

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, April 17, 1959

Senate called to order by the President.

Prayer by Rev. Alice T. Hart of Hallowell.

On motion by Mr. Willey of Hancock,

Journal of yesterday read and approved.

The PRESIDENT: At this time the Chair would like to welcome into the Senate Chamber this morning the parents of a distinguished member of this Body, the parents of Senator Dow of Lincoln. At this time the Chair would ask the Sergeant-at-Arms to escort Mr. and Mrs. Wilmot Dow, Sr. to the rostrum.

(Applause, member rising)

Orders

On motion by Mr. Woodcock of Penobscot, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 21, in the forenoon. (S. P. 460)

Which was read and passed.

Papers from the House

Bill, "An Act Relating to Driver Education." (S. P. 185) (L. D. 428)

In Senate on April 7, passed to be engrossed.

Comes from the House, passed to be engrossed as amended by House Amendment A (Filing 205) in non-concurrence.

In the Senate, that Body voted to recede and concur.

Joint Order

WHEREAS, Patriot's Day is a State Holiday;

AND WHEREAS the 99th Legislature will not be in session on Monday, April 20, 1959 and the official operation of the Legislature will not require the services of State Officials and Employees on said Monday;

NOW THEREFORE BE IT ORDERED, the Senate concurring, that the Director of Personnel be informed of the foregoing facts that

he may take such action with regard to closing or keeping open said departments as he deems desirable. (H. P. 929)

Which was read and passed in concurrence.

**House Committee Reports
Leave to Withdraw**

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Metallic Brook, Oxford County." (H. P. 717) (L. D. 1022) reported that same be granted Leave to Withdraw.

The Committee on Public Utilities on Bill, "An Act Authorizing Railway Express Agency, Inc. to Transport by Truck." (H. P. 796) (L. D. 1128) reported that same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Highways on "Resolve Appropriating Moneys for Road from Allagash Plantation to the Canadian Border." (H. P. 637) (L. D. 928) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Taking Eels for Trapping Purposes." (H. P. 747) (L. D. 1066) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Opening Obstructions in Waters to Maintain Fish Life." (H. P. 830) (L. D. 1181) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Fishing and Hunting Licenses for Non-resident Students in Maine Colleges." (H. P. 895) (L. D. 1264) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Relating to Relocation Payments in Eminent Domain." (H. P. 876) (L. D. 1250) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Exemptions Under Boiler and Unfired Steam Pressure Vessels Law." (H. P. 304) (L. D. 451) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Steam Engineers

and Firemen." (H. P. 835) (L. D. 1186) reported that the same Ought not to pass.

The Committee on State Government on "Resolve Proposing an Amendment to the Constitution for Appointment of Treasurer of State by the Governor with Consent of the Council." (H. P. 348) (L. D. 1211) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on Bill, "An Act Providing for Bounty on Foxes in Aroostook County." (H. P. 826) (L. D. 1177) reported that the same Ought not to pass.

Comes from the House, report and bill Indefinitely Postponed.

In the Senate, the Ought not to pass report was accepted.

Ought to Pass

The Committee on Agriculture on Bill, "An Act Revising Laws Relating to Slaughterhouses." (H. P. 636) (L. D. 979) reported that the same Ought to pass.

On motion by Mr. Lessard of Androscoggin, tabled pending acceptance of the report.

The Committee on Judiciary on Bill, "An Act Relating to Discrimination at Places of Public Resort or Amusement." (H. P. 560) (L. D. 846) reported that the same Ought to pass.

On motion by Mr. Thurston of Oxford, tabled pending acceptance of the report.

The Committee on Legal Affairs on Bill, "An Act to Clarify Appointments under Charter of City of Augusta." (H. P. 760) (L. D. 1099) 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.

The Committee on Towns and Counties on Bill, "An Act Relating to Municipal Records." (H. P. 101) (L. D. 148) reported same in New Draft (H. P. 923) (L. D. 1305) un-

der same title, and that it Ought to pass.

The same Committee on Bill, "An Act Relating to Hours, Vacations and Sick Pay for County Personnel." (H. P. 677) (L. D. 969) reported same in New Draft (H. P. 922) (L. D. 1304) under same title, and that it Ought to pass.

