

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

Wednesday, May 8, 1957

Senate called to order by the President.

Prayer by Captain Ash, Salvation Army, Augusta.

On motion by Mr. Silsby of Hancock, Journal of yesterday read and approved.

Papers from the House

Bill "An Act Relating to Closed Time on Deer in Certain Counties." (S. P. 281) (L. D. 740)

In Senate on May 3, recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

Comes from House, Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Briggs of Aroostook, the Senate voted to insist and ask for a Committee of Conference; and the President appointed as Senate conferees, Senators Briggs of Aroostook, Carpenter of Somerset and Hillman of Penobscot.

Bill "An Act Creating the Town of Milbridge School District." (S. P. 420) (L. D. 1179)

In Senate, April 23, passed to be engrossed as amended by Senate Amendment A, (Filing No. 241) in non-concurrence.

Comes from House, passed to be engrossed as amended by Senate Amendment "A", and as amended by House Amendment "A" (Filing No. 314) in non-concurrence.

In the Senate, on motion by Mr. Wyman of Washington, the Senate voted to recede and concur.

House Committee Reports**Ought Not to Pass**

The Committee on Public Utilities on Bill "An Act Relating to Proposed Change of Rates by Public Utility and Suspension Pending Hearing." (H. P. 1027) (L. D. 1459) reported that the same Ought not to pass

(On motion by Mr. Hillman of Penobscot, tabled pending consideration of the report.)

Ought to Pass

The Committee on Judiciary on recommitted Bill "An Act Providing

for Certified Mail Under Small Claims Law." (H. P. 221) (L. D. 316) reported that the same Ought to pass

Comes from House, report accepted, House Amendment "A" (Filing No. 103) adopted, and bill as so amended passed to be engrossed.

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

The Committee on Judiciary on Bill "An Act Relating to Duties of Support under Uniform Reciprocal Enforcement of Support Act." (H. P. 708) (L. D. 1014) reported that the same Ought to pass

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

Ought to Pass—N.D.—New Title

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Maximum Charge for Licensed Dog Training Area Permits." (H. P. 706) (L. D. 1012) reported same in New Draft (H. P. 1082) (L. D. 1446) under a New Title: "An Act Relating to Licensed Dog Training Areas and Permits Therefor." and that it Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Careless Shooting of Human Beings While Hunting." (H. P. 415) (L. D. 592) reported same in New Draft (H. P. 1083) (L. D. 1557) under a New Title: "An Act Relating to Penalties for Careless Shooting of Human Beings While Hunting." and that the same Ought to pass.

Which reports were read and accepted in concurrence, the bills 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 Evidence of Intoxication and Chemical Tests for Alcoholic Content of Blood of Motor Vehicle Drivers." (H. P. 507) (L. D. 717) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 300)

Comes from the House recommit-
ted to the Committee on Judiciary.

In the Senate, recommit-
ted to the Committee on Judiciary in con-
currence.

The Committee on Judiciary on
Bill, "An Act Relating to Elections
in Towns." (H. P. 217) (L. D. 301)
reported that the same Ought to
pass as Amended by Committee
Amendment A (Filing No. 320)

The Committee on Public Utilities
on Bill, "An Act to Incorporate the
Cumberland Water District." (H. P.
383) (L. D. 512) reported that the
same Ought to pass as Amended
by Committee Amendment A (L. D.
1560)

The same Committee on Bill, "An
Act to Incorporate the Mexico Sewer
District." (H. P. 387) (L. D. 518)
reported that the same Ought to
pass as Amended by Committee
Amendment A (Filing No. 329)

The same Committee on Bill, "An
Act Relating to Proration of Regis-
tration Fees of Motor Buses in In-
terstate Commerce." (H. P. 984) (L.
D. 1408) reported that the same
Ought to pass as Amended by Com-
mittee Amendment A (Filing No.
328)

The Committee on State Govern-
ment on Bill, "An Act Relating to
Appointment of Deputy Commissioner
for Penal Institutions and One
for Psychiatric Institutions." (H. P.
1006) (L. D. 1432) reported that the
same Ought to pass as Amended
by Committee Amendment A (Filing
No. 322)

