

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Sixth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Monday, April 27, 1953

The Senate was called to order by the President.

Prayer by the Rev. Robert Brackley of Hallowell.

Journal of Friday, April 24, 1953, read and approved.

**House Papers**

“Resolve in Favor of the Town of New Gloucester.” (H. P. 960) (L. D. 1050)

(In the Senate, on April 23, “Report ‘B’—Ought Not to Pass” was accepted in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby Report “A”, Ought to Pass as Amended by Committee Amendment “A” was accepted, and the bill as so amended was passed to be engrossed, and now asks for a Committee of Conference, the Speaker having appointed as members of such a committee on the part of the House:

Messrs. EDWARDS of Raymond  
CAMPBELL of Guilford  
DAVIS of Harrison

In the Senate, on motion by Mr. Haskell of Penobscot, the Senate voted to join with the House in a Committee of Conference.

“Resolve to Repeal Certain Special Resolve Pensions.” (H. P. 612) (L. D. 732)

(In Senate on April 23, voted to insist on its former action whereby the Resolve was passed to be engrossed as amended by Committee Amendment “A” in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby the resolve was passed to be engrossed as amended by Committee Amendment “A” as amended by House Amendment “A” thereto, and now asks for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Messrs. DICKEY of Brooks  
BIBBER of Kennebunkport  
CLEMENTS of Belfast

In the Senate, on motion by Mr. Dunham, the Senate voted to join

with the House in a Committee of Conference.

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

(In Senate, on March 18th, passed to be engrossed.)

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

In the Senate, on motion by Mr. St. Pierre of Androscoggin, tabled pending consideration.

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

(In Senate, on March 18th, 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. Haskell of Penobscot, tabled pending consideration.

**House Committee Reports**

The Committee on Inland Fisheries and Game on “Resolve Regulating Fishing in Orange and Rocky Lakes in Washington County,” (H. P. 515) (L. D. 578) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Legal Affairs on Bill “An Act Relating to Application of Plumbing Laws,” (H. P. 883) (L. D. 863) reported the same in a new draft (H. P. 1276) (L. D. 1512) under the same title, and that the same ought to pass.

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

The Committee on Welfare on the following Resolves:

