

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, April 15, 1953

The Senate was called to order by the President.

Prayer by the Rev. Harvey F. Ammerman of Augusta.

Journal of yesterday read and approved.

House Papers

Bill "An Act Relating to the Sales Tax on Motor Vehicles." (S. P. 509) (L. D. 1388)

(In Senate, on April 9 passed to be engrossed as amended by Senate Amendments "A" and "B")

Comes from the House, passed to be engrossed without amendments, in non-concurrence.

In the Senate:

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, I move that the Senate recede and concur with the House.

Mr. HASKELL of Penobscot: Mr. President, I shall vote for the motion to recede and concur with the House, and I am sure that vote will not be misunderstood to indicate that at a later date I may not take the privilege of speaking against the measure. However that may be, it seems to me at least that for the benefit of the members of the Senate, and particularly for members of the Appropriations Committee, it would be very helpful if either the committee or the sponsor of the measure would establish the revenue lost, incident to this bill.

I have heard figures varying from \$900,000 to \$1,200,000 and particularly in appropriation considerations, I think it would be helpful if they do have an estimate, to give the Senate an idea of what this bill will take from revenue with the amendments taken off.

Mr. CHASE of Cumberland: Mr. President, I shall vote against the motion to recede and concur, and if the motion fails of passage, I shall make a motion that the Senate insist.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by the Senator from Cumberland, Senator Weeks, that the Senate recede and concur.

Bill "An Act Relating to Licensing Auctions and Auctioneers." (S. P. 499) (L. D. 1374)

(In Senate on March 26th passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendments "A" and "B" in non-concurrence.

In the Senate, on motion by Mr. Haskell of Penobscot, the bill and accompanying papers were laid upon the table pending consideration.

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Northern Aroostook Municipal Court." (H. P. 862) (L. D. 955)

(In Senate on March 24 passed to be engrossed in concurrence.)

Comes from the House, engrossing having been reconsidered under suspension of the rules House Amendment "A" adopted, and the bill as so amended passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

Bill "An Act to Increase the Salary of the Judge of the Van Buren Municipal Court" (H. P. 863) (L. D. 935)

(In Senate, on March 24 passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered under suspension of the rules; House Amendment "A" adopted, and the bill as so amended, passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

Bill "An Act Relating to Salary of Judge and Fees Paid to Waterville Municipal Court." (S. P. 500) (L. D. 1375)

(In Senate, on March 26th, passed to be engrossed.)

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

In the Senate, on motion by Mr. Weeks of Cumberland, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, House Amendment A was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

Bill "An Act to Create the Washington County Recreation Authority." (S. P. 208) (L. D. 558)

(In Senate on April 9th, passed to be engrossed as amended by Committee Amendment "A".)

Comes from the House, passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto, in non-concurrence.

In the Senate, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to further reconsider its action whereby Committee Amendment A was adopted; House Amendment A to Committee Amendment A was read, and adopted, Committee Amendment A as amended by House Amendment A was adopted in concurrence, and the bill as so amended passed to be engrossed in concurrence.

"Joint Resolution Rescinding the Vote Taken by the 90th Legislature in 1941 Proposing an Amendment to the Constitution of the United States Relative to Taxes on Incomes, Inheritances, and Gifts." (H. P. 1240) (L. D. 1443)

Which was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

House Committee Reports

The Committee on Highways on "Resolve, Appropriating Money for Repair and Maintenance of Bridge Over Moose River," (H. P. 724) (L. D. 745) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Claims on "Resolve, in Favor of Ervin E. Hus-tus, of Rockland," (H. P. 1202) (L. D. 1437) reported that the same ought to pass.

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

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Closed Season on Pheasants in Penobscot County," (H. P. 408) (L. D. 457) reported that the same ought to pass.

The Committee on Labor on Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels," (H. P. 225) (L. D. 252) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Work Permits for Minors," (H. P. 107) (L. D. 109) reported that the same ought to pass.

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

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Flagstaff Lake," (H. P. 736) (L. D. 753) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Liquor Control Bill "An Act Relating to Duties of the Liquor Commission," (H. P. 937) (L. D. 997) reported that the same ought to pass as amended by Committee Amendment "A".

(Amendment Filing No. 289)

The Committee on Taxation to which was recommitted Bill "An Act Exempting Ships' Stores from Maine Sales Tax," (H. P. 17) (L. D. 11) 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 and resolve read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills and resolve as amended were tomorrow assigned for second reading.

The Committee on Welfare on "Resolve, Providing for an Increase in State Pension for Flora E. Mosher of Smithfield," (H. P. 471) reported that the same ought not to pass.

Comes from the House, recommended to the Committee on Welfare.

In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending consideration of the committee report.

The Committee on Business Legislation on Bill "An Act Relating to Procedure by Savings Banks when Original Book of Deposit Lost," (H. P. 791) (L. D. 845) reported that the same ought to pass.

