

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

Thursday, May 2, 1957

Senate called to order by the President.

Prayer by Rev. Ralph W. Peterson of Augusta.

On motion by Mr. Curtis of Cumberland,

Journal of yesterday read and approved.

Papers from the House

Bill, "An Act Relating to Apprentice Lobster Fishing Licenses." (S. P. 137) (L. D. 274)

The Senate on April 30 voted to Insist on former action whereby the Minority Report of the Committee on Sea and Shore Fisheries (Ought to pass) was accepted and the bill passed to be engrossed; and to ask for a Committee of Conference.

Comes from House that body having Insisted on former action whereby the Majority Report (Ought not to pass) was accepted, and now joins Committee of Conference.

In the Senate, the President appointed as Senate conferees, Senators: Bailey of Sagadahoc, Charles of Cumberland and Reed of Aroostook.

Bill, "An Act Relating to Closed Time on Deer in Certain Counties." (S. P. 280) (L. D. 739)

The Senate on April 30 voted to Insist on former action whereby Majority report of the Committee on Inland Fisheries and Game (Ought to pass—as Amended) was accepted and the bill passed to be engrossed as amended; and to ask for a Committee of Conference.

Comes from the House, that body having Insisted on former action whereby the Minority Report (Ought not to pass) was accepted, now joins Committee of Conference.

In the Senate, the President appointed as Senate conferees, Senators: Carpenter of Somerset, Briggs of Aroostook and Hall of York.

Bill, "An Act Relating to Salaries of Superintendents of Schools." (H. P. 639) (L. D. 906)

In Senate on April 30, Minority Report of the Committee on Education (Ought not to pass) was accepted in non-concurrence.

Comes from House, that body having Insisted on former action whereby the Majority Report (Ought to pass) was accepted and the bill passed to be engrossed, now asks for Committee on Conference.

In the Senate, that Body voted to insist and join; and the President appointed as Senate conferees on the Committee of Conference: Senators: Low of Knox, Sinclair of Somerset and Farley of York.

House Committee Reports Leave to Withdraw

The Committee on Taxation on re-committed Bill, "An Act Relating to Excise Taxes on Motor Vehicles of Those Who Reside on Veterans Administration Facility, Togus." (H. P. 925) (L. D. 1314) reported that same be granted Leave to Withdraw

Which report was read and accepted in concurrence.

Ought Not to Pass

The Committee on Highways "Resolve for Construction of Route No. 186, Hancock County." (H. P. 811) (L. D. 1153) reported that the same Ought not to pass

Comes from the House, report and resolve Indefinitely postponed.

In the Senate, indefinitely postponed in concurrence.

The PRESIDENT: At this time the Chair notes the presence of two groups of youngsters, one in the Senate Chamber and one in the gallery. The group in the gallery are students in government from Farmington High School and the group in the Senate Chamber are from Smithfield and Somerset County.

In behalf of the Senate, the Chair extends to both groups a welcome and we pledge to each group that everyone of us will do everything you ask us to do to help make your day here a successful one. And each of us hopes that some few of you at least will take away a little inspiration to yourselves to someday participate in government at the state level. Thank you for coming and call on us to help you have a nice day.

The Committee on Agriculture on Bill, "An Act Revising the Maine Egg Grading Law." (H. P. 521) (L.

D. 749) reported that the same Ought not to pass.

The Committee on Taxation on Bill, "An Act Relating to Tax Refund on Motor Fuel." (H. P. 934) (L. D. 1327) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Decreasing the Tax on Gasoline." (H. P. 1029) (L. D. 1461) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting with Bow and Arrow." (H. P. 742) (L. D. 1056) reported that the same Ought to pass.

On motion by Mr. Parker of Piscataquis, tabled pending consideration of the report.

Majority—ONTP

Minority—OTP—N.D.

The Majority of the Committee on Agriculture on Bill, "An Act Relating to Inspection of Slaughterhouses." (H. P. 1020) (L. D. 1454) reported that the same Ought not to pass.

(Signed)

Senators:

BAILEY of Sagadahoc
REED of Aroostook
DOW of Lincoln

Representatives:

BROCKWAY of Milo
FROST of Perry
CASWALL of New Sharon
EMERY of Palmyra
VIOLETTE of Van Buren
ROBERTS of Dexter

The Minority of the same Committee on the same subject matter, reported the bill in New Draft (H. P. 1061) (L. D. 1516), under same title, and that it Ought to pass

(Signed)

Representative:

LANE of Waterville

Comes from House, reports and bill indefinitely postponed.