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

The Committee on Retirements and Pensions on Bill, "An Act Providing Group Insurance Coverage for State and Governmental Employees." (H. P. 819) (L. D. 1157) reported same in New Draft (H. P. 924) (L. D. 1306) Under New Title: "An Act Providing a Group Hospital, Medical and Surgical Plan for State Employees, Public School Teachers and Local Governmental Employees." and that it Ought to pass.

Comes from House, report accepted and bill in New Draft committed to the Committee on Appropriations and Financial Affairs.

In the Senate, the report was accepted and the bill in New Draft committed to the Committee on Appropriations and Financial Affairs in concurrence.

Ought to Pass — as amended

The Committee on Education on Bill, "An Act Providing Subsidy to Driver Education in Academies." (H. P. 872) (L. D. 1246) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 163)

The Committee on Judiciary on Bill, "An Act Relating to Suspension of Motor Vehicle Licenses for Speeding." (H. P. 292) (L. D. 439) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 151)

The Committee on Taxation on Bill, "An Act Defining Cigarettes Under the Cigarette Tax Law." (H. P. 222) (L. D. 313) reported that the same Ought to pass with Committee Amendment A (Filing No. 193)

(On motion by Mr. Weeks of Cumberland, tabled and especially assigned for Tuesday, April 21.)

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

The Committee on Public Utilities on **recommitted** Bill, "An Act to Incorporate the Eastport Water District." (H. P. 315) (L. D. 462) reported that the same Ought to pass with same Committee Amendment A (Filing No. 46)

Comes from the House report accepted and bill passed to be engrossed as amended.

In the Senate, that Body voted to recede and concur.

Majority — OTP — as amended
Minority — ONTP

The Majority of the Committee on Claims on "Resolve in Favor of Ray Thompson of Prentiss." (H. P. 683) (L. D. 983) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 199)

(Signed)

Senators:

PARKER of Piscataquis
WEEKS of Cumberland
FOURNIER of York

Representatives:

DUFOUR of Old Town
KENNEDY of Milbridge
JOHNSON of Stockholm
GALLANT of Eagle Lake

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

(Signed)

Representatives:

HUGHES of St. Albans
CURTIS of Bowdoinham
MATHEWS of Berwick

In House, reports and resolve indefinitely Postponed.

In the Senate, on motion by Mr. Weeks of Cumberland, the Majority Report "Ought to pass" was accepted in non-concurrence, the bill read once, Committee Amendment A read and adopted, and the bill as amended, tomorrow assigned for second reading.

Majority — ONTP
Minority — OTP

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Certificate of Department of Health and Welfare as Evidence in Liquor Law Prosecutions." (H. P. 586) (L. D. 833) reported that the same Ought not to pass.

(Signed)

Senators:

WEEKS of Cumberland
LESSARD of Androscoggin
WOODCOCK of Penobscot

Representatives:

EARLES of South Portland
EMMONS of Kennebunk
KNIGHT of Rockland
BERMAN of Auburn

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

(Signed)

Representatives:

BEANE, Jr. of Augusta
CARON of Biddeford
COX of Dexter

In House, Majority Report accepted.

In the Senate, on motion by Mr. Weeks of Cumberland, the Majority Report "Ought not to pass" was read and accepted in concurrence.

Report A — OTP

Report B — ONTP

Five members of the Committee on State Government on Bill, "An Act Providing for Appointment of Commissioner of Education by the Governor and Council." (H. P. 847) (L. D. 1210) reported (Report A) that the same Ought to pass.

(Signed)

Senator:

LESSARD of Androscoggin

Representatives:

PLANTE of
Old Orchard Beach
DENNETT of Kittery
BARNETT of Augusta
COYNE of Waterville

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

(Signed)

Senators:

ROSS of Sagadahoc
HILLMAN of Penobscot

Representatives:

SMITH of Exeter
SANBORN of Gorham
WADE of Auburn

In House, Report B accepted.

In the Senate, on motion by Mr. Hillman of Penobscot, the bill and accompanying papers were laid upon the table pending acceptance of either report.

**Senate Committee Reports'
Leave to Withdraw**

Mr. Rogerson from the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Moneys for Acquisition of Land at Androscoggin Lake for Park Purposes." (S. P. 187) (L. D. 483) reported that same be granted Leave to Withdraw.