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

Report A—OTP as amended

Report B—ONTP

Report C—OTP as amended

Seven members of the Committee
on Constitutional Amendments on
"Resolve Proposing an Amendment
to the Constitution Changing the
Tenure of Office of the Governor to
Four-Year Terms." (H. P. 157) (L.
D. 204) reported (Report A) that
the same Ought to pass with Com-

mittee Amendment B (Filing No.
275)

Signed)

Senators:

LORD of Cumberland
HURLEY of Kennebec

Representatives:

BRODERICK of Portland
BEANE of Augusta
TEVANIAN of Portland
EMMONS of Kennebunk
EARLES of South Portland

Six members of the same Com-
mittee on the same subject matter,
reported (Report B) that the resolve
Ought not to pass.

(Signed)

Senators:

BUTLER of Franklin
WOODCOCK of Penobscot

Representatives:

WALKER of Auburn
BEYER of Cape Elizabeth
BROWNE of Bangor
CURTIS of Bowdoinham

Two members of the same Com-
mittee on the same subject matter,
reported (Report C) that the resolve
Ought to pass as Amended by Com-
mittee Amendment A (Filing No.
276)

(Signed)

Senator:

WYMAN of Washington

Representative:

HANCOCK of York

Comes from the House, Report A
accepted and resolve passed to be
engrossed as amended by Commit-
tee Amendment B, as amended by
House Amendment A (Filing No.
342) thereto.

In the Senate, on motion by Mr.
Butler of Franklin, Report A ought
to pass as amended by Committee
Amendment B was accepted in con-
currence; House Amendment A to
Committee Amendment B was read
and adopted in concurrence; Com-
mittee Amendment B as amended
by House Amendment A was read
and adopted in concurrence and the
bill as so amended was tomorrow
assigned for second reading.

Majority—ONTP

**Minority—OTP with Committee
Amendment A.**

The Majority of the Committee on
Labor on Bill, "An Act Relating to
Application of Workmen's Compen-

sation Act to Certain Employers." (H. P. 222) (L. D. 317) reported same Ought not to pass

(Signed)

Senators:

HILLMAN of Penobscot

CURTIS of Cumberland

Representatives:

HANSCOMB

South Portland

ROSS Bath

EMMONS Kennebunk

WINCHENPAW Friendship

The Minority of the same Committee on the same subject matter, reported that bill Ought to pass with Committee Amendment A. (Filing 260)

(Signed)

Senator:

ST. PIERRE

of Androscoggin

Representatives:

SMITH of Portland

KARKOS of Lisbon

LETOURNEAU of Sanford

Comes from the House, Reports and Bill Indefinitely Postponed.

In the Senate, on motion by Mr. Lessard of Androscoggin, tabled pending consideration of the reports.

Majority — ONTP

Minority — OTP with Committee Amendment A

The Majority of the Committee on Labor on Bill, "An Act Relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act." (H. P. 223) (L. D. 318) reported same Ought not to pass

(Signed)

Senators:

HILLMAN of Penobscot

CURTIS of Cumberland

Representatives:

HANSCOMB

of So. Portland

ROSS of Bath

EMMONS of Kennebunk

WINCHENPAW

of Friendship

The Minority of the same Committee on the same subject matter, reported that the Bill Ought to pass with Committee Amendment A. (Filing 261)

(Signed)

Senator:

ST. PIERRE

of Androscoggin

Representatives:

SMITH of Portland

KARKOS of Lisbon

LETOURNEAU of Sanford

Comes from the House, Reports and Bill Indefinitely Postponed.

In the Senate, on motion by Mr. Lessard of Androscoggin, tabled pending consideration of the reports.

Majority — ONTP

Minority — OTP with Committee Amendment A.

The Majority of the Committee on Labor on Bill, "An Act Relating to Appeals in Workmen's Compensation Cases." (H. P. 224) (L. D. 319) reported same Ought not to pass.

(Signed)

Senators:

HILLMAN of Penobscot

CURTIS of Cumberland

Representatives:

HANSCOMB

of So. Portland

ROSS of Bath

EMMONS of Kennebunk

WINCHENPAW

of Friendship

The Minority of the same Committee on the same subject matter reported that the same Ought to pass (Filing 262)

(Signed)

Senator:

ST. PIERRE

of Androscoggin

Representatives:

SMITH of Portland

KARKOS of Lisbon

LETOURNEAU of Sanford

Comes from the House, Majority Report Ought not to pass accepted.

