

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Friday, April 6, 1945.

The Senate was called to order by the President.

Prayer by the Reverend L. S. Staples of Gardiner.

Journal of yesterday read and approved.

Order

(Out of Order)

Out of order and under suspension of the rules.

On motion by Mr. Brown of Aroostook, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 9th, 1945, at 4:30 o'clock in the afternoon. (S. P. 430)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House having been read and passed in concurrence.

From the House:

"Resolve in Favor of the Town of Smyrna." (H. P. 1229) (L. D. 853)

(In Senate on April 2nd passed to be engrossed in concurrence.)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Brown of Aroostook, the Senate voted to insist on its former action whereby the bill was passed to be engrossed, and ask for a Committee of Conference.

Sent down for concurrence.

From the House:

Bill "An Act Relating to Treatment by Chiropractors of Employees Under the Workmen's Compensation Act." (H. P. 147) (L. D. 49)

(In Senate, on April 3rd indefinitely postponed in non-concurrence.)

Comes from the House, that Body having adhered to its former action whereby the bill was passed to be engrossed.

In the Senate:

Mr. MORRILL of Cumberland: Mr. President, I move you that the Senate adhere.

Mr. GOOD of Aroostook: Mr. President, I move you that the Senate recede and concur with the House, and on that strength I would like to ask unanimous consent to address the Senate.

The PRESIDENT: The Senator from Aroostook, Senator Good moves that the Senate recede from its former action whereby the bill was indefinitely postponed, and concur with the House in the passage of the bill. The Chair will state that the motion is debatable and the Senator does not need unanimous consent.

Mr. GOOD: Mr. President and members of the Senate, I hesitate a little, so early in the session, to bring up an important matter like this but I still think it is a worthy cause. I am still convinced that if the members had known more about it when it came in so quickly the other morning, we would have given it a little more thought. I do know that whether we recede and concur or whether we don't, we are acting not only as individuals but entirely on the merits of the bill.

I saw a long list yesterday of insurance companies that have willingly paid insurance to men who have been injured and have been treated by chiropractic doctors. I hold in my hand a brief that has been prepared by an attorney and I would like to read some of the items I found there. Before reading it, however, I would like to say this. If I had never examined the bill a particle, if I had never looked it over, knowing the calibre of the members of the committee that reported the bill, I would have had to vote in favor of it.

This committee is composed of people like Senator Dow and Senator Dunbar and Senator Clough whom we hold in highest esteem in this legislature, Senator's whose reputation is beyond reproach in regard to arguing a bill, whose ability probably surpasses the average. I believe it is important that we should consider this fully. All over the country everywhere, people are wondering if we are going to discriminate against a group of people who have only asked for a hearing; all they have asked is to give them a hearing.

All they ask for, Gentlemen, is that when an insurance company has said, "We won't pay" because some chiropractor doctor has treated someone who has been injured—

it might be a hip, it might be an arm—all they ask for is the privilege of having a hearing. Then, if the hearing is justified and the bill can be substantiated and is legitimate then that insurance company must pay, but under the present law today if they say "I won't pay" there isn't anything that can make them pay.

"Some states, as New York, for example, use a broader phraseology in their Workmen's Compensation Acts. In New York, the provision is for 'medical, surgical or other attendance or treatment,' Sec. 13, New York Workmen's Compensation Act. In New Jersey, the statute provides for 'medical, surgical and other treatment.' 1937 Revised Statutes New Jersey, Title 34, Chapter 15, Section 15. In Iowa, the language of the act is, 'surgical, medical, osteopathic, chiropractic, nursing and hospital service and supplies therefor.' Sec. 1387, Chapter 70, Code of Iowa. Idaho follows the New York language, viz., 'medical, surgical or other attendance or treatment,' Sec. 6229, Idaho Workmen's Compensation Law. Arkansas likewise follows the language of the New York act in this respect, Sec. 11, Arkansas Workmen's Compensation Act. In Connecticut, the Workmen's Compensation Act was amended in 1935, by adding, "The word 'physician' shall include any person duly licensed and authorized to practice as a chiropractor" 1935 Laws, Chapter 179. In Georgia, the language of the act is 'medical, surgical, hospital and other treatment,' Title 114, Sec. 501, Georgia Revised Statutes.

I might name over several more states that have put in language like that, in other terms, thereby giving men the privilege to collect if it is a legitimate, honest bill, and I feel it is entirely wrong to discriminate.

If I thought for a moment it was going to penalize a group of people such as the Senator from Cumberland, Senator Morrill, represents, or anyone else here or was going to bring a hardship on anyone, I would be the last man in this Senate to try to put something across to injure anyone but I always feel a man should be fair and reasonable. I have always been in favor of a man who is trying to get up higher. I believe in the chiropractic doctor—you will notice in the last sessions, they have raised their standards and want to get up

where they can be of some use to the people. I can take you to people in my section who have been practically incapacitated but they heard about the chiropractic doctors and whether they did any good or not, I don't know, but anyway, they are better and they can go out and do a good day's work. And so I draw the conclusion that they are better or they would not be able to do it. I do not believe that the men in this legislature, with this unanimous report from the committee, are going to turn down this privilege to this group of men when all they are asking for is a fair hearing.

When they discuss this and argue and say "We won't pay," I think there should be some way to make them pay. And so, Mr. President, I move we recede and concur with the House.

Mr. McKUSICK of Piscataquis: Mr. President, I ask unanimous consent to very briefly address the Senate.

The PRESIDENT: The Senator from Piscataquis, Senator McKusick, asks unanimous consent to address the Senate. Is there objection? The Chair hears no objection and the Senator may proceed.

Mr. McKUSICK: Mr. President, I notice the presence in the Senate of a very distinguished visitor, one we have read a great deal about, one we claim as a daughter of old Piscataquis. I refer to that heroic nurse who was caught in the Philippines and who for thirty-nine months was a prisoner of the Japanese and who has been recently returned to her family. I refer to Lieutenant Alice Zwicker of Brownville, Maine.

The PRESIDENT: The Chair thanks the Senator for his remarks and would instruct the Senator to conduct the lady to the Rostrum. The Chair desires to have the young lady assured that she will not be detained longer than is pleasing to her.