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

In the Senate the report was read and accepted and the bill read once; House Amendment A was adopted without reading and the bill tomorrow assigned for second reading.

The Committee on Towns and Counties on Bill "An Act to Increase the Salaries of the Judge and Recorder of the Piscataquis Municipal Court," (H. P. 870) (L. D. 941) reported that the same ought to pass.

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

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

The Committee on Liquor Control on Bill "An Act Relating to the Sale of Liquor on May Thirtieth," (H. P. 1056) (L. D. 1171) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, Committee Amendment "A" indefinitely postponed, and the bill passed to be engrossed, without amendment.

In the Senate, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending consideration of the report, and was especially assigned for later in today's session.

The PRESIDENT: The Senator from Oxford, Senator Carter, calls the attention of the Chair to the fact that we have visitors in the Senate balcony this morning, a group from the 8th grade of the

Bethel Grammar School under the supervision of Mr. Charles Chapman and Mrs. Lurvey. In behalf of the Senate, we welcome you here this morning and hope that you have a most enjoyable and instructive day.

The Majority of the Committee on Liquor Control on Bill "An Act Relating to the Retail Sale of Wine," (H. P. 540) (L. D. 553) reported that the same ought not to pass.

(signed)

Senators:

TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin

Representatives:

ANDERSON of Greenville
CHASE of Whitefield
LARRABEE of Westbrook
CHRISTIE of Presque Isle
BROWN of Robbinston
ALBERT of Augusta

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

(signed)

Representative:

DOSTIE of Winslow

Comes from the House, the Majority Report, read and accepted.

In the Senate, on motion by Mr. Dennett of York, the Majority Report "Ought Not to Pass" was accepted in concurrence.

The Majority of the Committee on Public Utilities on Bill "An Act Relating to Windshields, Wipers and Tops on Rail Track Motor Cars," (H. P. 847) (L. D. 867) reported that the same ought not to pass.

(signed)

Senators:

HARDING of Knox
SQUIRE of Kennebec
COLLINS of Aroostook

Representatives:

ARCHER of Brewer
OSBORNE of Fairfield
TUTTLE of Pownal
LOVELY of Westfield
SCOTT of Alfred

The Minority of the same Committee on the same subject matter

reported that the same ought to pass.

(signed)

Representative:

O'DELL of Eastport

Comes from the House the Majority Report read and accepted.

In the Senate, on motion by Mr. Weeks of Cumberland, the Majority Report "Ought Not to Pass" was accepted in concurrence.

Communication

STATE OF MAINE

House of Representatives

Office of the Clerk

Augusta

April 14, 1953

Hon. Chester T. Winslow

Secretary of the Senate

96th Legislature

Sir:

The Speaker of the House today appointed the following Conferees on the part of the House on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Liquor Billboards and Signs," (H. P. 275) (L. D. 262):

Mrs. CHRISTIE of Presque Isle
Messrs. McGLAUFLIN of Portland
SANFORD

of Dover-Foxcroft

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which was read and ordered placed on file.

First Reading of Printed Bills

Bill "An Act Relating to Fees of Sheriffs and Deputies." (S. P. 534) (L. D. 1439)

Bill "An Act Relating to Inspection of Boilers." (S. P. 535) (L. D. 1440)

Resolve to Create a Special Committee to Study Safeguards in Construction Projects." (S. P. 536) (L. D. 1441)

Which were severally read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Reimbursement to Towns for Real

Estate Exempted from Taxation," (S. P. 462) (L. D. 1297) reported that the same ought not to pass.

Mr. Haskell from the same Committee on "Resolve Relating to Winter Sports Development at Mount Blue State Park," (S. P. 467) (L. D. 1310) reported that the same ought not to pass.

Mr. Parker from the Committee on Claims on "Resolve in Favor of Lewis M. Mooers, of Gardiner," (S. P. 349) (L. D. 962) reported that the same ought not to pass.

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to the Expedition of Trials in Criminal Cases," (S. P. 131) (L. D. 340) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Construction of Dormitory at the University of Maine, and Appropriating Moneys Therefor," (S. P. 47) (L. D. 124) reported that the same ought to pass.

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

Mr. COLLINS from the Committee on Appropriation and financial Affairs on "Resolve in Favor of Northern Maine Sanatorium," (S. P. 240) (L. D. 665) reported that the same ought to pass as amended by Committee Amendment "A".

The same Senator from the same Committee on "Resolve in Favor of the Town of Aurora," (S. P. 95) (L. D. 231) reported that the same ought to pass as amended by Committee Amendment "A".