In the Senate, on motion by Mr. Bailey of Sagadahoc, indefinitely postponed in concurrence.

Majority—OTP

Minority—ONTP

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County." (H. P. 515) (L. D. 725) reported that the same Ought to pass

(Signed)

Senator:

BROWN of Washington

Representatives:

TARBOX of Gouldsboro
VAUGHAN of Hallowell
BAIRD of North Haven
ANDREWS of Jonesboro
BREWSTER of Wells

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

(Signed)

Senators:

FOURNIER of York

Representatives:

MILLER of Portland
RANKIN of Southport

Comes from House, reports and bill indefinitely postponed.

In the Senate, on motion by Mr. Wyman of Washington, tabled pending consideration of the Committee reports.

Majority — ONTP

Minority — OTP

The Majority of the Committee on State Government on Bill, "An Act Relating to Term of Office of Department Heads Appointed by Governor with Consent of the Senate." reported that the same Ought not to pass

(Signed)

Senators:

ROGERSON of Aroostook
PIKE of Oxford

Representatives:

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

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

Comes from the House, reports and bill Indefinitely Postponed.

In the Senate:

Mr. ROGERSON of Aroostook: Mr. President, I move that the bill be indefinitely postponed in concurrence.

Thereupon, on motion by Mr. Lesard of Androscoggin, the bill and reports were laid upon the table pending motion by Mr. Rogerson of Aroostook to indefinitely postpone.

Majority — ONTP

Minority — OTP

The Majority of the Committee on Towns and Counties on Bill, "An Act to Incorporate the Town of Medford." (H. P. 844) (L. D. 1198) reported that the same Ought not to pass

(Signed)

Senators:

WYMAN of Washington
LORD of Cumberland
FARLEY of York

Representatives:

ERVIN of Houlton
PORELL of Westbrook
WEBBER of China
PRUE of Ashland

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

(Signed)

Representatives:

HENDSBEE of Madison
LEATHERS of Hermon

Comes from House, Minority Report accepted and the bill passed to be engrossed.

In the Senate:

Mr. WYMAN of Washington: Mr. President, I move that the Senate accept the Majority ought not to pass report.

Thereupon, on motion by Mr. Hillman of Penobscot, the bill and reports were laid upon the table pending motion by Mr. Wyman of Washington to accept the Majority ought not to pass report.

Orders

On motion by Mr. Briggs of Aroostook,

ORDERED, the House concurring, that (S. P. 281) (L. D. 740) Bill,

"An Act Relating to Closed Time on Deer in Certain Counties" be recalled to the Senate from the Legislative files. (S. P. 553)

Which was read and passed.

On motion by Mr. Briggs of Aroostook

Sent down for concurrence forthwith.

Leave to Withdraw

Mr. Wyman from the Committee on Towns and Counties on the bills listed below:

Bill, "An Act Relating to Salaries of the Judge and Recorder and Clerk Hire of the Auburn Municipal Court." (H. P. 687) (L. D. 976)

Bill, "An Act Relating to Salaries of Judge and Recorder of Bath Municipal Court." (H. P. 672) (L. D. 953)

Bill, "An Act to Increase the Salary of the Judge of the Calais Municipal Court." (H. P. 448) (L. D. 624)

Bill, "An Act to Increase Salaries of Judge and Recorder of the Caribou Municipal Court." (S. P. 223) (L. D. 566)

Bill, "An Act to Increase Salaries of Judge and Recorder of Fort Fairfield Municipal Court." (H. P. 796) (L. D. 1129)

Bill, "An Act Relating to Salary of Judge and Clerk Hire of Franklin Municipal Court." (H. P. 795) (L. D. 1128)

Bill, "An Act to Increase Salaries of Judge and Recorder of Houlton Municipal Court." (H. P. 572) (L. D. 882)

Bill, "An Act Increasing the Salaries of Judges and Recorders of Municipal Courts in Kennebec County." (S. P. 493) (L. D. 1401)

Bill, "An Act Increasing the Salary of the Judge of the Kennebunk Municipal Court." (H. P. 193) (L. D. 256)

Bill, "An Act to Increase the Salary of Recorder of Kennebunk Municipal Court." (H. P. 59) (L. D. 65)

Bill, "An Act Relating to Salary of Judge of the Lewiston Municipal Court." (S. P. 88) (L. D. 198)

Bill, "An Act Relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court." (S. P. 89) (L. D. 199)