S. P. 102, Resolve Providing for State Pension for Donald M. Laughlin, of Plantation No. 33.

S. P. 120, Resolve Providing for State Pension for Burleigh M. F. Esancy, of Union.

S. P. 152, Resolve Providing for a State Pension for Frank D. Michaud.

S. P. 153, Resolve Providing for a State Pension for Harriet M. Labbe, of Lewiston.

S. P. 154, Resolve Providing for a State Pension for Marie Louise Roberge, of Lewiston.

S. P. 155, Resolve Providing for a State Pension for Marie Rose Gagnon, of Auburn.

S. P. 156, Resolve Providing for a State Pension for Willie Desrosier, of Lewiston.

S. P. 196, Resolve Providing for State Pension for Mrs. Alice E. Dunton, of Augusta.

S. P. 197, Resolve Providing for State Pension for Malcolm A. Salsbury, of Mariaville.

S. P. 198, Resolve Providing for State Pension for Thomas William Moulton, of Kittery.

S. P. 264, Resolve Providing for an Increase in State Pension for Ray Morris, of St. Francis.

S. P. 265, Resolve Providing for State Pension for Colby Whittemore, of Sebec.

S. P. 266, Resolve Providing for State Pension for Earl Whittemore, of Sebec.

S. P. 282, Resolve Providing for State Pension for Gertrude Hanscom, of Machias.

S. P. 339, Resolve Providing for an Increase in State Pension for Earle Beaulieu, of Orono.

S. P. 340, Resolve Providing for State Pension for Marie Blanche Couillard, of Lewiston.

S. P. 341, Resolve Providing for State Pension for Zephirin Daigle, of Lewiston.

S. P. 364, Resolve Providing for an Increase in State Pension for Mrs. Vivian Dill, of Mount Vernon.

S. P. 383, Resolve Providing for a State Pension for Anna L. Gagan, of Lewiston.

S. P. 384, Resolve Providing for State Pension for Lynwood R. Bowden, of Orland.

S. P. 385, Resolve Providing for Pension for Arthur Swazey, of Bucksport.

S. P. 506, Resolve Providing for State Pension for Napoleon Breard, of Waterville.

H. P. 19, Resolve Providing for State Pension for Fred B. Lee of Medway.

H. P. 50, Resolve Providing for an Increase in State Pension for Charles Smith, of Caswell Plantation.

H. P. 51, Resolve Providing for an Increase in State Pension for Guy Howland, of Caswell Plantation.

H. P. 52, Resolve Providing for an Increase in State Pension for Alfred Wik, of Stockholm.

H. P. 54, Resolve Providing for State Pension for George Hurd of Limestone.

H. P. 55, Resolve Providing for State Pension for Nannie Anderson, of Stockholm.

H. P. 56, Resolve Providing for an Increase in State Pension for Bernard M. Kelley, of Monroe.

H. P. 57, Resolve Providing for an Increase in State Pension for John Ellis, of Monroe.

H. P. 58, Resolve Providing for an Increase in State Pension for Donald Forbes, of Brooks.

H. P. 59, Resolve Providing for an Increase in State Pension for Joyce Teeney, of Brooks.

H. P. 81, Resolve Providing for State Pension for Merle Merrill, of Montville.

H. P. 83, Resolve Providing for an Increase in State Pension for Dudley Howard, of Searsmont.

H. P. 84, Resolve Providing for State Pension for Helen Robbins, of Rockland.

H. P. 127, Resolve Providing for State Pension for Harry E. Cobb, of Harmony.

H. P. 129, Resolve Providing for State Pension for Leland J. Small, of Lewiston.

H. P. 132, Resolve Providing for State Pension for Elmer McKenney, of Lowell.

H. P. 133, Resolve Providing for an Increase in State Pension for John Upham, of Thomaston.

H. P. 156, Resolve Providing for State Pension for Isabella M. Johnson, of Orono.

H. P. 157, Resolve Providing for an Increase in State Pension for Milton Connors, of Hampden.

H. P. 201, Resolve Providing for an Increase in State Pension for Charlotte E. Morrill of Belfast.

H. P. 202, Resolve Providing for an Increase in State Pension for Blanche Dyer, of Belfast.

H. P. 203, Resolve Providing for an Increase in State Pension for Helen E. Easler, of Richmond.

H. P. 204, Resolve Providing for an Increase in State Pension for Lillian Sibley, of Old Town.

H. P. 247, Resolve Providing for State Pension for Jane Antworth, of Bath.

H. P. 248, Resolve Providing for State Pension for Alfred L. McClure, of Stacyville.

H. P. 249, Resolve Providing for an Increase in State Pension for Ina Lovejoy, of East New Portland.

H. P. 296, Resolve Providing for an Increase in State Pension for Charles Bowen, of Newburg.

H. P. 298, Resolve Providing for an Increase in State Pension for Marada Carr of Island Falls. (See John W. Carr)

H. P. 299, Resolve Providing for State Pension for Francis Green, of Whiting.

H. P. 300, Resolve Providing for State Pension for Nettie Hood of Lubec.

H. P. 301, Resolve Providing for State Pension for Fred H. Crane, of Whiting.

H. P. 305, Resolve Providing for State Pension for Elizah Bowden, of Orland.

H. P. 308, Resolve Providing for State Pension for George Maxwell, of Princeton.

H. P. 366, Resolve Providing for an Increase in State Pension for Bertha M. Hodge, of Mechanic Falls.

H. P. 357, Resolve Providing for an Increase in State Pension for Austin M. Weikel, of Cape Elizabeth.

H. P. 368, Resolve Providing for State Pension for Thurston Henderson, of Milo.

H. P. 369, Resolve Providing for an Increase in State Pension for Evelyn Moody, of Belfast.

H. P. 370, Resolve Providing for an Increase in State Pension for Jennie Mower of Belfast.

H. P. 371, Resolve Providing for State Pension for Stephen G. Bagley, of Montville.

H. P. 372, Resolve Providing for State Pension for Cora Richards, of Searsmont.

H. P. 373, Resolve Providing for State Pension for Kenneth Dougay, of Rumford.

H. P. 377, Resolve Providing for State Pension for Harry Yates, of Camden.

H. P. 378, Resolve Providing for an Increase in State Pension for Hilda Ambrose, of Masardis.

H. P. 379, Resolve Providing for State Pension of Marguerite E. Ames, of Charleston.

H. P. 380, Resolve Providing for State Pension for Cora Scribner, of Bradford.

H. P. 381, Resolve Providing for State Pension for Peter Brasslett, of Hudson.

H. P. 382, Resolve Providing for State Pension for Georgina Baum, of St George.

H. P. 383, Resolve Providing for State Pension for Martha Zebe, of Poland.

H. P. 388, Resolve Providing for State Pension for Gordon Kinney, of Washburn.

H. P. 389, Resolve Providing for an Increase for State Pension for Cecil Overlock, of Hallowell.

H. P. 392, Resolve Providing for State Pension for Lawrence Bartell Banks, of Bridgton.

H. P. 396, Resolve Providing for State Pension for Marie Ange Fongemie, of Madawaska.

H. P. 456, Resolve Providing for State Pension for Raymond Williams, of Newcastle. (See Ronald Williams)

H. P. 459, Resolve Providing for an Increase in State Pension for Freda Potter, of North Whitefield.

H. P. 460, Resolve Providing for State Pension for Levi Bouchard, of North Caribou.

H. P. 462, Resolve Providing for an Increase in State Pension for Thomes Bard of Fort Kent.

H. P. 463, Resolve Providing for State Pension for Lena Doucette, of Fort Kent.

H. P. 464, Resolve Providing for State Pension for Carroll F. Crowley, of Jonesport.

H. P. 469, Resolve Providing for State Pension for Shepard Harmon, of Augusta.

H. P. 471, Resolve Providing for an Increase in State Pension for Flora E. Mosher, of Smithfield.

H. P. 472, Resolve Providing for State Pension for Nina Callahan, of Houlton.

H. P. 473, Resolve Providing for a State Pension for Arthur Gaisson, of Rumford.

H. P. 475, Resolve Providing for an Increase in State Pension for Charles Robie, of Mexico.

H. P. 558, Resolve Providing for an Increase in State Pension for Leroy Earle Clewley, of Etna.

H. P. 559, Resolve Providing for an Increase in State Pension for Victor E. Mitchell, of Etna.

H. P. 561, Resolve Providing for State Pension for Alvina Dumond, of Fort Kent.

H. P. 562, Resolve Providing for an Increase in State Pension for Kenneth Graves, of Bangor.

H. P. 563, Resolve Providing for State Pension for Ivan Dearborn, of Monmouth.

H. P. 565, Resolve Providing for an Increase in State Pension for Charles Ora Butters, of Exeter.

H. P. 567, Resolve Providing for State Pension for Harry McKenney, of Newport.

H. P. 569, Resolve Providing for State Pension for Minnie Henderson, of St. Francis.

H. P. 570, Resolve Providing for a State Pension for Effie Hoyt, of Warren.

H. P. 571, Resolve Providing for an Increase in State Pension for John C. Prescott, of East Corinth.

H. P. 572, Resolve Providing for an Increase in State Pension for Wilfred Turgeon, of Waterboro.

H. P. 613, Resolve Providing for an Increase in State Pension for Curtis Bragdon, of Mechanic Falls.

H. P. 614, Resolve Providing for State Pension for Bennett Sawyer, of Kennebunkport.

H. P. 615, Resolve Providing for State Pension for Herbert A. Bowie, of Baldwin.

H. P. 616, Resolve Providing for an Increase in State Pension for Edna Bickford, of Richmond.

H. P. 617, Resolve Providing for State Pension for James Kimball, of Medway.

H. P. 620, Resolve Providing for an Increase in State Pension for Bertha F. Foster, of Lewiston.

H. P. 621, Resolve Providing for State Pension for Beulah F. Raymond, of Westbrook.

H. P. 697, Resolve Providing for State Pension for Barbara Thompson, of Gorham.

H. P. 698, Resolve Providing for State Pension for Arthur Deniham, of Bangor.

H. P. 701, Resolve Providing for State Pension for Lida Blood, of Northport.

H. P. 703, Resolve Providing for an Increase in State Pension for Annette Chasse, of Van Buren.

H. P. 704, Resolve Providing for State Pension for Therese Jacques, of Van Buren.

H. P. 707, Resolve Providing for State Pension for Gertrude L. Parent, of Augusta.

H. P. 708, Resolve Providing for State Pension for Stanley Bolstridge, of Portage Lake.

H. P. 710, Resolve Providing for an Increase in State Pension for Fern Frances French, of East Corinth.

H. P. 711, Resolve Providing for State Pension for John B. Decker, of Lagrange.

H. P. 771, Resolve Providing for State Pension for Charles E. Rankin, of Franklin.

H. P. 773, Resolve Providing for an Increase in State Pension for Stephen G. Johnson, of Old Orchard Beach.

H. P. 774, Resolve Providing for State Pension for Blanche M. Dunlap, of Bangor.

H. P. 775, Resolve Proposing for an Increase in State Pension for Velma Lawler, of Oakland.

H. P. 777, Resolve Providing for an Increase in State Pension for Alice Sirois, of Old Town.

H. P. 778, Resolve Providing for an Increase in State Pension for Joseph Chouinard, of Old Town.

H. P. 779, Resolve Providing for State Pension for Alabama Dunphy, of Highland Plantation.

H. P. 780, Resolve Providing for State Pension for Maurice Albert, of Madawaska.

H. P. 782, Resolve Providing for an Increase in State Pension for Artheline Doucette, of Madawaska.

H. P. 884, Resolve Providing for State Pension for Charles Burnham, of Auburn.

H. P. 887, Resolve Providing for State Pension for Villa Boone, of Eastport.

H. P. 888, Resolve Providing for State Pension for Elizabeth St. Lawrence, of Eastport.

H. P. 890, Resolve Providing for State Pension for Arthur Jellotta, of Eastport.

H. P. 891, Resolve Providing for an Increase in State Pension for Maggie Caird, of Dexter.

H. P. 892, Resolve Providing for State Pension for Geneva Morton, of Garland.

H. P. 893, Resolve Providing for State Pension for Walter A. Leavitt, of Lincoln Center.

H. P. 895, Resolve Providing for an Increase in State Pension for William McGowan, of Reed Plantation.

H. P. 896, Resolve Providing for State Pension for Hazel E. Carr, of Orient.

H. P. 954, Resolve Providing for State Pension for Lester Townsend, of Etna.

H. P. 955, Resolve, Providing for State Pension for Hira Howes, of Carmel.

H. P. 957, Resolve Providing for an Increase in State Pension for Marlene Smart, of Prospect.

H. P. 958, Resolve Providing for State Pension for George N. Harri- man, of Searsport.

H. P. 1011, Resolve Providing for State Pension for Harriett Sheaff, of Norridgewock.

H. P. 1012, Resolve Providing for State Pension for Russell Williams, of Calais.

H. P. 1029, Resolve Providing for State Pension for Helen J. Lindsay, of Damariscotta.

H. P. 1069, Resolve Providing for an Increase in State Pension for Lloyd L. Arnold, of Randolph.

H. P. 1070, Resolve Providing for State Pension for Victor J. Dehetre, of Brunswick.

H. P. 1147, Resolve Providing for a Pension for Ola M. Doherty, of Belfast.

H. P. 1147, Resolve Providing for State Pension for Blanche Lavoie, of Grand Isle.

H. P. 1179, Resolve Providing for an Increase in State Pension for Gladys Guilmond, of Auburn.

H. P. 1180, Resolve Providing for State Pension for Frank Nesbit, of Chapman.

H. P. 1212, Resolve Providing for State Pension for Charles Batchelder, of Garland.

H. P. 1217, Resolve Providing for State Pension for Helen Duncan, of Thomaston.

H. P. 1235, Resolve Providing for State Pension for Fred J. Kapishke, of Richmond.

Reporting a Consolidated Resolve (H. P. 1273) (L. D. 1509) under title of "Resolve Providing for Soldiers and Sailors and Dependents and Other Needy Persons" and that it "Ought to pass" reported the same in a Consolidated Resolve (H. P. 1273) (L. D. 1509) under title of "Resolve Providing for Soliders and Sailors and Dependents and Other Needy Persons," and that the same ought to pass.

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

The Committee on Public Health on Bill "An Act Relating to the Law of Manufacture and Sale of Bedding and Upholstered Furniture" (H. P. 147) (L. D. 159) reported the same in a new draft (H. P. 1275) (L. D. 1511) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, and the bill in new draft and under the same title read once.

Mr. HASKELL of Penobscot: Mr. President, the pending question being assigned for second reading, I would ask the Chair and at the same time present to the Senate this simple question. Is there any merit in suspending the rules for second reading and give the bill its second reading and passage to be engrossed, at least with respect to those bills that are not controversial?

Certainly if there is any thought that we are going to rush through these matters without consideration, that idea is wrong. But if there are bills that will require a substantial amount of time in the engrossing department, it might be in order to suspend the rules and get them to the engrossing department as soon as possible. I would make this a motion but certainly ask permission to withdraw it upon the statement of any Senator that he thought that such a procedure is not the way we should do it. I would appreciate the comment of the Chair.

The PRESIDENT: In answer to the inquiry of the Senator from Penobscot, Senator Haskell, the Chair certainly feels that it is his duty to entertain a motion to suspend the rules.

The Chair understands that the Senator from Penobscot, Senator Haskell, unless there be objection on the part of any member of the Senate, now moved with respect to this bill, that the rules be suspended in order to permit the bill to have its second reading at this time.

The motion prevailed, the rules were suspended, the bill given its second reading and passed to be engrossed in concurrence.

The Committee on Inland Fisheries and Game to which was re-committed "Resolve in Flying Pond Improvement Association," (H. P. 594) (L. D. 634) reported that the same ought to pass as amended by original Committee Amendment A.

Which report was read and accepted in concurrence and, the resolve having been previously passed to be engrossed in the Senate, was sent forthwith to the engrossing department.

The Committee on Judiciary on Bill "An Act Relating to the Title and Powers of 'Records of Municipal Courts,'" (H. P. 651) (L. D. 691) 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 read and adopted, and the bill as amended was tomorrow assigned for second reading.

The same Committee on Bill "An Act Amending the Charter of the Waldo County Municipal Court," (H. P. 969) (L. D. 1057) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted in concurrence and the bill read once; Committee Amendment A was read and adopted and on motion by Mr. Haskell of Penobscot, the rules were suspended and the bill was read a second time and passed to be engrossed in concurrence.

The Committee on Legal Affairs on Bill "An Act Relating to Organization of Police Department of City of Lewiston," (H. P. 1052) (L. D. 1193) reported that the same ought to pass as amended by Committee Amendment "A".

On motion by Mrs. Kavanagh of Androscoggin, tabled pending consideration of the report.

The Majority of the Committee on Public Buildings and Parks on Bill "An Act Accepting from Dorothea Dix Memorial Association a Deed of Gift of Dorothea Dix Park," (H. P. 1213) (L. D. 1386) reported that the same ought not to pass.

(signed)

Senators:

ST. PIERRE

of Androscoggin

SINCLAIR of Somerset

CARTER of Oxford

Representatives:

BALDIC of Waterville

BUCKLEY of Leeds

SMITH of Farmingdale

WINCHENPAW

of Friendship

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

(signed)

Representatives:

ROBERTS of Dexter

MURRAY of Woodland

Comes from the House, the Minority Report accepted and the bill passed to be engrossed.

In the Senate.

Mr. CARTER of Oxford: Mr. President, this bill was discussed in the committee and we had Mr. Dyer of the Park Commission before us and his idea was that this was more of a picnic area than a public park which should be handled by the municipality if it were going to be made into a picnic area. Since that time, Mr. Graves of the Highway Department has passed through that section and he informed me that the Highway Department would be glad to take over that section near Route 1 and make a picnic area of it. There are about twelve or fifteen acres in the area, fronting on the Penobscot and has quite a high bank and no bathing



is allowed there. It didn't seem to the majority of the committee that it was fit to be taken over as a public park. It is not large enough and would be a nuisance, but it could be made into a picnic area by the Highway Department. I move that the ought not to pass report be accepted.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate, I signed the ought not to pass report along with the Senator from Oxford, Senator Carter, but I understand there is an amendment being drawn up at the present time regarding this bill. I don't know what the amendment is, but I move that this lie on the table until later in the day.

The motion prevailed and the bill was laid upon the table pending motion by the Senator from Oxford, Senator Carter, that the Senate accept the Majority Report "Ought Not to Pass".