Thereupon, the Senator from Piscataquis, Senator McKusick, escorted Lieutenant Alice Zwicker to a seat at the right of the President amidst the applause of the Senate, the members rising.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook,

Senator Good, that the Senate recede from its action whereby Legislative Document 49 was indefinitely postponed, and concur with the House.

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

Mr. MORRILL of Cumberland: Mr. President and members of the Senate, when I spoke on this bill the other day, I spoke on it as an industrial measure which the bill is but I would like to add something to my remarks. Every one of you gentlemen is in some kind of pursuit whether it be manufacturing, farming, or what not. When you buy tools or implements to carry on your trade you usually go to an establishment where you know when you buy whatever implements you are buying, those implements are backed up by a standard of quality built up by years of research and honest production.

I believe that where an employer is required under the law to be responsible for taking care of the injuries of his employees due to industrial accidents he should be given some protection in being allowed to look for the best care that would be applicable in the case of any injury. It seems to me the medical profession over the centuries has built up a reputation that is enviable to other groups perhaps. I have several letters here, two of which I would like to read. This first one is from the law offices of William B. Mahoney.

Law Offices of
William B. Mahoney
120 Exchange St.
Portland, Maine

April 4, 1945

Hon. George B. Morrill
Augusta, Maine
Dear Sir:

I understand that you are interested in connection with the bill to add chiropractic treatment to those permitted in the Workmen's Compensation Act to be paid for by the employer.

For over twenty-five years I have been engaged in handling employers' interests in compensation matters and in that time I do not recall a single instance where chiropractic treatment was rendered and bills submitted to the employer in traumatic injury cases.

We have the most liberal and far reaching provision for medical treatment under the Workmen's

Compensation Act of any state in the country. In its present form it has worked extremely well and I do not believe any value can be added to it by inserting chiropractic treatment as another method.

From my knowledge of chiropractic treatment, it would not seem to me that it was well adapted to the type of injuries which I have experienced in administration of the Workmen's Compensation Act.

Yours very truly,

(Signed) William B. Mahoney

The other letter I would like to read is from James E. Mitchell.

James E. Mitchell
Attorney at Law
Eastern Trust Building
Bangor, Maine

April 4, 1945

Hon. George Morrill, Senator
State of Maine
State House,
Augusta, Maine
Dear Mr. Morrill:

I have been interested in the legislation which is now pending before the Senate and House proposing that chiropractors' bills be included under Section 9 of the Workmen's Compensation Act. I have for many years appeared before the Industrial Accident Commission in a great number of industrial accident cases, on both sides, but usually for employers. It has been my experience that the very great majority of these workmen's compensation cases are satisfactorily treated by doctors of medicine. Chiropractic treatments, in my experience, have been almost negligible, possibly and probably for the very good reason that most of these injuries to workmen do not favorably lend themselves to chiropractic treatment. In my own experience of literally thousands of cases I can only offhand, at the moment, recall two minor situations wherein chiropractic treatment was rendered or chiropractic bills submitted.

I hope this information may be of interest to you.

Respectfully yours,

(Signed) James E. Mitchell
I have another letter but I think those two will suffice.

Gentleman, I still insist, as I did in my remarks the other day that this bill if it passes will induce upon the employer another headache. We are controlled by innumerable bureaus and other kinds of red tape. I do not believe this is a necessary bill and I hope the motion

of the Senator from Aroostook, Senator Good will not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Good that the Senate recede from its former action whereby the bill was indefinitely postponed and concur with the House in the passage of the bill to be engrossed. A division of the Senate has been asked.

A division of the Senate was had.

Seven having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Morrill of Cumberland, the Senate voted to adhere.

The PRESIDENT: The Chair is informed that our visitor desires to visit the House briefly before the House adjourns and therefore the Chair requests the Senator from Piscataquis, Senator McKusick to kindly conduct our visitor to the Hall of the House.

Thereupon, the Senator from Piscataquis, Senator McKusick, escorted Lieutenant Alice Zwicker from the Rostrum amidst the applause of the Senate, the members rising.

House Committee Reports

The Committee on Inland Fisheries and Game on Bill "An Act Creating a Game Sanctuary in Aroostook County," (H. P. 1126) (L. D. 673) reported that leave be granted to withdraw the same.

The Committee on Judiciary on Bill "An Act Relating to the Subordinate Officers and Employees of the Senate and House of Representatives," (H. P. 1073) (L. D. 803) reported that the same ought not to pass.

The same Committee to which was recommitted Bill "An Act Relating to Assignment of Counsel by the Superior Court," (H. P. 824) (L. D. 428) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Tax of Intangibles by Authority of Article XXXVI of the Constitution of Maine," (H. P. 550) (L. D. 218) reported that the same ought not to pass.

Which reports were severally read and adopted in concurrence.

The Committee on Labor on Bill "An Act Relating to Employment of Children," (H. P. 963) (L. D. 529)

reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Employment of Minors and Females," (H. P. 352) (L. D. 111) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the bills read once and Monday next assigned for second reading.

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Sheriff of Piscataquis County," (H. P. 738) (L. D. 406) reported that the same ought to pass.

Mr. MKCUSICK of Piscataquis: Mr. President, I move that Legislative Document 406 be indefinitely postponed, and in support of that motion, I wish to say that I received a communication from the County Commissioners, unanimously opposing any increase in salary for the sheriff of Piscataquis County. I would also call to your attention—if you will refer to the report of the Committee on Estimates, you will see that Piscataquis County has the smallest budget of any county in the state. We are a big county geographically but small in population and we are financially poor and I find there are three other counties in the 1944 revision which had salaries which were less or equal to the salary of the sheriff in Piscataquis County. In addition to the salary as listed, our sheriff receives his rent, lights and fuel. In addition, there is an allowance of \$500 in cooking for the jail. In our last county report at the beginning of the year, the jail had no boarders and at the end of the year there were no boarders and the total for the year would be an average of about one. I think there were about 1100 meals served to two persons which cost \$500 and also there was a considerable bill for supplies for the jail.

