb, Finger or Toe." (S. P. 465) (L. D. 1346) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Leave of Absence from Work for Certain Employees While in Temporary Military Training." (S. P. 488) (L. D. 1396) reported that the same Ought to pass.

Mr. Boucher from the Committee on Liquor Control on Bill, "An Act Relating to the Importation of Liquors Used in Manufacture." (S. P. 180) (L. D. 459) reported that the same Ought to pass.

Mr. Low from the Committee on Taxation on Bill, "An Act Relating to Confidential Character of State Tax Assessor's Records Under Blueberry Tax Law." (S. P. 439) (L. D. 1236) reported that the same Ought to pass.

(On motion by Mr. Silsby of Hancock, tabled pending consideration of the ought to pass report.)

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

Ought to Pass—as Amended

Mr. Lessard from the Committee on Public Utilities on Bill, "An Act Relating to Operation of Diesel or Diesel-Electric Locomotives in Reverse." (S. P. 389) (L. D. 1085) reported that the same Ought to pass as Amended by Committee Amendment A.

(On motion by Mr. Lessard of Androscoggin, tabled pending consideration of the ought to pass as amended report.)

Mr. Rogerson from the Committee on State Government on Bill, "An Act Relating to the Department of Finance and Administration." (S. P. 221) (L. D. 576) reported that the same ought to pass as Amended by Committee Amendment A.

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

Majority—ONTP

Minority—OTP

The Majority of the Committee on State Government on Bill, "An Act Relating to Appointment of Commissioner of Agriculture by the Governor with Consent of Council." (S. P. 437) (L. D. 1234) reported that the same ought not to pass. (Signed)

Senators:

PIKE of Oxford
ROGERSON of Aroostook

Representatives:

ROSS of Bath
WADE of Auburn
BRAGDON of Perham
CHILDS of Portland
TOTMAN of Bangor

The Minority of the same Committee on the same subject matter, reported that the bill ought to pass. (Signed)

Senator:

LESSARD of Androscoggin

Representatives:

ELWELL of Brooks
WALSH of Brunswick

On motion of Mr. Lessard of Androscoggin, the bill and accompanying papers were laid upon the table pending consideration of the reports.

Second Readers

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

House

Bill, "An Act Repealing the Incorporation of the Master, Wardens and Members of Freeport Lodge." (H. P. 367) (L. D. 497)

Bill, "An Act to Create the Westbrook Parking Authority." (H. P. 428) (L. D. 604)

Bill, "An Act Relating to Disposition of Trust Income Earned During Period of Administration." (H. P. 543) (L. D. 770)

Bill, "An Act Relating to Time for Requesting Tax Exemptions by Veterans' Widows." (H. P. 885) (L. D. 1253)

Bill, "An Act Relating to Requests for Secret Balloting at Town Meetings." (H. P. 1042) (L. D. 1481)

Bill, "An Act Regulating Motor Vehicles at Traffic Circles or Rotary Intersections." (H. P. 1043) (L. D. 1482)

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

House—as amended

Bill, "An Act Amending the Charter of the Town of Lincoln." (H. P. 1044) (L. D. 1483)

"Resolve in Favor of Donald LaPierre of Westbrook." (H. P. 694) (L. D. 1480)

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

Senate

Bill "An Act Relating to Certificate of Commitment to the State Hospitals." (S. P. 183) (L. D. 462)

Bill, "An Act Revising Laws Relating to Registered Nurses and Practical Nurses." (S. P. 374) (L. D. 997)

Bill, "An Act Relating to the Primary Law in City of Biddeford." (S. P. 489) (L. D. 1397)

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

Sent down for concurrence.

Senate—as amended

Bill, "An Act Relating to Qualifications for Disability Pension for Members of the Lewiston Police Department." (S. P. 209) (L. D. 554)

Bill, "An Act Relating to Sick Leave for Members of the Lewiston Police Department." (S. P. 211) (L. D. 556)

Bill, "An Act to Revise the Laws Relating to Registration of Accountants." (S. P. 243) (L. D. 644)

(On motion by Mr. Butler of Franklin, tabled pending passage to be engrossed)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Taxation Exemption of Certain Property of Veterans." (H. P. 97) (L. D. 127)

(On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.)