On motion by Mr. Pierce of Hancock, the bill was recommitted to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Mr. Pierce from the same Committee on Bill, "An Act Relating to Dedicated Revenues in Insurance Department." (S. P. 398) (L. D. 1166) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Pierce from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Expenses of the State Liquor Commission." (S. P. 201) (L. D. 540) reported that the same Ought not to pass.

Mr. Rogerson from the same Committee on "Resolve in Favor of Millionth Visitor, Inc." (S. P. 78) (L. D. 150) reported that the same Ought not to pass.

(On motion by Mr. Charles of Cumberland, tabled pending acceptance of the report.)

Mr. Duquette from the same Committee on "Resolve Appropriating Moneys for Private Hospital Aid to Medically Indigent." (S. P. 268) (L. D. 730) reported that the same Ought not to pass.

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

Mr. Pierce from the same Committee on "Resolve in Favor of Sweetser Children's Home in Saco." (S. P. 352) (L. D. 1007) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Duquette from the same Committee on Bill, "An Act Relating to Amounts for State Scholarships for Normal Schools and Teachers' Colleges." (S. P. 148) (L. D. 369) reported that the same Ought to pass.

Mr. Weeks from the Committee on Judiciary on **recommitted** "Resolve Proposing an Amendment to the Constitution to Permit Voting by Civilians Residing on Federal Property." (S. P. 71) (L. D. 121) reported that the same Ought to pass.

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

Ought to Pass — as amended

Mr. Pierce from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Forest Rehabilitation." (S. P. 127) (L. D. 322) reported that the same Ought to pass as amended by Committee Amendment A.

The same Senator from the same Committee on Bill, "An Act Relating to Training of Firemen." (S. P. 131) (L. D. 326) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Bates from the Committee on Education on Bill, "An Act Relating to Employment of Teachers." (S. P. 110) (L. D. 260) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Martin from the Committee on Legal Affairs on Bill, "An Act to Create the Washington County Recreation Authority." (S. P. 417) (L. D. 1201) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Ross from the Committee on State Government on Bill, "An Act Relating to Lands Needed by the State." (S. P. 280) (L. D. 742) re-

ported that the same Ought to pass as amended by Committee Amendment A.

Which reports were severally 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.

Ought to Pass — N.D.

Mr. Rogerson from the Committee on Appropriations and Financial Affairs on Bill, "An Act to appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 89) (L. D. 207) reported same in New Draft (S. P. 461) (L. D. 1313) under the same title, and that it Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Permitting Municipalities to Provide Educational Scholarships." (S. P. 196) (L. D. 491) reported same in New Draft (S. P. 459) (L. D. 1311) under New Title: "An Act Permitting the Town of Freeport to Provide Educational Scholarships." and that it Ought to pass.

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

Second Readers

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

House

Bill, "An Act Defining Agricultural Labor Under Employment Security Law." (H. P. 443) (L. D. 649)

Bill, "An Act Relating to Isolated Motor Vehicle Transactions Under Sales Tax Law." (H. P. 674) (L. D. 966)

Bill, "An Act Relating to Taxation on Sparkling Wines." (H. P. 821) (L. D. 1159)

(On motion by Mr. Boucher of Androscoggin, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Powers of York Beach Village Corporation." (H. P. 863) (L. D. 1231)

Bill, "An Act Relating to Records of the State Police and Certain Oth-

er Agencies. (H. P. 920) (L. D. 1298)

Bill, "An Act Repealing the York Beach Village Corporation." (H. P. 921) (L. D. 1299)

"Resolve Authorizing Flora Bur-rill Tibbetts to Bring Suit at Law Against the State of Maine." (H. P. 919) (L. D. 1297)

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

House — as amended

Bill, "An Act to Clarify the Inheritance Tax Law." (H. P. 244) (L. D. 355)

Bill, "An Act Relating to Payments by Town of York to York Beach Village Corporation." (H. P. 868) (L. D. 1236)

Bill, "An Act Relating to Salary of Representatives of Indian Tribes at the Legislature." (H. P. 596) (L. D. 842)

"Resolve in Favor of Lloyd Moore of Gouldsboro." (H. P. 538) (L. D. 773)

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

Senate

Bill, "An Act Revising Laws Relating to Animal Industry." (S. P. 359) (L. D. 1042)

Bill, "An Act to Prohibit the Selling of Motor Vehicles on Sunday." (S. P. 381) (L. D. 1107)

(On motion by Mr. Dow of Lincoln, tabled pending passage to be engrossed.)