In addition to this, I have been approached by a considerable number from my county who are absolutely opposed to any raise. I received a letter from a former member of this Body stating his opposition in no uncertain terms. The delegation is divided but I believe the majority opposes the raising of salary for the same reason that I oppose this bill.

Thereupon, on motion by Mr. Smith of Knox, the bill and accom-

panying papers were laid upon the table pending motion by the Senator from Piscataquis, Senator McKusick, that the bill be indefinitely postponed in non-concurrence.

The Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Benefits," (H. P. 1231) (L. D. 857) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and adopted in concurrence, and the bill was given its first reading. House Amendment A was read and adopted in concurrence, and the bill as so amended was Monday next assigned for second reading.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Payment of Benefits," (H. P. 1247) (L. D. 872) reported that the same ought to pass.

Comes from the House passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading. House Amendment A was read and adopted in concurrence, and the bill as so amended was Monday next assigned for second reading.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Benefits," (H. P. 1252) (L. D. 858) reported that the same ought to pass.

Comes from the House passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading. House Amendment A was read.

Mr. NOYES of Hancock: Mr. President, I hesitate to oppose House Amendment A but as I understand it, House Amendment A carries an emergency for a situation that has existed for some years and I think that the emergency clause on some of the bills as provided by the constitution whereby a bill becomes effective immediately upon being signed by the Governor, instead of ninety days after the adjournment of the legis-

lature, has been abused. I therefore move indefinite postponement of House Amendment A.

A viva voce vote was had and doubted.

Thereupon, on further motion by the same Senator, the bill and accompanying papers were laid upon the table pending motion by the Senator from Hancock, Senator Noyes that House Amendment A be indefinitely postponed.

The Committee on Taxation on bill "An Act Relating to Tax on Street Railroad Corporations and Street Railways," (H. P. 1010) (L. D. 652) reported the same in a new draft (H. P. 1367) (L. D. 1027) under the same title, and that it ought to pass.

Comes from the House, the new draft passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and adopted in concurrence, and the bill was given its first reading. House Amendment A was read and adopted in concurrence and the bill as so amended was Monday next assigned for second reading.

Report "A" from the Committee on Labor on Bill "An Act Relating to Dangerous Occupations for Minors," reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

(signed)

Senator:

GOULD of Androscoggin
Representatives:

POULIN of Rumford
RENOUF of Biddeford
WEEKS of Waterville
JONES of Waterville

Report "B" from the same Committee on the same subject matter reported that the same ought not to pass.

(signed)

Senators:

HOPKINS of Kennebec
SPEAR of Cumberland

Representatives:

HASKELL of Bangor
BROWN of Unity
MARSHALL of York

Comes from the House Report "A" read and adopted, and the bill passed to be engrossed as amended by Committee Amendment "A".

In the Senate, on motion by Mr. Hopkins of Kennebec, Report A "Ought to Pass as Amended by Committee Amendment A" was adopted in concurrence and the bill was given its first reading; Committee Amendment A was read, and on further motion by the same Senator was indefinitely postponed in non-concurrence.

Thereupon, Mr. Hopkins of Kennebec presented Senate Amendment A and moved its adoption:

"Senate Amendment A to bill, An Act Relating to Dangerous Occupations for Minors. (H. P. 1079) (L. D. 690) Amend said bill by inserting in the 7th line thereof after the underlined word 'limbs' the underlined words 'injurious to morals'.

"Further amend said bill by striking out the last line thereof and inserting in place thereof the following: 'will be injured'".

Mr. BROWN of Aroostook: Mr. President, I am going to confess I am in somewhat the situation of the Senator from Sagadahoc, Senator Bishop when the other day, he said he was confused. One reason I am confused is the number of the bill is not printed on the calendar and I have no way of knowing what bill we are talking about. The second reason I am confused is because the Senator who signed the "Ought Not to Pass" report moves the acceptance of the "Ought to Pass" report and so I think the matter better lie on the table. I therefore move it lie on the table until we can find out what bill we are talking about.

The motion prevailed and the bill and accompanying papers were laid upon the table pending motion of the Senator from Kennebec, Senator Hopkins to adopt Senate Amendment A.

Remonstrance

Mr. Sterling of Somerset presented "Remonstrance of F. L. Gould of Fairfield and 163 others against (S. P. 206) (L. D. 478) Bill 'An Act Relating to Registration of Motor Vehicles.'" (S. P. 424)

Which was read and ordered placed on file.

Sent to the House.

Senate Committee Reports

Mr. Bishop from the Committee on Education on Bill "An Act Relating to Teachers Pensions," (S. P.

287) (L. D. 850) reported that the same is inexpedient as it is covered by other legislation.

The same Senator from the same Committee on Bill "An Act to Encourage the Improvement of School Facilities," (S. P. 308) (L. D. 841) reported that the same be placed in the custody of the Secretary of the Senate, until the next regular or special session of the Legislature.

Which reports were severally read and adopted.

Sent down for concurrence.

Mr. Good from the Committee on Welfare on Bill "An Act Relating to General Public Assistance," (S. P. 299) (L. D. 713) reported the same in a new draft (S. P. 429) under the same title, and that it be placed in the custody of the Secretary of the Senate until the next regular or special session of the Legislature.

Mr. GOOD of Aroostook: I would like to make a few remarks in regard to that committee.

In recommending this bill for referral to any Special Session of this Legislature, the Welfare Committee wishes to indicate its approval of the basic objective of this measure which is to prepare the way for simplification of welfare administration in the State through administration of all assistance programs by local welfare officials. The crowded war industry and military cities and towns, which face an uncertain future, make it seem unwise to consider this bill further at this time. On the other hand, the possibility of receiving Federal grants in and for general relief before another Legislature convenes makes it seem wise to refer this bill for future action by this Legislature.

Thereupon, the report of the committee was adopted.

Sent down for concurrence.

Mr. OWEN from the Committee on Education on Bill "An Act Relating to School Superintendents" (S. P. 365) (L. D. 930) reported the same in a new draft (S. P. 431) under the same title, and that it ought to pass.

Miss Clough from the Committee on Judiciary to which was recommended Bill "An Act Relating to Powers of Attorney and Other Instruments by Persons in the Armed Forces," (S. P. 314) (L. D. 836) reported the same in a new draft (S.