Bill, "An Act Increasing Salaries of Judge and Recorder of Lincoln Municipal Court, Lincoln County." (H. P. 493) (L. D. 677)

Bill, "An Act Relating to Clerk Hire for Livermore Falls Municipal Court." (H. P. 761) (L. D. 1043)

Bill, "An Act to Increase the Salaries of the Judge and Recorder of Madawaska Municipal Court." (H. P. 247) (L. D. 308)

Bill, "An Act to Increase Salaries of Judge and Recorder of Northern Arroostook Municipal Court." (H. P. 334) (L. D. 419)

Bill, "An Act to Increase the Salary of the Recorder of the Northern Cumberland Municipal Court." (H. P. 39) (L. D. 52)

Bill, "An Act Increasing Salary of Recorder of Norway Municipal Court." (H. P. 246) (L. D. 307)

Bill, "An Act Increasing Salaries of Judges and Recorders of Municipal Courts in Penobscot County." (S. P. 430) (L. D. 1213)

Bill, "An Act Increasing Salaries of Judge and Recorder of Piscataquis Municipal Court." (H. P. 244) (L. D. 305)

Bill, "An Act to Increase the Salary of the Judge of the Pittsfield Municipal Court." (H. P. 15) (L. D. 20)

Bill, "An Act to Increase the Salaries of the Judge and Recorder of the Portland Municipal Court." (H. P. 149) (L. D. 187)

Bill, "An Act to Increase Salaries of Judge and recorder of Presque Isle Municipal Court." (H. P. 394) (L. D. 525)

Bill, "An Act Increasing Salaries of Judge and Recorder of Saco Municipal Court." (S. P. 56) (L. D. 86)

Bill, "An Act Increasing Salary of Judge of Sanford Municipal Court." (H. P. 297) (L. D. 393)

Bill, "An Act Increasing Salary of Recorder of Sanford Municipal Court." (H. P. 296) (L. D. 392)

Bill, "An Act to Increase Salaries of Judge and Recorder of Van Buren Municipal Court." (H. P. 299) (L. D. 395)

Bill, "An Act to Increase the Salary of the Judge of the Western Washington Municipal Court." (H. P. 446) (L. D. 622)

Bill, "An Act Increasing the Salaries of the Judge and Recorder of

the Westbrook Municipal Court." (H. P. 151) (L. D. 189)

Reports that same be granted Leave to Withdraw as covered by consolidated Bill, "An Act Relative to Salaries and Clerk Hire of Municipal Courts." (S. P. 547) (L. D. 1537)

Which report was read and accepted.

Sent down for concurrence.

Mr. Davis from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Maine Historical Society." (S. P. 92) (L. D. 223) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Rogerson from the Committee on State Government on Bill, "An Act Placing Mining Bureau within Department of Industry and Commerce." (S. P. 468) (L. D. 1343) reported that the same Ought not to pass

Mr. Farley from the Committee on Towns and Counties on Bill, "An Act Relating to Appointment of Deputy Treasurer, Kennebec County." (S. P. 57) (L. D. 87) reported that the same Ought not to pass as Covered by other Legislation.

The same Senator from the same Committee on Bill, "An Act Relating to Fees for Jurors." (S. P. 151) (L. D. 351) reported that the same Ought not to pass

The same Senator from the same Committee on Bill, "An Act Relating to Closing of Somerset County Offices on Saturdays." (S. P. 265) (L. D. 707) reported that the same Ought not to pass

The same Senator from the same Committee on Bill, "An Act Relating to Fees of Clerks of Courts." (S. P. 413) (L. D. 1146) reported that the same Ought not to pass

The same Senator from the same Committee on Bill, "An Act Relating to Fees of Registers of Deeds." (S. P. 451) (L. D. 1269) reported that the same Ought not to pass

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Davis from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Funeral Expenses in Aid to the Blind and Aid to the Disabled." (S. P. 114) (L. D. 271) reported that the same Ought to pass.

Mr. Sinclair from the same Committee on Bill, "An Act Relating to Crediting Railroad Tax on Books of State." (S. P. 426) (L. D. 1209) reported that the same Ought to pass

Mr. Lessard from the same Committee on Bill, "An Act Increasing Compensation for Members of Board of Dental Examiners." (S. P. 483) (L. D. 1391) reported that the same Ought to pass

Mr. Sinclair from the same Committee on Bill, "An Act Relating to Disposition of License Fees in the Bee Industry." (S. P. 510) (L. D. 1451) reported that the same Ought to pass

Mr. Sinclair from the same Committee on "Resolve Charging off Funds advanced to Maine State Office Building Authority." (S. P. 171) (L. D. 450) reported that the same Ought to pass

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

Ought to Pass—N.D.