Bill, "An Act Repealing Gero Island, Piscataquis County, as a Game Preserve." (S. P. 411) (L. D. 1195)

"Resolve Opening Portland Lake in Aroostook County to Ice Fishing for Salmon and Trout." (S. P. 114) (L. D. 264)

(On motion by Mr. Carpenter of Somerset, tabled pending passage to be engrossed.)

"Resolve Relating to Determination of Damages Caused by Taking of Land for Highway Purposes." (S. P. 233) (L. D. 616)

"Resolve Opening County R o a d Lake in Aroostook County to Ice Fishing." (S. P. 274) (L. D. 736)

"Resolve Regulating Fishing on Deer Meadow Pond in Lincoln County." (S. P. 275) (L. D. 737)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Relating to Use of Dragers in Sheepscot Bay." (S. P. 194) (L. D. 490)

Bill, "An Act to Create the Maine Fertilizer Law." (S. P. 254) (L. D. 667)

Bill, "An Act to Revise Certain Laws of the Department of Institutional Service." (S. P. 406) (L. D. 1174)

Bill, "An Act Relating to Marking and Detention of Substandard Grade Sardines." (S. P. 409) (L. D. 1193)

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:

Bill, "An Act Relating to Teachers and Other School Personnel for Mentally Retarded Children." (H. P. 142) (L. D. 198)

Bill, "An Act Classifying Certain Surface Waters in Maine." (H. P. 504) (L. D. 717)

Bill, "An Act Revising Certain Election Laws." (H. P. 857) (L. D. 1225)

Bill, "An Act Relating to Minimum Sick Leave for Teachers." (S. P. 399) (L. D. 1167)

Bill, "An Act Relating to Area Directional Signs." (S. P. 436) (L. D. 1284)

(On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.)

Which bills were passed to be enacted.

Orders of the Day

Mr. Boucher of Androscoggin: Mr. President, I move that the Senate reconsider its action of yesterday whereby it passed L. D. 210. I understand that there are further amendments to be offered to this bill.

The PRESIDENT: The Chair would inquire if the Senator from

Androscoggin, Senator Boucher, voted with the majority?

Mr. BOUCHER of Androscoggin: I did, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, to reconsider the action of the Senate yesterday, whereby the Senate receded and concurred with the House with reference to Bill, "An Act Regulating Open Season on Deer by Zones." (S. P. 92) (L. D. 210)

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: I feel personally that this bill was very ably debated yesterday and everyone had an opportunity to present their arguments, and I am going to oppose the motion of the Senator from Androscoggin, Senator Boucher.

Mr. ROSS of Sagadahoc: Mr. President, I also voted for this bill yesterday although I did not debate it. The debate was very good. The fight was certainly won fair and square. But at that time the Senator from Washington, Senator Wyman, wanted to offer an amendment and he got tangled up in a parliamentary scuffle. I think it is only courteous to let us see the amendment which was to be offered at that time, so I will vote for reconsideration.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate: There does not seem to be any question but what the issue which is up for reconsideration this morning was debated in great detail yesterday and that it was won fair and square at that time. The only question seems to be whether or not someone did get tangled up and wasn't able to present something that they had intended to present.

Now I hope that is adequately clear to all the members of this body that if the tangling-up can get as complete as some of the members of this body would like it to be that there won't be any three-zone deer bill.

We did not use any tricks or any duplicity or any deceit or anything at all yesterday; we merely placed ourselves on record as supporting the trained men's views on how our white-tailed deer should be managed in Maine. I think we won that

debate fair and square, so far as I know, and I hope that all of the members of this body will stay with us on the decision we made yesterday and refuse to allow reconsideration on this day.

Mr. NOYES of Franklin: Mr. President, I understood that there was some confusion about amendments yesterday myself.

Mr. WYMAN of Washington: Mr. President, I did not realize that the good Senator from Sagadahoc, Senator Ross, was going to speak on this, but I certainly appreciate his remarks. I had no feeling of resentment; it was a parliamentary situation where I apparently could not offer an amendment after a motion to recede and concur. It certainly was not a reflection on me and there was no feeling of unfairness. I certainly admit that the debate was fair. It was a parliamentary situation rather than any feeling on the matter.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: I will admit that there was ample debate yesterday on the bill. However, I must be getting dumb or something, because I did not understand when the vote was taken that we were voting on the bill. I understood we were voting on the amendment which meant that the hunting time would be closed on November 30th. My understanding was that there would be a further motion for indefinite postponement, or some similar motion, and I was waiting for that motion to come. I was very surprised when I read in the newspapers that we had passed that bill. As I understood it, we were voting on the amendment. The whole affair was tangled up in great shape. I did not know that I was voting on the bill; I thought I was voting on the House amendment.