P. 432) under the same title, and that it ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Public Administrators," (S. P. 242) (L. D. 642) reported the same in a new draft (S. P. 433) under the same title, and that it ought to pass.

Mr. Dunbar from the same Committee to which was recommitted Bill "An Act to Incorporate the 'General Mortgage Company,'" (S. P. 140) (L. D. 345) reported the same in a new draft (S. P. 434) under the same title, and that it ought to pass.

Mr. Clements from the Committee on State Lands and Forest Preservation on "Resolve Providing for a Special Interim Commission for the Study of Growing Wood and Timber and Measures to Conserve and Increase the Forest and Water Resources of the State," (S. P. 294) (L. D. 717) reported the same in a new draft (S. P. 435) under a new title, "Resolve Providing for an Interim Commission to Study Methods to Assure Greater Productivity of the Forest Lands of the State," and that it ought to pass.

Which reports were severally read and adopted, and the bills and resolve in new draft were severally laid upon the table for printing, under the joint rules.

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Concerning Agricultural Cooperative Associations," (S. P. 343) (L. D. 897) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted and the bill was given its first reading; Committee Amendment A was read:

"Committee Amendment A to S. P. 343, L. D. 897, bill An Act Concerning Agricultural Cooperative Associations.

"Amend said bill by striking out the underlined word 'shall' where it first appears in the 1st line of sub-section IV of section 11, and inserting in place thereof the underlined word 'may'.

"And further amend said bill by striking out the underlined words 'shall approve' in the 5th line of sub-section IV of section 11, and inserting in place thereof the underlined word 'approves'.

"And further amend said bill by striking out in the 3rd and 4th lines of section 22 the following underlined words, 'providing for the incorporation of agricultural cooperative associations.'"

Which amendment was adopted and the bill as so amended was Monday next assigned for second reading.

Mr. Bishop from the Committee on Pownal State School on "Resolve Providing for Purchase of Land for the Pownal State School," (S. P. 293) (L. D. 718) reported the same in a new draft (S. P. 436) under the same title, and that it ought to pass.

Which report was read and adopted, and the new draft laid upon the table for printing under the joint rules.

Passed to be Engrossed

Bill "An Act Relating to Purchase of Certain Equipment by the State for Use by Towns." (H. P. 1266) (L. D. 889)

Bill "An Act Amending the Charter of the City of Portland." (H. P. 1387) (L. D. 1054)

"Resolve for Maintenance and Development of Public Park Facilities." (H. P. 1428) (L. D. 1108)

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

Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses." (H. P. 940) (L. D. 575)

Which bill was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

"Resolve Relating to Retirement Pension for Percy E. Averill, of Thomaston." (S. P. 207) (L. D. 477)

Bill "An Act Relating to Contagious Diseases." (S. P. 210) (L. D. 474)

Bill "An Act Relating to Pari-Mutuel Pools." (S. P. 416) (L. D. 1111)

Bill "An Act to Simplify the Financial Structure of the State." (S. P. 192) (L. D. 489)

Bill "An Act Amending the Control of Venereal Diseases Law." (S. P. 211) (L. D. 473)

Bill "An Act Relating to Free Hunting and Fishing Permits for Veterans." (S. P. 363) (L. D. 962)

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

Sent down for concurrence.

Passed to be Enacted

Bill "An Act Providing Authority to the Board of Trustees of the Maine Maritime Academy to Confer the Degree of Bachelor of Science." (S. P. 134) (L. D. 339)

Bill "An Act Relating to the Audit of the Department of Education and the Teachers' Retirement System." (S. P. 193) (L. D. 488)

Bill "An Act to Increase the Salary of the Judge of the Norway Municipal Court." (S. P. 219) (L. D. 465)

Bill "An Act Authorizing Municipalities to Establish, Maintain, Conduct and Finance Recreational Facilities." (S. P. 394) (L. D. 1017)

Bill "An Act Relating to Tax Returns of Loan and Building Associations." (S. P. 397) (L. D. 1029)

"Resolve, Opening Penneawasee Lake to Smelt Fishing." (S. P. 113) (L. D. 230)

"Resolve, in Favor of James R. Hale of Castine." (S. P. 129) (L. D. 334)

"Resolve, Relating to Reimbursement to James Y. Kinmond of Westbrook." (S. P. 130) (L. D. 335)

Finally Passed

"Resolve, to Reimburse the Town of Eastbrook for Suppression of a Forest Fire." (S. P. 133) (L. D. 338)

"Resolve, in Favor of Albert Leslie Shorey, of Surry." (S. P. 152) (L. D. 358)

"Resolve, Providing for Purchase of Land and Buildings for the State Reformatory for Women." (S. P. 273) (L. D. 614)

"Resolve, Providing for Purchase of land for the Maine State Prison." (S. P. 396) (L. D. 1023)

Passed to be Enacted

Bill "An Act Relating to the Digging or Taking of Clam-Worms." (H. P. 195) (L. D. 58)

Bill "An Act Relating to State Land in Augusta as a Public Park." (H. P. 669) (L. D. 320)

Bill "An Act Relating to Hunting in Merrymeeting Bay." (H. P. 729) (L. D. 399)

Bill "An Act Relating to Salary of County Attorney and Clerk Hire in Office of County Attorney in

Penobscot County." (H. P. 855) (L. D. 456)

Bill "An Act Clarifying the Law in Relation to Parkways and Freeways." (H. P. 874) (L. D. 522)

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

Bill "An Act Providing for Maintenance of the Road Leading to Roaring Brook in Baxter State Park." (H. P. 875) (L. D. 459)

Bill "An Act Amending the Unemployment Compensation Law as to Charges Against Employers' Experience Rating Records." (H. P. 948) (L. D. 604)

Bill "An Act Amending the Unemployment Compensation Law as to Filing Pay Roll Reports and Penalty." (H. P. 949) (L. D. 605)

Bill "An Act Relating to the Standard Valuation Law." (H. P. 972) (L. D. 609)

Bill "An Act Relating to Salaries of Clerks in County Offices in Penobscot County." (H. P. 1150) (L. D. 729)