The Majority of the Committee on Labor on Bill "An Act Relating to Unemployment Compensation Regarding Waiting Period," (H. P. 1100) (L. D. 1234) reported that the same ought not to pass.

(signed)

Senators:

WARD of Penobscot  
REID of Kennebec

Representatives:

WEST of Stockton Springs  
CASWELL of New Sharon  
LEGARD of Bath  
GATES of Millinocket  
LETOURNEAU of Sanford  
COUTURE of Lewiston  
SMALL of Mexico

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

(signed)

Senator:

ST. PIERRE

of Androscoggin

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

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

The Committee on Appropriations and Financial Affairs on "Resolve,

in Favor of the Town of Stoneham," (H. P. 1239) (L. D. 1434) reported that the same ought not to pass.

Comes from the House, the Resolve substituted for the report, and the same passed to be engrossed.

In the Senate:

Mr. CARTER: Mr. President, I would move that the Senate recede and concur with the House in this matter. I think it is one that the State is directly responsible for, the condition of this town, and why they are asking for money. This law giving the federal government the right to take land in the town of Stoneham was passed in 1933 and they had nearly ten thousand acres taken out of their taxable property which would have brought them in roughly \$3500 a year in taxes. If they had had this money they wouldn't be asking for any to construct a schoolhouse. They have no town debt, they have been very frugal and thrifty and they have tried to get along with what they had left but they are in hard circumstances and they have to build a new school in line with what the state demands for the education of the children.

They are also educating eight to ten children from the unorganized town of Albany which in my estimation they are not obliged to do, and if they were obliged to deorganize, the state would have the expense of educating all the children there and the ones from the unorganized town of Albany. I move that the Senate recede and concur.

Mr. HASKELL: Mr. President, I understand that the motion pending is that the bill be substituted for the report and I move that it lie upon the table until later today.

Thereupon, the bill was laid upon the table pending motion by the Senator from Oxford, Senator Carter that the bill be substituted for the report.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Taking of Smelts in Cumberland County," (H. P. 13) (L. D. 7) reported that the same ought to pass as amended by Committee Amendment A.

Comes from the House, the bill indefinitely postponed.

In the Senate, on motion by Mr. Carter of Somerset, indefinitely postponed in concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to reconsider its action taken earlier in today's session whereby it assigned for second reading, bill, An Act Relating to the Title and Powers of 'Records of Municipal Courts' (H. P. 651) (L. D. 691); and on further motion by the same Senator, the rules were suspended and the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to reconsider its action taken earlier in today's session whereby it assigned for second reading bill, An Act Relating to Application of Plumbing Laws (H. P. 1276) (L. D. 1512)—new draft; and on further motion by the same Senator, the rules were suspended, the bill given its second reading and passed to be engrossed in concurrence.

#### Senate Committee Reports

Mr. Haskell from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Officers of the Legislature," (S. P. 160) (L. D. 433) reported the same in a new draft (S. P. 583) under a new title, Bill "An Act Relating to Officers and Employees of the Legislature," and that the same ought to pass.

Which report was read and accepted, and the bill in new draft and under a new title was laid upon the table for printing under Joint Rule No. 10.

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to the Board of Registration for Professional Engineers," (S. P. 58) (L. D. 128) reported the same in a new draft, (S. P. 584) under the same title, and that the same ought to pass.

Which report was read and accepted, and the bill in new draft was laid upon the table for printing under Joint Rule No. 10.

Mr. Ward from the Committee on Judiciary, under authority of Joint Order (S. P. 554) reported Bill "An Act Relating to Waivers

of Restrictive Provisions in Deeds," (S. P. 585) and that the same ought to pass.

Which report was read and accepted, and the bill laid upon the table for printing under Joint Rule No. 10.

The Majority of the Committee on Legal Affairs on "Resolve Proposing an Amendment to the Constitution Providing of Annual Sessions of the Legislature," (S. P. 35) (L. D. 38) reported that the same ought to pass.

(signed) Senators:

CHAPMAN of Cumberland  
WEEKS of Cumberland

Representatives:

CHILDS of Portland  
STEWART of South Paris  
STEWART of Portland  
MARTIN of Eagle Lake

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

(signed) Representatives:

HAND of New Limerick  
GOWELL of Berwick  
WOODCOCK of Bangor

On motion by Mr. Chapman of Cumberland, tabled pending consideration of the reports and especially assigned for tomorrow.

#### Passed to be Engrossed

Bill "An Act Relating to Eating and Lodging Places." (H. P. 844) (L. D. 866)

Bill "An Act Relating to Weight of Commercial Vehicles." (H. P. 1065) (L. D. 1164)

(On motion by Mr. Jamieson of Aroostook, tabled pending passage to be engrossed and especially assigned for later in today's session.)

"Resolve Authorizing Survey by Commissioner of Inland Fisheries and Game to Cooperate with Other States to Reduce Hunting Fatalities." (H. P. 1091) (L. D. 1225)

Bill "An Act Relating to Unemployment Compensation Regarding Remuneration for Holidays." (H. P. 1101) (L. D. 1242)

Bill "An Act Requiring Certain Truck Owners to File Names of Agents for Certain Purposes." (H. P. 1270) (L. D. 1466)

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

Bill "An Act Relating to Use of Lights to Illuminate Wild Birds or Animals." (H. P. 805) (L. D. 889)

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

Sent down for concurrence.

Bill "An Act Relating to Burial Expenses Under Workmen's Compensation Act." (H. P. 426) (L. D. 473)

Bill "An Act Designating Fluoride Poisoning as an Occupational Disease." (H. P. 749) (L. D. 788)

Bill "An Act Relating to Compensation for Loss of Hearing Under Workmen's Compensation Act." (H. P. 829) (L. D. 860)

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

Bill "An Act Relating to Keeping Open of Grocery Stores on Sunday." (S. P. 209) (L. D. 544)

Bill "An Act Relating to Retirement Compensation of Members of Superior Court and Their Widows." (S. P. 551) (L. D. 1484)

Bill "An Act Relating to Retirement Compensation of Members of Supreme Judicial Court and Their Widows." (S. P. 552) (L. D. 1485)

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

Sent down for concurrence.

Bill "An Act to Create the Waterville Parking District." (S. P. 307) (L. D. 925)

Which was 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 Amending the Community School District Law (H. P. 936) (L. D. 984) tabled on April 24 by the Senator from Cumberland, Senator Chase, pending assignment for second reading.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, the Community School District Law is a general law to make it possible for towns to combine for the purpose of building and operating consolidated schools. No doubt it is highly desirable legisla-

tion. By reason of the fact that for many years now the Legislature for concurrence of the people has never been able to get the problem of the constitutional restriction on its debt. We have set up in this state hundreds of special districts which are devices for relating — avoiding I should say, the constitutional restrictions on 5%. It would not have been necessary to have created any of those hundreds of districts if we had met the issue head-on, and established reasonable debt limitation on the basis of the valuation which has some relation to reality. Under the law as it now is, these towns can go into these community school districts and borrow money at up to 5% of the town's valuation which is superimposed on the 5% constitutional value. This bill proposes to make the 5% based on the state valuation instead of the local valuation. It's already been announced by the State Board of Equalization that they intended to revalue the state during the next biennium, and if they revalue it at all they will probably come up with a valuation which is from two to three times the existing state valuation, so that the effect of this bill will be to modify the borrowing power of the committee school district by two or three or something, like that in percent. Furthermore, this bill provides that these community school districts may come under the Maine School Building Authority which has no restriction whatever in terms of percentage on valuation on debts which can be incurred, so that it would be possible under this bill to increase to a fantastic percentage, in fact there would be no restriction whatever you might say on the borrowing power except the administrative 12½% under which the Maine School Building Authority is operated. Now this situation is confusing. It disturbs me because the general credit in municipalities in this state have been impaired greatly in my opinion by rather loose devices which the legislature has adopted with respect to borrowing power.

Frankly, I don't know how to fix this bill up within the language which is proposed to be changed. Now the law has always been pretty

loose because they now can borrow money up to 5% exclusive of refunding, and I can't see—and that clause seems to excuse them from paying any bonds and apparently makes it possible for them to continue through refunding any debt which they had. I dislike very much to propose an amendment which is not within the language of the proposed change. I am in some doubt whether the limitation should be put on the state valuation as is here proposed, but I certainly would like—I think the thing ought to be tightened up somehow, and I therefore drafted an amendment which strikes out this provision "exclusive of refunding" having conferred with the Committee on Legal Affairs which reported the bill, he advising me that he would like to have another day to look at it to see if some of these points can't be taken care of.

I now offer my amendment to the bill and I understand the Chairman of the Committee may wish to table it until tomorrow which is all right with me either with respect to the bill or to the amendment. I therefore offer Senate Amendment A and move its adoption.

Secretary read the amendment: "Senate Amendment A, amend said bill in the fourth line of that designated section 4—that part of section 4 designated section 92 by indicating a striking out of the words and punctuation 'exclusive of refundings,' by drawing a line through said words and punctuation 'exclusive of refundings.'"

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I am appreciative of the fact the Senator from Cumberland, Senator Chase, has called your attention to the situation that exists in regard to this law and this species of law. It is rather a complex question, the Committee considered this particular bill as essentially a departmentally sponsored bill from the Department of Education dealing with the problems for the past four to six years. They felt that some sort of technique to make a community school district law integratable if I can use that word, with the normal borrowing capacity of the towns individually would be in line, and it was for that purpose

that this bill was prepared. Even though the committee has considered this very carefully, I do have some misgivings about value limitations of borrowing indebtedness, and some of the other members of the committee too, and just as Senator Chase stated, on that basis I do think it would be feasible along the lines of suggestions just made that we perhaps within the next day try to take the amendment which has been offered and compare it with certain statutes to establish perhaps a tighter limitation. For that basis or accompanying papers lay upon the table to be assigned until tomorrow.