Mrs. KAVANAGH from the Committee on Claims on "Resolve, in Favor of George L. McLellan of Lamoine," (S. P. 165) (L. D. 410) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. REID from the Committee on Judiciary on Bill "An Act Relating to Application for Writ of Habeas Corpus," (S. P. 248) (L. D. 671) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. CARPENTER from Committee on Inland Fisheries and Game on Bill "An Act to Revive the Biennial Revision of the Inland Fish and Game Laws," (S. P. 496) (L. D. 1369) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. CHAPMAN from the Committee on Legal Affairs on Bill "An Act Relating to Licensing of Electricians," (S. P. 445) (L. D. 1269) reported that the same ought to pass as amended by Committee Amendment "A".

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

The Majority of the Committee on Appropriations and Financial Affairs on "Resolve Providing for a Salmon Rearing Station in Southern Maine," (S. P. 40) (L. D. 53) reported that the same ought not to pass.

(signed)

Senators:

HASKELL of Penobscot
SINCLAIR of Somerset

Representatives:

COLE of Liberty
CATES of Machias
JALBERT of Lewiston

The Minority of the same Committee on the same subject matter, reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senators:

COLLINS of Aroostook

Representatives:

CAMPBELL of Guilford
DAVIS of Harrison
BURGESS of Limestone

On motion by Mr. Robbins of Aroostook, the resolve and accompanying papers were laid upon the table pending consideration of the reports, and especially assigned for later in today's session.

Passed to be Engrossed

Bill "An Act Amending the Charter of the City of Bangor Relative to Change in Election Date and

Budget Calendar," (H. P. 535) (L. D. 581)

Bill "An Act to Amend the Charter of the City of Hallowell Relating to the Election of the City Marshal and Street Commissioner by the City Council." (H. P. 537) (L. D. 570)

"Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls," (H. P. 647) (L. D. 662)

Bill "An Act Relating to Disposal of Unlicensed Dogs." (H. P. 666) (L. D. 709)

Bill "An Act Relating to Unlicensed Dogs." (H. P. 668) (L. D. 771)

On motion by Mr. Chapman of Cumberland, tabled in today's session.

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

Bill "An Act Relating to the Marking of Moosehead Trail." (H. P. 26) (L. D. 20)

Bill "An Act Relating to Appointment of Trustee in Voluntary Trusts." (H. P. 70) (L. D. 66)

Bill "An Act to Incorporate the Town of Poland School District." (H. P. 33) (L. D. 27)

Bill "An Act to Enlarge the Old Town Game Preserve." (H. P. 95) (L. D. 97)

Bill "An Act Clarifying the Boxing Law." (H. P. 110) (L. D. 112)

Bill "An Act Relating to Accident Insurance for Boxers." (H. P. 112) (L. D. 114)

Bill "An Act Relating to Throwing Substances on Highways Likely to Cause Fires." (H. P. 274) (L. D. 261)

Bill "An Act Amending the Charter of the Town of North Yarmouth School District." (H. P. 345) (L. D. 363)

Bill "An Act Relating to the Airport Commission of the Town of Sanford." (H. P. 347) (L. D. 362)

Bill "An Act Creating a Board of Examiners of Psychologists." (H. P. 432) (L. D. 479)

Bill "An Act to Ratify and Confirm the Incorporation of Servantes du Coeur Immaculé de Marie, in York County." (H. P. 529) (L. D. 566)

Bill "An Act Amending the Charter of the City of Bangor

Relative to Business and Financial Provisions." (H. P. 533) (L. D. 555)

Bill "An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties." (H. P. 534) (L. D. 580)

Bill "An Act Increasing Salaries of County Officers in Aroostook County." (H. P. 610) (L. D. 609)

Bill "An Act Relating to Food and Shelter for Sick, Injured or Abandoned Dogs." (H. P. 667) (L. D. 710)

(On motion by Mr. Chapman of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act Relating to the Salary of the County Attorney of Aroostook County." (H. P. 691) (L. D. 726)

Bill "An Act Amending the Charter of the Peoples' Ferry Company." (H. P. 835) (L. D. 874)

Bill "An Act to Increase the Borrowing Power of the Town of Hermon School District." (H. P. 837) (L. D. 876)

Bill "An Act Relating to the Town of Hampden School District." (H. P. 838) (L. D. 877)

Bill "An Act Relating to Statement of Income and Expense of Persons Requesting Pauper Assistance." (H. P. 873) (L. D. 944)

(On motion by Mr. Carter of Oxford, tabled pending passage to be engrossed.)

Bill "An Act Relating to Special Town Meetings in Town of Fairfield." (H. P. 979) (L. D. 1067)

Bill "An Act Relating to Uniform Reciprocal Enforcement of Support Act." (H. P. 1023) (L. D. 1142)

Bill "An Act Relating to Fines and Costs for Violation of Truck Weight Laws." (H. P. 1050) (L. D. 1191)

Bill "An Act to Grant a Charter to the City of Brunswick." (H. P. 1104) (L. D. 1236)

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

Bill "An Act Relating to Return of Party Enrollments in Primary Elections." (S. P. 532) (L. D. 1436)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to Number of Justices of Superior Court." (S. P. 402) (L. D. 1117)

Bill "An Act Relating to Driving a Motor Vehicle While License Suspended or Revoked." (S. P. 522) (L. D. 1421)

Bill "An Act Relating to Return of Number of Registered Voters in Elections." (S. P. 531) (L. D. 1435)

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

Sent down for concurrence.