Bill "An Act Amending the Unemployment Compensation Law as to Reciprocal Benefit Arrangements." (H. P. 1248) (L. D. 873)

Bill "An Act Relating to a Pension Plan for Employees of the City of Lewiston." (H. P. 1309) (L. D. 956)

Bill "An Act to Increase the Salary of the Judge of the Municipal Court of Dexter." (H. P. 1368) (L. D. 1031)

Bill "An Act Relating to Salary of Clerk of Courts and Clerk Hire in Office of Clerk of Courts in Penobscot County." (H. P. 1369) (L. D. 1032)

Bill "An Act Relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court." (H. P. 1370) (L. D. 1033)

Bill "An Act to Increase the Salaries of Judge and Recorder of the Millinocket Municipal Court." (H. P. 1372) (L. D. 1035)

Bill "An Act to Increase Salary of Judge of Probate and Clerks in Office of Register of Probate in Penobscot County." (H. P. 1373) (L. D. 1036)

Finally Passed

"Resolve, in Favor of the town of Lincolnville." (H. P. 411) (L. D. 184)

"Resolve, in Favor of Guy Brown of Guilford." (H. P. 929) (L. D. 567)

"Resolve, Authorizing Commissioner of Agriculture to Employ Poultry Expert." (H. P. 1047) (L. D. 655)

(On motion by Mr. Bishop of Sagadahoc, tabled pending final passage.)

"Resolve, in Favor of Louis F. Fleming, of Bangor." (H. P. 1119) (L. D. 670)

"Resolve, for Repairing Fish Screen at Outlet of Messalonskee Lake." (H. P. 1366) (L. D. 1026)

Emergency Measures

Bill "An Act Relating to Animal Husbandry." (S. P. 233) (L. D. 651)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Bill "An Act Relating to Ferry Between Indian Island and Old Town." (H. P. 319) (L. D. 141)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Bill "An Act Relating to Guaranteed Loans for Veterans by Trust Companies, Savings Banks and Loan and Building Associations." (H. P. 1360) (L. D. 1025)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

The President laid before the Senate House Report from the Committee on Judiciary, Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" on bill, An Act to Create a Legislative Research Committee (H. P. 1272) (L. D. 915) tabled on April 5 by Miss Clough of Penobscot pending adoption of either report and today assigned.

Miss CLOUGH of Penobscot: Mr. President, I move the Senate adopt the minority report,* "Ought to Pass." In supporting this measure, I want to say at the outset that rarely have we been given the opportunity to pass upon so constructive, forward-looking a measure as is this one before us now—"An Act To Create A Legislative Research Committee." There is nothing radical or new in the idea. For the

past five years, we have had a Research Committee of temporary nature, one which was created only for the biennium and had to be re-enacted into law at each subsequent meeting of the Legislature. This bill would implement the former Legislative Research Committee, establishing it on a permanent basis, through the appointment of a Director of continuing office and granting to it those larger facilities for its use that it might more efficiently and effectively carry out the functions for which it is or was designed.

Everyone who comes to the Legislature is aware, I believe, of the enormity of the task of legislating wisely and properly—of doing our work well, that we may not leave behind us a hodge-podge of conflicting laws that will make it difficult, perhaps impossible, for those whose business it is to do so, to administer them properly. We have felt the need of doing our work well but have been concerned with the small amount of time in which we have to do this. How much better it would be if there were set up just such a structure or agency as is proposed here, the parts of which exist now in incomplete structure, for the collecting of information for the use of the legislators, for investigating the administrative functions, and helping the various State departments with their problems in a purely objective manner, for working over the bills that take in a wide range of law and subject, all of which require research and study for proper consideration by the Legislature, and for keeping the laws that we leave on our books, when we leave, up-to-date and in accordance with the statutory form designed for the best administration of them. Through creating such a Legislative Research Committee as is proposed in this bill, we may accomplish that efficient legislation for which we were sent here and generally make more effective the work we do. Let me mention a case in point.

In one of the Committees on which I have been privileged to serve, we were asked to pass upon a measure which, prior to its introduction, had involved months of study and research, calling as it did for a reconstruction of all of the fire and safety laws of our State. At the hearing, and later,

many amendments were offered to the bill by interested parties. The Committee, under the press of measures before it, obviously could not find the time to work over and study these amendments in the light of the bill itself, working up a measure which, if enacted into law, could conceivably have benefited the State as a whole, and consequently we shall have to wait for another two years if anything is to be done in this direction. If we had had such a Legislative Research Committee as is proposed here, with its Director and personnel and selected legislative members working with those facilities this structure calls for, the bill could have been gotten into shape for this session.

And so throughout the year, we would have a continuing department of research, one which could go over governmental problems and trends, working up such legislation as was necessary for the consideration of in-coming Legislatures, and offering supplementary data thereto, helping toward the more effective administration of it in the manner indicated. It could greatly facilitate our work here and leave us with the satisfaction that we were passing upon legislation that had been properly considered and properly prepared.

It has seemed to me a strange thing that although government is every day growing more complex by reason of the general demand for services on the part of all our citizenry, we have done little to magnify or dignify the importance of our Legislative branch. Growing responsibilities require better government, and in realization of this fact, at least a dozen states have enacted into law such legislation as is proposed here. Others are trying the expedient of annual sessions, a costly method to say the least. Still others are trying the method of split sessions, with a period for introduction of bills, an interval for study, and a final session for enactment.

The history of the development of Research Committees such as we propose here in states where it is in operation has been that it started with a Legislative Research Committee similar to that which we had, and later, by reason of its proved value, established it as a permanent agency with facilities and authorities to make more effective its work. The further his-

tory is that through the performance of its function over the years it has saved a great deal of money for the state in which it was operative, cutting out overlapping services within the departments, streamlining the structure, exercising that security and control of the administrative toward the most efficient operation of the state's business.

As it is now, we have no agency set up in our State whose business it is to save money, whose business it is to weigh the effectiveness of proposed legislation, or supply to our legislators and others concerned with the operation of government such information and help as to make more valuable their work. Congress, I understand, has never had such a research function, with the result that we have seen the Executive branch of our national government growing at the expense of the Legislative branch. I believe that all of this is now being corrected through the establishment of a special Congressional Research Department.