The motion prevailed and the bill and accompanying papers were laid upon the table pending motion by the Senator from Cumberland, Senator Chase, that the Senate adopt Senate Amendment A; and was especially assigned for Tuesday, April 28.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table House Report "Ought not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve in Favor of the Town of Stoneham (H. P. 1239) (L. D. 1434) tabled by that Senator earlier in today's session pending motion by the Senator from Oxford, Senator Carter to substitute the bill for the Ought Not to Pass report.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I feel a little firmly that the division that will follow this debate may be one of the most important divisions counted in this legislature, and I shall speak only to the principles involved, but before I speak to the principles, I will review very briefly the comments as I understood them from the proponent of the motion. He said, and I agree, that Stoneham is one of the most deserving of the many communities that has come before the Committee on Appropriations and Financial Affairs asking for state subsidy for the construction of public schools. There is no doubt that if we do establish a policy of the state augmenting its operational subsidies by providing as a policy that deserving cities and towns may have additional funds for capital

expenditures, Stoneham would be near the top of the list of those communities that have presented resolves and have appeared before the Committee. I can't honestly say it is the first one, but it is among the first four or five. There are others that have been heard by the Committee that seem to have few of the virtues that this bill has. The Committee was unanimous in its Ought not to Pass Report on the Stoneham resolve.

With respect to several principles, the first one is this, and the basic one is this. That as a policy the state has not adopted the general theory that state funds should be used to construct capital facilities related to public schools. We have on the other hand, the established policy that we will be parties to the tune of roughly 30% in the overall operational costs of the educational systems in the cities and towns. There is no need of reviewing that, that goes in percentages from 15% to 65% and the smaller, less fortunate towns financially have all of the advantage in that line, and parenthetically it is that class of towns generally that get the highest percentage of state subsidy for operational costs but seek additional state funds for construction costs.

Now Stoneham is like many other towns, they have a desire to have a \$27,000 schoolhouse. There is no doubt related to its need. Stoneham is also in the unusual position of being very well managed, I think without debt. They do not desire to take on town debt other than the school authority loan, and they find that the difference between the school authority top and the estimated cost of the building requires some source of income to the tune of \$12,000 and they turn to the state.

I don't use this as a compelling argument to vote against the motion of the Senator from Oxford, Senator Carter, but I will recite into the record the unanimous recommendations and comments of the Appropriations Committee to the School Building Authority, and briefly it is this. The School Building Authority has set up criteria whereby the town may receive loan authority not to exceed 15% of the state valuation

of the town. They have also provided that the carrying charges on the debt so created shall not be in excess of 2/3 or 3/4 of the state subsidy amount expressed in yearly set-ups. The second restriction is obviously a sound one related to the interest of the bond holders, since the bond holders have the protection of all state subsidy funds for the payment of the debt service on the loan.

Now with respect to the 15% application, we on the committee had unanimously agreed to a memorandum to the authority in which we recite history of that limitation. I think it started in the first term of Governor Payne when Legal Affairs had dozens of school district bills, and they varied from a very small percentage up to as high as 38% of the municipal valuation. There was a conference with the Chairman of Legal Affairs, the presiding officers and floor leaders. I happened to be present at the conference and we generally agreed that Legal Affairs should proceed so that not more than 15% would be the general level, but in unusual circumstances where the financial condition of the town indicated it, the school district bills might carry out more than 15% load.

Again in Governor Payne's second term, we reshaped the whole thing. My memory is a little bit better on that one because I was on the committee. We did stick to the 15% rule in all but three cases and then we found compelling reasons to go higher than that, and did in fact go to 23½% in one community. The representatives of the authority and the Commissioner of Education have told us that if we would reduce that summary to writing, it was their opinion that they would liberalize the 15% subject to very careful restriction, and it is my personal opinion that they will and should. The enabling legislation itself is not restricted with respect to that. I recite all of that into the record not particularly as an argument against the position of the Senator from Oxford, Senator Carter, but simply to say that I think there is a solution in that sort of procedure.

But I view with alarm seriously the state undertaking a general proposition of subsidies for school construction, because almost without exception the communities of the State of Maine can come before a sympathetic legislature and point out any one of enumerable reasons why that town needs aid in its capital construction budget for schools. They come I think without exception, there is need for school construction, and without exception the towns can say the taxes are already too high, so the question is where to draw the line. If by granting this first bill in this body to Stoneham, I promise you that there are many more public school bills back of you watching this one and I congratulate the proponents on the theory of bringing Stoneham in first, I think that you are going to have a problem that's going to be awfully difficult to solve. I don't want to bring Ricker into the argument, but there are many of us who regret the first step we took at Ricker. Now I agree that we have stepped a little aside of public school buildings, I don't know what the number is but I think it is 233 or 234. I am very hopeful that this session won't confound the problems of solving the capital needs of state institutions by accepting a theory, deserving as it is Senator Carter, this legislature should use unappropriated surplus of the general fund for public school construction. I fear it will lead us into financial problems which are way beyond what each one of you are guessing the total might be come the end of this session or following sessions, when the general idea starts over the state, and with all the respect I have for the Educational Department—no department does a better job of spreading ideas, but we are going to pick up community needs with respect to capital construction. Therefore, I hope when the division is taken, Mr. President, the motion to substitute the bill will not prevail.

Mr. FULLER of Oxford: Mr. President and members of the Senate, I wish it were possible as I campaigned in Oxford County for the State Senate, to have with me the good Majority Floor Leader so

that some of his persuasion might be available when the citizens say you can appropriate three million dollars for this building and a million dollars for that and a half a million for another, and it is impossible to find a couple of thousand or ten thousand or twenty thousand dollars for our needs. I am thoroughly in accord with much that was said as regards the opening of the door in four sessions here in the State Legislature. We hear considerable about opening the door. It has seemed that the door does not get open very far. That in general the Legislature considers requests on their merits and rather in the majority of cases turn down the request.

This request from the town of Stoneham is one that finds the people over there more or less right in the middle between the state department that is putting the pressure upon the town for a new building because of one that does not meet the standards of the State Department, and the fact that it is not able to raise the money through school building authorities, as has been explained. There is some question in my mind, and this would be my main objection to the request, as to whether the people of the town should be burdened with the payment of interest and principal of the amount that it is possible to borrow over a period of 25, 30 or 35 years with the town limited to the amount of taxes that it can raise. I think that there is a very difficult proposition for the town to face. But the people are ready to try to do that, they can raise some \$16,000 through the school building authority. They have about \$2400 of a school fund, and they still need \$12,000 in order to get the building.

Now there is my own impression of this request, and again I wish that I might have some help in explaining this question in the minds of all the citizens because I am going to try again to come back to the Senate.

Mr. CARTER of Oxford: Mr. President and members of the Senate, I do appreciate what my good friend Senator Haskell has said in regard to opening the door, but I do think that this case has a

special merit due to the fact that the state gave the Federal Government permission to take over nearly 10,000 acres of land in this town. The town of Albany and the town of Mason are also partially taken over and it was due largely to that fact that they de-organized. And I might say that the town of Waterford some years ago was schooling these unorganized children from Albany—the lower end of Albany which are now schooled in Stoneham. They built themselves a new school building and when they started construction of that building they informed the Department of Education here in Augusta that they would not school the children from Albany, and these children were placed with Stoneham, which added a burden to them in that way in that they have to provide a building for them. Taking that into consideration and I do not think the state pays a proportional part. We have the same problem in Bethel. We are schooling the rest of the Albany children, and the Albany children and Mason which number I think somewhere near 45 students. It is just a question of time I think when we will refuse to take them, and the state will certainly be in the school business like in those unorganized towns right thereafter, and I think that is a question that should be taken into consideration. As I said before if this town had that taxable land I don't think they would be in here asking for any money, and I hope that my motion will prevail.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, because the State has made an error in taking away taxable property from the town so that the town has lost revenue opening the door to correct that error by perpetrating another error does not necessarily make it right. We already have legislation which we have had before us relative to similar situations where the state has taken away property, and legislation is before us asking for that correction.

Personally I believe very much in education, but that education must to a great extent be borne upon local shoulders. If we are oppressed in a local nature from rules and

regulations sent down from Augusta, then we as the legislature should correct those rules and regulations realizing that home rule is paramount. The school is something which we admit we need, it is something that we cannot do without, but where are we going to land in the future if we start building every schoolhouse that is needed. Where are we going to land if we are going to permit the Department of Education to stipulate the type of schoolhouse greater than the locality building the school can afford. These are things which we must consider. While I have the deepest sympathy with the problem of Stoneham; greatest of respect for Senators Fuller and Carter from Oxford, I wish I could go along with them in this because in my own locality we have similar situations although not quite so bad. Yet I feel that we as legislators cannot with good conscience take away from our capital surplus which has been accumulated for capital improvements — I make a correction, to be allocated from capital improvements to be allocated upon a measure other than that of a statewide bearing situation.

When we move to the local level we are then combining and doling out money to one town in preference to another town. There is no limit. I hope when the vote is taken we can go along with the suggestions of Senator Haskell, and vote with our heads and not our hearts.

Mr. DUNHAM of Hancock: I appreciate very much the arguments in favor of the town of Stoneham by the gentleman from Oxford. It happens that I have probably not so serious a problem, but we had a hearing in front of the Appropriations Committee in regard to the town of Gouldsboro which had already entered into a contract and a going contract with an area school and they found themselves in the position of hardship, and they saw their costs going up from \$4,000 a year to \$29,000. They found that because they couldn't get the additional subsidy money until two years hence that it put them in a precarious situation.

However, taking the judgment of the Committee in which they did not want to open the door to such cases, I went along with that judg-

ment in respect to the town of Gouldsboro.

Now it happens that the town of Swans Island wished to build a school building but they find because of limitations of the community school building authority that they cannot build a school. They are perfectly willing, they are out of debt, they are perfectly willing to assume the obligation if they could do so. Now the only reason why I am speaking is that I am in hopes that the machinery may be set up whereby these towns which find themselves in such situations may be able to borrow the money to build themselves a school building. I have talked with the Department of Education and with the State Board of Education and they are very desirous of correcting this situation and I hope that they with the Appropriations Committee may find some way to solve this particular problem.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Oxford, Senator Carter, that the resolve be substituted for the Ought Not to Pass report of the Committee and the Senator from Penobscot, Senator Haskell, has requested a division.

A division of the Senate was had.

Four having voted in the affirmative and twenty-one opposed, the motion did not prevail.

Thereupon, the Ought Not to Pass report of the Committee was accepted in non-concurrence.

Sent down for concurrence.

Mr. WARD of Penobscot: Mr. President, I rise to inquire if bill, An Act to Clarify Boilers and Unfired Steam Pressure Vessels (H. P. 225) (L. D. 252), is in the possession of the Senate?

The PRESIDENT: In answer to the inquiry of the Senator from Penobscot, Senator Ward, the Chair will state that the document is in possession of the Senate.

