

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, March 18, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Halden Arnold of Augusta.

Journal of yesterday, read and approved.

House Papers

Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor." (S. P. 137) (L. D. 325)

(In the Senate, on March 11th, passed to be engrossed as amended by Committee Amendment "A" and by Senate Amendment "A".)

Comes from the House, recommitted to the Committee on Liquor Control in non-concurrence.

In the Senate, on motion by Mr. Dennett of York, the bill was recommitted to the Committee on Liquor Control in concurrence.

"Resolve, in Favor of Francis M. Carroll, of South Paris." (H. P. 1191) (L. D. 1360)

"Resolve, in Favor of James L. and Christine O. Holbrook, of Hallowell." (H. P. 1194) (L. D. 1361)

Which were severally referred to the Committee on Claims in concurrence.

Bill "An Act Relating to Undesirable Political Activities." (H. P. 1192) (L. D. 1359)

Which was referred to the Committee on Judiciary in concurrence.

**House Committee Reports
Ought to Pass**

The Committee on Agriculture on Bill "An Act Relating to Marking of Containers of Skim-milk," (H. P. 310) (L. D. 382) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Exhibits of Agricultural Fair Associations," (H. P. 898) (L. D. 981) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Admission to Practice Law," (H. P. 175) (L. D. 171) reported that the same ought to pass.

The Committee on Public Health on Bill "An Act Relating to Educational Requirements and Fees for

Chiropractors," (H. P. 232) (L. D. 216) reported that the same ought to pass.

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

Ought to Pass, As Amended

The Committee on Judiciary on Bill "An Act Relating to Delivery of Ballots by Absentee Voters," (H. P. 271) (L. D. 299) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Towns and Counties on Bill "An Act Relating to Salaries of County Attorney and Assistant County Attorney of Penobscot County," (H. P. 553) (L. D. 533) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Veterans and Military Affairs on Bill "An Act Relating to Leave of Absence Under the Military Law," (H. P. 952) (L. D. 1006) reported that the same ought to pass as amended by Committee Amendment "A".

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

The Majority of the Committee on Welfare on Bill "An Act Relating to the Town's Share in Aid to Dependent Children," (H. P. 80) (L. D. 75) reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senators: DUNHAM of Hancock
PARKER of Piscataquis

Representatives:

CLEMENTS of Belfast
LAWRY of Rockland
LORD of Portland
BROCKWAY of Milo
RICH of Charleston
LATNO of Old Town

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

(signed)

Senator: BOUCHER of Lewiston

Representative:

BIBBER

of Kennebunkport

Comes from the House, bill and reports indefinitely postponed.

In the Senate, on motion by Mr. Boucher of Androscoggin, the bill and the reports were indefinitely postponed in concurrence.

The Majority of the Committee on Inland Fisheries and Game on "Resolve, Closing Little Sebago Lake, Cumberland County, to Ice Fishing," (H. P. 260) (L. D. 290) reported that the same ought to pass.

(signed)

Senators: **WEEKS** of Cumberland
WIGHT of Penobscot
CARPENTER of Somerset

Representatives:

CURLIER of Caribou
HARDEN of Rangeley
WATSON

of Moose River Plt.

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

(signed)

Representatives:

FRECHETTE of Sanford
WHITNEY of Bridgton

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

In the Senate, on motion by Mr. Weeks of Cumberland, the Majority Report "Ought to Pass" was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Communication

STATE OF MAINE

Director of Legislative Research
Augusta

March 17, 1953

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

Dear Mr. Winslow:

In accordance with Joint Order (S. P. 29), I submit herewith a list of bills and resolves in process of

preparation by the office of the Director of Legislative Research.

Respectfully,

SAMUEL H. SLOSBERG

Director

Which was read and ordered placed on file.

Senate Papers

The following Bill was transmitted by the Director of Legislative Research, pursuant to Joint Order S. P. 29, and on recommendation by the Committee on Reference of Bills, was referred to the following committee:

Inland Fisheries and Game

Mr. Wight of Penobscot presented Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws." (S. P. 496)

(Ordered printed.)

Sent down for concurrence.

Mr. Dennett of York was granted unanimous consent to address the Senate.

Mr. DENNETT of York: Mr. President and members of the Senate, I have been a member of this legislature for three terms, one in the House and I am now serving my second term in the Senate. I have never before at any time requested unanimous consent to address either Body. This morning as a result of a letter or supposed excerpts from a letter which have been published in the morning papers throughout the State of Maine, I feel compelled to rise and take exception to the remarks which have been printed. It appears that a paid legislative agent, or lobbyist if you so desire, has publicly and bitterly assailed the Committee on Liquor Control, charging that committee with being un-American undemocratic and intimidation of those witnesses who have appeared before it. He also bitterly assails the committee, charging them with having recordings taken and thus intimidating those innocent witnesses who appeared before the committee.

Perhaps we can go back a few weeks. This committee is a duly appointed committee of this legislature, three on the part of the Senate and seven on the part of the

House and I believe they have tried and endeavored in the utmost to discharge their duties with fidelity and zeal. However, to be on the committee on Liquor Control places one in a very disagreeable spot. You are between two factions, one striving to the utmost to dry the State of Maine drier than the Sahara and the other to open it up apparently as wet as the Atlantic Ocean. Between these two groups there is no compromise. The committee is in between. Again, as I stated several weeks ago, there were wild and unsubstantiated statements made before that committee. The statements made before that committee are enough to try the patience of a saint and I assure you there are no saints on the committee.

As a result of these statements and certain charges which were made against the Liquor Control Committee and its chairman, charges which afterward could not be verified because no one was able to remember just exactly what they said, it was decided to use a recording machine so that the testimony of all witnesses would be on the record, not excerpts, not statements by one group and not by the other, but the entire testimony so that should further charges be made they could be answered, that the committee could play the recording back and see just who said what.

As a result of this, this legislative agent who had assailed the committee charges that we are undemocratic, unAmerican. Perhaps for the first time in the history of the State of Maine legislature, a lobbyist, a paid lobbyist, has seen fit to publicly attempt to intimidate a committee of this legislature. If there is any intimidation it certainly is on the part of this lobbyist and I certainly want to state for the record that I bitterly resent such accusations. It is a smear not only upon the members of the committee, but upon the entire 96th legislature.

Mr. Tabb of Kennebec was granted unanimous consent to address the Senate.

Mr. TABB of Kennebec: Mr. President and members of the Senate, I want to draw the attention of my good colleague of Pen-

obsot, Senator Haskell that I hope he doesn't put this down on his official record that I am making a speech here. I am trying to have a batting average that he will be proud of when this Senate adjourns so I ask you not to put this on your official record, Senator. I am forced here by circumstances to say a few words.