Enactor

Bill "An Act Relating to Markers for Motor Vehicle Owners Who Operate Amateur Radio Stations." (H. P. 197) (L. D. 213)

Mr. CUMMINGS of Sagadahoc: Mr. President, with great reluctance and with great feeling for the ham radio operators, and still believing that they do perhaps deserve more recognition than they have yet received, in deference to their wishes, that they are satisfied with nothing less than special license plates, I am compelled to move indefinite postponement of this measure.

Mr. BOUCHER of Androscoggin: Mr. President, I feel a good deal like the Senator from Sagadahoc. This is not what the hams want and I know it. For four years now I have presented a similar bill, two years ago and four years ago, but I was turned down.

I still feel that this legislature should go on record as favoring the marker, although they have stated that they want only a special plate. I think at least it would be a gesture to show the hams that we do appreciate what they are doing but we will not be opening the door to special consideration in the nature of plates. Therefore I hope that the motion of the Senator from Sagadahoc, does not prevail at this time. I would like to see this bill go through giving the hams the markers, even if they don't want them. If they don't want them, then they can come in here two years from now. But I think the markers would be a nice gesture.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was

laid upon the table pending motion by the Senator from Sagadahoc, Senator Cummings, that the bill be indefinitely postponed.

Orders of the Day

The President laid before the Senate, House Report "Ought Not to Pass" from the Committee on Towns and Counties on bill, An Act Relating to Expenses of Maintaining Burying Grounds in Unorganized Territory (H. P. 947) (L. D. 1001), tabled by the Senator from Piscataquis, Senator Parker, on April 9th pending consideration of the Committee Report and today assigned.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, in order that I may have a little more time to prepare an amendment that I think meets with the approval of the Committee on Town and Counties, I am going to ask the privilege of retabing this bill and especially assigning it for one week from today.

Thereupon the bill was retabled pending consideration of the committee report and assigned for Wednesday, April 22.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to inquire whether legislative document 207 and legislative document 527 which were passed to be engrossed yesterday are still in possession of the Senate.

The PRESIDENT: In answer to the inquiry of the Senator the Chair will inform the Senator that legislative document 527 and legislative document 207 are in the possession of the Senate.

Thereupon, on motion by Mr. Boucher of Androscoggin, the Senate voted to reconsider its former action whereby bill, An Act Amending the Charter of the Municipal Court of the City of Auburn re Payment of Expenses of the Court (H. P. 196) (L. D. 207) was passed to be engrossed; and on further motion by the same Senator the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Boucher of Androscoggin the Senate voted to reconsider its former action whereby bill, An Act Amending the Charter of the Municipal Court of

the City of Lewiston re Payment of Expenses (H. P. 547) (L. D. 527) was passed to be engrossed, and on further motion by the same Senator the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Boucher of Androscoggin the Senate voted to take from the table House Report from the Committee on Liquor Control on bill, An Act Relating to the Sale of Liquor on May 30 (H. P. 1056) (L. D. 1171) reporting that the bill "Ought to Pass as Amended by Committee Amendment "A," tabled by that Senator earlier in today's session pending consideration of the committee report; and that Senator yielded to the Senator from York, Senator Dennett.

Mr. DENNETT of York: Mr. President, prior to making a motion on this bill I would like to give the member of the Senate a very brief history of what is going on. This bill was presented to the Committee on Liquor Control banning the sale of liquor on May 30th apparently as a patriotic gesture. Supposedly the bill was backed by the American Legion. At the hearings no sponsors from the American Legion appeared for the bill. The only people who appeared for the American Legion were opposed to the bill. Nevertheless, in committee the bill was compromised to the extent of the committee amendment which amended it on the basis that there would be no sale of liquor until 12 o'clock noon Eastern Standard Time. That, of course, for all purposes is 1 o'clock. As we all know that with patriotic societies, government reservations, etc., where ever the American flag is flown it is at half mast until noon when it is raised to the full tip of the staff. We thought on that basis that we would certainly be going along with the commemorative portion of the bill on that day if we banned the sale of liquors and alcoholic beverages until such time as the flags were hoisted to the full staff. Apparently everyone in the committee was satisfied. The bill came out with a unanimous "Ought to Pass as Amended" report.