Similarly, a number of state legislatures are currently considering a measure much like that which we propose here, a plan called by some of our authorities the "longest step forward in legislation for many years." Our own recognized authorities on government wholeheartedly commend the plan.

Such a Committee would not cost much more than it now does — I can see that it could be carried on very efficiently with the addition of one man who would presumably fulfill the function of both a Revisor of Statutes and a Director, with such personnel as is now set up. In light of the economies that could be effected by this agency over the months and years, such initial cost would be comparatively negligible. Under the continuing services of such director and personnel, the other members would not have to meet more than a few times a year for the consideration of new problems and program, and under the amount laid down in the bill for expenses and per diem fee certainly would not prove a costly item to the state.

No corporation or business firm of the scope of our state's business would be without its efficiency department. Why should not the State, then, which is one of the biggest businesses and which af-

fects the lives of every one of its citizens, have its efficiency department for the more economical and efficient carrying-out of its program and for that interpretation of the Legislative program that is the desire of us all? I believe that it should.

Members of the Senate, this is one of the most constructive measures ever to come before us, one which, if we are far-seeing enough to accept it, will greatly advance the cause of better government for Maine, help all in-coming legislators to do their work more effectively and soundly, serve to help our administrative branch to effect a well-ordered, smoothly operating program and bringing about those economies that will be to the advantage of our whole citizenry.

It has been stated, "Pressure groups and lobbyists for special interests are on the job continuously. Why should our State, which is charged with the duty of serving all of the people, be less zealous and efficient?" I believe it should not be, and I therefore hope that my motion to adopt the minority report, "Ought to Pass," upon this measure will prevail.

Mr. DOW of Oxford: Mr. President and members of the Senate: This report came out of the Committee on Judiciary on a seven to three report, and I wish to speak for myself and for the other six who signed with me the majority report, "Ought Not to Pass." I don't want any member of the Senate to get the idea that because of certain experiences I have had, I am soured on Research Committees. I will explain what I am talking about, for the benefit of those who do not know. In 1940, I think it was — if the dates are wrong, it doesn't make any difference, because the sequence of events is correct — in 1940, when we spent so much time in special session following the so-called "Runnells Affair," and having gone through a considerable experience at that time in State government — I don't know how much I learned, but if you leave a sponge outdoors in the rain overnight, it is bound to soak up something, and I should certainly pick up as much as a sponge — I learned that a Research Committee was a proper function of a State government, and I still think so. In 1940 a bill was introduced to establish a Legislative Research

Committee, and that bill became a law over the Governor's veto, and it is still on the books today. And at each session of the Legislature the President and the Speaker appoint a committee, three from the Senate and seven from the House, so you do have a continuing Legislative Research Committee, as I understand it, under the existing law. Of course, that does mean ten new members, unless some of them get reappointed. I think one of the members of the other Body has served on the committee continuously since its formation.

It has been my experience that members of the Committee put in a lot of time and do valuable work. They are conscientious in their labors. They get sold on a problem, but they are not too encouraged — not only on research committees but on interim committees — when their product is not always too well received by the Legislature. Probably it is all right, but it certainly does not give them too much courage to take on other propositions before they have fulfilled their other valuable functions.

I had the misfortune to be the first Chairman of the first Legislative Research Committee in the State of Maine. I don't say that in a bragging way; it is simply a matter of record. Having served two years, and having made considerable mistakes, it seemed a good idea to have a new chairman, so that he could see where I had walked where I shouldn't have and not walk where I did, and I am still sold on the work they do. I hope you will bear with me and think I know something about it; at least, I think I know something about it.

I can't see any difference in the formation of this committee as to continuity of office, that is, than the other one, except for the Director and the Attorney General; and the Attorney General only, possibly, for a four year period. So, as I see it, the only continuing officer, as proposed by this legislation, would be the Director. Maybe I am wrong; but it seems to me the members from the House and the Senate are to be appointed as they are appointed now.

The conclusions that I reached, with respect to formation of this committee, I want to state in all seriousness to you. If it sounds facetious, I don't mean it that way.

In 1943 the Legislative Research Committee reported to this Legislature, and among the things in that report, the Legislature thought some were wise and some were not wise. And as time goes on, I am inclined to agree with them almost unanimously. But, for your information, feeling the sentiment there was, the Committee agreed, I believe unanimously, that we wouldn't stain the bills with the stigma of coming from the Research Committee. We let them stand on their own. We didn't sponsor them; we didn't do much talking. But for your information, seven of those bills are law today; and I think a better average than those we did put a tag on. I think I can find the laws that emanated from the committee in the form of bills to prove that.

I think the explanation of Senator Clough about one bill before the Judiciary Committee, this thing of 32 pages, — I think her illustration is an apt one, and I am wondering if increasing the continuity of the committee by creating this new committee, giving them more to do, will result in the same proportion of the products of the Committee finding their way into the wastebasket. It seems to me possibly it might follow. I don't say there is anything in the wastebasket that doesn't belong there, but I do say that some of them should have more consideration than we give them. The attorney, who works for them, has worked on the bill for months, it was brought before the Judiciary Committee and I don't know how many amendments were offered, but you couldn't count them on the fingers of both hands, which would show that there were many things wrong with it.

A committee as busy as the Judiciary Committee, the Ways and Bridges Committee, and other committees, doesn't have the time to get to the bottom of a bill of that size and straighten it out, especially not being experts in that line—fire and safety—to which the Senator from Penobscot, Senator Clough, referred.

In connection with the Director of this new Research Committee serving as a Revisor of Statutes—and if you members of the Senate see fit to pass this bill, probably some amendments should be made so this bill and the Code won't both provide for a person to be appointed Revisor of Statutes; prob-

ably that can be cured by an amendment. If the motion of Senator Clough does prevail, I would suggest it be tabled long enough to get it in shape so far as that particular angle is concerned.

As far as I am concerned, I want to say, I object to the bill because it sets up a new state department. And the bill provides for various officers who work under the Director, and I don't find anything under this bill which puts its employees under the Personnel Board. I don't know but what I ought to be in favor of it; but I am not. If some state employees are under the Personnel Board, let's have them all under it.