You have heard my colleague, Senator Dennett stand up here and defend the Liquor Control Committee, and you all know he has had a trying and hard lot of bills to go through and have to decide on. Personally I have been accused by this very lobbyist of the most treacherous things that a man would have the courage to say to a legislative Body. Fortunately, I am hard-boiled. It doesn't bother me much, but it does bother me when I see the members of the legislature condemned by a paid lobbyist, who deliberately goes on the floor of the House in our hearings and makes such rash statements as he has made, condemning people, even one of our own members nationally, the French people, condemning them by stating that they lost the war because they drank too much wine and got drunk. Who ever heard of such testimony used to try to pass or not to pass a bill.

When it became so here a few weeks ago that I was condemned for action I had taken in that committee, when I informed that I was chairman and I would run that committee to the best of my ability and because I won't bow to them, I am on the fire too. I am dry. Everybody knows this in the legislature, a darn sight drier than half the WCTU that comes down here and works for prohibition. And I know that when St. Peter stands in that door, I can truthfully say that I have never taken a drink, and that is more than some of them can say.

To be sure on this recording, we had become so alarmed, to protect the it was suggested to me by some members of the committee, "Why not have a wire recording?" And so we did and before we had our hearing I politely notified them what we were doing and assured them that they were going

to be recorded. Is there anything wrong with that? Are these church people afraid to have what they say recorded? I supposed they always tell the truth. If they tell the truth, what are they afraid of? I certainly am not afraid of anything I say in any committee. I would be glad to have it recorded. I hope that this Senate will stand behind the three Senators and not let us be abused by a paid lobbyist.

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

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, being the only other Senator on that committee, I suppose I have to get up and tell you what I think about this. I am not the bone dry that my good friend Senator Tabb is nor am I the completely wet that Senator Dennett mentioned when he referred to the Atlantic Ocean. I am a middle roader.

I was present at all the hearings except the last one. That day I had to be in the Senate for the hearing on the charter of Lewiston which I presented and it took my whole afternoon because we had a wonderful show, but I missed the show in the House.

I approve of what the committee has done in the way of recording. I think it is American and rightful that when we have such divergence of opinion before a committee, that those speaking should be on record and I therefore heartily approve of the recordings. I appreciate the fact especially that the WCTU were notified that the whole procedure would be recorded and so they were warned that they should be careful in their language and what they said before the committee.

Personally I feel this way — and I might as well tell the whole Senate as to tell just the committee — that the WCTU is not what it claims to be, a temperance group, but it is the prohibitionist party of Maine. They think of one thing and one thing only, prohibition. They come in and tell us of the wonderful prohibition times. I lived through prohibition and I know just how wonderful it was then.

I believe in temperance but not in prohibition. I cannot go along with a lot of things the so-called dries of Maine have said before the hearing. I do go along with their thinking that the sale of liquor in this state should be on a high level and especially that the laws that we make should be enforced, and the enforcement of those laws is not up to this legislature but up to the Commission and its agents and I have advised our good friends from the WCTU to see to it that the laws of the state, the now existing laws, are enforced, instead of coming before our Committee on Liquor Control and asking for more laws that will not be enforced. I told them very plainly that their duty in my opinion is to have these present laws that are on our statute books enforced and that is where I think they should take their complaints rather than in the press and before the members of the legislature.

My own way of thinking, is this. I think the Committee on Liquor Control has been fair to all parties concerned, not only to the dries, not only to the wets, not only to the middle roaders as I call myself, but to everybody that appeared before that committee. In fact I criticised our chairman for being too lenient in letting people speak for two and a half hours on one bill when it could have been done in one hour. I resented that for two reasons. I was hungry, and I was thirsty.

So, Mr. President, and members of the Senate, that is my position on this issue. I hope I have made myself clear.

The PRESIDENT: The Chair at this time, feeling very strongly that a full complaint has been made against a legislative committee, a committee whose members on the part of the Senate were nominated by the Chair and confirmed by the Senate at the start of this session, feeling equally strongly that it is imperative that every member of the Senate should have before him full information on this point, wishes at this time to read a letter addressed to the Chair and received this morning.

"March 17, 1953

Hon. Nathaniel Haskell
President of the Maine Senate
State House
Augusta, Maine

Dear Mr. President:

A drastic, revolutionary movement has developed in our Maine State Legislature. For the first time in our 133 years of Statehood, electrical recordings are being made of all that is being said on certain bills by certain groups of people.

All that is said on liquor, gambling and Sunday desecration bills is being recorded.

This, it seems evident, is a bold act of discrimination against certain groups and for the express purpose of intimidating the Christian Civic League, the WCTU and the Church people who appear before the committee — many for the first time — to oppose liquor, gambling and Sunday liberalization laws.

Art. 1 Sec. 15, of the Constitution reads:

"The people have a right at all times in an orderly and peaceable manner to assemble to consult upon the common good, to give instruction to their representatives, and to request of either department of the government by petition or remonstrance, redress of their wrongs and grievances. . . ."

We come before these committees on the authority of the Constitution, to instruct our representatives and to request that our 'wrongs and grievances' be remedied and made right.

However, the Liquor Control Committee has been turned into a 'Grand Jury hearing' in which the groups mentioned above are 'put on the mat' and subjected to a grilling. More of a 'side show' is held than a serious hearing. This move is having the effect of what we believe to be a well planned scheme to keep the inexperienced, common people in the churches and the temperance movement away from these hearings, so that only the high salaried, high powered well trained professional liquor and gambling lobbyists will have all to say on such bills.

In the name of fair play, right and justice, we protest what we believe to be this well planned scheme of discrimination and intimidation as un-Constitutional, un-American and also un-Democratic.

Sincerely,

(signed) Benjamin C. Bubar, Jr."

This letter is written on the stationery of the Christian Civic League of Maine. The Chair reads it in full in order that the Senate may understand in detail and in fully, exactly the message that was conveyed.

Senate Committee Reports

Mr. Cummings from the Committee on Business Legislation on Bill "An Act Relating to the Uniform Health and Accident Insurance Law," (S. P. 201) (L. D. 552) reported that the same ought to pass, as amended by Committee Amendment A.

Which report was read and accepted and the bill read once; Committee Amendment A was adopted without reading and the bill as so amended, tomorrow assigned for second reading.

The same Senator from the same Committee on Bill "An Act Relating to Inspections by the Insurance Commissioner," S. P. 290) (L. D. 825) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A:

COMMITTEE AMENDMENT A to S. P. 290, L. D. 825, Bill, An Act Relating to Inspections by Insurance Commissioner. Amend said bill by striking out the following underlined words in the third line of that paragraph designated Sec. 73 "state fire inspector."