In the Senate, on motion by Mr. Lessard of Androscoggin, tabled pending consideration of the reports.

Majority — ONTP

Minority — OTP

The Majority of the Committee on Natural Resources on Bill, "An Act Providing for Clean Waters in Maine." (H. P. 719) (L. D. 1023) reported that the same Ought not to pass.

(Signed)

Senators:

BUTLER of Franklin

FARLEY of York
FERGUSON of Oxford

Representatives:

SAUNDERS of Bethel
HEALD of Union
MORRILL of Harrison
WILLIAMS of Hodgdon
JALBERT of Lewiston

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

Representatives:

BREWER of Caribou
BURNHAM of Kittery

Comes from the House reports and bill Indefinitely postponed.

In the Senate:

Mr. BRIGGS of Aroostook: Mr. President, I move that the bill be tabled pending consideration of the reports.

Mr. BUTLER of Franklin: Mr. President, I rise to inquire if the Senator from Aroostook, Senator Briggs would be willing to set a date?

The PRESIDENT: The Senator from Aroostook, Senator Briggs has heard the comments of the Senator from Franklin, Senator Butler, and may respond if he wishes.

Thereupon, the bill was laid upon the table pending consideration of the reports.

Majority—OTP

Minority—ONTP

The Majority of the Committee on Public Health on Bill, "An Act Relating to Certificates Issued by Board of Commissioners of Pharmacy." (H. P. 788) (L. D. 1121) reported that the same Ought to pass.
(Signed)

Senators:

LORD of Cumberland
BRIGGS of Aroostook
ST. PIERRE
of Androscoggin

Representatives:

KNAPP of Yarmouth
EMERSON of Millinocket
ROWE of Limerick
COYNE of Waterville

The Minority of the same Committee on the same subject matter reported that the same Ought not to pass.
(Signed)

Representatives:

CURTIS of Bowdoinham

HARRINGTON of Patten
HENDRICKS of Portland

Comes from the House, Majority Report Ought to pass accepted and the bill passed to be engrossed.

In the Senate:

Mrs. LORD of Cumberland: Mr. President, I move that the Senate accept the Ought to pass report of the committee in concurrence.

Thereupon, on motion by Mr. Wyman of Washington, the bill was laid upon the table pending the motion of Mrs. Lord of Cumberland.

Report A—OTP

Report B—ONTP

Five Members of the Committee on State Government on Bill "An Act Creating One Racing Commission." (H. P. 824) (L. D. 1167) reported (Report A) that the same Ought to pass.

(Signed)

Senator:

LESSARD of Androscoggin

Representatives:

TOTMAN of Bangor
WADE of Auburn
BRAGDON of Perham
WALSH of Brunswick

Five Members of the same Committee on the same subject matter reported (Report B) that the bill Ought not to pass.

(Signed)

Senators:

ROGERSON of Aroostook
PIKE of Oxford

Representatives:

ROSS of Bath
CHILDS of Portland
ELWELL of Brooks

Comes from the House reports and bill indefinitely postponed.

In the Senate, on motion by Mr. Lessard of Androscoggin, Report A, ought to pass, was accepted in non-concurrence, the bill read once and tomorrow assigned for second reading.

Majority—OTP in New Draft

Minority—ONTP

The Majority of the Committee on Taxation on Bill, "An Act Relating to Registration Fees for Motor Buses Used for Transportation of Passengers for Hire." (H. P. 883) (L. D. 1251) reported same in New

Draft (H. P. 1084) (L. D. 1558) under same title, and that it Ought to pass.

(Signed)

Senators:

LOW of Knox
WYMAN of Washington
BOUCHER of Androscoggin

Representatives:

CYR of Augusta
BROWN of Ellsworth
WALSH of Brunswick
HANSON of Gardiner

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

(Signed)

Representatives:

ROLLINS of Belfast
FARMER of Wiscasset
BESSE of Clinton

Comes from the House, Majority Report Ought to pass in New Draft accepted and bill passed to be engrossed.

In the Senate, on motion by Mr. Low of Knox, the Majority ought to pass report was accepted. The new draft read once and tomorrow assigned for second reading.