As you all know, that is a very unusual thing in the Committee on Liquor Control. A unanimous report is somewhat of a rarity. Inasmuch as this apparently is not a patriotic gesture banning the sale on this day rather is a wedge sought by those who seek to drive the State entirely out of the liquor business and another wedge to ban the sales of liquor on other holidays — in fact there was another bill banning the sale of liquor for every holiday in the State of Maine, civil and religious, perhaps with the exception of Yom Kipper and Rosh Hososhana — so inasmuch as I personally think the committee has been very liberal and this is a very liberal gesture for all concerned both of religious, civic and patriotic groups, I move the acceptance of the committee report "Ought to Pass as Amended by Committee Amendment "A" in non-concurrence.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, as another member of the Committee on Liquor Control I wish to express my opinion on this bill. As has been well stated by the Senator from York, Senator Dennett, he has exposed the whole situation to you and I want to concur with him in saying that we leaned over backwards trying to please all the dry elements of the State by reporting that bill with a committee amendment on it. The first idea was to dispose of the bill "Ought Not to Pass" but in order to please the dry elements within our own committee and in the members of the Legislature we reported it ought to pass as amended. Apparently the other body has seen fit to change the action of our committee and I therefore feel that we should sustain the committee report and amendment and stand by our guns.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Dennett, that the Senate accept the "Ought to Pass as Amended" report of the committee. Is this the pleasure of the Senate?

Thereupon the ought to pass as amended report of the committee was accepted and the bill read once. Committee Amendment "A" was adopted in non-concurrence and the

bill as amended was tomorrow assigned for second reading.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill "An Act Relating to Licensing Auctions and Auctioneers" (S. P. 499) (L. D. 1374) tabled by that Senator earlier in today's session pending consideration.

Mr. HASKELL of Penobscot: Mr. President, I now move that the Senate recede and concur.

Thereupon, under suspension of the rules the Senate voted to reconsider its former action taken on March 26th whereby the bill was passed to be engrossed, House Amendments "A" and "B" were severally adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

On motion of Mr. Cummings of Sagadahoc, the Senate voted to take from the table bill, "An Act Relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol and Waldoboro" (new draft of S. P. 185, L. D. 1405), tabled by that Senator on April 14th pending passage to be engrossed; and that Senator yielded to the Senator from Lincoln, Senator Dow.

Mr. DOW of Lincoln: Mr. President, I thank the Senator for taking care of these bills which were assigned yesterday, in my absence. This bill is a reciprocal agreement among several towns in Lincoln County for digging of marine worms. The town of Nobleboro was omitted due to the fact that it has no mud flats, but I now find that if Nobleboro is not included it means that two worm diggers of that town will be put out of business. Therefore I would like to offer Senate Amendment "A" and move its adoption.

The secretary read the amendment: "Amend Said Bill Wherever in the Title Emergency Preamble in sections one and two the words "South Bristol" appear and add after said words the punctuation and word ", Nobleboro".

Thereupon Senate Amendment "A" was adopted and the bill as amended was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Senator from York, Senator Dennett has called the attention of the Chair to the fact that there is in the balcony of the Senate a group of 106 pupils from the 8th grade of the Frisbee Junior High School in Kittery who are here today with Principal Basil E. Kinney and teachers Mrs. Blanche Liebman, Miss Nuvart Baronian and Mrs. Tressa Moss. On behalf of the Senate the Chair welcomes you and trusts that you will have a most enjoyable and instructive visit.

On motion of Mr. Boucher of Androscoggin the Senate voted to take from the table bill, "An Act Relating to the Sales Tax on Motor Vehicles (S. P. 509) (L. D. 1388) tabled by that Senator earlier in today's session pending motion by the Senator from Cumberland, Senator Weeks, that the Senate recede and concur.

Mr. BOUCHER of Androscoggin: Mr. President, I now find that the bill in its present status does not require the amendment I was going to offer so I therefore move the pending question.

The PRESIDENT: The pending question before the Senate is on the motion of the Senator from Cumberland, Senator Weeks, that the Senate recede and concur.

Mr. CHASE of Cumberland: Mr. President, when the vote is taken I ask that it be taken by division.

The PRESIDENT: Is the Senate ready for the question?

A division of the Senate was had. 19 having voted in the affirmative and 10 opposed, the motion to recede and concur prevailed.

Thereupon, Senate Amendments A and B were indefinitely postponed and the bill passed to be engrossed without amendment in concurrence.

On motion of Mr. Weeks of Cumberland, the Senate voted to take from the table, Senate Report "Ought to Pass with Committee Amendment "A" from the Committee on Legal Affairs on bill, An Act to Dissolve the First Parish of Freeport (S. P. 320) (L. D. 806), tabled by that Senator on April 8th pending consideration of the committee report, and that Senator yielded to the Senator from Cumberland, Senator Chapman.

Mr. CHAPMAN of Cumberland: Mr. President, I present Senate Amendment A and move its adoption.