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

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Bulldozing Streams (S. P. 169) (L. D. 413) reported that the same ought to pass as amended by Committee Amendment A.

On motion by Mr. Ward of Penobscot, the bill and report were laid upon the table pending consideration of the report.

Passed to be Engrossed

"Resolve Regulating Bass Fishing in Washington County." (H. P. 169) (L. D. 165)

"Resolve Regulating Fishing in Rancourt Pond, Somerset County." (H. P. 220) (L. D. 247)

"Resolve Regulating Fishing in Ell Pond, York County." (H. P. 330) (L. D. 398)

Bill "An Act Repealing the Act Providing for the Incorporation of the Town of Chelsea School District." (H. P. 530) (L. D. 567)

"Resolve Opening Certain Waters in Sagadahoc County to Ice Fishing." (H. P. 587) (L. D. 612)

"Resolve in Favor of Joseph A. DiDonato." (H. P. 641) (L. D. 1331)

"Resolve in Favor of the Town of Whitefield." (H. P. 718) (L. D. 1332)

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

Bill "An Act to Increase the Fee Allowed Official Motor Vehicle Inspection Stations." (H. P. 450) (L. D. 445)

Which was given its second reading, and on motion by Mr. Cummings of Sagadahoc, the bill was laid upon the table pending passage to be engrossed, and especially assigned for Thursday, March 19.

Thereupon, on motion by Mr. Cummings of Sagadahoc, the Senate voted to reconsider its action just taken whereby the bill was laid upon the table, and on further motion by the same Senator, the bill was passed to be engrossed, without amendment, in non-concurrence.

Sent down for concurrence.

Bill "An Act Repealing the Provision that Bells Shall be Attached to Foremost Horses on Vehicles Driven on Snow." (S. P. 150) (L. D. 443)

Bill "An Act Relating to Exemption of Certain Food Products from Taxation." (S. P. 188) (L. D. 429)

Bill "An Act Repealing Law on Vehicles Approaching Stationary Street Car from Rear." (S. P. 213) (L. D. 550)

Bill "An Act Relating to Motor Vehicle Accident Reports." (S. P. 214) (L. D. 549)

"Resolve, to Reimburse the Town of Pittsfield for Support of Dianne K. Edwards." (S. P. 244) (L. D. 668)

Bill "An Act Relating to Promotion of Medical Education." (S. P. 323) (L. D. 813)

Bill "An Act Relating to Salary of Judge of the Lewiston Municipal Court." (S. P. 336) (L. D. 841)

Bill "An Act Relating to Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court." (S. P. 342) (L. D. 838)

Bill "An Act to Increase the Salary of the Recorder of the Rockland Municipal Court." (S. P. 358) (L. D. 973)

Bill "An Act Increasing Salaries of Certain Officers of Knox County." (S. P. 359) (L. D. 969)

Bill "An Act Increasing the Salary of the Recorder of the Portland Municipal Court." (S. P. 362) (L. D. 972)

Bill "An Act Relating to Retiring Allowances or Life Insurance for Officers and Employees of Savings Banks." (S. P. 368) (L. D. 1034)

Bill "An Act Relating to the Revocation of an Insurance Agent's License." (S. P. 369) (L. D. 1035)

Bill "An Act Relating to Change of Purposes of Domestic Mutual Insurance Companies." (S. P. 393) (L. D. 1102)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

Bill "An Act Relating to Turning Movements and Required Signals for Motor Vehicles." (S. P. 118) (L. D. 315)

"Resolve Authorizing Commissioner of Institutional Service to Convey to Portland Water District a Right of Way for a Pipeline Over Land of the State School for Boys in South Portland." (S. P. 443) (L. D. 1151)

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

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, Bill, An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years End-

ing June 30, 1954, and June 30, 1955 (S. P. 476) (L. D. 1316) tabled on March 17th by Mr. Collins of Aroostook pending passage to be engrossed, and today assigned.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, as result of the Senate action yesterday in adopting Senate Amendment "A" the total amount now of the appropriation bill for the first year of the biennium is \$33,637,855, and for the second year of the biennium is \$33,976,969, and you will note that of course this reduces our operating gain so that according to my figures the operating gain would show at the end of the first year \$555,858, and at the end of the second year \$236,056. Now, it was my understanding yesterday that there was an amendment which would be offered today to the Senate, but I think the Senator from Waldo, Senator Greeley, who had asked me to table the bill, has concluded that this is not the bill in which he wishes to offer the amendment. For that reason, unless there are questions regarding the bill that the Senators wish to ask of the members of the Committee, or unless some other Senators have some amendments which they wish to offer at this time, I would move the pending question, that the bill be passed to be engrossed.

The motion prevailed, and the bill was passed to be engrossed as amended.

Sent down for concurrence.

The President laid before the Senate, Bill, An Act Relating to Aid to the Disabled (H. P. 1181) (L. D. 1309) tabled on March 17th by Mr. Haskell of Penobscot, pending passage to be engrossed in concurrence, and today assigned.

Mr. HASKELL of Penobscot: Mr. President, this is the Fourth Category bill, and I think I may say that the Chairman of the Committee on Welfare recognizes that the bill may well be debated on its merits in both branches and may be subject to the question of availability of money before its final enactment, and those of us who are interested in that phase of it believe that the pending question should have passage and the measure should go through the en-

grossing stage at this time. Therefore, Mr. President, I move the pending question.

Thereupon, the bill was passed to be engrossed in concurrence.

The President laid before the Senate, Senate Reports from the Committee on Taxation, Majority Report "Ought to Pass", Minority Report, "Ought Not to Pass" on Bill, An Act to Amend the Bracket Schedule in the Sales and Use Tax Law (S. P. 191) (L. D. 439), tabled on March 17th by Mr. Wight of Penobscot pending consideration, and today assigned.

On motion by Mr. Wight the majority report of "Ought to Pass" of the committee was accepted, and the bill was given its first reading.

Mr. CHASE of Cumberland: Mr. President, the Committee on Taxation would like to expedite consideration of this bill in both branches, and both parties to the report have so agreed. I therefore move that the rules be suspended and that the bill be given its second reading at this time so that the House may have an opportunity to act on it this week.

Thereupon, under suspension of the rules the bill was given its second reading, and passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate Report, "Ought Not to Pass" from the Committee on Taxation on Bill, An Act Relating to the Sales Tax on Motor Vehicles (S. P. 421) (L. D. 1133) tabled on March 17th by Mr. Cummings of Sagadahoc, pending consideration, and today assigned.

Mr. CUMMINGS: Mr. President, I move the acceptance of the Committee Report be indefinitely postponed.

Mr. CHASE of Cumberland: Mr. President, if that motion should carry what would be the fate of the bill? It is not quite clear to me what the Senator intends.