Mr. Ferguson from the Committee on Highways on Bill, "An Act Relating to Rehabilitation and Preservation of Covered Bridges." (S. P. 341) (L. D. 921) reported same in New Draft (S. P. 554) under same title, and that it Ought to pass

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

Ought to Pass—as Amended

Mr. Lessard from the Committee on Appropriations and Financial Affairs on "Resolve Amending Resolve for Memorial for Honorable Percival P. Baxter of Portland." (S. P. 39) (L. D. 56) reported that the same Ought to pass as Amended by Committee Amendment A.

Which report was read and accepted and the resolve read once. Committee Amendment A was read and adopted, and the resolve as so

amended was tomorrow assigned for second reading.

Second Readers

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

Bill, "An Act Increasing Salary of Selectmen of Town of Mount Desert." (H. P. 169) (L. D. 216)

Bill, "An Act Relating to Rental of Westbrook Municipal Court." (H. P. 730) (L. D. 1034)

Bill, "An Act Relating to Special Town Meetings in Town of Winslow." (H. P. 915) (L. D. 1276)

Bill, "An Act Relating to Certain Penalties for Motor Vehicle Violations." (H. P. 1067) (L. D. 1527)

Bill, "An Act Relating to Reciprocal Agreements with New Hampshire Concerning Zonal Operation of Commercial Vehicles in Intrastate Commerce." (H. P. 1058) (L. D. 1528)

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

House—as amended

Bill, "An Act Relating to Date of State Convention." (H. P. 945) (L. D. 1338)

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

Bill, "An Act Relating to Splash Guards for Motor Trucks." (H. P. 1010) (L. D. 1414)

Which was read a second time and passed to be engrossed as amended by House Amendment B in non-concurrence. (Senate indefinitely postponed House Amendment D)

Sent down for concurrence.

Senate

Bill, "An Act Amending the Rules of Descent." (S. P. 551) (L. D. 1540)

(On motion by Mr. Silsby of Hancock, tabled pending passage to be engrossed.)

Senate—as amended

"Resolve Opening Pineo Pond, Town of Deblois, Washington County, to Fly Fishing Only." (S. P. 298) (L. D. 795)

Which was 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 Resolve:

Bill, "An Act Relating to Examinations and Instruction Permits for Motor Vehicle Licenses." (H. P. 171) (L. D. 218)

Bill, "An Act Relating to the Disposition of Fines in Certain Motor Vehicle Violations." (H. P. 537) (L. D. 764)

Bill, "An Act Authorizing Copying of Volume Six, Oxford County, Western District, Registry of Deeds." (H. P. 828) (L. D. 117;)

Bill, "An Act to Create the South Freeport Sewer District." (H. P. 829) (L. D. 1171)

Bill, "An Act Relating to the Measuring of Herring." (H. P. 869) (L. D. 1207)

(On motion by Mr. Sinclair of Somerset, tabled pending passage to be enacted.)

Bill, "An Act to Create the Cape Elizabeth Sewer District." (H. P. 856) (L. D. 1219)

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

Bill, "An Act Creating Bartlett's Island, Hancock County, as a Game Management Area." (H. P. 897) (L. D. 1283)

Bill, "An Act Revising the Potato Tax Law." (H. P. 917) (L. D. 1307)

Bill, "An Act Relating to Appointment of Guardians for Adults Residing Out of the State." (H. P. 941) (L. D. 1334)

Bill, "An Act Relating to Record of Contents of Motor Trucks." (H. P. 958) (L. D. 1359)

(On motion by Mr. Wyman of Washington, tabled pending passage to be enacted.)

Bill, "An Act Relating to Killing of Dogs Chasing Livestock or Poultry." (H. P. 990) (L. D. 1419)

Bill, "An Act Relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies." (H. P. 992) (L. D. 1438)

Bill, "An Act Relating to Police Department and Pension System for

Employees of City of Westbrook." (H. P. 1016) (L. D. 1446)

Bill, "An Act Relating to Application for Permits to Operate Motor Vehicles for Profit." (S. P. 309) (L. D. 806)

Bill, "An Act to Clarify Certain Liquor Laws." (S. P. 409) (L. D. 1142)

Bill, "An Act Relating to Grading, Packing and Advertising Apples." (S. P. 532) (L. D. 1502)

"Resolve, in Favor of George E. Bagnall of Houlton." (H. P. 550) (L. D. 777)

(On motion by Mr. Sinclair of Somerset, tabled pending final passage.)