Majority — ONTP
Minority — OTP

The Majority of the Committee on Welfare on Bill, "An Act Repealing Relative Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled." (H. P. 648) (L. D. 914) reported same Ought not to pass.

(Signed)

Senators:

REED of Aroostook
BOUCHER of Androscoggin

Representatives:

COLE of Sumner
LATNO of Old Town
STORM of Sherman
HATCH of Minot
SANBORN of Baldwin
RANCOURT of Lewiston

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

(Signed)

Representative:

BABINEAU of Brunswick

Comes from the House, Majority Report Ought not to pass accepted.

In the Senate, on motion by Mr. Boucher of Androscoggin, the Majority Ought not to pass report was accepted in concurrence.

Communication

STATE OF MAINE SUPREME JUDICIAL COURT AUGUSTA

May 7, 1957

Honorable Chester T. Winslow
Secretary of the Senate
State House
Augusta, Maine

Dear Mr. Winslow:

There is enclosed the Answer of the Justices to the Question of April 24, 1957 relative to "Cost of Relocating Facilities in Federal-Aid Interstate Highway Projects."

Respectfully yours,

(Signed) ROBERT B. WILLIAMSON
Enclosure

As stated.

Which communication was read and ordered placed on file, and the advisory opinion of the Court was ordered printed in document form.

Communication

STATE OF MAINE HOUSE OF REPRESENTATIVES AUGUSTA

May 7, 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:

Bill, "An Act relating to Opening Obstructions in Waters to Maintain Fish Life." H. P. 999, L. D. 1427.

Messrs. DUDLEY of Enfield
WALSH of Brunswick
BAIRD of North Haven

Resolve Relating to Open Water Fishing Season in Certain Waters in Androscoggin County, H. P. 1063, L. D. 1521.

Messrs. COTE of Lewiston
DUDLEY of Enfield
JALBERT of Lewiston

Bill, "An Act relating to Rate of Interest Charged by Licensed Small Loan Agencies." H. P. 593, L. D. 842.

Mr. JACK of Topsham
Miss CORMIER of Rumford
Mr. QUINN of Bangor

Respectfully,

(Signed) HARVEY R. PEASE
Clerk of the House

Which communication was read and ordered placed on file.

Senate Committee Reports Leave to Withdraw

Mr. Silsby from the Committee on Judiciary on Bill "An Act Providing a Uniform Date for City and Town Caucuses." (S. P. 370) (L. D. 993) reported that the same be granted Leave to Withdraw

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on Bill "An Act to Create the Interstate Highway Matching Fund." (S. P. 154) (L. D. 401) reported that the same Ought not to pass

Mr. Davis from the same Committee on Bill "An Act Relating to Certain Municipalities Maintaining Paupers." (S. P. 189) (L. D. 535) reported that the same Ought not to pass

Mr. Sinclair from the same Committee on "Resolves Establishing a Theodore Roosevelt Centennial Commission of Maine." (S. P. 62) (L. D. 112) reported that the same Ought not to pass

(On motion by Mr. Briggs of Aroostook, tabled pending consideration of the report.)

The same Senator from the same Committee on "Resolve Providing for a Traveling Clinic for Education of Mentally Retarded Children." (S. P. 94) (L. D. 222) reported that the same Ought not to pass

(On motion by Mrs. Lord of Cumberland, tabled pending consideration of the report.)

Mr. Davis from the same Committee on "Resolve Appropriating Money for the Purchase of 'History

of Old Broad Bay and Waldoboro.' " (S. P. 170) (L. D. 449) reported that the same Ought not to pass

Mr. Davis from the same Committee on "Resolve Providing for Purchase of Unity Town Histories." (S. P. 190) (L. D. 536) reported that the same Ought not to pass

Which reports were severally read and accepted. Sent down for concurrence.

Ought to Pass

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on Bill "An Act to Amend the Amount of Supplement Loans by Maine School Building Authority." (S. P. 153) (L. D. 400) reported that the same Ought to pass

(On motion by Mr. Ferguson of Oxford, tabled pending consideration of the report.)