The PRESIDENT: The Chair's answer to the Senator's question is that he is in some doubt, himself, what the intention of the Senator from Sagadahoc, Senator Cummings, might be under the circumstances. The Chair would believe, however,

from the motion made it was the intent of the Senator from Sagadahoc that this bill be indefinitely postponed. If the Chair is in error I am sure the Senator will correct the Chair.

Mr. CUMMINGS: Mr. President, I would like to make the remark that the entire purpose of this motion, being the sponsor of this bill, is to preside at my own funeral, and I would like to have the bill indefinitely postponed.

Thereupon, the bill and report were indefinitely postponed.

Sent down for concurrence.

The President laid before the Senate, House Report "Ought to Pass as amended by Committee Amendment "A" from the Committee on Welfare on Resolve to Repeal Certain Special Resolve Pensions (H. P. 612) (L. D. 732) tabled on March 17th by Mr. Weeks of Cumberland, pending consideration.

Mr. Weeks of Cumberland: Mr. President, I placed this bill on the table for the purpose of acquiring information. I have since done so and have no further interest in the measure. I therefore move the pending question.

Mr. REID of Kennebec: Mr. President, I know none of the parties involved, but there is a principle involved here which I think we should settle one way or the other, and it is the reason I tabled the bill yesterday, in order to have time to check into it. This is my understanding of the facts behind this bill: Currently there are a large number of people receiving State pensions. Every year during the perambulation of the field workers in the Health and Welfare department those field workers run across cases which in their opinion should be removed from the pension rolls, in most cases probably because they have discovered there are some close relatives capable of sustaining the burden of caring for the people themselves. Accordingly the Health and Welfare Department furnishes to the Welfare Committee of the Legislature a list of persons to be removed from the pension rolls. The Committee then hears each individual case and may agree or disagree with the Department, but

they do cause to be introduced a list of persons to be removed. That is what this bill did. While the Committee was in session another name came to them to be added to bill, a gentleman from Burnham, Waldo County. It is a matter of a screening process. The screeners are the Health and Welfare Department in the first instance and the Committee in the second instance, and then the bill comes before Legislature. When it came before the other branch the other branch adopted House Amendment "A" to remove one of the names in the bill from the list. By doing that, the legislature ad differed, as I understand it, both with the Health and Welfare Department and the Committee. There are several persons in Kennebec County and other Counties whose names appear on the list in the bill. I don't think any of us have time to review individual cases and decide whether or not they are border line cases and should come off the list in the bill. The principle involved is shall we take the Health and Welfare Department's and the Committee's recommendation and pass the bill without amendments or shall each one of us in an attempt to protect our own constituents adopt the amendment to remove them from the list in the bill? I don't care what we do, but I do think we should decide upon some principle.

With respect to the particular individual involved here who was put on the original list in the bill and removed by House Amendment "A", these are the facts which were called to the attention of the Committee, "Kenneth Martin Hunt was granted a Special Resolve Pension of \$20 a month effective May 1, 1951. He was born July 23, 1909. He lives with his father, age 74, mother, age 73, and in the winter his sister, age 40, is also in the household group. She has a seasonal job at a sporting camp. Kenneth Martin Hunt does not have any resources. However, the family lives on a large farm in Burnham that is owned by the father. The parents had, on August 13, 1952, over \$2,000 in the First National Bank of Pittsfield. The farm is estimated to be worth about \$4,000. The buildings are in good repair.

The father advises the Department that he has no regular income but does odd jobs. Kenneth has two brothers; namely, Armand and Norman. They operate a creamery in Skowhegan. It is estimated that the equipment and property at this creamery is worth \$10,000. Kenneth Martin Hunt was reported to be a blue baby. He is somewhat out of shape physically and probably is mentally defective. He is unable to work. The Department questioned the necessity for the \$20 per month Special Resolve Pension. Representative Carroll Keene, who presented the request for the Special Resolve Pension to the 95th Legislature, has written to the Department that in his opinion the pension should be continued. The Department still questions the necessity for the pension." Now, there are the facts in one case. It would seem to me if each of us would investigate in our own counties the persons whose names are on the list to be removed from pensions we probably could make out a pretty good case so they could keep their pensions. The whole point as I see it is shall we in the Legislature take up each individual case and decide in our own minds whether we shall protect our own constituents by amendments to this bill, or will we accept the screening process of the Department and the Committee? Whichever way we do it is immaterial to me and whichever way this body or the other branch votes is immaterial. I brought this up because I think a question of principle is involved and we should decide now what we should do about it. I have no motion to make. Someone else may wish to make a motion.

Mr. DUNHAM of Hancock: Mr. President, I think the Senator from Kennebec, Senator Reid, has explained this thing very well although he did say it is immaterial to him. It is not immaterial to me, I can assure you. This particular case has been well screened and if we want to adopt this procedure I can assure you there are 150 or 200 other border line cases which this legislature might screen, themselves, if they wish. I have sat three, four and five hours listening to these particular cases and although I

would delight in every one of them having aid, it just cannot be done with the funds we have to spend. Therefore, someone through the workings of our legislature must decide who shall and who shall not have a pension. It is material to me because in Hancock County I can pick out one out of the list and put an amendment in and ask you if you don't think he or she should have a pension. I think this is a proper procedure and we should not listen to amendments from this body or the other body.

Mr. HASKELL of Penobscot: Mr. President, only as a means to expedite the matter, I would move acceptance of the "Ought to Pass" report of the committee, and if that prevails and no one else makes the motion, I will make a motion to indefinitely postpone the amendment.

Thereupon, the "Ought to Pass as Amended" report of the committee was accepted and the bill was given its first reading.

On motion by Mr. Haskell of Penobscot, Committee Amendment "A" as amended by House Amendment "A", was indefinitely postponed in non-concurrence; and the resolve was tomorrow assigned for second reading.

The President laid before the Senate, Senate Reports from the Committee on Towns and Counties, Majority Report, "Ought to Pass", Minority Report, "Ought Not to Pass" on Bill, "An Act Repealing Laws on Street Sprinkling" (S. P. 235) (L. D. 597) tabled on March 10th by Mr. Broggi of York, pending consideration, and today assigned.

Mr. WARD of Penobscot: Mr. President, several members of the Committee are still engaged in some rather extensive research on this matter, and I therefore move the bill be retabled.

The motion prevailed and the bill was laid upon the table pending consideration of the committee reports.

Mr. REID of Kennebec: Mr. President, I rise to a point of inquiry with respect to Item 5.

The PRESIDENT: The gentleman may state his point.

Mr. REID: Mr. President, my understanding is we just voted to

indefinitely postpone Committee Amendment "A" as amended by House Amendment "A".

The PRESIDENT: The Senator is correct in his understanding.