I think Section— I won't ask the Senate to wait while I find it. Apparently I don't know as much about that section as I thought I did— But the law says they shall be chosen, and it doesn't say they shall be under the Personnel Board.

“Section 11. Appointment of director. The legislative research committee shall appoint a director of legislative research, subject to confirmation by the governor and council. He shall be chosen without reference to party affiliations, and solely on the ground of fitness to perform the duties of his office. He shall be well versed in economics, in political science and law, and in methods of research.” I would like to see that fellow; I would like to see the fellow that could qualify for that job. “He shall hold office for a term of six years from the date of his appointment. He may succeed himself. He shall receive a salary which shall be fixed by the governor and council, and any necessary traveling expenses, and shall be paid when the salaries and expenses of other state officers are paid.” I don't know what it is going to cost to hire a man who is well versed in economics, in political science and law, and in methods of research. I think the first question is to find him; and the second question is, how much is he going to cost you. Then it says in Section 12—that is the section I couldn't find,— “The director shall appoint such technical, clerical and stenographic assistants as may be necessary to carry out the provisions of sections 23 to 26, inclusive. He shall fix the compensation of each within the appropriations made for the office,

and subject to approval by the governor and council." This is the one I was referring to, and that takes it out of the jurisdiction of the Personnel Board, which seems to be the existing policy for state employees. Then, on page two, it says, under "Authority, studies, purposes," I am going to read it word for word, "To furnish to the members of the legislature the assistance of expert draftsmen qualified to aid the legislature in the preparation of bills for introduction into the legislature. To prepare for the legislature measures which will improve the form and wording of the statutes and, when possible, reduce their size and modify their provisions." In other words, serve as our present Revisor of Statutes in drafting bills for the Legislature. "To provide for the legislature staff facilities which shall be comparable with those which are provided for the departments and other agencies of the government of the state, and to provide adequate expert assistance." These are some of the things this Committee must do, and that is why I object to it—it is so broad and far-reaching. Then it says, "The offices of the committee shall be kept open during the time provided for other state offices, and when the legislature is in session at such hours, day and night, as are most convenient for legislators." That is quite an order: "when it is going to be most convenient for the legislators."

Reading on, some of the other provisions, "Prepare and—" I am reading from section 9, page 5, "Prepare and index for printing as promptly as possible after the adjournment of each session the session laws thereof, which compilation shall include all acts and resolves which the legislature has adopted during the session and which have received the approval of the governor, when such approval is necessary." Then, reading from Section 10, "Requests for the drafting of bills and resolves shall contain at least a statement respecting the policies and purposes which the bill or resolve is designed to accomplish." That is part of the work of this new man. You are going to have a man who is pretty well qualified. Then it says, "Neither the director nor other employee of the committee shall urge or oppose any legislation." That means the Research Committee will have to carry the ball. I think they would have

more success than the Director, because the Legislature has ideas of its own. "Neither the director nor other employee of the committee shall give any legal advice on any subject to any private individual or corporation." And in section 14, "Neither the director nor other employee of the committee shall be in the private practice of law, nor be engaged in any other business for profit."

Calling to your attention those particular provisions of the bill, and giving you my reasons and the reasons of the majority of the Committee who signed with me, I hope the motion of the Senator from Penobscot, Senator Clough, does not prevail.

Mr. GOULD of Androscoggin: Mr. President and members of the Senate: I wish the proponents and opponents wouldn't put forth such well-balanced arguments; it makes it almost impossible to know how to vote. There are one or two things that have been said, not only in regard to this bill but others, that bother me a good deal.

What seems to be a good proposition comes up, and someone gets up and objects to new commissions, and then someone says, "Too much money." When I look through this delightful little book that talks about the Bureau of Accounts and Control, the Bureau of Taxation, the Bureau of Social Welfare, etc., I venture to say that in every case the same arguments were used: 'It is new,' 'It adds to the number of departments,' and 'the cost.' I wonder if practically all of these are not now of value and great value? But all the arguments might have been the same at one time. Now, I wonder if that should be an argument against the bill which has been so well and ably argued by my good friend, the Senator from Penobscot, Senator Clough? There may be some other argument against it but why should we reject such a measure just because it increases the number of departments and adds a little bit to the cost to the State? I did like the last part of her argument where the Senator from Penobscot said this: "If we always had the lobbyists on the job—" and, by the way, I want to pay my respects to the lobbyists; I think they are an admirable bunch—"If they are on the job, why shouldn't we have someone on the job, on research?"

Miss CLOUGH: Mr. President, may I inquire if others are going to speak? If so, I will keep my remarks until they are through.

The PRESIDENT: The Chair will state he has no way of knowing.

Mr. DOW: Mr. President, I will be very brief. When the vote is taken I ask for a division.

Miss CLOUGH: Mr. President, I commend my good friend, the Senator from Oxford, Senator Dow, on his able comment on some of the stipulations of the bill. I should have said at the outset it is my understanding if this measure passes the Senate there will be offered some amendments, one of which is the striking out of the last article, XIV on page 5 where it reads, "Neither the director nor other employee of the committee shall be in the private practice of law, nor be engaged in any other business for profit", and that there will be added a section to repeal the present office of the Revisor of Statutes, it being the thought that the office would be absorbed in the office of Director.

As to that director and the qualifications set up in section XI, I am not worried about finding a man who can fulfill all the qualifications. I believe they exist and I believe they exist in this state house. I think we must set up the qualifications for a big job as they are set forth here. I am not concerned with the duties as set forth, the enormity of them. I am not concerned with setting up a new commission. I believe, as I stated before, every function set up here exists in incomplete form somewhere, and it would be simply joining them together and allowing them to carry on for the reasons I have indicated. I think that is all I have to say.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Clough, that the Senate adopt the minority report, "Ought to Pass" of the committee in concurrence. A division of the Senate has been asked.

A division of the Senate was had. Seven having voted in the affirmative and twenty opposed, the motion failed of passage.

Thereupon, on motion by Mr. Dow of Oxford, the majority report, "Ought Not to Pass" was adopted in concurrence.