The same Senator from the same Committee on Bill "An Act to Re-activate the State Committee on Educational Television." (S. P. 165) (L. D. 444) reported that the same Ought to pass

The same Senator from the same Committee on Bill "An Act Relating to Hydrologic Surveys." (S. P. 291) (L. D. 790) reported that the same Ought to pass

The same Senator from the same Committee on Bill "An Act Relating to Advance Educational Subsidy Payments." (S. P. 380) (L. D. 1076) reported that the same Ought to pass

The same Senator from the same Committee on Bill, "An Act Authorizing a Motor Vehicle for Driver Education." (S. P. 434) (L. D. 1231) reported that the same Ought to pass

Mr. Lessard from the same Committee on "Resolve Providing for Judicial Review of Certain Criminal Judgments." (S. P. 257) (L. D. 695) reported that the same Ought to pass

Mr. Sinclair from the same Committee on "Resolve Reimbursing Liquor Commission for Working Capital for Warehouse Construction." (S. P. 361) (L. D. 984) reported that the same Ought to pass

Mr. Davis from the same Committee on "Resolve Appropriating Money for Preparation of Court Rules." (S. P. 404) (L. D. 1137) reported that the same Ought to pass

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Relating to Reciprocal Provisions for Penalties on Insurance Companies." (S. P. 177) (L. D. 456) reported that the same Ought to pass

The same Senator from the same Committee on "Resolve Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine." (S. P. 242) (L. D. 643)) reported that the same Ought to pass

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

Ought to Pass—Original Draft

Mr. Silsby from the Committee on Claims on recommitted "Resolve to Reimburse Town of Whiting, Washington County." (S. P. 459) (L. D. 1259) reported that the same Ought to pass in Original Draft (S. P. 295) (L. D. 792)

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

Ought to Pass—N.D.

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Confirming Title to Harbor Island, Hancock County, in Franklin T. Kurt." (S. P. 240) (L. D. 641) reported same in New Draft (S. P. 562) Under New Title: "An Act Authorizing the Forest Commissioner to Convey Harbor Island in Hancock County to Franklin T. Kurt." 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. Davis from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Salary of Official Court Reporters." (S. P. 40) (L. D. 55) reported that the same Ought to pass as Amended by Committee Amendment A

The same Senator from the same Committee on "Resolve For Purchase of Copies of Six 'Maine Province and Court Records, Volume IV.' " (S. P. 93) (L. D. 224) reported that the same Ought to pass as Amended by Committee Amendment A.

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

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Apprentice Lobster Fishing Licenses." (S. P. 137) (L. D. 274) reported that the Senate recede from its former action whereby the Bill was passed to be engrossed, and adopt Conference Committee Amendment A, and pass the Bill to be engrossed; as so amended; and that the House recede from its former action whereby the Bill was indefinitely postponed and accept the Minority Report, Ought to pass; adopt Conference Committee Amendment A, and pass the bill to be engrossed, as so amended.

Which Conference Committee Report was read and accepted and under suspension of the rules, engrossing was reconsidered, Committee Amendment A was read and adopted and the bill as amended by Conference Committee Amendment A was passed to be engrossed in concurrence.

Second Readers

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

House

Bill, "An Act Relating to Definition of Registered Mail Under Municipal Tax Laws." (H. P. 72) (L. D. 99)

Bill, "An Act Increasing Number of Medical Examiners for Cumberland County." (H. P. 846) (L. D. 1200)

Bill, "An Act Amending the Charter of the Sanford Sewerage District." (H. P. 1075) (L. D. 1544)

Bill, "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels." (H. P. 1077) (L. D. 1547)

"Resolve to Reimburse Town of Caribou for Aid to Alphee Ouellette." (H. P. 681) (L. D. 970)

"Resolve Relating to Moneys to Obtain Plasma." (H. P. 676) (L. D. 965)

"Resolve Authorizing the Commissioner of Finance and Administration to Convey Certain Land of the State in York County." (H. P. 1076) (L. D. 1546)

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

House—as Amended

Bill, "An Act Relating to Number of Medical Examiners in Penobscot County." (H. P. 170) (L. D. 217)

Bill, "An Act Relating to Systems of Drainage or Sewerage." (H. P. 753) (L. D. 1067)

"Resolve Relating to Deficiency Appropriation for Department of Agriculture to Provide Funds for Salary of Assistant County Attorney of Aroostook County." (H. P. 980) (L. D. 1404)

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

Senate

Bill, "An Act Authorizing Forest Commissioner to Convey Interest of the State in Jaquish Island, Cumberland County." (S. P. 440) (L. D. 1237)

Bill, "An Act Directing Review of Settlement Laws." (S. P. 505) (L. D. 1418)

Bill, "An Act Authorizing Governor and Council to Sell or Lease Certain State Property." (S. P. 560) (L. D. 1561)

Bill, "An Act Revising the Maine Mining Law." (S. P. 561) (L. D. 1563)

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

Sent down for concurrence.