Mr. REID: Mr. President, if that is what we did, it was Committee Amendment "A" which placed the name of the individual involved on the list in the bill. It was House Amendment "A" which removed it. If we have indefinitely postponed Committee Amendment "A" we have voted exactly contrary to the way I thought we were going to vote.

The PRESIDENT, The Chair, in answer to the inquiry of the Senator from Kennebec, Senator Reid, would say that he would be of the opinion that because of the action taken the two persons named would be still entitled to pensions.

Mr. HASKELL: Mr. President, in view of the confusion, which I confess was probably occasioned by the looseness of my motion, I move the Senate recess for two minutes.

The motion to recess prevailed.

(After Recess)

Upon motion by Mr. Haskell of Penobscot, the Senate voted to reconsider its former action whereby Committee Amendment "A" as amended by House Amendment "A" was indefinitely postponed. On further motion by the same Senator, House Amendment "A" to Committee Amendment "A" was indefinitely postponed in non-concurrence; Committee Amendment "A" was adopted in non-concurrence; and the resolve as amended by Committee Amendment "A" was tomorrow assigned for second reading.

The PRESIDENT: The Senator from Cumberland, Senator Chase calls the attention of the Senate to the fact that there is present a group from the secretarial training class of Cape Elizabeth High School, a group of students with their teacher, Mrs. Doris Connors. The President, on behalf of the Senate takes pleasure in welcoming them here this morning.

The President laid before the Senate, Senate reports from the Committee on Reapportionment, Majority Report "Ought to Pass", Minority Report, "Ought Not to Pass" on Resolve to Apportion One Hundred and Fifty-one Repre-

sentatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (S. P. 493) (L. D. 1347), tabled on March 12th by Mr. Butler of Franklin, pending consideration, and today assigned.

Mr. BUTLER of Franklin: Mr. Senate, you are well aware of the background which brought birth to this bill, considered by many and acknowledged by few. As a background to that bill let us review the circumstances. It has been since 1931 that the legislature of the State of Maine has abided by the action of the legislature of that period. The issue has come before us and as consistently we have evaded that issue with remarks justified or unjustified but which were considered expedient and solved our immediate problems. It had gone to such an extent that we were again reminded by the Supreme Court of Maine as to our respective duties. As a result of that reminder a committee was appointed, a joint committee from the Senate and from the House, to ascertain the number and to come out with a bill. Unfortunately, there were many who wished to proceed along the same lackadaisical lines. There were many who wished to hurt one county provided they, themselves, did not get hurt. This measure came before us last week and it was then postponed in order that the members of both houses could have the opportunity of reviewing the action of your Committee on Reapportionment. Now, it is very easy to say that we have not had the time to properly review this question and to properly see whether or not this bill is in order. You will recall the time when this first motion was presented to the Senate. You will recall the time that it laid on the table in the House, and the speed, if such terminology may be used, it took for the committee to come out with an answer. Now, it is very easy as a mathematical proposition to ascertain this if we wish to do it. Those who do not like the report can easily say that the census of 1950 was in error and this or that report should not be considered. But the committee

was instructed and empowered to use such figures as was deemed advisable and expedient to handle the situation as a whole. It was requested that the committee ascertain a reapportionment relative to births and deaths of 1951 and of 1952. That was presented to the committee and a report of the outcome of that was submitted to them. However, the work of the committee is not the work of this legislature. We may be acting in this legislature but we are only doing today what those who have preceded us failed to do and accordingly our work is not of 1953 but as of 1950, when we should have acted upon this measure.

Now, in reviewing the increase or decrease of the representatives from the various counties one could easily say, "Well, as far as Aroostook is concerned, if we will just wait a while Limestone will grow so we won't lose one. We may gain two or three." If we wait a while we are not doing our job. Our job is not as of this year, but what should have been done in 1950. It is not right either for us to consider it justifiable to cause the County of Knox to lose one representative in the city of Rockland because the population in Rockland is no longer of such size as to warrant two representatives, without playing equally as fair with the city of Augusta or the city of Lewiston. In Androscoggin County and within Kennebec County are two instances of where there is no outward variation as to the number of their respective representatives, but there is a variation, a flow of traffic of humanity changing their residences from the country to the city, which changes the representation of that city.

Now, we have our minds pretty well made up as to what we are going to do. Any desire on our part to stall this situation is only a front, wishing to put off a disagreeable task, disagreeable because we refuse to acknowledge the facts. There is no money here at all. Accordingly, we can feel ourselves completely justified in arguing to the nth degree as to whether we are going to be politically expedient in refusing to acknowledge. We

can easily say, in trying to stall this, that it is not fair, and yet there is not a county of the smaller counties which have representation, that they do have, that it has not given to them at last one extra representative, due to the present law.

Now, it was only through a coincidence when this matter came to a head that I happened to be asked to try to do something relative to this, coming from a county which is not one of the large counties; in fact, we are the fourth smallest county in the state and have nothing to lose one way or another. We have our own consciences to live by. We have a job in front of us. We do have to acknowledge there is a shift and that shift in accordance with the Constitution which each of us swore to uphold is our moral obligation now if we are going to be justified in passing upon other legislation, to act in accordance with the constitution on this measure. I therefore move we accept the Majority Report of the Committee.

Mr. HARDING of Knox: Mr. President, I believe I can make one statement with regard to this bill, with which everybody can agree, that it is a vexatious matter. We have at the present time in addition to this bill, a bill calling for 156 representatives. We have a bill requiring a constitutional amendment to provide for two senators from each county and we have another bill requiring a constitutional amendment to provide for three senators. I sincerely believe that the final outcome on any one of those three bills might very directly and very materially affect the final outcome on this particular bill. For that reason I request that I be extended the courtesy of retabling this matter until such time as action has been taken on these other bills having to do with representatives and senators. I so move.

Mr. BROGGI of York: Mr. President, I understand that under our parliamentary rules I can debate the merits of tabling; is that correct?

The PRESIDENT: The Chair will have to inform the Senator that under correct parliamentary procedure the motion to table is not debatable. In the event the mover

would care to state a time in which he wishes to have the matter tabled, that would be debatable. The merits to table are unfortunately not debatable.

Mr. BROGGI: Is it in order to request a time, Mr. President?

The PRESIDENT: Would the Senator from Knox, Senator Harding, care to state a time he would like to have the matter lie on the table?

Mr. HARDING: Mr. President, it would not be possible to state a definite time because of the legislative process, itself. I do not recall just what stage these various bills are. I don't recall that any have been heard by the committee. They will have to be referred to a committee, the committee will have to have hearings, and report back to the legislature; and I don't believe anyone could definitely state a time, for that reason.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Harding, that the bill and accompanying papers lie on the table pending the motion of the Senator from Franklin, Senator Butler, that the Senate accept the majority "ought to pass" report of the Committee. The Senator from Penobscot, Senator Haskell has requested that when the vote is taken it be by division. Is the Senate ready for the question?