Mr. WARD: Then, Mr. President, I move that the Senate reconsider its action of the last legislative day whereby it receded and concurred with the House in the indefinite postponement of the bill. In support of that motion I would say that this was a matter

which came before the Committee on Labor. It is a bill which was asked for by that department. There were several proponents for the measure and, as I recall, no one spoke in opposition to it. It received the unanimous Ought to Pass report of the Committee and had reached the enactment stage when it was indefinitely postponed in the other Body.

There are two principle items in the bill. One phase of the bill would seek to increase certain fees by modest amounts and to those increases I understand there are some objections. Those parts of the bill which seek to increase fees could be very readily taken out of the bill by an amendment. The principle object of the bill is to bring all hot water heating boilers located in schoolhouses under the provisions of Section 59, of Chapter 25, whereby they could be inspected by the State Department. It is a safety measure which is proposed for the safety of school children and during the lifetime of the late Commissioner Ladd, he requested the department to make inspections, which they did do without statutory authority and of course if they found anything to be wrong they had no right to follow it up.

I might say further that at the present time, of course, some of these boilers in some towns are insured and in the cases where they are insured they are subject to inspection by the representatives of the insurance companies. In the other instances they are not. For that reason I would hope that the Senate would reconsider its action and in the event that they do that then I would later prepare an amendment to strike out the provisions in relation to the increase in fees.

Thereupon, the Senate voted to reconsider its former action whereby the bill was indefinitely postponed in concurrence; and on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its action taken on April 16th, whereby the bill 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. Chase of Cumberland, the Senate voted to take from the table bill, An Act Relating to Fluoride in Public Water Supplies (H. P. 1251) (L. D. 1459), tabled by that Senator on April 24th, pending passage to be engrossed, and on further motion by the same Senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Senate Reports from the Committee on Legal Affairs on bill, An Act Repealing Certain Blue Laws (S. P. 413) (L. D. 1121), Majority Report "Ought to Pass," Minority Report "Ought Not to Pass;" tabled by that Senator on April 24th, pending consideration of the report.

Mr. CHAPMAN of Cumberland: Mr. President, being one of the participants in the signing of the Minority "Ought Not to Pass" report, I am going to move that the Minority "Ought Not to Pass" report be accepted. However, this is a bill sponsored by a member of the Committee and it is my understanding that he would like to speak on the matter. So I make the motion that the Minority Report be accepted and I now yield out of courtesy to the Senator from Penobscot, Senator Haskell, who may wish to speak on the bill.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I rise with less than one percent of the firmness I had in the last debate to speak against the motion of the Senator from Cumberland, Senator Chapman, that the minority "Ought Not to Pass" report be accepted.

An earlier legislated document sought to amend our Blue Laws by providing that grocery stores might join the list of activities exempted from the provision of the Blue Laws. I am very appreciative of the action of the majority of the Committee and of the action of the Senate in accepting the majority "Ought to Pass" report on that measure. This bill, unlike the first bill which has

gone along on it's way, so far has not been attacked too severely. In one fell swoop it wipes out the Blue Laws. I put the bill in following the first bill, as a result of a little amateur research in the application of the Blue Laws in the area in which I live. In fact, I took a series of eleven pictures and with what evidence was needed to corroborate those pictures presented them to the largest municipal court in the State of Maine and said, "upon this evidence will you issue warrants against the persons who very obviously have violated the Blue Laws?" Among these evidences were these: The Blue Laws prohibit the Bangor Daily News from working on a Monday paper on Sunday night and you would have on your desks this morning not a single newspaper with a Monday dateline on it if just one person sought a warrant against the Gannett Publishing Company and the Bangor Publishing Company for working on Sunday attempting to publish a Monday morning paper. You would also have no radio on Sunday except those programs that relate to religious or philosophical discussion. You would also bring to a halt many other activities in the State of Maine, but those are just some of the more apparent ones.

Now, there is a long series, 91 in number I think, of law court decisions going back to volume 5 of the Maine Reports. They are all inclusive. For instance, one of the relatively recent ones involves the case of a plumber employed to go into a hotel on three successive Sundays and perform the necessary work of making the necessary repairs of the plumbing of that hotel. The law court held that he was in strict and definite violation of the Blue Laws which prohibited any work, labor or business on the Lord's Day. I think probably it is a mistake to think that all those Blue Laws can be repealed, but having bored you in speaking to the principle, if it is a principle, that we should take out of our statutes such laws as are openly and consistently violated by the public and the violations are in the interests of the general public to such an extent that the provisions of the law are not of sufficient interest to

the citizens or law enforcement agencies, so that any attempt is made to enforce the laws as a matter of principle, it might be that they should come out.

With respect to such things as the sale of liquor, other statutes protect it, certain other statutes have been written to protect bowling and Sunday movies, but generally speaking, the attempt to write laws as represent the majority wish of the people, particularly when there is an overwhelming wish, but I don't think there is an overwhelming desire to repeal the Blue Laws because they are so openly flaunted and no such problem exists. I presented a bill with relation to grocery stores where persecution was being attempted. I think this one is right but I am reconciled to the fact that passage of such a law is a pretty difficult thing to attempt and I will not be heartbroken or disappointed if the arguments which are still to be presented by the Senator from Cumberland, Senator Chapman, should prevail. But when you vote I think you will be voting against sound principles.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, there were two bills presented to the Legal Affairs Committee dealing with this general subject that has been mentioned by the Senator from Penobscot, Senator Haskell. Both bills having been sponsored by that Senator. The first bill presented was one that related to keeping open grocery stores on Sunday, which seemed to a number of the members of the Committee to be very reasonable because it writes into the law something that has been established and an accepted practice both from moral and ethical viewpoints, in our interpretation of the Sunday Day of rest.

This bill, however, would in one short swipe do away with our so-called Blue Laws and it seems to cut pretty deep and some of the members of the Committee felt it cuts deep enough so it would in one short paragraph change a tradition which has been part of our history of life, if you want to call it that, since before this country was founded. The so-called Blue

Laws go back into the statutes about 450 to 500 years ago and it has been an accepted tradition and is one of the institutions of our way of doing things and goes back before this State or this Nation was in existence. I am not going to argue the merits of this tradition. I think it is too well-founded and you are all aware of this.

In recent years, of course, there have been certain trends in which the statutes have been amended as seemed reasonable and the Committee has now seen fit to recommend the grocery laws as another exclusion. But as it comes down to us historically, these so-called Blue Law statutes, it essentially says there shall be no work or business of a standard, every day variety on this Seventh day known as the Lord's Day. I will read the Maine Statute: "Whoever on the Lord's Day keep open his shop, workhouse, warehouse or place of business, travels, or does any work or business on that day except works of necessity or a charity; uses any sport, game or recreations; or is present at any dancing, public diversion, show or entertainment, encouraging the same, shall be punished by a fine of \$10."

We have written into the statutes a number of exclusions from this statute such as our Sunday movie law and so called Sunday sports law. These are accepted and were put into the statutes on the basis of local option so that they can be adopted in the various localities which want to accept them but will not be mandatory on a county that does not want to accept them. The part with regard to travel has had another section put into it. It says that ordinary travel is now permitted but it still says that business travel such as we see Monday through Friday of the heavy work type is not permitted, and that seems to be reasonable in the light of our present outlook upon the necessity of keeping some sort of day as a day of rest.

I might say that the courts historically have regarded the validity of this statute as being a proper civil prohibition and not a religious statute and the courts have uniformly said that it is an exercise

of police power in the field of Health and Welfare that one day shall be a day of rest. This term has an exception which exists in the original statute and has been rather broadly interpreted by the courts, that work of necessity or charity are not prohibited on Sunday and it is a very broad term and is applied to all the things we do that we feel are necessary and proper to do with regard to moral and ethical considerations on Sunday, and I was interested to note that it is the view of all the attorneys on the Legal Affairs Committee and of other attorneys that this very interesting case which the Senator from Penobscot, Senator Haskell brought to our attention with regard to not fixing plumbing on Sunday wouldn't be illegal today. If in an emergency it is the work of necessity and I think common sense will tell you that. I am presuming facts that aren't in evidence but that in particular the Senator referred to was one of plumbing in a hotel. They called in a plumber for an hour and a half to make repairs and at that time, about twenty-five years ago, the plumber was held to be in violation of the statute but I think that would be nonsense now.

I don't think it is necessary to detail this out and run it down to its last square inch. The fundamental feature is that we have a very sound institutional law of long-standing and to wipe it out in one fell swoop would be against our tradition. I therefore move the acceptance of the Ought Not to Pass report of the Committee.

Mr. REID of Kennebec: Mr. President and members of the Senate, it might be that it would not be necessary to repeal all of the Blue Laws but in my opinion it certainly is necessary to repeal some of them if you go along with the theory that an unenforceable law is a bad one. Having been county attorney for Kennebec County for over four years I repeatedly ran into the situation where members of the Watch and Ward Society, we will say, complained against the pin-ball machines or something like that and wanted something done about it, and on those occasions when I went

into the Blue Laws to see how enforceable they were there was a complaint by some particular complainant about someone working in a flower garden or vegetable garden and one occasion in particular where a representative of one of those societies wanted to know what I was going to do about an air show on the muster field in Augusta. I didn't know much about it and it turned out it was a model airplane contest the children were going to have on Sunday and he wanted it stopped, and I said I didn't think it ought to be stopped, and he said, "well, it is against the law." And I said, "we will stop it in this way if you wish to, you go get a police officer from the City of Augusta and a photographer and go with them to the airport and pick out the boy you want to arrest and have his picture taken doing it, and under those circumstances we will prosecute him. That was the last I ever heard of that one.