Thereupon, the "Ought to Pass as Amended" report of the committee was accepted and the bill was given its first reading, Committee Amendment A and Senate Amendment A were severally read and adopted and the bill as so amended was tomorrow assigned for a second reading.

On motion of Mr. Jamieson of Aroostook, the Senate voted to take from the table, Senate Report "Ought to Pass" from the Committee on Towns and Counties on bill, An Act Relating to Expending Aroostook County Funds for Ricker College (S. P. 458) (L. D. 1273), tabled by that Senator on April 7th pending consideration of the report; and on further motion by the same Senator the "Ought to Pass" report of the committee was accepted and the bill was given its first reading.

Mr. JAMIESON: Mr. President, I offer Senate Amendment A and move its adoption.

The Secretary read the amendment: "Senate Amendment A to S. P. 458, L. D. 1273.

"Amend said Bill by striking out that part designated "Sec. 15-C" and inserting in place thereof the following:

'Sec. 15-C. Appropriation for college education in Aroostook county. Aroostook county may expend not exceeding the sum of \$10,000 for the year 1953 and \$10,000 for the year 1954 for Ricker college, to be paid to the treasurer of said college and to be expended by the trustees of Ricker college for general operations.'

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, I am going to vote for the amendment but I think it is fitting that the Senate should know what the action is in this regard because it represents a new departure in that County funds are going to be used for a private institution and I am against the principle of the bill. But I do feel that the circumstances of Ricker College present such a situation that it is expedient to provide these funds for the next

two years. By that time perhaps the status of the institution will be better established but I did want it on the record that I am opposed to the principle of county money being spent for a private institution.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A.

Thereupon Senate Amendment A was adopted and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Robbins of Aroostook the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs on Resolve Providing for a Salmon Rearing Station in Southern Maine (S. P. 40) (L. D. 53), Majority Report "Ought Not to Pass", Minority Report "Ought to Pass", as Amended by Committee Amendment "A", tabled by that Senator earlier in today's session pending consideration of the reports, and that Senator yielded to the Senator from Somerset, Senator Sinclair.

Mr. SINCLAIR of Somerset: Mr. President, I move that the Senate do accept the majority "Ought Not to Pass" report of the Committee.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, I would consider myself remiss if I did not speak a few words here in praise of the Committee from which this divided report comes. I know that all the members of the Committee have given this bill very, very deep consideration. I know that the report is based on the difficulties which I have and they have in measuring costs against income. I feel that is so. I know that all of the members of the committee are convinced of the desirability of accomplishing the objective which is intended in this measure. The fact that they prepared an amendment indicates the extent to which they went. I appreciate also the responsibility each one of us has right now with our feeling of meeting expenses with revenue. Those of us who are interested in tax exemption must also be interested in savings on the appropriations side. Therefore, on the merits I feel we would all vote to provide

such a rearing station. For many years there were two rearing stations in southwestern Maine, one in Gorham and one in Raymond. The rearing station in Raymond now has a capacity of 50 thousand and the station in Gorham a capacity of 75 thousand. However, the one in Gorham which has the larger capacity has been discontinued now because of the inability of the Portland Water District to supply the activities with water. Therefore, in the whole of southwestern Maine we have a production capacity of 50 thousand fish. I will say this, that I feel there is a possibility that out of the Fish and Game funds there may be some funds available both for the project proposed for the north-part of the state and for the one I am interested in here, and I may say I am interested in both of them. I thank the committee for the real serious consideration they have given to this measure.

The PRESIDENT: The question before the Senate is on the motion Senator Sinclair, that the Senate accept the majority, "Ought Not to Pass" report of the committee.

Thereupon, the majority "Ought Not to Pass" report of the Committee was accepted.

Sent down for concurrence.

Mr. Butler of Franklin was granted unanimous consent to address the Senate.

Mr. BUTLER: Mr. President and members of the Senate, I am a little disturbed as to the quick action which we have just taken relative to disposing of present income relative to the automobile tax. We have before us a paper prepared by the Appropriations Committee as to suggested changes or as to suggested cuts, which we must face ourselves with. We are in a time of increased cost of living and do have a depreciated dollar. We do have people that are dying and must be buried and we have the old and aged who must be taken care of. We do have educational problems that must be looked after. Are we consistent in assuming such responsibilities and at the same time, closing our eyes to the means of carrying out those responsibilities.

Accordingly I wish that you would look down through page two of the appropriation measure and there you will see reductions on many bills, bills which many of us are interested in, and if we are going to meet our commitments to the people, we have tried to help, can we do it?

Now we turn to page three and additional cuts of approximately \$700,000. Now we come to the hospitals, education, institutions and general reductions. We turn to page four and we find civil defense, Health and Welfare, Aid to Dependent Children, Old Age Assistance, board and care of neglected children and then the miscellaneous departments. Finally on page six we come to a summary.