Bill, "An Act Relating to Part-Time Liquor Licenses." (H. P. 163) (L. D. 210)

Bill "An Act Relating to Rabbit Hunting in Kennebec, Hancock, Washington and York Counties." (H. P. 209) (L. D. 293)

Bill, "An Act Relating to Superintending School Committee of Town of Cumberland." (H. P. 410) (L. D. 587)

Bill, "An Act Amending the Charter of the Rumford Municipal Court." (S. P. 329) (L. D. 825)

Bill, "An Act Permitting Convicts at State Prison to Attend Funerals Outside." (S. P. 344) (L. D. 924)

Bill, "An Act Relating to Deduction of Sentence of Prisoners in Maine State Prison." (S. P. 343) (L. D. 925)

Bill, "An Act Increasing Payments to Penobscot County Law Library." (S. P. 371) (L. D. 994)

Bill, "An Act Related to Press Facilities in the State House." (S. P. 431) (L. D. 1184)

"Resolve, Closing Sebago Lake, Cumberland County to Taking Smelts." (H. P. 466) (L. D. 659)

"Resolve, Regulating Fishing for White Perch in Certain Counties." (S. P. 198) (L. D. 543)

(On motion by Mr. Parker of Piscataquis, tabled pending final passage.)

"Resolve, Authorizing the State Forest Commissioner to Convey Certain Lands and Rights of Way in Augusta to Cumberland Securities Corporation." (S. P. 307) (L. D. 804)

Which bills were severally passed to be enacted and resolves were finally passed.

Emergency Measure

Bill, "An Act Relating to Use of Moneys Received Under Sardine Tax Law." (H. P. 516) (L. D. 726)

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was passed to be enacted.

Bill, "An Act Relating to Benefits of Social Security Extending to Employees of National Guard." (S. P. 399) (L. D. 1095)

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was passed to be enacted.

Orders of the Day

On motion by Mr. Brown of Washington, the Senate voted to take from the table bill, "An Act Suspending Sardine Tax on Certain Cases of Sardines." (S. P. 222) (L. D. 565) tabled by that Senator earlier in today's session pending consideration of the leave to withdraw report of the committee; and on further motion by the same Senator, the leave to withdraw report was accepted.

Sent down for concurrence.

Mr. Butler of Franklin was granted unanimous consent to address the Senate.

Mr. BUTLER: Mr. President and members of the Senate: If you would kindly turn to your legislative documents which are on your table to L. D. 1491. This has just been printed and bears a great deal of significance.

This is the report of the Water Commission on what they have done during the last two years and is the background to the classification of the rivers, and up until this legislature the waters in that classification had not been specified.

As you look through the bill you will find that each basis is in its corresponding classification. You will find there in the first column the description of the water, in the second column the present quality of the water, that is how much pollution there is in the water, in the third column the recommendation of the classification, and in the fourth

column the amount that must be done if that desired classification is put into effect.

Owing to the storm last week, we are holding another hearing today relative to the Androscoggin basin, the Kennebec basin and the Penobscot basin. This was done because the committee felt that many of the people that would have been here were unable to be present. It was very evident to the committee that the people who did come and who spoke in favor or against the classification in many instances were unaware of the circumstances under which they were discussing the bill. In other words, they were against the bill themselves, or a particular portion of it, when if they had had that information which should have been available to them, or available to you, then they would have realized that in that particular instance there is no reclassification at all, it is simply classifying those waters as the commission found them. In other instances people were aware of them and had requested a copy of the up-grading from the commission and were fully prepared to present their arguments as to why this reclassification, or as the Water Improvement Board felt, classification—as the rivers had never before been classified—should be made; and they came in and informed the committee of the conditions in their respective communities. It was very evident that there were many communities which would be affected by this legislation or the reclassification, and actually those communities should have the same rights, the same protection, as the communities which were aware of it.

Now what does this water bill actually do? It is an attempt to stop river pollution. Now when we come into Class "C" we are coming into a classification of those waters whereby solids should not be present. This immediately affects, so far as municipalities are concerned, their sewerage problem.

I ask you to kindly look through L. D. 1491, study it insofar as your own community is concerned, and then if you desire to come in to the committee hearing this afternoon with any recommendations pertain-

ing to the classification of rivers, although we are ostensibly only having this hearing for the three major rivers, yet the committee will entertain, I am sure, any suggestions you do wish to offer. But I would ask you to kindly give this your study because it gives you information in regard to the water as it now is without a thing being done. In one sense of the word we could very easily say that if we classify the water as is we have created a classification, or we can equally as well say, "This never having been classified we will accept as an original classification the recommendations as set forth in the classification bill." I thank you.

On motion by Mr. Silsby of Hancock, the Senate voted to take from the table House Report ought not to pass from the Committee on Business Legislation on bill, "An Act Relating to Time Limit for Adjusting and Paying Fire Losses." (H. P. 45) (L. D. 78) tabled by that Senator on February 27 pending consideration of the report.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I now move that we substitute the bill for the ought not to pass report of the committee. In support of that motion, I would like to have a few minutes of your time to inform you of my reason for substituting the bill for the ought not to pass report of the committee.

The law provides in the matter of paying insurance losses, Chapter 60, Section 10, that in the event a person who has property insured sustains a loss, that the insurance company can not pay the claim until the expiration of 45 days from the day of the loss. It provides, however, that in the event there is hardship or you can show some reason, that the insurance adjustor or company can obtain a waiver from the insurance commission and in order to obtain that waiver it would take twelve to 15 days.