Mr. CARPENTER of Somerset: Mr. President, when the vote is taken I ask for a division.

Mr. MacDONALD of Oxford: Mr. President, it would seem to me that if the members of the Senate knew what this new amendment is going to be that we would have more information and know better how to vote at this time. I don't know what the amendment is.

Mr. PARKER of Piscataquis: Mr. President, just to clear up some of the entanglements we have experienced here this morning, I would be glad to say, now that this bill possibly will have an opportunity to be reconsidered, for which I am very happy, that I for one shall offer an amendment to remove Piscataquis County from the so-called three-zone act. Insofar as Piscataquis County is concerned, I propose to offer an amendment that will put our county exactly as it has been for many years and under which we have had, in my estimation, a perfect record so far as growth of young deer and slaughter of deer.

Mr. ROGERSON of Aroostook: Mr. President, as I listened to the speakers it occurred to me that there are now three amendments to be offered. I wonder if we did not debate the main issue yesterday and make a decision on it. I should point out that this law will only be in effect one year before the next session. We might give it a chance to operate one year and see if amendments are needed. It seems that if we have three amendments already and others may come along, that the first thing we know we won't have any bill.

Mr. BRIGGS of Aroostook: Mr. President, I am sure it must be adequately clear to almost everyone now that there are enough amendments so we won't have any three-zone deer bill if the motion to reconsider is successful and the amendments are permitted. So, in order not to get the matter cluttered up as to what we were debating yesterday or may be debating today, if we vote against the motion to reconsider the amendments will not be accepted and we will end up exactly where we were after the debate yesterday which I think covered the whole thing. I hope that everyone sees now there are three amendments. There may be four, and perhaps there will be amendments from others who have not spoken. That is the decision right there: whether to amend it to death or refuse to grant this motion for reconsideration, and I hope that the motion for reconsideration will not prevail.

Mr. HILLMAN of Penobscot: Mr. President and members of the Senate: I said to myself this morning that I would not get up on my feet again in regard to this measure. I wish simply to say that I think we all know the seriousness of it and what it is going to do. I concur with the Senator from Aroostook, Senator Rogerson, in every word that he has said, and I believe that this motion is purely a means of killing the measure. I appreciate what the Senator from Sagadahoc, Senator Ross, has said, but I think if he realized the seriousness of the attempt to kill the whole bill he would reconsider his own action.

Mr. WYMAN of Washington: Mr. President, we have an area in Washington County larger than the State of Rhode Island, larger than the State of Delaware, and about half as large as the State of Connecticut, a large area and a large hunting area. Probably most of you have read in the papers where our county was described as a graveyard county whose inhabitants did not know whether they are living or dead. That may be true, but I think they know what they want for a deer-hunting season. Our fish and game associations, who are most interested, have told us what they want, and I hope that the Senate will allow us to reconsider this bill and to amend it to take care of the wishes of the people who sent us here.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, that the Senate reconsider its action of yesterday whereby it receded and concurred with the House. A division has been requested.

A division of the Senate was had.

Fifteen having voted in the affirmative and fourteen opposed, the motion to reconsider prevailed.

Mr. PARKER of Piscataquis: Mr. President, I rise to offer an amendment to this bill, which I will do after some very brief remarks.

I want to say that in my county we believe that under the present law which we are now operating under the results have proved that we have sufficient feed for our deer and the results have proved that we

have an excellent growth of fawns, our young deer. For that reason, we do not wish to be placed in the position we would be placed in under this three-zone bill, which would cut our county in two. Mr. President, for that reason, I offer Senate Amendment A and move its adoption.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate: I am sorry, but I can see there is not any way to avoid going all over this same issue again today, only doing it by counties.