A division of the Senate was had. Eleven having voted in the affirmative and nineteen opposed, the motion to table did not prevail.

Mr. HASKELL of Penobscot: Mr. President, understanding as I do that the motion before the Senate is the motion of Senator Butler that the Senate accept the majority "ought to pass" report, I would speak only to that motion. I am not going to touch on the merits of the bill but I shall certainly reserve the right to vote my convictions on a more extended debate on the merits and in consideration of such action if any as may be taken on other bills, but I would point out to the Senate that the acceptance of the ought to pass report of the committee does keep

the measure alive. It must be given its first reading followed by an assignment for second reading. It must pass to be engrossed, and if it survives the other branch it will be back here for enactment. It seems to me to expedite the entire session, and I agree thoroughly it is one of the difficult bills and time-consuming bills, but I would be very hopeful both sides would recognize the expediency, even if the measure would go under the gavel this morning, everyone who permits the gavel operation reserves to himself several opportunities to express his personal convictions on the bill.

Mr. SQUIRE of Kennebec: Mr. President and members of the Senate, I remember when I was a youngster by grandmother admonished me one day and said "Little children should be seen and not heard." Being a freshman senator and my first term in this esteemed body I hesitate to say anything, but when I see a bill being considered which in my humble opinion effects an inequality I feel I must rise in opposition to it, and it is why I signed the minority report "ought not to pass." I am not unmindful, gentlemen, of the oath I took when I became a member of this body, to maintain and support the Constitution and I am not unmindful of the fact that the Constitution of the State of Maine requires that after five years or at least every ten years we should apportion the seats in the House of Representatives, and for that reason I was going to make a motion at the conclusion of my remarks that we recommit this bill to the Committee on Reapportionment for further study. It is what I would like to see. The reason is, I think an inequality exists, and I think it exists in Cumberland County. I trust my good friends, the senators from Cumberland County will not take exception or that my good friend, the Senator from Franklin, Senator Butler, will not take exception, he has worked so hard in the committee. I do feel it is my duty to point out this particular instance. I don't want to go through the mechanics because we have been through that

many times in the committee. But in order to make the apportionment of these House seats in the House of Representatives you take the population of the State of Maine and divide it by the number of House seats, 151, and you come up with an answer of 6,051, plus, but we used round figures, so each representative in the House of Representatives in the State of Maine should represent as near as possible 6,051 people. Now, the same process is adopted within the counties to come up with an answer as near as possible to that. For example, in Kennebec County, and I speak of Kennebec because it happens to be my own county, and we don't lose or gain by this, but I happen to have the figures for Kennebec County, and in Kennebec by dividing the population of our number of representatives we come up with an answer of 6,452. In other words, each representative in Kennebec County is to represent 6,452 people. If we do the same in Cumberland County as we do in all the other counties we get the answer that each representative in Cumberland County should represent 6,266 people. How does it work out in Cumberland County? Portland has to be eliminated because according to the Constitution, which is what we are going by, no city is allowed more than seven representatives. So in judging Cumberland County's representation, Portland has to remain in status quo.

Now, how is the division in the rest of the counties? Just to give you a couple of illustrations, the City of Westbrook has a population of 12,284 people, which divided by this figure from Cumberland County, 6,266 people, we get a one plus answer, very close to two, but less than two and more than one. So Westbrook should have one representative and yet according to this bill you have before you, you will find that Westbrook has two representatives. I would like to call your attention to the fact that for the last twelve years they have had two representatives one more than that to which they are entitled. The town of Brunswick has a population of 10,990. Divide that by 6,266 and you find you get an answer of one

plus, less than two but more than one, so Brunswick is entitled to one representative but according to this bill we have before us, Brunswick will have two representatives, one more than that to which they were entitled.

Let's take the town of Bridgton, in Cumberland County, population 2,956, divided by 6,266 and you get less than one-half. So Bridgton is entitled to less than one half representative and yet according to this bill, Bridgton will have one and for the last twelve years they have had one representative.

I call your attention to the fact there is an inequality existing and existed under the old arrangement. Now we propose, according to this bill, to give them three more in Cumberland County where they are going to have more representatives than they will know what to do with, enough to represent the fish in the Atlantic Ocean.

I am in favor of this reapportionment but I think it ought to be fair. In some of the counties you are putting on the squeeze. You are enlarging the territory some of the representatives will have to represent. In some of the cases you should add two or three or four towns to their area. In Cumberland County we are diminishing. I feel there is an inequality in the situation. I believe it should be reconsidered very seriously in the committee and I was going to make a recommendation that we recommit it to committee and study it again because I think that in accordance with what I have said to you here, the Constitution contradicts itself.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, on the question as to whether the provisions of the Constitution are fair or unfair, no doubt they are subject to debate and a matter of opinion. As to the provisions from which alleged unfairness traces that each county is entitled to its proportionate share of representation, there may be again a difference of opinion whether the natural superiority of the citizenry of Kennebec County should fairly entitle them to a louder voice or larger representation in this Senate and Legislature

than the citizens of Cumberland County. I will concede that that is a subject for friendly debate in which I will be glad to engage.

But the particular question is in regard to the constitutionality of the provision which in Cumberland County gives the class towns more representation because Portland gets less representation.

When the original Constitution was submitted to the Constitutional Convention in 1919 the delegate reporting the original Constitution to the Convention said this on the very point involved: "The whole number of representatives to be elected is first to be apportioned and assigned to the several counties on the most exact principles of equity and justice. Thus the great section of the state, the several counties, which are but larger corporations, actuated to a certain extent by a community of interests, have their due weight according to their population. The number of representatives thus apportioned and assigned to any county is next be distributed among the respective towns in such county, each town having the competent number of inhabitants, being entitled to one or more; and towns and plantations not having that number to be classed as conveniently as possible. On any practicable system there will be fractions and representation of course unequal. If under the system adopted by the Convention the large towns have not their full representation, it is preserved in the county of which they are a part."

That was said when the Constitution was originally debated. That provision has been in the Constitution for 133 years and it seems to me that under those conditions it has acquired sufficient dignity so that the question of its fairness is hardly debatable as compared to the issue of whether this Senate should comply with the Constitution or not. The question was raised in regard to the manner of apportionment within the county. This provision was a more recent adopted by the people of the state in 1950. The amendment having been approved by the Legislature was adopted by the people by a vote of 109,325 "yes" to 43,718 "no".

It carried every county in the state and carried Kennebec County by a vote of 10,721 to 4,772.