The present law further provides that in the event the total aggregate of all policies does not exceed 100 dollars, then they may pay. I think this bill has some merit because there is a certain hardship. Number one, Van Jones has a fire. He has a family and he may have in-

insurance on the property of some four or five thousand dollars and yet, he is sitting out of doors without any place to go. He may be living somewhat on a budget with not any surplus money and he would like to have some part of his insurance money to the end that he could at least get himself, his wife and his family under cover, and yet he must ask for this waiver which takes time. I think that is a hardship and in reading this bill, although I did not present it, I felt that we must in some way help the unfortunate and for that reason I felt justified in asking you members to permit me to substitute the bill for the report, to the end that I could offer an amendment that might eliminate the hardship in certain cases. I would like to have you bear in mind that regardless of what this legislature may say as to the time of payments, yet under the contract which is the standard form of policy, there isn't any way to compel the insurance company to pay until the expiration of sixty days because it is written in about every contract.

Now it seems to me that we should leave some part of the money to the discretion of the person who insures the building or whatever it may be, to the end that he may have some relief. That is my reasoning for asking you to substitute the bill for the report. I might say that I have been informed that the committee who heard the bill does not object to the amendment in the event that the bill is substituted for the report. Thank you for your consideration.

The PRESIDENT: The question is on the motion of the Senator from Hancock, Senator Silsby to substitute the bill for the report.

The motion prevailed, the bill was substituted for the report and given its first reading.

Mr. Silsby of Hancock presented Senate Amendment A:

"Amend said bill by striking out the last two lines and inserting in place thereof the following: No fire insurance company shall pay any loss on damage in excess of one thousand dollars until after the expiration of 45 days from the day of loss. Nothing contained in this section shall prevent the payment of a loss to any property owner when

the aggregate loss under all policies covering the risk does not exceed one thousand dollars. Upon application from the insurance company or its authorized representative written permission to make earlier payments on any loss may be given said company or its authorized representatives by the commissioner and immediately upon issuance of said permit, the commissioner shall notify and grant permits to any other company known to be interested in the risk."

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

On motion by Mr. Butler of Franklin, the Senate voted to take from the table House Reports from the Committee on Judiciary (Report A ought to pass as amended by Committee Amendment A) (Report B ought not to pass) on bill, "An Act Relating to the Visible Indication of Elapsed Time on Parking Meters." (H. P. 361) (L. D. 491) tabled by that Senator on April 5 pending consideration of the reports.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: This bill is an act relating to visible indication of elapsed time on parking meters. Now the "Ought to pass" report signed by part of the members of the committee was amended to make those parking meters all right for off-street parking. Now there are some of us on the committee who do not feel that this is the type of legislation that we should go into for anything of this nature. For your information, the meter itself, as you are well aware, is the type of meter which we have down by the State House here and which many of you gentlemen do not like too well. But, outside of the personal feeling in regard to it, is it right, is it good legislative procedure for us to say to any manufacturer, "This is not the type of parking meter which you can sell in the State of Maine."

Now it is on that basis that the "Ought not to pass" report from the committee was signed by a few of us. The others felt that we are not legislating on the municipalities, we are saying, "This is all right, it is a good meter if you use it on off-street parking." I feel if we be-

gin to legislate on whether an article is or is not proper chiefly because of a matter of design, then we should not bar those municipalities from the right to use that type of meter if those municipalities wish to enjoy or acquire that particular item.

On that basis, I move that we accept the "Ought not to pass" report of the committee. Before putting the motion for that I would appreciate it if we could have read the names of the members of the committee who signed the "Ought to pass as amended" report together with the names of the members who signed the "Ought not to pass" report.

The PRESIDENT: The Secretary will read the committee report.

The committee report was then read by the Secretary.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the Senate accept the "Ought not to pass" report of the committee.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I hesitate to take issue with my good friend the Senator from Franklin, Senator Butler, but nevertheless, I feel that parking meters as such are a subject matter that has been discussed by many of our good citizens of the State of Maine as well as those that come from our sister states.

It is a subject matter which has perhaps acquainted all of us with the police department on many occasions, sometimes from neglect, sometimes from mere carelessness, I don't know, but I do know that under the statutes that the legislature passed some few years ago for parking meters, it is a permissive statute. There is no penalty imposed by the State of Maine and I know it is a matter of law that when a person is notified to appear in court to answer to a parking charge that the only penalty attached is the ordinance of the municipality, otherwise there is none.

I very much question the validity of the constitutionality of parking meters. I have always felt and I still do that it is a proprietary matter, that the statute is violating our

proprietary rights. I cannot believe that it is constitutional for anyone of us to buy the right to commit a crime or a misdemeanor and that is exactly what we do. If we drive up to a parking meter and put in the nickel, we haven't violated any law because we bought the right, but if we don't put in the nickel then we have violated it.