Are we prepared to fully face these obligations until we know, or are we acting upon something without knowing what we are going to do? At the present time we have decided more or less, that we will cut. But, we have yet to meet these problems. Not only are these problems going to be with us at this legislature, but what of the legislatures to come after us. This is a problem we cannot ignore, which we should not ignore, which we must not ignore. In view of that, I feel that we should take strict account of all these appropriations measures and not be concerned primarily with that which we have been influenced to carry out irrespective of the greater obligations to the needs of the people of the state.

Mr. Haskell of Penobscot was granted unanimous consent to address the Senate.

Mr. HASKELL: Mr. President and members of the Senate, I think it had been the intention of the Appropriations Committee to give to you our efforts in what I can truthfully say represents about thirty hours of work, and let you look it over, be critical of it and ask any questions.

However, since the matter has been brought up and is now in the record, much more briefly than would be indicated by the contents of the report, I would like to tell you what we tried to do.

The first problem was to determine our objective and that is dif-

ficult because I don't think any of us could with any intelligence or certainty guess what the automobile tax bill would cost, and that was because we did not know just what the action of the two bodies would be with respect to amendments. We think the figure is somewhere between a half million dollars and a million, too. The bill in its present shape may be a million, too. I hope some member of the Committee will correct me if that is not a correct figure. However, the Committee assumed that the tax cut for which it would have to be prepared, to be about \$900,000. That may be our first major error. It may be less. It may be more. But if it is \$900,000 and if both branches will concur in the increase represented by the amendment in the Senate, related to the Military Home and represented by two amendments in the House, that of the University of Maine reduction of \$125,000 a year, and the elimination of the Merit Award Board, it appears that without, and this is very important, without any changes of a major nature in our tax structure, we will have income in excess of the appropriation measure, after taking the University of Maine cut, of about a half million dollars a year.

Now we also have before us new spending bills that total in round figures a million dollars a year. No one can seriously believe that all those bills are going to pass. Many will be amended down and many more of them will be killed but I think it would be an optimist, looking at the bills relating to nursing, to elderly teachers and many others, including the salary raise for the legislators and many of these other new bills that are not in here yet. I think it will be an optimist who would say that we could adjourn without giving pretty serious consideration to at least \$300,000 of these bills. If that is true, it cuts our freeboard down to \$200,000 and to make room for \$900,000 more in tax cuts, means we have to dig in to the appropriations measure to find \$700,000 a year.

Now, as sincerely as I can speak, I promise every one of you faithfully that the Appropriations Committee tried to find \$700,000 in those places where it would hurt the least. That

I can swear to. Our general thesis was to take the cuts where at least there was some chance of the services being performed elsewhere.

With respect to the hospitals' \$100,000 a year, I don't believe that that cut will take hospital services away from anyone. I believe it will put the load back on the paying patients or if the hospitals choose, on the towns, but the services will be performed.

With respect to education, in cutting the general subsidy by \$200,000 a year, the education services probably will be performed but at the expense of the town. With respect to the institutions, the cut is mainly in food and there is no doubt but that the inmates are going to be fed, perhaps not quite so well, but they will be fed. Another \$50,000 comes out of institutions and that will come out of the repair fund, but the buildings will still stand up. The thing will go on just the same. With respect to Health and Welfare, we made very modest cuts mainly because in that department dollars in the ratio of two or three to one from the programs. We thought that was a very reasonable figure. We took about a dollar a month from the Board and Care of Neglected Children. We cut the Old Age Burials that are now \$100 and had been raised to \$150, we cut that figure to \$125 and I am sure that the deceased old-age recipients will still be buried. In other departments we took cuts and picked up another \$75,000 mainly by doing away with new positions.

You will hear that we probably tried to make this picture just as tough as it could be and let me repeat that I don't know and I am sure that no one else on the committee knows where we could do these things and come out as well as that. We debated at some length the proposition of taking more than \$125,000 out of the University of Maine. To be consistent and fair with general education that seemed to be as far as we should go.

I am not debating against the tax bill but I would plead with every Senator that when he does express a desire to have a certain bill, please be willing to vote for the amendment that will take the dollars out of the appropriation measure. I

think of the two together and if a majority have the willingness to do both vote the auto cut and stand right up and vote for other cuts it all seems reasonable—I don't for a minute believe that 181 people would not come up with 181 answers as to where the cuts should be, but some one of us or some committee, or some majority in one branch or the other, before the thing is over, if you must have the motor vehicle tax cut, must agree on a pretty sizeable dip into appropriations.

Another way is to say we will have no L. D's but that would be pretty tough. A lot of them are right up to the enactment stage and it will be pretty hard to find compelling arguments to kill them, some of them at least, which have reached the enactment stage. We did not intend to make this all inclusive and had I had the good sense to speak much more briefly I would have said just this one thing: Please accept that as an honest effort by ten people working for you, as representing our belief as to where the cuts can be made and do the least harm.