Which bills were severally passed to be enacted and the Resolve Finally passed.

Emergency

Bill, "An Act Relating to the Winthrop Sewer System." (H. P. 232) (L. D. 325)

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

Emergency

Bill, "An Act Authorizing Construction of a Breakwater Across Mill Cove, Hancock County." (H. P. 1054) (L. D. 1500)

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

At this point a message was received from the House through its Clerk, Harvey Pease, as follows:

Mr. PEASE: Mr. President, I am charged with a message to this honorable body that on S. P. 515, L. D. 1478, Bill, An Act relating to Educational Aid and Reorganization of School Administrative Units, that the House has insisted upon its former action whereby it passed the bill to be engrossed as amended by several amendments and requests a conference with the Senate; and that the House, under suspension of the joint rules, has appointed a Special Committee of Conference consisting of six members as follows: The gentleman from South Portland, Mr. Fuller, the gentleman from Rumford, Miss Cor-

mier, the gentleman from Portland, Mr. Maynard, the gentleman from York, Mr. Hancock, the gentleman from Wiscasset, Mr. Farmer, and the gentleman from Perham, Mr. Bragdon.

The PRESIDENT: The Senate hears the message, and the Chair would ask the distinguished gentleman to remain in the Senate Chamber for just one moment.

The Senate thereupon voted to join in the Special Committee of Conference, and the President appointed the following as members on the part of the Senate: Mr. Low of Knox, Mr. Sinclair of Somerset, Mr. Farley of York, Mr. Parker of Piscataquis, Mr. Reed of Aroostook, Mr. Carpenter of Somerset.

The Secretary was then charged with a message to the House reporting the action of the Senate on the Special Committee of Conference and subsequently reported that he had delivered the message with which he was charged.

Orders of the Day

On motion by Mr. Wyman of Washington, the Senate voted to take from the table bill, "An Act Relating to Record of Contents of Motor Trucks," (H. P. 958) (L. D. 1359) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, and to further reconsider its former action whereby Senate Amendment A was adopted.

Thereupon, Mr. Wyman of Washington presented Senate Amendment A to Senate Amendment A, which was adopted without reading; Senate Amendment A as amended by Senate Amendment A thereto was adopted, and the bill as amended by Senate Amendment A as amended by Senate Amendment A thereto was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Low of Knox, the Senate voted to take from the table House Report ought to pass from the Committee on Welfare on bill, "An Act Authorizing Certain Members of the Penobscot Tribe to

Borrow Money." (H. P. 801) (L. D. 1133) tabled by that Senator on April 10 pending consideration of the report; and on motion by the Senator from Aroostook, Senator Reed, the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table "Resolve, in Favor of George E. Bagnall of Houlton" (H. P. 550) (L. D. 777) tabled by that Senator earlier in today's session pending final passage.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate, I now find that there is no cost attached to this bill. It is a matter of allowance, and therefore I move that it have final passage.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the table bill, "An Act Relating to Union Highway Districts." (S. P. 104) (L. D. 234) tabled by that Senator on March 28 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Silsby of Hancock, the Senate voted to take from the table bill, "An Act Relating to Closing of Roads in Unorganized Territory by County Commissioners." (H. P. 439) (L. D. 766) tabled by that Senator on April 23 pending motion by Senator Parker of Piscataquis that the bill be passed to be enacted; and that Senator moved the pending question.

The motion prevailed and the bill was passed to be enacted.

On motion by Mr. Briggs of Somerset, 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 Rate of Interest Charged by Licensed Small Loan Agencies." (H. P. 593) (L. D. 842) tabled by that Senator on April 18 pending consideration of the report; and that Senator yielded to the Senator from Cumberland, Senator Charles.

Mr. CHARLES of Cumberland: Mr. President under obligation to

the committee report, I move indefinite postponement.

Mr. BAILEY of Sagadahoc: Mr. President and members of the Senate, this bill is something that is aimed at helping people who receive small loans. At the present time the interest rate which is charged on these small loans is 3 per cent per month or 36 per cent per year, which does seem to be an exorbitant interest rate for any young people who are starting in and are getting small loans for their livelihood and to meet necessary expenses. It does seem as though a smaller rate of interest, even 1½ per cent a month, should be sufficient for the operation.