Now what the Senator from Piscataquis, Senator Parker, should have said, as I am sure is amply demonstrated by the maps which you had yesterday, was not as he did say, that his county was cut in two, but rather that his county was cut in two parts, one part of which has a longer season, being 99 per cent, and the other part which has a slightly shorter season, being about ten per cent. Now if anyone has the benefit of the map they can see for themselves. Not only are we following this line which goes almost to the very bottom of Piscataquis County — this is the northern line of Piscataquis County up here — but, in order to please some members of the committee, we brought the thing further south as well and followed along the Piscataquis River, so actually there is only a very small portion of his county affected. It does, of course, affect that small portion. It does not take the season away from them.

Insofar as whether or not there is ample wintertime feed on the northern range in Piscataquis County, I will say that I am probably as familiar with that as the Senator from Piscataquis, because the northern part of Piscataquis County is at the end of Realty road where I spend a good deal of summer vacation time, and the game fellows, as I mentioned yesterday, have spent some six thousand man-hours on that project, and they feel that up in that wilderness in northern Piscataquis County the winter food supply is greatly depleted and that the proper thing to do is to increase the season a little bit, which is just what it will do.

I certainly hope that the amendment will not be adopted and I will move its indefinite postponement.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: I certainly do not want to prolong this discussion except that I do want to point out one or two things that my good friend, the Senator from Aroostook, Senator Briggs, neglected to mention.

Piscataquis County, as you know from looking at the map, is a long county. The few isolated cases that may happen in the very northern extremes, so far as scarcity of feed is concerned, is debatable. Possibly he makes more trips into those deer yards than I do, especially with what I did this winter. But I am very familiar with the central and southern parts of the county, and I can tell you ladies and gentlemen that from all of the contacts that I have made — and I am very well acquainted in those towns that are organized — I find that they are very much opposed to this bill and they have asked me to so state here. I hope that the amendment is adopted.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Briggs, that Senate Amendment A be indefinitely postponed.

Mr. MacDONALD of Oxford: Mr. President, if we were to accept amendments and try to please the people from all of our counties we would have at least two amendments for every county and a total of thirty-two amendments, and as a result of the amendments you would not have any kind of a bill. It is absolutely impossible for any legislature to please everybody, it just can't be done. So let's take the bill as it is. It is a non-partisan bill. The committee voted "Ought to pass" and the House voted "Ought to pass," so let's not try to kill the bill with kindness.

Mr. NOYES of Franklin: Mr. President, I would rise to correct my good friend from Oxford County, Senator MacDonald. The majority "Ought not to pass" report was six to four when this bill came out of committee.

I think in all our deliberations we have always considered what the towns and the cities and the

people therein have thought was best for them. The same applies to a county.

The Appalachian Trail, which is the boundary, runs through all the counties and is a boundary line which is hard to distinguish. I can bring in quite a few game wardens who will tell you that they cannot even find it. I don't know why we do not leave things as they are. We have got a two-zone deer bill; we have had things stirred up for years and it is just getting settled down. I think we ought to let things alone here. We have got one House amendment on here and we have already favored one county. I think that the Senator from Piscataquis, Senator Parker, certainly represents the people of his county and I think we should go along with Senator Parker.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate: I doubt if there is any question in the mind of any member of the Senate as to what the pattern of events is here this morning.

In order to clear up what the Senator from Oxford, Senator MacDonald said, may it suffice us to say that all of the Senate members on the committee felt that this recommendation which has been made — this is the third consecutive session at which it has been worked over — was worthy, so all of the Senate members and one of the members in the other branch were on the "Ought to pass" report.

Now when we get to talking about how difficult it is to find the Appalachian Trail and you look back on that old lady who hiked through there all soul alone with a pack on her shoulder — I don't know how she ever made it if it is as difficult as has been stated. It is just as difficult to follow the irregular county lines; and the tempting thing for anyone to do anything for one reason or another is not to do anything. That is the easy way. But in this changing world when technology and science are the order of the day in most other fields except the field of wildlife management I do not think that "staying the way it is" is the right attitude, and our technicians and our game

management people do not think so either.

When the vote is taken, Mr. President, I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Briggs, that Senate Amendment A be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Eighteen having voted in the affirmative and eleven opposed, the motion prevailed and Senate Amendment A was indefinitely postponed.

Mr. BRIGGS of Aroostook: Mr. President, I have never laid awake at night dreaming of the proper motion to be made to have this thing move along the way it should, but whatever the motion is, I am very humble and I suggest that the President put that motion in my name so that we may move this bill along.