I think without any question that practically the entire population of Maine on Sundays is in some way violating certain provisions of the law that the Senator from Penobscot, Senator Haskell, would like to see repealed, and for those reasons I am going along with that Senator.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am rather overwhelmed that anyone might be thinking with me on this matter. However, taking a little more of a serious view of the thing, do you realize that in the City of Lewiston, for instance, you have industries with union contracts providing for Sunday rates of pay, and you have production industry all over this State in complete violation of the Blue Laws. One of those pictures that I presented to the court showed a crew going to work in our largest industry in our area and I have no doubt that the management of that operation would have been found guilty if brought into court and charged with violation of the Blue Laws. Insofar as our economic rights are concerned I have no doubt production industry could be slowed down on Sunday if it were carried to its conclusion and I doubt if any in-

dustry is going to spend its time day after day in court, and that is what just one individual under this section of the statute can do any time within six months of the violation. So my pictures taken three months ago if presented in court are just as good as the day they were taken. Honestly, the thing is wrong, as a matter of principle, and I add that only because of the encouragement I get and which I appreciate, but it amazes me.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I just heard the fire-bells ring. Someone has mentioned Lewiston. That is where I have lived for 53 years of my life and where I hope to die. I have heard of Lewiston previously in public hearings. We are the most central city in the State so far as drinking beer and ale and are concerned now, or I understand my good friend calls it a central city against Blue Laws. And I want to assure him that I will vote to abolish those Blue Laws so that Lewiston will sin no more.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Chapman, that the Senate accept the minority Ought Not to Pass report of the Committee?

Mr. HARDING of Knox: Mr. President, when the vote is taken I move that it be taken by division.

The PRESIDENT: Is the Senate ready for the question? The Senator from Knox, Senator Harding, requests a division.

A division of the Senate was had.

Six having voted in the affirmative and twenty-one opposed, the motion to accept the Ought Not to Pass report of the Committee did not prevail.

Thereupon, the majority Ought to Pass report of the Committee was accepted and the bill was given its first reading.

On motion by Mr. Chapman of Cumberland the rules were suspended and the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table bill, "An Act

to Revise the Biennial Revision of the Inland Fish and Game Laws (S. P. 496) (L. D. 1369), tabled by that Senator on April 16th, pending passage to be engrossed, and on further motion by the same Senator the bill was recommitted to the Committee on Inland Fish and Game in non-concurrence and under suspension of the rules was sent forthwith to the House.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table bill, An Act Relating to Permits For Moving Heavy Objects over Highways (H. P. 288) (L. D. 273), tabled by that Senator on April 24th pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Squire of Kennebec, the Senate voted to take from the table Senate Report Ought Not to Pass from the Committee on Taxation on bill, An Act To Exclude from Sale Price Under Sales Tax Law the Fair Market Value of Trade-ins (S. P. 143) (L. D. 343), tabled by the Senator on March 10th, pending consideration of the report.

Mr. SQUIRE of Kennebec: Mr. President and members of the Senate, being a member of that large group of persecuted merchants in the State who after our action of last Friday will continue to collect our five percent tax on trade-ins and having a week or two ago resigned ourselves to our fate, we are not ready for the guillotine, so I move the acceptance of the Ought Not to Pass of the Committee.

Thereupon, the Ought Not to Pass report of the Committee was accepted and sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Reports from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Elect Members of the Executive Council by the People", (S. P. 175) (L. D. 437), majority report "Ought Not to Pass", minority report "Ought to Pass"; tabled by that Senator on

March 4th, pending consideration of the report.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I don't care to give you a re-hash of a debate we had last week on a similar bill, but I do hope that I will get better results than my good friend the Senator from Hancock, Senator Dunham got at that time, although the vote was close.

I hope that since the last vote some of the members have thought it over seriously and have changed both their hearts and their minds. It seems to me that very slowly the wheels of progress go ahead, that very slowly the State of Maine is changing its thinking and its doings but I hope that time has arrived when we will submit to the people of the State of Maine the question of whether we will elect our Council by the legislature or by the people of Maine. It is no use for me to go into all the debates that we have gone into last week concerning similar bills. The majority party which has full control of the Council and has had for the last fifty years I guess, has also had in the last few years its troubles about electing members to that same Council. I have known in my twenty years of service here in the legislature that some members of the Council have been elected by one vote and I don't believe that is a good way of doing. I have known occasions where seven or eight members of the majority party would get together and decide who would be your next Councilman from a district like mine which is composed of three counties, Sagadahoc, Androscoggin and Franklin. I think it is not fair and square way of electing a public official and my opinion is supported by a lot of other states which have done away entirely with the Council or have made it elective by the public. If we are to have a Council, and there is a big question in my mind whether we should or not, but if we have to have one I say to you, members of the Senate, that at least they should be elected just like you and I have to be elected, by the people. After all, in this State the Governor has to be elected, we

have to be elected and the Representatives have to be elected by the people, and why shouldn't a Council also be elected by the people rather than by the Legislature? And again I point out that in most instances it isn't the Legislature but it is a few members of the Legislature who pick out the next Councilors from their districts, and I do want to tell you that we are going to change that sometime and I think the time has arrived, when we should change the system from election by the Legislature to election by the people of the State of Maine.

I am not going to take up any more of your time. I know you have had this bill before you previously and have thought about it and discussed it and debated on it and I am now going to move that the minority report "Ought to Pass" be accepted.

Mr. COLLINS of Aroostook: Mr. President, I will move that when the question is put a division be had and I would say also that I believe the Executive Council of the Governor serves a very useful purpose, a useful purpose to the Legislature when it is not in session and the Council acts as the representatives of the Legislature. So I feel that in the selection of the members of the Council by the Legislature there is good representation and I hope that the motion of the Senator from Androscoggin, Senator Boucher, does not prevail.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate accept the minority "Ought to Pass," report of the Committee, and the Senator from Aroostook, Senator Collins has requested that the vote be taken by division.

A division of the Senate was had. Seven having voted in the affirmative and eighteen opposed.

The motion did not prevail.

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

Sent down for concurrence.

On motion by Mr. Ward of Penobscot, the Senate voted to take from the table bill, An Act To Clarify Boilers and Unfired Steam

Pressure Vessels (H. P. 225) (L. D. 252), tabled by that Senator earlier in today's session pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption: "Amend said bill by striking out all of Section one. Further amend said bill by striking out at the beginning of Section two the underlined abbreviation and figure 'Sec. 2' and inserting in place thereof the underlined abbreviation and figure 'Sec. 1'. Further amend said bill in the last sentence of Sec. 2 by striking out the stricken out figure '\$2.00' and underlined figure '\$3.00' and inserting in place thereof the figure '\$2.00'. Further amend said bill by striking out all of Sec. 3. Further amend said bill by striking out at the beginning of the first line of Sec. 4 the underlined abbreviation and figure 'Sec. 4' and inserting in place thereof the underlined abbreviation and figure 'Sec. 2'.

Mr. WARD of Penobscot: Mr. President and members of the Senate, this amendment would strike out all increases in fees and leave the fees exactly as they are today under existing law.

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

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table bill, An Act To Permit Testing of Anti-Aircraft Weapons and Munitions Over a Part of Moosehead Lake (S. P. 550) (L. D. 1465), (new draft of S. P. 216, L. D. 541), tabled by that Senator on April 23rd, pending assignment for reading.

Mr. CARPENTER of Somerset: Mr. President, I now move the indefinite postponement of this bill.

In support of that motion I will say that the bill seems absolutely unnecessary. It would only create a lot of disturbance and hazards among the people of Greenville and the cottage owners around Moosehead Lake. This was instituted by Owen Mills, a munitions company from out west. The State would receive no remuneration from the bill and feel that is not good to go along with. I therefore

move that it be indefinitely postponed.

Mr. REID of Kennebec: Mr. President and members of the Senate, regardless of how you vote on this particular motion I think the Senate should be informed as to what occurred in the hearing. It appears there is an organization known as Owen Industries and the United States government has asked them to develop an anti-aircraft shell which may be exploded over friendly territory, not injuring the people below. Of course a great deal of work that is going on now in connection with the war effort is of secret or quasi secret nature. The original bill applied to "all clear ponds" and received a great deal of opposition from fish and game people who were understandably opposed to it because they thought maybe it would injure the fish in the ponds. Accordingly, in trying to work out some bill which would give the government and Owen Mills Industries an opportunity to have this shell tested, the committee worked out a redraft which made the area available only to one section of Moosehead Lake and it struck out the right to test this particular shell during the months of May and June. It limited the proposition to the next two years only and it provided further that the ammunition would be tested in the air.

It is my understanding that if this outfit is permitted to do this it will, from time to time and not very frequently, explode some twenty to forty thousand feet in the air an anti-aircraft shell, the fragments of which will drop into the lake. It is also my understanding that they cannot do this over the ocean because the ocean in most cases has ripples or waves in the water and they need a calm place in the water to operate.

I can understand that the fish and game people do not want any activity of that kind going on in the vicinity of Moosehead Lake and if that is the feeling of the Senate you will go along with the motion of the Senator from Somerset, Senator Carpenter. I will say, however, that while we are engaged in a war effort we have to make some sacrifices. It is possible it could be con-

ducted in some other state and if we don't want to allow any war industry in here on the basis that we may upset the apple cart, or the fish cart, it is perfectly all right to have it that way. I remember after the second world war when we appeared to be engaging in a very intense effort along atomic energy lines I spoke to the Governor and some members of the New England Council about that for Maine so that while not inviting an atomic bomb plant to come in we might at least try to get an auxiliary industry so that we could have some of the billions of dollars being spent in the war effort and it seems to be a little unfortunate that the State of Maine could not get into this territory some fairly substantial industry along these lines.

My feeling is that this bill actually will hurt nobody and the small amount of testing they will do over the lake will not injure the fish not scare the inhabitants, but I certainly understand the reasoning of the opposition, but I should like to see it go along.

That, as briefly as I can state it, is how the bill developed.

Mr. WIGHT of Penobscot: Mr. President and members of the Senate, I rise to support the motion for indefinite postponement of this measure. It is difficult to see how the State of Maine will be benefited in any way and it may be harmed a great deal. I am sure that non-residents who are coming here to enjoy their vacations are not going to enjoy it very much if such a thing is going on, so I will support the motion for indefinite postponement.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, I too rise in opposition to allowing Moosehead Lake or any portion of it to be used for a testing ground for anti-aircraft weapons. When this bill came into the Senate I was immediately concerned because Moosehead Lake is in Piscataquis County and is also, as some of you may know, the largest lake that we have in our state. It is one of our greatest Vacationland regions that we advertise so extensively. It is a region where some millions of dollars are expended by, not only Maine residents,

but out-of-state residents who own cottages there. Immediately after learning of this bill I made some investigations of the cottage owners and the inhabitants and citizens of Greenville, and I am frank to say that the first person I talked with was a business man in Greenville who was wholly in accord with this bill. He thought it would bring in added income because of the fact that there would be of necessity many people in there to perform these tests. But I also want to point out that on further investigation it is my belief, from what I have learned, that for the few that would come in to perform these tests in the region around Moosehead Lake and the publicity that would go out from this area, that such tests were being proposed and would be carried out, would be very detrimental to Moosehead Lake and the area around it, and, I am convinced, much further out of state than this area, because there have been telephone calls from as far away as New York and Pennsylvania from people who had planned to visit some of our cottages and sporting camps, who are very much concerned that they may have to defend themselves against shells that are going to disintegrate in the air and fall into the water.