Mr. LOW of Knox: Mr. President and members of the Senate: Through the courtesy of half a dozen of the largest companies in the personal loan business in Maine, I have been able to examine the detailed statements which are presented each year to the Department of Banking. It would appear to me that their profits are not unreasonable. They seem to be making in some cases below five per cent and in other cases as high as eight per cent. I have also had from the library reports of many other states and of some other investigations. It would seem to me that there are abuses in the making of personal loans in this State, but I do not believe the way to take care of these abuses is to arbitrarily reduce the rate from three to two per cent: I do not think this bill should pass, but I do believe we should pass a joint order later on to have it fully investigated by the Research Committee, who would give the next legislature their recommendations.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Charles, that the bill be indefinitely postponed in non-concurrence.

As many as are in favor of the motion of the Senator from Cumberland, Senator Charles, that the bill be indefinitely postponed will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the bill was indefinitely postponed in non-concurrence

and sent down for concurrence.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table Senate Reports from the Committee on Legal Affairs: Majority report ought to pass in new draft (S. P. 550); Minority report ought to pass, on Bill, "An Act Relating to Payments by Town of Northport to Northport Village Corporation." (S. P. 260) (L. D. 699) tabled by that Senator on May 1 pending consideration of the reports.

Mr. COLE of Waldo: Mr. President and members of the Senate, I want to thank the Senator from Kennebec, Senator Martin for the courtesy he has allowed me in tabling this bill.

The town of Northport, Waldo County is a small town with a population of less than six hundred people. There is no industry in town and the principal settlements there have developed around summer colonies such as Saturday Cove, Temple Heights, Birch Crest and Bayside.

It is the Bayside colony which was incorporated in 1915 as the Northport Village Corporation. The village corporation was created to enable the cottage owners of Bayside to provide for themselves certain facilities not otherwise available to them. By the original act the town was relieved of the responsibilities of maintaining the roads within the village corporation territory, but was relieved of no other municipal service then rendered by the town; it was provided that out of the tax collected by the town within the village territory 60 per cent was to be paid to the village corporation. In addition, the village corporation was empowered to raise such additional sums as its corporate purpose might require by a village tax, which each year is added to the town tax and collected for the village by the town's Collector of Taxes.

At the time the original act was drafted the highway budget took only about thirty-five cents out of every tax dollar collected in Northport, while in those days the cost of the town's school system represented little more than twelve cents out of that dollar. As the years have

gone by the budget has grown progressively larger in Northport as in every town but proportions did not change drastically until the last few years. In the post war era it has been the school budget which has shot upward most rapidly, going from \$5,400 in 1946 to more than \$21,000 ten years later. More tax revenue was needed as a result, yet out of every dollar collected within the village territory sixty cents had to be immediately returned to the village. About forty per cent of the property in town is situated within the village territory, so the 60-40 split (which may have been equitable back in 1915) really became a millstone on the town's school budget, taking about forty-five cents out of every tax dollar. Nevertheless the Town of Northport made no move to ask the legislature to correct the situation. Instead, they tried to live with it.

Last December the Town's consolidated school was destroyed by fire and, faced with the need of immediately providing a new four room school, they have turned to the legislature for relief. Stated in its simplest terms, their problem is this: If the town must raise \$60,000 over the next few years to replace its school, another twenty-four per cent (sixty per cent of forty per cent) or \$14,400 must be provided in addition to cover the sum due the village under the existing law.

The pending bill would eliminate the kick-back to the village of 60% of the property taxes there collected. At the same time the town would resume responsibility for the roads in the village territory.

Conditions today may be contrasted further with those which existed in 1915 when the village was incorporated. At that time there were almost no students living within the village territory so a good argument could be made for relieving those property owners from contribution to the costs of the town's schools. Now, however, some twenty-two pupils out of one hundred and four in the town's schools are from the village, and six out of twenty-eight high school students, for the town pays tuition, also live in the village. In 1915 there was no appropriation for transportation of

students. Now that has become a major expense to the town. In 1915 there were no paupers living within the village territory. It happens that during the past year out of seven pauper cases supported by the Town of Northport six resided within the village territory. The latter figure is likely to increase because, within the village territory, there are camps available to those who are looking for housing at minimum expense. As more of these families move within the village territory the school population will also increase.

Mr. President, I have other things I would like to say on this bill but first, I would like to hear from the opponents; so, Mr. President, I move that the minority ought to pass report of the committee be accepted, and when the vote is taken, I ask for a division.