Sent down for concurrence.

Mr. OWEN of Kennebec: Mr. President I move that the Senate reconsider its action taken earlier in today's session whereby Legislative Document 488, bill, An Act Relating to the Audit of the Department of Education and the Teachers' Retirement System, Senate Paper 193, was passed to be enacted. May I say in explanation of this motion that the necessity for the passage of this bill is dependent upon other legislation still pending so it is not necessary to pass it at this time and if this motion prevails, I will motion to table it until other legislation is taken care of.

Thereupon, the Senate reconsidered its former action taken earlier in today's session whereby the bill was passed to be enacted. Upon motion by Mr. Owen of Kennebec the bill was laid upon the table pending passage to be enacted.

Mr. GOOD of Aroostook: Mr. President, I ask unanimous consent to address the Senate.

The PRESIDENT: The Senator from Aroostook, Senator Good, asks unanimous consent to address the Senate. Is there objection? The Chair hears no objection and the Senator may proceed.

Mr. GOOD: Mr. President, I would like to say that at the adjournment of this morning's session, Lieutenant Zwicker who is in the Senate Chamber will be glad to give us a few minutes, if we have time, at about twelve-thirty. I was talking with Senator McKusick and others and we felt at the beginning of the session today that perhaps our time would be limited and we might not be able to ask her to speak to us. But since it is obvious that we will have the time, and there are people present who will be disappointed if they don't hear her, I hope it can be arranged.

The PRESIDENT: The Chair thanks the Senator.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Education on Resolve to Appoint a State Board for Approval of Institutions Offering Specialized Training (H. P. 941) (L. D. 543)

tabled by that Senator on March 30 pending adoption of the report.

Mr. LEAVITT of Cumberland: Mr. President, I now move we substitute the bill for the report and in support of my motion, I wish to make the following explanation. This bill when it was before the Committee on Education had several objectionable features and perhaps because of the desire to adjourn some day, we did not give it as much attention as we might have, although we talked on it about an hour and a half. After the report had been submitted, certain members of the Educational Department came to me and explained why the bill was very important to them, the reason being that the Veterans' Administration have come to our state department to see if they would approve certain schools where the boys could go after the war and take G. I. courses. Because of this request, I tabled the matter until we could look into it and yesterday the matter was thoroughly discussed in the Committee on Education, and we drew up an amendment which we believe will re-write this bill so it will be proper for passage and will give the proper authority to the present board, this Board of Vocational Education, to be the board to authorize this approval.

If my motion should carry, I will immediately present Senate Amendment A which will be almost entirely a new bill, but which eliminates all of the inconsistencies of the other bill and the objections to the other bill, and I therefore hope my motion will prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Leavitt to substitute the bill for the "Ought Not to Pass" report of the committee. Is the Senate ready for the question?

The motion prevailed and the bill was substituted for the report.

Thereupon, Mr. Leavitt of Cumberland presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to H. P. 941, L. D. 543, Resolve, To Appoint a State Board for Approval of Institutions Offering Specialized Training.

"Amend said Resolve by striking out all after the title thereof and inserting in place thereof the following:

"State board for approval of institutions offering specialized train-

ing. **Resolved:** The state board of vocational education is hereby authorized to act as the state board of approval of institutions offering specialized training. Such board shall pass upon the eligibility of institutions which may now or hereafter make application for authority to provide education or training beyond that offered by the secondary schools to veterans under the provisions of the 'Servicemen's Readjustment Act of 1944', excepting degree - granting institutions and apprentice-training or in-service-training courses; and be it further

"**Resolved:** That a list of such institutions approved by the board be furnished the Veterans Administration in charge of administering the provisions of the Federal bill cited as the 'Servicemen's Readjustment Act of 1944'."

Which amendment was adopted and the bill was given its first reading, and Monday next assigned for second reading.

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table, bill, An Act Creating the Greater Portland Public Development Commission (S. P. 323) (L. D. 828) tabled by that Senator on March 7 pending adoption of Committee Amendment A, and that Senator yielded to the Senator from Cumberland, Senator Leavitt.

Mr. LEAVITT of Cumberland: Mr. President and members of the Senate, there was a little controversy about this bill earlier in the session and since that time I have had several conferences with the Senator from Aroostook, Senator Brown and with one or two other lawyers in the legislature with reference to certain powers in this bill. I wish to offer an amendment but before I offer it, I think that I will have to move the indefinite postponement of Committee Amendment A which has been previously offered.

The PRESIDENT: The Chair will state that that would be the correct procedure.

Thereupon, on motion by Mr. Leavitt of Cumberland, Committee Amendment A was indefinitely postponed, and that Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment A to S. P. 323, L. D. 828, bill, An Act Creating the Greater Portland Public Development Commission.

"Amend said bill by striking out in the last line of section 1 of said bill the word 'greater'.

"Further amend said bill by striking out all of section 2 of said bill and inserting in place thereof, the following: 'Sec. 2. Powers. The said corporation shall have the power, within the confines of Portland and South Portland, to acquire, manage, operate or lease any business, facility structure, building, machinery or equipment owned by the federal government or any agency thereof, which may hereafter become surplus property and not needed for any function of said federal government, including but not restricting the power aforesaid, the utilization of shipyards, wharves, trackage, dry-docks and any facilities useful or necessary in connection therewith, and for that purpose to purchase, lease, hold, own, manage, control, sell, mortgage, lease or let land, buildings, real estate and rights in real estate, and all manner of personal

property, and to accept gifts thereof in trust, or otherwise.'

"Further amend said bill by striking out after the words 'residents of' in the 2nd line of section 3 thereof (2nd line of bill as printed) the words 'Cumberland County' and inserting in place thereof the words 'Portland and/or South Portland'.

"Further amend said bill by striking out the word 'towns' in the 2nd line of section 6 of said bill and inserting in place thereof the word 'cities'."

Which amendment was adopted, and the bill was given its first reading.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill as so amended was laid upon the table pending assignment for second reading, and the amendment ordered printed.

On motion by Mr. Noyes of Penobscot

Adjourned until Monday, April 9 at 4:30 o'clock in the afternoon.