I don't want to comment to any great extent on my position except to say that in this area where it is proposed to conduct these tests there is a sporting camp owned by a man who has put in three or four years of his life trying to develop a paying industry and he is very much concerned because he has already been contacted by some of those who have booked with him for this coming summer and if this goes through he stands to lose, in my estimation, one of his constitutional rights and that is to conduct his business as he feels it should be conducted, and I certainly will go along with the Senator from Somerset, Senator Carpenter, in opposition to this bill.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that the bill be indefinitely postponed and

the same Senator requests that when the vote is taken it be taken by division.

A division of the Senate was had.

Twenty-four having voted in the affirmative and two opposed, the bill was indefinitely postponed.

Sent down for concurrence.

Mr. COLLINS of Aroostook was granted unanimous consent to address the Senate.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, you will find on your desks this morning a report to the members of the legislature in regard to some proposals that we will make in cutting the appropriations bill. In talking this over with the committee yesterday we had the privilege of having the experience and advice of the Governor and in the cuts that are made we are substantially following his recommendations, with a few exceptions.

The new appropriations bill itself should be in the possession of the Senate this afternoon and at that time it is my hope that the report will be accepted so that the new bill can be printed so that all the members of the legislature will have it in their possession tomorrow. You will note that the cuts we made in the appropriations bill were made with the idea of having the minimum effect on the existing departments and the things for which we have to appropriate money. It is true that it leaves an operating gain that is not as large as we would like to have it to take care of other legislative documents that will have to have consideration, but at the same time, it seemed to us that this was the only way in which this could be accomplished. I just wanted to call this to your attention so that you may be studying it and when the appropriations bill comes before you, you will be more able to act intelligently upon it.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I would move that from now until the adjournment without day that all measures ready for engrossing be sent forthwith to the engrossing department. Under our normal procedure those matters are held pending the desire of any

members that they be held another legislative day for reconsideration, but if this procedure has your approval it will speed up the engrossing procedure and of course, being at the engrossing stage, each one of us will have another opportunity at the enactment stage, and that, I so move.

The PRESIDENT: The Senator from Penobscot, Senator Haskell, moves that from now until the date of final adjournment all measures reaching the engrossing stage shall be sent forthwith to the engrossing department. Is this the pleasure of the Senate?

Mr. CHASE of Cumberland: Mr. President, I rise to a parliamentary inquiry. If this vote were passed would it be necessary to suspend the rules in order to make the motion of reconsideration on the next legislative day?

The PRESIDENT: In answer to the inquiry asked by the Senator from Cumberland, Senator Chase, the Chair will state it is his opinion that reconsideration could be had even if this motion prevailed, provided it was on the next legislative day.

The motion prevailed.

Mr. HASKELL of Penobscot: Mr. President, I move that the Senate do now recess until 2:00 P. M., Standard Time; 3:00 P. M., Daylight Saving Time. In support of that motion I would remind the Senate that if there are Committees that can conveniently assemble for brief executive sessions to bring out those remaining few bills that they may have, this would be a splendid opportunity. So far as I know, there is only one major bill still under consideration and I am told by the chairman of that committee that final consideration of that bill will be made tomorrow afternoon, so there is reasonable indication that all bills will be before us, and probably I stand alone in being the only one in the Senate who thinks that without undue haste and by the time we reasonably need to consider those matters, that by having good attendance and prompt attendance at our morning sessions and again the willingness to come back for afternoon sessions there is to me reasonable opportunity that



we could have an orderly adjournment this week.

The PRESIDENT: Before presenting for consideration the motion of the Senator from Penobscot, Senator Haskell, the Chair will make appointments relative to Committees of Conference with respect to the disagreeing action between the two Branches of the Legislature on Resolve in Favor of the Town of New Gloucester (H. P. 960) (L. D. 1050), the Chair will appoint as members of the Committee of Conference on behalf of the Senate, the following Senators: Senators Collins, Haskell and Sinclair.

With reference to the disagreeing action between the two Branches of the Legislature on Resolve to Repeal Certain Special Resolve Pensions (H. P. 612) (L. D. 732), the Chair will appoint as of the Committee of Conference, on behalf of the Senate: Senators Dunham, Parker and Boucher.

With reference to the disagreeing action of the two Branches of the Legislature on bill, An Act to Provide for the Observance of Legal Holidays (H. P. 819) (L. D. 850), the Chair appoints Senators Reid, Ward and Weeks.

On motion by Mr. Haskell of Penobscot

Recessed until this afternoon at two o'clock, Eastern Standard Time.

#### After Recess

The Senate was called to order by the President.

#### Additional House Papers, Out of Order and Under Suspension of the Rules House Committee Reports

The Committee on Claims to which was recommitted "Resolve in Favor of Bert M. Paul, of Skowhegan," (H. P. 488) (L. D. 508) reported that the same ought to pass.

Which report was read and accepted in concurrence, the resolve read once and on motion by Mr. Haskell, the rules were suspended, the resolve read a second time and passed to be engrossed in concurrence.

The Committee on Judiciary on Bill "An Act Relating to Trespass," (H. P. 1157) (L. D. 1305) reported the same in a new draft (H. P. 1278) (L. D. 1514) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once, and on motion by Mr. Ward of Penobscot, the rules were suspended, the bill read a second time and passed to be engrossed in concurrence.

The Committee on Highways on "Resolve, in Favor of Mt. Chase Plantation," (H. P. 4) reported the same in a new draft (H. P. 1277) (L. D. 1513) under a new title, Bill "An Act Providing for Maintenance of Road Leading to Baxter State Park," and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft and under a new title was read once and on motion by Mr. Greeley of Waldo, the rules were suspended, the bill read a second time and passed to be engrossed in concurrence.

#### Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Training to Organized Fire Companies," (H. P. 576) (L. D. 618) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of the Town of Cushing," (H. P. 41) (L. D. 42) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Sales Under Nineteen Cents Under Sales Tax Law," (H. P. 943) (L. D. 985) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Stearns Pond and Tributaries in the County of Oxford," (H. P. 100) (L. D. 88) reported that the same ought to pass as amended by Committee Amendment "A".

(Amendment Filing No. 22)

Comes from the House, Committee Amendment "A" indefinitely

postponed, and the bill passed to be engrossed.

In the Senate, the report was read and accepted and the resolve read once; Committee Amendment A was read, and on motion by Mr. Carpenter of Somerset, the resolve was tabled pending consideration.

The Committee on Labor on Bill "An Act Relating to Benefits for Partial Unemployment Under Employment Security Law," (H. P. 1103) (L. D. 1211) reported that the same ought to pass as amended by Committee Amendment "A".

(Committee Amendment Filing No. 415)

The same Committee on Bill "An Act Relating to Benefits for Total Unemployment Under Employment Security Law," (H. P. 1102) (L. D. 1243) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Amending the Maine Employment Security Law as to Benefit Eligibility Conditions," (H. P. 754) (L. D. 779) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act to Provide for the Appointment of a Board of Commissioners for the Police and Fire Departments of the City of Saco," (H. P. 832) (L. D. 948) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence, and bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and under suspension of the rules, the bills were severally read a second time and passed to be engrossed in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Opening Brackett Lake, Aroostook County, to Ice Fishing," (H. P. 817) (L. D. 901) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed.

In the Senate, the ought not to pass report of the committee was accepted in non-concurrence.

Sent down for concurrence.

The same Committee on "Resolve, Opening Upper Rang Pond, Androscoggin and Cumberland Counties, to Ice Fishing," (H. P. 518) (L. D. 521) reported that the same ought not to pass.

Comes from the House, the resolve substituted for the report and passed to be engrossed.

In the Senate, on motion by Mr. Wight of Penobscot, the "Ought Not to Pass" report of the committee was accepted in non-concurrence.

Sent down for concurrence.

The Committee on Liquor Control on Bill "An Act Prohibiting the Sale of Malt Liquor in Non-Returnable Bottles," (H. P. 351) (L. D. 367) reported that leave be granted to withdraw the same.

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

In the Senate, the leave to withdraw report of the committee was accepted in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Salary of Commissioner of Labor and Industry," (H. P. 1266) (L. D. 1480)

(In Senate on April 24th, passed to be engrossed in non-concurrence.)

Comes from the House, that Body having adhered to its former action whereby the Minority Report of the Committee on Appropriations and Financial Affairs "Ought Not to Pass" was accepted.

In the Senate, on motion by Mr. Collins of Aroostook, the Senate voted to recede and concur with the House.

Bill "An Act Relating to Salary of Commissioner of Education," (H. P. 1267) (L. D. 1481)

(In Senate, on April 24th, passed to be engrossed in non-concurrence.)

Comes from the House, that Body having adhered to its former action, whereby the Minority Report "Ought Not to Pass" was accepted.

In the Senate, on motion by Mr. Collins of Aroostook, the Senate voted to recede and concur with the House.

Bill "An Act Relating to Salary of Attorney-General," (H. P. 1268) (L. D. 1482)

(In Senate, on April 24th, passed to be engrossed in non-concurrence.)

Comes from the House, that Body having adhered to its former action whereby the Minority Report, "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs, was accepted.

In the Senate, on motion by Mr. Collins of Aroostook, the Senate voted to recede and concur with the House.

Bill "An Act Relating to Sales Tax on Isolated Sales of Motor Vehicles." (H. P. 282) (L. D. 279)

(In Senate, on April 7th, indefinitely postponed in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A", and now asks for a Committee of Conference.

In the Senate, on motion by Mr. Haskell of Penobscot, the Senate voted to adhere.

Sent down for concurrence.

Bill "An Act Repealing the Merit Award Board." (H. P. 899) (L. D. 990)

(In Senate, on April 24th the report from the Committee on Appropriations and Financial Affairs "Ought Not to Pass" was accepted.)

Comes from the House, that Body having insisted on its former action whereby the bill was substituted for the report, and now asks for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Messrs. DICKEY of Brooks  
 COLE of Liberty  
 JALBERT of Lewiston

In the Senate, on motion by Mr. Ward of Penobscot, the Senate voted to insist on its former action and join with the House in a Committee of Conference.