Mr. ROSS of Sagadahoc: Mr. President, as I mentioned in my brief remarks a short while ago, I want to hear these amendments. I voted for reconsideration. I just voted against that last amendment, but I want to hear all the amendments.

Mr. NOYES of Franklin: Mr. President, I have an amendment that I wish to offer, being Senate Amendment B and move its passage.

The PRESIDENT: The motion before the Senate is on the motion of the Senator from Aroostook, Senator Briggs, that the Senate recede and concur with the House.

Mr. BRIGGS of Aroostook: Mr. President, in order that all of these things may be taken up individually and that we can go through the same procedure, I hope, with each one, I will withdraw my motion.

Mr. Noyes of Franklin presented Senate Amendment B and moved its adoption.

Mr. CARPENTER of Somerset: Mr. President, I move that this amendment be indefinitely postponed.

Mr. NOYES of Franklin: Mr. President, I do not want to continue this thing any longer but certainly I think as a representative of my county, I have a right

to have a vote on this matter and I so move.

The PRESIDENT: Does the Senator request a division?

Mr. NOYES: I do, sir.

Mr. BRIGGS of Aroostook: I too, rise in apology for prolonging this matter unnecessarily, inasmuch as we have been over it several times already. I feel, and sincerely so, and I have studied it carefully as a member of the Inland Fish and Game committee, that there will accrue as much benefit to some of these counties that are placing on amendments, if not more benefits than there will be difficulties, and I am sure in my own mind that if we do this, if we take these amendments and start excepting counties, as the Senator from Oxford, Senator MacDonald, has described we won't have any deer bill by zones, which bill we passed yesterday by eighteen to thirteen. I certainly hope that the motion to indefinitely postpone of the Senator from Somerset, Senator Carpenter, who is also familiar with this area, will prevail.

Mr. PARKER of Piscataquis: Mr. President, I rise only to state my views on each one of these amendments. I believe they should be considered separately as to the value of each one. I am certainly convinced that the good Senator from Franklin, Senator Noyes is entitled to his consideration. I am sure that he is not presenting this amendment without due consideration of the welfare of his county, and I certainly shall oppose the motion of the Senator from Somerset, Senator Carpenter.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that Senate Amendment B be indefinitely postponed and a division has been requested.

A division of the Senate was had.

Sixteen having voted in the affirmative and twelve opposed, Senate Amendment B was indefinitely postponed.

Mr. CARPENTER: Mr. President, if there are no other amendments to be offered, I move that we now recede and concur with the House. If there are some amendments, I will withdraw my motion.

The PRESIDENT: The question before the Senate is to recede and concur with the House on L. D. 210.

A viva voce vote being had The President was in doubt.

Mr. NOYES of Sagadahoc: Mr. President, I request a roll call.

A division of the Senate was had. Obviously a sufficient number having risen, the roll call was ordered.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate, I merely rise to request that the President clearly state the question so that all of the members will have a full understanding, including myself. There have been so many amendments and so many requests and motivations that I want to be sure I have it all right and don't vote the wrong way.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that the Senate recede and concur with the House on L. D. 210, Bill, "An Act Regulating Open Season on Deer by Zones." The House action on this bill was to pass it to be engrossed as amended by House Amendment A. A "Yes" vote on this motion will be in favor of the Senate receding and concurring with the House. A "No" vote will be in opposition to the motion made by Senator Carpenter.

Mr. PARKER of Piscataquis: Mr. President, just to clear my mind which is a bit confused too, if we vote Yes on this bill we will be voting for the three-zone deer bill with one amendment, House Amendment A?

The PRESIDENT: That is correct.

Mr. BRIGGS of Aroostook: Mr. President, I would not for a moment rise to prolong this, but I am not sure that the Senator from Piscataquis and the other members of the Senate know that this one amendment to which he has alluded; House Amendment A, is not an amendment to except one County. All that amendment does is to provide that in all Counties, the season will close on the same date, November 30. The Senate members of the committee, at least and the Chairman in the other branch favored this amendment and felt that it

should have come out of committee that way, with all of these three zones closing on the same day. I think it is only fair that it be explained that that amendment does not except any county.

The Secretary read House Amendment A.

The PRESIDENT: Is it now the pleasure of the Senate that the Senate recede and concur with the House? The roll call has been ordered and the Secretary will call the roll.