Enactors

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

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

Bill, "An Act Relating to Signs on School Buses." (H. P. 734) (L. D. 1038)

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

Bill, "An Act Relating to Burial Expenses for Honorably Discharged Soldiers and Sailors." (H. P. 926) (L. D. 1315)

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

Bill, "An Act Providing for Single Tax Assessor and Board of Assessment Review for City of Waterville." (H. P. 946) (L. D. 1339)

Bill, "An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Authority." (H. P. 1003) (L. D. 1437)

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 Intra-state Commerce." (H. P. 1068) (L. D. 1528)

Bill, "An Act Relating to Enlarging Public Cemeteries." (H. P. 238) (L. D. 639)

Bill, "An Act Relating to Persons Qualified to Serve as Jurors." (S. P. 369) (L. D. 992)

Bill, "An Act Relating to Membership in Maine School Building Authority." (S. P. 384) (L. D. 1080)

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

Bill, "An Act Relating to Mortgage Loans by Savings Banks." (S. P. 406) (L. D. 1139)

Bill, "An Act Prohibiting the Pauperizing of Families of Veterans." (S. P. 494) (L. D. 1388)

Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units." (S. P. 515) (L. D. 1478)

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

Bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts." (S. P. 529) (L. D. 1496)

"Resolve, Authorizing the Forest Commissioner to Convey Loon Island to Mrs. Anna Fowler and Julius Peterson." (H. P. 140) (L. D. 178)

"Resolve, in Favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War." (H. P. 302) (L. D. 397)

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

Which bills were Passed to be enacted and the resolves finally Passed.

Orders of the Day

Mr. CHARLES of Cumberland: Mr. President, I would like to inquire if we have L. D. 1066 in our possession?

The PRESIDENT: The Chair will apologize to the Senator and ask that the Senate be at ease for two minutes.

At Ease

The Senate was called to order by the President.

The PRESIDENT: The Chair will note that bill, "An Act Relating to Death on Duty of Members of Portland Police Department" (H. P. 752) (L. D. 1066) is now in the possession of the Senate, having been recalled by Joint Order presented by Senator Charles of Cumberland.

Thereupon, on motion by Mr. Charles of Cumberland, the Senate voted to reconsider its former action whereby it accepted the Ought not to pass report of the committee; and on further motion by the same Senator, the bill was laid upon the table pending consideration of the Ought not to pass report of the committee.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report from the Committee on Constitutional Amendments: Report A, Ought to pass with Committee Amendment A; Report B, Ought to pass in new draft (S. P. 548) (L. D. 1535); Report C, Ought not to pass on "Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council." (S. P. 95) (L. D. 225) tabled by that Senator on April 30 pending motion by Senator Butler of Franklin that the Senate adopt Report C.

The PRESIDENT: The pending question is on the motion of Senator Butler of Franklin, that the Senate adopt Report C.

Mr. WOODCOCK of Penobscot: Mr. President and members of the Senate: This item is the subject of three reports. The present speaker and one other member of this body signed Report "A" with Committee Amendment "A", and in opposition to the pending motion I would like to speak on Report "A" with Committee Amendment "A".

Under the terms of this report, were this bill to become law, the members of the Executive Council would still be seven in number and they would be chosen from each of the now existing Councillor districts of the State, but, in accordance with our Maine statutes, when each individual county became entitled to a councillor it would be the electorate of that county itself and that county alone that would vote upon that councillor. In that way you see counties which are smaller in population would be protected. From those two aspects, the merits of this report I think are manifest, and I would now move that when the vote is taken on the motion that it be by a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the Senate adopt Report C, Ought not to pass, and the Senator from Penobscot, Senator Woodcock, has requested a division.