On motion by Mr. Haskell of Penobscot,

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

Mr. Chase of Cumberland was granted unanimous consent to address the Senate.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, in the preceding discussion some reference has been made to appropriations and to taxation with respect to the cost of various items involved in those subjects and because of that, and not because of any special knowledge which I claim to have regarding appropriations, I think some comment may be proper for the information of the Senate. I do not speak as chairman of the Committee on Taxation but only with the knowledge which occupancy of that position gives me. With respect to the tax on the net purchase price of motor vehicles, it is my opinion

that the appropriations bill can be reduced as has been suggested, in general to the point where the State can see daylight if it passes the motor vehicle bill at the level where it first passed the Senate, applied only to passenger automobiles. At that level I believe that the reduction in revenues would have been about \$750,000. It cannot be exactly ascertained. At the level at which the bill now is applied to motor vehicles as defined I will not quarrel with any estimate between one million and one million two hundred thousand dollars. At that level, as I see the picture, I don't believe I could vote for it, not that that will necessarily influence anyone else.

Something has been said here about what we are going to do. I don't just see the Senate in a picture frame of unity which enables me to predict what we are going to do. I only have an idea of what I am going to do, adjusting my views to circumstances when final and definitive votes are taken on various issues involving money. So the budget which I am talking about at the present time is a sort of personal budget of my own made up of certain measures which I think ought to pass and other measures which I think ought to be defeated, and I shall be compelled, as we have on these various issues, to adjust my vote to circumstances to the eventual end that the tax and appropriations picture will leave the state with some reasonable and substantial cushion by which anticipated revenues exceed appropriations. I can only now make up my figures in my personal budget upon the assumption that the House and the Senate will sustain the Taxation Committee on its recommendations on various tax measures and many of those, as you know, are still on the table. The Senate has been very prompt in acting on such bills as has come before it but you need only to look at your calendar to see that there are quite a number which for some time have been on the table elsewhere.

Now, with respect to possible revenues which may be involved in measures which have not yet come before the legislature for a vote or

which have been reported from the committee, the Taxation Committee has reported only one bill from which a substantial amount of revenue would be derived. That is the bill to tax domestic fuels. At the present time some domestic fuels are taxed and other fuels are not, a situation which obviously appears to be unfair, but in which direction it should be corrected, if at all, I do not now say. The other bill would exempt gas and that would reduce revenue probably more than \$75,000 a year. There might be some justification for taxing all domestic fuels, in my opinion, if the legislature in some other way should reduce the tax on something which would be generally applicable to all the people, such as for example, as I believe, passenger automobiles.

There is one other bill which would bring in some revenue if enacted and I don't want to discuss it because it is not before the Senate but it is a matter of some substantial importance and is generally described as the Manufacturers' Tax. That is estimated to increase revenues above their present levels by about \$250,000 a year. At least, that is the estimate which the Taxation Department puts upon it, although if you listen to corridor conversation you might think it would increase revenues by eight to ten million dollars, but the real figure I think is the \$250,000 a year upon which you can rely with some confidence. That is about the picture so far as I can see it from the taxation standpoint and as I come back to the original matter which is under discussion here I repeat that I do think that this motor vehicle tax in its present form will compel further reduction in appropriations beyond those which have been suggested by the Appropriations Committee. My disposition in that matter, while I believe that appropriations can and should be reduced below the level originally recommended by the committee, my disposition with respect to the particular items where these cuts should be effected, would be to go along with the Appropriations Committee by reason of the superior knowledge of the subject which they have.

Now, if there are any members of the Senate who would like to see the committee estimates on the effect of any tax measure pending in the legislature, remember that all the members of the Taxation Committee have such estimates.

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

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table Senate Report "Ought not to pass" from the Committee on Highways on bill, "An Act to Authorize the Issuance of Bonds in the Amount of Three Hundred and Fifteen Thousand Dollars on Behalf of the State of Maine for the Purpose of Taking Over the Westport-Wiscasset Bridge (S. P. 372) (L. D. 1036) tabled by that Senator on April 14 pending consideration of the report; and on motion by Mr. Dow of Lincoln, the "Ought Not to Pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Senate Report "Ought not to pass" from the Committee on Appropriations and Financial Affairs on "Resolve Providing for a Deficiency Appropriation for Hospital Aid (S. P. 286) (L. D. 820) tabled by

that Senator on March 19 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table bill, An Act Relating to Unlicensed Dogs (H. P. 668) (L. D. 711) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator, the Senate voted to reconsider its former action taken earlier in today's session whereby the bill was passed to be engrossed and that Senator presented Senate Amendment A and moved its adoption.

"Senate Amendment A to H. P. 668, L. D. 711. Amend said bill by striking out at the beginning of the 1st line, the underlined abbreviation and figure 'Sec. 1.' "

"Further amend said bill by striking out all of section 2 thereof."

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

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at ten o'clock.