Mr. HANSON of Washington: Mr. President and honorable members of the Senate, I hope I will not take too much time to give you the few thoughts I have jotted down as to my ideas. I will have to read them because I am no speaker.

God-given Liberty is the basic concept upon which our system of American government was envolved. This concept infused and transfused the minds of those great men who wrote that grand and noble document, the Constitution of the United States of America. Adherence to the principles laid down in that document produced, in a comparatively short period of history, this great, powerful and charitable country, the greatest the world has seen, The United States of America.

Today, honorable members, I believe I sense the beginning of a deviation from those principles, from that document, from that basic liberty; a deviation the true nature of which if we do not assess and evaluate clearly, we or our children possibly may live to regret. The founders of our country recognized that numbers alone could not be counted upon to protect the rights of the individual.

Members of this government have certain property rights, those property rights are inseparable from the individual and are protected through the machinery of the United States Senate. Under our Maine Constitution set-up this right is not so irrevocably safeguarded. The build-up for this act has been planned, is determined and is uncompromising. Early in this session the Court was asked to rule. The Court has ruled. Relative petitions with supportive arguments began to come in. Then the bills to support those petitions. Then the bills and orders to support the generated confusion of those petitions. If you, honorable gentleman and lady, feel that it is now necessary to pass this bill, without further reflection, further inspection, further analysis and final synthesis, all of which under any reasonable set-up require more time than has been allowed, I ask

nothing more than the privilege to read the obituary of our departed Washington County representatives.

Today we are witnessing the death warrant of two representatives from Washington County along with a multiple birth of representatives to Cumberland County. Natural laws have an eternal truth. Birth is natural and death is natural. In birth there is joy. In death there is sadness. Today I am sad but not remorseful. The Constitution of Maine is honorable the instrument of honorable men. All honorable men wish to abide by it. In sadness sometimes we are bitter. If I should strike a note of bitterness you will, I hope, good Senators, be charitable and forgive me.

Somehow I feel that in upholding the Constitution we have upheld the letter and not the spirit of it. We will have signed the death warrant of two representatives from a large land area county with comparatively few people. The people of this county are poor, humble, and may be a little slow to action. This county has not the most people, not great man-made wealth, and is not the greatest supporter of the exchequer. Again true to the laws of nature, energy and power are never destroyed, merely transformed and transferred. Today Washington County has transformed and transferred some of its power to Cumberland. This latter county, we have been informed, is large in population, large in remissions to the exchequer, and, we have not been informed, large in its pull on the exchequer.

If a people are to live, new challenges must be ever present and met. Let we the people of Washington County meet this one and utter unto God, That these dead shall not have died in vain, that this county under God shall have a new birth, and that government of the people, by the people and for the people shall not perish from the State of Maine; that we be here dedicated to the task before us. Thank you.

Mr. BUTLER of Franklin: Mr. Senate, I fully appreciate the statements of the good Senator from Washington County, Senator

Hanson, and I appreciate the vast territory that he has brought before us and the welfare of the people that are there. But let us not get confused with the issue and let us get down to look at a little bit of reality as to how this reapportionment went within that big county which has been referred to, the County of Cumberland, which is so unbearable to our good friend from Kennebec, Senator Squires.

Now, in arriving at that, the mechanics are these: We take the population of the City of Portland, subtract it from the entire population of the county and after subtracting it from the full population of the county we come up with the balance of the population to be divided by the remaining number of representatives within the county. Now, Portland having seven, we take seven from twenty-seven and it leaves us twenty, and so we take that figure twenty for a new mean population per representative population figure to divide into the balance of the county, so we then take with this new figure the number of cities into which this figure will go twice or more, or once or more, and that is the reason why, if you are working the mechanics of it, you will find that South Portland comes out with four. Using the population as based upon Portland, South Portland would not have four, and in exactly the same way, after using the number of cities that that new population figure will go into you will then break it down so that the smaller towns do not have to have as large a representation but still have a representation. That is the mechanics of it.

Unfortunately it hurts, but Maine people have always come across the board. We do not like it but we will acknowledge it, and certainly Washington County acknowledges what it is up against and Washington County came in with tears in their eyes to the committee. They didn't like it and they made their own reapportionment, which cannot be said of some of the other counties that very nicely gave us the cold shoulder by ignoring us completely. Unfortunately, Portland has grown, Cumberland County has grown. We acknowledge it,

on the joking side the State of Maine acknowledges it. Why? Well, good grief, we even acknowledged the fish down there. We all voted last week to allow the little fish in Cumberland County emergency legislation, if we want to look at things on the humorous side. But, throwing humor away, throwing confusion away, our problem is there. It is unfortunate that we have this shift but Washington County has acknowledged it, has come up, and they have stood the test of their responsibility. I feel that any other situation relative to Cumberland is easily explained as outlined. The same principle is brought in, in every town throughout the state in preparing this bill.

Mr. SQUIRE of Kennebec: May I be allowed just one parting shot? I do not feel that it was ever the intent of the Constitution to effect the inequalities we are arriving at if we continue on our way. Agreed, that after deducting Portland you would get smaller representation in Cumberland County. That still does not make it fair. Breaking it down, after that in Cumberland County the smaller towns consequently get larger and more representation than they do in the small towns in the other counties, simply because of the mechanics of it. The fairness is not there and never will be and will continue the other way as long as you let it go on.

I believe in this reapportionment one hundred percent but I cannot believe in inequality, and it is certainly there. I am not complaining about it but just as a matter of example, in Cumberland County according to their figures 10,999 people should have two representatives, in Kennebec County, Waterville with 18,000 people will have two representatives, Brunswick will have only one, but if a lot of them were in Cumberland County they probably would have three. I cannot understand the fairness of it. I would like to ask a question of the Chair, whether a motion to recommit this for further study would take precedence over the motion to accept the majority report.

The PRESIDENT: Answering the Senator's question the Chair will rule that the motion to recommit would take precedence.

Mr. SQUIRE: Mr. President, I so move.

Mr. REID of Kennebec: Mr. President, had not the motion to recommit been made I would have gone along with the motion to accept the majority report of the committee. I intend to vote for the reapportionment. Two years ago there were rumors that I was an unconstitutional lawyer because at that time I voted against it. The reason was this: At that time there was a question of law involved and a question of fact involved and we did not reach the question of equity. The question of law was whether or not the legislature would satisfy a constitutional requirement which was that the legislature should cause the inhabitants of the state to be counted by delegating their responsibility to a federal agency. The question of fact was whether or not the federal agency had done its job with sufficient accuracy so that we could depend upon it for the facts, that is, the population of the various places.