A division of the Senate was had.

None having voted in the affirmative and thirty opposed, the motion did not prevail.

Thereupon, on motion by Mr. Woodcock of Penobscot, Report A was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table Senate Report from the Committee on Labor: Ought to pass with Committee Amendment A on bill, "An Act Relating to Petition for Review of Incapacity Under Workmen's Compensation Act" (S. P. 162) (L. D.

409) tabled by that Senator on May 7 pending consideration; and on further motion by the same Senator, the bill was recommitted to the Committee on Labor in concurrence.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table Senate Report from the Committee on Public Utilities: Ought to pass with Committee Amendment A, on bill, "An Act Relating to Operation of Diesel or Diesel-Electric Locomotives in Reverse." (S. P. 389) (L. D. 1085) tabled by that Senator on April 16 pending consideration of the report; and on further motion by the same Senator, the Ought to pass report was accepted, the bill read once, Committee Amendment A read and adopted, and the bill as amended tomorrow assigned for second reading.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table House Report from the Committee on Transportation: Leave to Withdraw, on bill, "An Act Relating to Liability Policy for Applicants for Motor Vehicle Dealer or Transit Registration Plates." (H. P. 632) (L. D. 931) tabled by that Senator on March 28 pending consideration of the report; and on further motion by the same Senator, the Leave to Withdraw report was accepted in concurrence.

On motion by Mr. Low of Knox, the Senate voted to take from the table bill, "An Act to Exclude Town of Cooper, Washington County, from Maine Forestry District." (H. P. 821) (L. D. 1517) tabled by that Senator on May 7 pending motion by Senator Wyman of Washington that the Senate adopt Senate Amendment A; and that Senator moves the pending question.

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

Sent down for concurrence.

Mr. CHARLES of Cumberland: Mr. President, I would like to inquire if the Senator from Franklin,

Senator Butler has any objection to the removal of Item 73 from the table?

The PRESIDENT: The Senator from Franklin, Senator Butler did advise the Chair that he would be pleased if the Senator from Cumberland, Senator Charles did move to take Item 73 from the table and so the Chair lays before the Senate, bill, "An Act Relating to the Operation of Bicycles," (H. P. 1062) (L. D. 1517) tabled on May 7 by the Senator from Franklin, Senator Butler, pending passage to be enacted.

Thereupon, on motion by Mr. Charles of Cumberland, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and the same Senator presented Senate Amendment A and moved its adoption.

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

Sent down for concurrence.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table bill, "An Act Repealing Law Prohibiting Riding with a Naked Scythe." (H. P. 454) (L. D. 629) tabled by that Senator on March 27 pending assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair would note that as the adjournment without day approaches, it can be difficult to have tabled matters which the Senate hopes to pass, still on the table pending consideration of committee reports. The Chair would point out that until such time as reports have been accepted and bills passed to be engrossed in concurrence, the work of the engrossing department cannot be completed and almost without exception, it is the engrossing of these bills that holds us here into unholy hours which is a situation to be avoided. The Chair would point out that if there are ought to pass reports which must be accepted in concurrence, they should at least have that concurrence and be engrossed.

On motion by Mr. Curtis of Cumberland, the Senate voted to take from the table Senate Report from the Committee on State Government: Ought to Pass, on bill, "An Act Establishing Minimum Wages of Employees in Public Works by State of Maine." (S. P. 424) (L. D. 1183) tabled by that Senator on May 7 pending consideration of the report.

Mr. CURTIS of Cumberland: Mr. President and members of the Senate: Thank you very much for extending me the courtesy of tabling this measure as I was away yesterday.

This is an act establishing minimum wages for employees in public works in the State of Maine, and it is simply an attempt to bring Maine under the same kind of regulation which applies to interstate or national business. It is an attempt to regulate the construction business in the State as it pertains to State highways or municipal works, anything to do with State building. We endeavored to write a bill which would take the labor forces out of the competitive market. As you know, almost all contracts are let by bids, and in some cases there have been abuses of labor by taking the wages paid and lowering them and forcing a situation whereby the job was won by a contractor and the difference really came out of his workers. The bill received a unanimous "Ought not to pass" report from the committee. I am sure they gave it due deliberation in considering it. I am rather sorry that they came out that way, and so at the present time I would move to substitute the bill for the committee report.