The Secretary called the roll:

YEA: Briggs, Carpenter, Coffin, Dow, Dunn, Hillman, Hunt, Lessard, Lord, MacDonald, Martin, Rogerson, Ross, Thurston, Weeks, Willey, Woodcock — 17.

NAY: Boucher, Brown, Charles, Cole, Farley, Lewis, Noyes, Parker, Pierce, Stilphen, Wyman — 11.

ABSENT: Bates, Duquette, Fournier, St. Pierre — 4.

Seventeen having voted in the affirmative and eleven opposed, the motion prevailed and the Senate receded and concurred with the House in the passage of the bill to be engrossed as amended by House Amendment A.

The PRESIDENT: At this time the Chair would like to welcome a group from the 8th grade of the George Weatherby School in Hampden with their teacher, Mrs. Stevens. It is a real pleasure and privilege for the Maine State Senate to welcome you young people here at the statehouse today. We trust you will have a pleasant day and receive a good deal of information and education as you tour the various departments of the statehouse.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table, the 37th tabled matter being "Resolve, Appropriating Monies to Preserve Covered Bridges." (S. P. 272) (L. D. 734) tabled by that Senator on April 1 pending final passage; and on further motion by the same Senator, the resolve was recommitted to the Committee on Highways.

Sent down for concurrence.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table the 78th tabled matter, being Senate Report from the Committee on Judiciary, "To be referred to the next legislature" on Bill, "An Act Relating to Determination of Land for Highway Purposes." (S. P. 232) (L. D. 615) tabled by that Senator on April 16 pending acceptance of the report.

Mr. MARTIN of Kennebec: Mr. President, in view of the fact that the legislature along with the Highway Commission is going to make a complete study of this matter in the next two years, I now move that the Senate accept the ought not to pass report.

The PRESIDENT: Would the Senator reword that motion that it be referred to the next legislature?

Thereupon, the Senate voted to accept the report of the committee and refer the bill to the next legislature.

Sent down for concurrence.

On motion by Mr. Lewis of Somerset, the Senate voted to take from the table House Report from the Committee on Claims: "Ought to pass as amended by Committee Amendment A" on "Resolve in Favor of A. R. Palmer of Litchfield." (H. P. 634) (L. D. 926) tabled by that Senator on April 15 pending acceptance of the report; and that Senator yielded to the Senator from Piscataquis, Senator Parker.

Mr. PARKER of Piscataquis: Mr. President, now that we seem to have moved the deer out of the corridors, I will try to state the reason that the committee put this amendment on this bill. First of all, let me say that the original resolve called for — I haven't the figures here — but something like two thousand dollars for damage to Mr. Palmer's well because of salt from the highway. The committee heard all of the evidence. They believed Mr. Palmer was entitled to some redress but the well, ladies and gentlemen, was a dug well thirteen feet deep or about that depth. We felt that if he were allowed \$500 for the loss of his well, in case he had to have another one drilled, this would be ample money to do that. For that reason I wish to move that the Senate indefinitely

postpone House Amendment A to Committee Amendment A. That will leave the bill so that Mr. Palmer will receive \$500.

The PRESIDENT: Does the Senator first wish to have the committee report "ought to pass" accepted?

Mr. PARKER: I do, Mr. President.

The motion to accept the report prevailed and the bill was read once. Committee Amendment A was read. House Amendment A to Committee Amendment A was read.

On motion by Mr. Parker of Piscataquis, House Amendment A to Committee Amendment A was indefinitely postponed in non-concurrence. Committee Amendment A was adopted, and the bill as amended by Committee Amendment A was tomorrow assigned for second reading.

The PRESIDENT: For the information of the members, the Chair would state that the first Monday session is now scheduled to start on April the 27th at four o'clock in the afternoon.

Mr. MARTIN of Kennebec: Mr. President, I would like to speak on Item 78 on Page 20 of the calendar again. We moved to refer the bill to the next legislative session. I don't think it is advisable to clutter up the calendar since it is to be studied during the next two years anyway. If I were allowed to reconsider this action, I would move that the bill be indefinitely postponed.

The motion prevailed and the Senate voted to reconsider its action taken earlier in today's session whereby bill, "An Act Relating to Determination of Land for Highway Purposes." (S. P. 232) (L. D. 615) was referred to the next legislature; and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Woodcock of Penobscot,

Adjourned until Tuesday next at ten o'clock in the morning.