It was my understanding that there was a mistake of over a thousand in Waterville alone. This year as a result of a Supreme Court decision to the effect that we had a right to rely upon the federal census or any other reasonable scheme for counting, the law seems to me to have been resolved and it becomes incumbent upon us to adopt the 1950 census for purposes of reapportionment. The question of fact is now out of the way because we have to take the federal census of 1950 as stating the facts although we all know they are not accurately stated and we all know that subsequent to 1950 the facts have been changed. But that is besides the point. We have now reached the stage where the only thing we have to consider is the equity of the situation and as I understand it if we act with equity we must get as close as we can intracounty to follow the roughly 6,000-odd for each representative.

The Senator from Kennebec, Senator Squire, is not satisfied that we have gone as far as we can to establish the equity of this situation, and with that I agree. If he believes that a recommitment of this bill to the Reapportionment Committee would remove at least partially the

current inequities in the present bill I propose to go along with his motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Squire, that the resolve and accompanying papers be recommended to the Committee on Reapportionment.

Mr. BROGGI of York: Mr. President and members of the Senate, last evening the majority leader of this Body informed me that it was within the realm of possibility that the Senate might adjourn the third or fourth week in April. I certainly believe that the motion to recommit is not proper at this time as we may be within four weeks of adjournment. Consequently I oppose the motion to recommit this measure, and when the vote is taken I ask for a division.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I rise to oppose the motion of my good friend Senator Squire because I want him to be in the same category that I am in. I have been pushed to the wall and forced to face issues for expediency. This morning I want expediency. I want to vote on this bill at this time. I don't think that recommitting this to committee will do one bit of good and if we don't settle the thing now, we may possibly repeat what we did in 1951 and adjourn without settling the question. It has been pointed out by the Big Chief from Penobscot, that we will have ample opportunity to discuss this again when it comes back from the other Body. I hope the motion to recommit does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Squire that the resolve be recommitted to the Reapportionment Committee, and the Senator from York, Senator Broggi has requested a division.

A division of the Senate was had.

Thirteen having voted in the affirmative and sixteen opposed, the motion to recommit did not prevail.

Mr. BOUCHER of Androscoggin: Mr. President, again for the cause of expediency of which I have been a reluctant victim in the past, I move the previous question and also

request that the vote be taken by the Yeas and Nays.

The PRESIDENT: The pending question is on the motion of the Senator from Franklin, Senator Butler, that the Senate accept the Majority Report "Ought to Pass" report of the Committee.

Mr. BOUCHER: Mr. President, at the request of my good friend, the Big Chief of Penobscot County, I wish to withdraw my request for the Yeas and Nays and will ask for a division.

Thereupon, a division of the Senate was had.

Seventeen having voted in the affirmative and twelve opposed, the motion prevailed, the Ought to Pass report was accepted, the resolve given its first reading, and tomorrow assigned for second reading.

The President laid before the Senate Bill "An Act Relating to Divesting Property in Qualifications for Old Age Assistance and Aid to the Blind." (H. P. 199) (L. D. 209) tabled on March 17 by the Senator from Somerset, Senator Sinclair, pending motion by Senator Chase of Cumberland, that the bill be indefinitely postponed.

Mr. CHASE of Cumberland: Mr. President, I understand that the Senator wishes to present an amendment and I therefore wish to withdraw my motion for indefinite postponement.

There being no objection, the motion for indefinite postponement was withdrawn.

Mr. Haskell of Penobscot presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:

"Senate Amendment A to H. P. 199, L. D. 209, bill, An Act Relating to Divesting Property in Qualifications for Old Age Assistance and Aid to the Blind. Amend said bill by striking out the underlined figures '1952' in the 6th line and inserting in place thereof the underlined figures '1950'.

Further amend said bill by striking out the underlined figures '1952' in the 14th line and inserting in place thereof the underlined figures '1950'."

Mr. HASKELL of Penobscot: Mr. President, in support of the motion

that the Senate do adopt the amendment, I think I may say that type of amendment meets reasonably well the desires of the committee, the department, and those of us who did not look with complete favor on all portions of the bill. I think it represents a fair compromise of all the interests in the measure.

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

Sent down for concurrence.

The President laid before the Senate, Resolve Proposing an Amendment to the Constitution Providing for One Hundred Fifty-Six State Representatives (S. P. 483) (L. D. 1346) tabled on March 17 by Senator Chase of Cumberland pending that Senator's motion to reconsider former action by which the Senate referred the bill to the Committee on Judiciary.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I go along whole heartedly with this motion to reconsider and if the motion to reconsider carries, I will request leave to withdraw this bill.

The PRESIDENT: The pending question before the Senate is on reconsideration of the former action of the Senate whereby the resolve was referred to the Committee on Judiciary.

The motion to reconsider reference prevailed.

Thereupon, Senator Chapman of Cumberland was granted leave to withdraw the Resolve.

Mr. REID of Kennebec. Mr. President, in the other branch, it appears that there were two representatives, each of whom thought that the other was to introduce a certain resolve, with the result that neither one of them introduced it. It was handed to me for the simple reason that it was thought that it might be more likely to be received by unanimous consent in this branch than in the other, to be perfectly frank about it.

It is a pension resolve along with many others and will not work much of a hardship. I ask unani-

mous consent to introduce the resolve at this time.

Thereupon, Resolve Providing for a State Pension for Ruth P. Vosburg of Augusta, was received by unanimous consent, and on motion by Senator Reid of Augusta, the resolve was referred to the Committee on Judiciary and sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Joint Order (S. P. 238) Relative to lists of hearings scheduled made available to weekly newspapers" (as amended by House Amendment A, B, and C) tabled by that Senator on February 17 pending consideration.

Mr. REID of Kennebec: Mr. President, this bill had to do with advertising legislative notices in the weeklies. I would say the bill is practically dead in view of the fact that we are half way through the session. However it might be possible to salvage a bit of it. The Senate will recall that an order originating in the House was debated there and in this Branch and then it was thought to be impractical.

Consequently the Senate originated a Joint Order which in effect allowed certain information from about six committees to go to a focal point to be distributed to those who wanted it. In the other Branch they tacked on House Amendments A, B, and C. Amendment A provided for a lot of information to be provided in quadruplicate which would be as impractical as the first thing. Amendment B provided that information should emanate from all of the joint committees instead of only six. That too would be impractical. Amendment C, we could go along with because all that does is to provide that what little information we can give should be handed to them on Tuesday instead of Wednesday. I shall therefore, move successively for the indefinite postponement of House Amendment A and B, and the adoption of House Amendment C.

Thereupon, the Senate voted to reconsider its former action whereby the Joint Order was originally

passed; and on motion by Mr. Reid of Kennebec, House Amendments A and B were indefinitely postponed and House Amendment C was adopted; on further motion by the same Senator the Order as amended by House Amendment C was passed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow afternoon at 1:30 o'clock.