Mr. MARTIN of Kennebec: Mr. President and Members of the Senate: I think if it was in order I would move to change the rules on joint standing committees and have a new one formed to hear disputes between village corporations; but since we do not have one and since this came before the Legal Affairs Committee, I will try to explain the position of the majority of the committee.

The Senator from Waldo, Senator Cole, has explained very fairly and accurately the facts with relation to Northport Village, and I will not quote any figures because he has given them to you, but I would like to report to the Senate what the question is that is under consideration.

There are two reports from the committee. Senator Cole's bill would delete from the original charter which was passed in 1915 the full amount of money which would have to be turned back to the corporation by the town, and, if you remember, those same moneys are collected from within the village corporation. It would make the town assume the liability for the roads within the corporation.

Now the majority of the committee felt that this was going perhaps a little bit too far, and so the new draft of the committee reduces the amount which the town must pay back to the corporation down to 45

per cent instead of 60 per cent. It is true that the corporation can, under its charter, tax itself and raise additional moneys.

I am sure most of you are aware of the problems faced by the towns, particularly in the coastal sections of Maine, in regard to summer residents. I think you will probably agree that it was because of this fact that village corporations were established. We have a large society of non-residents who come into this State, and in order to get additional benefits they have set up corporations, usually with the power to tax themselves. It is a difficult question for the Senate today and it was a difficult question for the Committee on Legal Affairs. We felt that it would be unwise by one act of the legislature to repeal entirely the amount of moneys paid by the town which are collected within the corporation, and therefore the majority of the committee felt that rather than do this the amount of the contribution should be reduced. In other words, we attempted to make what we considered to be a fair compromise.

I know that the Senator from Waldo, Senator Cole, will talk further but I have explained this morning the position of the majority of the committee as fairly as I could. I hope, if you see fit that you will support the majority report of the committee on the New Draft, "Ought to pass."

Mr. REED of Aroostook: Mr. President and members of the Senate: I rise in support of the motion of the Senator from Waldo, Senator Cole, and I would like to relate to you a few more facts relative to this bill under consideration.

Quite apart from the facts and figures relating to the tremendous problem now facing the little Town of Northport in replacing its school, there are other persuasive arguments for accepting the ought to pass report on the pending bill.

The 60-40 division of tax revenue set up under the legislation of 1915 bears no logical relationship to the needs of the village territory. The village corporation gets a windfall every time there is some additional expense requiring higher appropriations in town meetings. The tax burden of every citizen is great enough

without adding to that burden on such an illogical basis.

In the second place, the few opponents who showed up for the hearing on the pending bill based their objection on the grounds that cottage owners have few pupils in the Northport schools and therefore they should not be expected to contribute as much to the cost of the school program. We learn from the town officials that a substantial portion of Northport school population does come from the village territory. Assuming that not to be the case, however, the opponent's of the bill are applying a philosophy which would be dangerous for the State of Maine to follow in financing its schools. If cottage owners in the Bay-side area should be relieved from the usual contribution to maintaining the schools, then those who owned cottages in such other localities as Temple Heights and Birch Crest should be similarly relieved of the same burden. As a result, just a few farms—and marginal ones at that—in the back part of town would bear the brunt of that expensive burden. If the philosophy of the opponents of this bill is sound, then it should have its application elsewhere in Maine. Those areas within the community where families can afford to send their children away to private schools could make the same argument for tax relief and the less prosperous citizens would bear the expensive burden of maintaining an educational system.

Over the years the State of Maine has placed this burden as equitably as possible with those who own tangible property. It is unfair indeed for the citizens of Northport who are not fortunate enough to live within the village territory, to be denied the relief which the pending bill would afford to them. This is particularly true in a season when the little town must take definite action to replace its consolidated school. I believe the ought to pass report should be accepted.

Mr. COLE of Waldo: Mr. President and members of the Senate, there have been several members approach me this morning asking why the compromise could not be possible, and I would like to explain my stand along that line.

Two years ago we had a similar bill, trying to correct an injustice, in my opinion, and at that time I felt that it was a problem that should be settled at the local level. In trying to accomplish that fact, I got the representative of the village corporation and the town officials together right here in the library and discussed the thing thoroughly. It was agreed that they would meet at the local level, man to man, and discuss the thing, compromise, and come up with the answer which I thought at that time would be forthcoming. Much to my dismay, two years later I found that was not accomplished, so I began to check into what had happened and what I thought was a solution of my problem. I found that the selectmen, with much difficulty, did get the village corporation together three different times over the past two years, each time the selectmen asked for a compromise, "Have you got anything else to offer?" Nothing was forthcoming. Now there is nothing any more disgusting to me than the lack of fair play. How can any group be so arbitrary as not to be willing to sit down and compromise? Yes, they are willing to compromise now. Why? I think the evidence is very clear. Seventy-five per cent of the citizens within the village corporation are in favor of this bill. It was proven at the hearing and I have many letters in evidence.