I don't like that kind of law. I think for the same reason it might be well for us to pass a law that if I want to go night hunting, I can go down to the warden and say here is \$25 or \$50 and I want to have the right to break the law. I am going out night hunting tonight. I don't like it and I don't like parking meters but I will be reasonable. Now let's consider the parking meter that this particular law, that they would like to be permitted to use, or at least the law which we say—the majority of the committee I believe—ought to pass. They would like the privilege to install these parking meters, and you have all got acquainted with them out in front of the statehouse—just look them over. You drive up and you put in one nickel, you put in two nickels, you put in three nickels and what have you bought. I don't know and you don't either. You know you have paid for something but you have bought a pig in a bag. They say that the meter doesn't start to operate until the officer comes along and turns the key. I will go along with that. It is probably so. If he turns the key once, you have an hour. If he turns the key twice you still have an hour. You are subject to whether or not he turns the key once or three times. I think we ought to know how long we are going to stay there.

As a matter of compromise in the Judiciary Committee we felt it was fair to say that certainly the municipalities can buy these parking meters, but you can't shove them down the public's throat. Put them up in your parking places that you have reserved and if the public wants to go buy a pig in the bag let him go buy it but we aren't going to force him on the highways of this state or the streets of the city to buy something that he does not know what he is getting.

I think that is a fair compromise and I think the large majority of the people in the state of Maine would call it a compromise. I don't think we have in any way jeopardized the municipality from exercising its rights but it gives the people an opportunity to make a selection and we should have it. That is the very purpose of the law and the amendment, that you don't have to buy it unless you want it. My good friend, Senator Butler of Franklin said that we should not tell the people what they can or cannot buy. Well, we have a law that says you cannot buy certain guns. We have laws that say you can't buy a lot of things. You can't even have them but here the parking meters can be used off the street, and there isn't a municipality in the State of Maine that has lost a dime if this law is passed. They have simply given the people the right to select rather than buy a pig in a bag. I am opposed to the motion and I hope it does not prevail.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: I appreciate all the feeling which my good friend Senator Silsby of Hancock has expressed. He is fundamentally, as we all are, against parking meters. He also wants to know how much of a free ride he can get, and that is perfectly natural too, because probably many of us feel the same way.

Now in regard to the number of members of the committee who signed the reports, I feel that my addition is correct in that it was an even split and not a majority. My mathematics on that may be in error, but I think the majority were in favor of not having any parking meters, but I do not believe the majority signed the "Ought to pass as amended" report.

Mr. MARTIN of Kennebec: Mr. President and members of the Senate: I simply want to stand here today and support the motion of the Senator from Franklin, Senator Butler. I don't know whether it is a majority or a minority, but the Senator from Hancock, Senator Silsby, stated he did not think the people of Maine ought to buy a "Pig in a bag," or some such words; but I

think at the same time the Senator is rather inconsistent in his stand when he says the meter is no good, and yet at the same time Report "A", as I read it, would allow the same meter to be used in certain localities. I feel if the meter is no good perhaps they should have come out and said it should not be used at all.

I certainly hope that we do not in this Senate try to legislate parking meters. I think it is a matter for the local communities of the State. I will also point out to the members of the Senate that there are a lot of meters like these in use today and I have heard no clamor from the public. I support the motion of the Senator from Franklin, Senator Butler.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the Senate accept Report "B", the "Ought not to pass" report of the Committee on Judiciary.

Mr. WOODCOCK of Penobscot: Mr. President and members of the Senate: I rise to support the motion of the Senator from Franklin, Senator Butler, that the Senate accept the "Ought not to pass" report which I and three others signed, because I too dislike the attempt of our State to interfere with this purely local matter. While I think of it, I would like to move for a division when the vote is taken.

It is a pretty fundamental concept we are taking in the State, it seems to me, and even if this went through it would not mean that this community would have to buy this type of parking meter, which I think is here to stay whether we like it or not. So I hope that the motion of the Senator from Hancock, Senator Silsby, does not prevail.

The PRESIDENT: The Chair will note that the question before the Senate is on the motion of the Senator from Franklin, Senator Butler that the Senate accept Report B, the "Ought not to pass" report of the committee. The Senator from Penobscot, Senator Woodcock, has asked for a division.

As many as are in favor of the motion of the Senator from Franklin, Senator Butler, that the Senate ac-

cept Report "B", the "Ought not to pass" report, will rise and stand until counted.

A division was had.

Seventeen having voted in the affirmative and fifteen in the negative, the motion prevailed and Re-

port "B" "Ought not to pass" was accepted.

Sent down for concurrence.

On motion by Mr. Butler of Franklin,

Adjourned until ten o'clock tomorrow morning.