The PRESIDENT: The Senator from Cumberland, Senator Curtis, moves that the bill be substituted for the "Ought not to pass" report of the committee.

Mr. ROGERSON of Aroostook: Mr. President, in support of the position taken by the Committee on State Government which heard this bill, I should like to say that this bill was presented to the committee as a little Davis-Bacon Act. For those of you who are not acquainted with the Davis-Bacon Act, I might say that this is an act which was designed to correct a situation

in northern New York State some years ago when a construction project was going on and a contractor imported into the area low-priced southern help and paid them wages which were far below the wages existing in that area, and as a result was criticised a great deal for it, to the extent that eventually the Davis-Bacon Act was passed to prevent that sort of thing from happening.

This bill is designed to do the same, I understand, but I would like to point out that at the present time there is so much construction work going on in the State that wages are high and there seems to be very little need for protection of this sort.

There were other things which the committee did not like about the bill. In the first place it is ambiguous. I should like to quote the last paragraph of Section 51-A, in which it says: "If, in any of the area where the works are to be constructed, a wage rate or wage rates have been established in certain trades and occupations by collective agreements or understandings between organized labor and employers, the rate or rates to be paid on said works shall not be less than the rates so established."

In other words, if a highway were to be built in the vicinity of Loring Air Base the wages which would have to be paid under this bill to people employed by the contractor would have to be at least as high as the wages which had been arrived at by negotiation between labor and industry. The word "area" is not defined in the bill; we do not know whether it would be within ten miles or fifty miles or whether it would take in the whole state. I understand there has been a ruling in a similar situation where the word "locality" has been interpreted to take in not only the state but the entire nation. Basically, I think the committee's feeling was that the legislation was not needed and that seemed to be enough justification for a unanimous "Ought not to pass" report, and I hope, of course, that the motion of the Senator from Cumberland, Senator Curtis, does not prevail.

Mr. BOUCHER of Androscoggin: Mr. President, I am reluctant to take part in this discussion, but as an employer and a contractor I feel

it is a very good bill. I have had occasion to bid on work for the federal government, and they request that contractors pay the prevailing wages in that neighborhood. I think this bill is similar. I think it is a protection to people employed in the State of Maine, for them to get fair compensation for the work that they do. I do not feel that the State or the cities and towns should be able to employ people at a lower rate than we as contractors do in a certain field. I feel that to be honest the State should pay wages similar to what are paid to the different tradesmen in that neighborhood. I am all for the bill and I hope that the Senate will favor the motion of the Senator from Cumberland, Senator Curtis. I really feel it is a very important bill and a fair bill.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate: I rise in opposition to the motion of the Senator from Cumberland, Senator Curtis. I do not believe that we need this type of legislation in the State of Maine today. I have had considerable experience with the Davis-Bacon Act and I know that "prevailing wages" are not usually the wages prevailing in the area. I think it would do a great deal of harm. I think it would cost the State a great deal of money, and I shall not support the motion of the Senator from Cumberland, Senator Curtis, but shall go along with the unanimous "Ought not to pass" report of the committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Curtis, that the Senate substitute the bill for the "Ought not to pass" report of the committee.

A viva voce vote being taken, the motion did not prevail.

Thereupon, on motion by Mr. Rogerson of Aroostook, the "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Briggs of Aroostook,

Recessed to the sound of the gavel.

The Senate was called to order by the President.

On motion by Mr. Briggs of Aroostook, the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs: "Ought not to pass" on "Resolve Establishing a Theodore Roosevelt Centennial Commission of Maine." (S. P. 62) (L. D. 112) tabled by that Senator earlier in today's session pending consideration of the report.

Mr. BRIGGS of Aroostook: Mr. President and Members of the Senate, I have conferred with the Chairman of the Appropriations Committee and we feel that we can get together and return this bill to the committee and do proper honor to this great American and our state. I move that the resolve be recommitted to the Committee.

The motion prevailed and the bill and the Ought not to pass report of the committee was referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

On motion by Mr. Briggs of Aroostook

Adjourned until tomorrow morning at ten o'clock.