Now who is in opposition to this bill? Twenty-five per cent of the village corporation. There are citizens outside the village corporation who own cottages of substantial value. To me it is very evident why they are opposed to this bill.

Now during this session we have heard much about the Jacobs report, supplemented by a resolve endorsed and sponsored by the good Senator from Somerset, Senator Sinclair. Now I believe that we all believe in the philosophy of that report. I do. I am backing it one hundred per cent, and I know you agree with me for the same reason: that it is to build a stronger youth of America and of the State of Maine, to give our children the chance that they should have. And here we have a group that is not willing to sit

down and compromise with a town that is in dire circumstances, a town that must raise \$60,000 right away to build another school building. They want to hold out and want \$14,400 as a gift from that blood money of \$60,000 that the townspeople, rural people, must raise. It is absurd to me.

Let me illustrate a little bit further. Let us take the town of Falmouth, or any town within the State, any of your towns, and take the village out of it. Take Falmouth, for instance, which is a logical set-up, and take Falmouth Foreside out of it, and have them say, "We want a village corporation. We want to send our school children to Portland." Where does that leave the rest of the people in the town of Falmouth. That is true throughout the State, every town in the State.

Now I believe I am standing on good, solid ground. I believe in the future of our children. I cannot, for the life of me see why any group should want to hurt the future education of our children. I think you will all agree that in our children stands the future of the State of Maine. I hope when the vote is taken that the members of the Senate will give this bill the justice that it deserves.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Charles, that the Senate adopt the minority ought to pass report.

Mr. BUTLER of Franklin: Mr. President, I rise to a point of inquiry. The report of the majority ought to pass in new draft and the report of the minority, ought to pass—if we vote to accept the minority ought to pass, what does that do with the majority ought to pass in new draft report. I am confused as to the issue upon which we are acting.

The PRESIDENT: The Chair would note that a majority voting for the motion of the Senator from Waldo, Senator Cole, to adopt the minority ought to pass report would, in effect indefinitely postpone the Majority report which is that the bill ought to pass in new draft.

Mr. BUTLER: Mr. President, I would rise to inquire if that is done, then is not the situation exactly the

same as if the bill had never been presented for consideration by this legislature?

The PRESIDENT: The Chair would note that the answer is "No." By supporting the motion of the Senator from Waldo, Senator Cole, the Senate position on the charter of the village corporation will be that there shall be stricken from that charter all provisions relating to the payment by the town of a percentage now stated at sixty per cent from taxes levied within the district. So the answer to the Senator's question is "No."

Mr. BUTLER: Mr. President, with that explanation I rise in support of the "Ought to pass" report of the committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo, Senator Cole, that the Senate accept the Minority Ought to pass report of the committee.

Thereupon, a division of the Senate was had.

Twenty having voted in the affirmative and nine opposed, the motion prevailed and the Minority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Low of Knox, the Senate voted to take from the table "Resolve to Reimburse Town of Whiting, Washington County," (S. P. 459) (L. D. 1259) tabled by that Senator on April 2 pending final passage; and on further motion by the same Senator, the resolve was recommitted to the Committee on Claims.

Sent down for concurrence.

On motion by Mr. Charles of Cumberland, and with unanimous consent, Legislative Document 1210 previously especially assigned for Tuesday, May 7 was especially assigned for Thursday May 9.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Reports from the Committee on Inland Fisheries and Game: Majority report Ought to pass in new draft; Minority report Ought not to pass, on "Resolve Relating to Open Water Fishing Season in Certain Waters in Androscoggin County." (H. P. 541) (L. D. 768) tabled by that Senator on April 30 pending consideration of the reports.

Mr. CARPENTER of Somerset: Mr. President and Members of the Senate, this particular bill if passed to be enacted would give the County of Androscoggin an extra month of fishing in the lakes. No other lake in the State of Maine has that particular privilege so it would be setting up a distinctly privileged class of fishermen. Part of these waters are in Franklin County and part in Kennebec and to enforce these laws would be very difficult so far as the wardens are concerned. I therefore move that the resolve be indefinitely postponed.

The motion prevailed and the resolve was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Cole of Waldo,
Adjourned until tomorrow at 12 o'clock noon.