The Committee on Appropriations and Financial Affairs to which was recommitted new draft of Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1954 and June 30, 1955." (S. P. 476) (L. D. 1316) reported the same in a sec-

ond new draft (S. P. 587) under the same title, and that it ought to pass.

Which report was read and accepted and on motion by Mr. Collins of Aroostook the bill in a second new draft was laid upon the table for printing under Joint Rule No. 10.

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, that all papers ordered sent to the House by the Senate during the remainder of the current legislative session may be sent forthwith.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table Bill, An Act Relating to Weight of Commercial Vehicles (H. P. 1065) (L. D. 1164) tabled by that Senator earlier in today's session pending passage to be engrossed and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table House Report from the Committee on Public Buildings and Parks; Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" on bill, An Act Accepting from Dorothea Dix Memorial Association a Deed of Gift of Dorothea Dix Park (H. P. 1213) (L. D. 1386) tabled by that Senator earlier in today's session pending motion by the Senator from Oxford, Senator Carter, that the Senate accept the Majority Report "Ought Not to Pass".

Mr. CARTER of Oxford: Mr. President, I would withdraw my motion that the Majority Report be accepted as I understand there is an amendment to be offered on this bill.

There being no objection, leave was granted the Senator to withdraw his motion to accept the Majority Report "Ought Not to Pass".

Thereupon, on motion by Mr. Sinclair of Somerset, the Minority Report "Ought to Pass" was accepted in concurrence and the bill read once.

Mr. Sinclair of Somerset presented Senate Amendment "A" and moved its adoption.

Thereupon, Senate Amendment A was adopted without reading, the rules were suspended and the bill was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: With respect to the disagreeing action of the two branches of the legislature on bill, An Act Repealing the Merit Award Board (H. P. 899) (L. D. 990), the Chair will appoint at this time as Senate members of the Committee of Conference, Senators Ward of Penobscot; Haskell of Penobscot and Collins of Aroostook.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Relating to Court Records and Official Court Reporters (S. P. 219) (L. D. 585) tabled by that Senator on April 8 pending passage to be engrossed.

Mr. REID of Kennebec: Mr. President and members of the Senate, this bill is a general clarification bill of the duties and responsibilities of Court Reporters but it is also included in it a raise in their pay from \$5,000 to \$6500 a year. It came out of committee reported satisfactorily. Since that time, there has been some question as to whether the pay should be raised to that extent. The feeling of the committee was that they are a small group of highly trained professionals and that they have been underpaid for some time.

In view of the feeling however, that that is too much of a raise, I propose to offer an amendment which will be half way between the \$5,000 and the \$6500; or \$5750. I therefore present Senate Amendment A and move its adoption:

"Senate Amendment A to L. D. 585, bill, An Act Relating to Court Records and Official Court Reporters. Amend said bill by striking out the underlined figures '\$6500' in the 1st sentence of that part of section 2 designated 'Sec 185' and inserting in place thereof the underlined figures '\$5750'."

Which amendment was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

Mr. DOW of Lincoln: Mr. President and members of the Senate, every time I have introduced one

of these worm bills, the proponents of such bill have made the statement that they wish there were no such laws for any of the towns in any part of the state. They wish they were all repealed, but in order to protect their particular town, they had to have a protective law so long as the other towns had it, so it is my feeling that the general opinion of the worm diggers in all the worm digging towns on the coast really wish that this had never started.

It started in a town, I believe it was in either Sagadahoc or Cumberland County, restricting the digging to residents. Therefore, the non residents moved to another area. Then that town to which they moved did not want them either so they asked for a worm law and the result has been a chain reaction up and down the coast of Maine and today it has come to a head where a group of worm diggers are here from two different counties and want to repeal all the worm laws of the state because thirty of them have been thrown out of work by the legislation we have recently passed.

So I will take the responsibility to the extent that I will move, if the bill is accepted unanimously, that it be given its first reading, under suspension of the rules and without reference to a committee.

Mr. President, I do want to make it plain that I have had no conference with the Governor, that this bill was passed to me all drafted and drawn up, as I was entering the Senate for the afternoon session. So far as I personally am concerned, I don't particularly care what is done by it. Regardless of what the vote is, I feel that it will take me off the books either way.

Mr. DOW of Lincoln: Mr. President, I hope I know what I am doing right now. Out of order and under suspension of the rules, I would like to introduce a bill and move that it be accepted by unanimous consent. I would like to call the attention of the Senate to the fact that there are about thirty worm diggers out in the halls who, I have been told have conferred with the Governor and the Governor, I have been told, has said

he would sign this bill if it went through. Also, I have just received word from the House that no opposition has been found in that Body so far.

This bill calls for the repeal of all of the worm digging laws all over the State of Maine and I would just like to remark that if this bill is not received by unanimous consent in this Body, those who object better not go outside that hall at all I ask unanimous consent to introduce the bill.

Mr. HASKELL of Penobscot: Mr. President, I do not rise in the position of a brave man who wants to face those worm diggers but I would point out that if the measure is a particularly controversial one and does require a scheduled public hearing and the attendance of the Senator from Sagadahoc, Senator Cummings and the other worm diggers, that we well could delay this session. I am still aware of the great danger that awaits anyone who offers opposition but I feel I would risk that unless the Senator from Lincoln, Senator Dow, would now stand up and say in effect that this bill is so good that he will make a motion that the rules be suspended and without reference to a committee, if it is accepted by unanimous consent, it be given its first reading. It seems to me if the worm diggers are that firm in their conviction down along the coast, the Senate might well accept this bill. If on the other hand he does not have complete faith in the bill, someone should voice an objection.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, I kind of like the principle of this thing but I am just wondering what the good Senator from Lincoln would do if he met eight hundred to a thousand clam diggers out there in the hall. When you go to opening up the flats to the worm diggers, what about the boys who dig clams. For instance, there was a bill which concerned the town of Jonesport and the town of Beales, Beales Island wanted to dig clams over in the town of Jonesport and they say said "No because we have a right to control our own flats. If you pass this for the worm diggers, who knows where it will end?"

I am not raising any objection to this because I was never for it in the first place.

Mr. BOUCHER of Androscoggin: Mr. President, I will not voice any opposition to the introduction of this bill if the Senator promises me that it is the end of the worms. I have heard so much about marine worms, clams, lobsters and fish throughout the session that I'm tired of it. I want an end to it and if he promises me that this is the end, the final parting shot, I will go along with him.

Mr. DOW of Lincoln: Mr. President, I am afraid that where the worms and clams are concerned, I can promise nothing.

The PRESIDENT: Out of order and under suspension of the rules, Mr. Dow of Lincoln asks unanimous consent for the introduction of a bill.

Mr. CHASE of Cumberland: Mr. President, this is not the first time that the corridors have been full of people exerting pressure on the members of the legislature. I am not going to object to the introduction of the bill on the proper occasion but I do object to its being rushed through without any opportunity for public hearing. I shall object to any motion to suspend the rules to rush this through today and pass it to be engrossed, without any respect to the rules.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Lincoln, Senator Dow, that out of order and under suspension of the rules he may be granted unanimous consent for the introduction of bill.

Is there objection to the reception of the bill?

There being objection, the bill was not received.

Mr. WARD of Penobscot: Mr. President and members of the Senate, I move that the rules be suspended to permit me to present an order out of order.

The motion to suspend the rules prevailed and the Secretary read the Order:

ORDERED, the House concurring that Joint Rule 1 be amended by deleting from the list of Joint Standing Committees, the Committee on Public Buildings and Parks, and adding thereto the Committee on

Retirements and Pensions. This order shall become effective December 31, 1954.

Mr. WARD: Mr. President and members of the Senate, earlier in the session I presented a similar order which applied to this particular committee and also the Committee on Correctional Institutions. After the order had been presented, I talked to members of the Committee on Correctional Institutions and it was their feeling that despite the fact that perhaps only one or two bills may be referred to that committee during the legislative session, nevertheless, the Committee performs a very valuable service to the state by the visits and inspection trips which they make to the various institutions and for that reason I later moved the indefinite postponement of that order. Insofar as the Committee on Public Parks and Buildings is concerned, that committee had just two hearings on two bills, and that was the extent of their business. The Committee on Judiciary has had a large number of retirement bills which have to do with the state retirement system and in addition to that, the Committee on Welfare has had two hundred or more straight pension matters. If these retirement and pension bills could be sent to a special committee which could attend to those things only, I am sure that the Committee would have plenty to do during the legislative session. I hope the order receives a passage.

Thereupon, the Order received a passage.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, the following bills, tabled by that Senator pending passage to be enacted.

Bill, An Act Relating to Salaries of County Attorney and Assistant County Attorney of Penobscot County (H. P. 553) (L. D. 533) (tabled on March 26)

Bill, An Act to Increase the Salary of the County Attorney of Waldo County (H. P. 608) (L. D. 607) (tabled on April 9)

Bill, An Act Relating to Salaries of County Officers and Clerk Hire

in Piscataquis County (H. P. 611) (L. D. 610) (tabled on March 26)

Bill, An Act Relating to Salaries of County Attorney and Assistant County Attorney of Cumberland County (S. P. 260) (L. D. 684) (tabled on April 9)

Bill, An Act Relating to Salary of County Attorney of Knox County (S. P. 420) (L. D. 1131) (tabled on April 16)

Bill, An Act Relating to the Salary of the County Attorney of Aroostook County (H. P. 691) (L. D. 726) (tabled on April 24)

Bill, An Act Increasing Salaries of County Officers of Somerset County (H. P. 1118) (L. D. 1252) (tabled on April 24)

Bill, An Act Relating to Salaries of County Officers in Androscoggin County (S. P. 444) (L. D. 1153) (tabled on April 24)

Mr. COLLINS of Aroostook: Mr. President, among the several items under the Appropriations category, are these that relate to County Officers and inasmuch as the County Attorney is paid for out of state funds, that was the reason for the tabling of those particular items.

However, it would appear that those items must receive final passage, and in view of the fact that this bill is up to the point of enactment, I would move the pending question, that these bills be passed to be enacted.

The motion prevailed and the above bills were severally passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, Resolve Directing Review of Property Tax Statutes (S. P. 189) (L. D. 428) tabled by that Senator on March 19 pending final passage; and that Senator yielded to the Senator from Cumberland, Senator Chase.

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

"Senate Amendment A, to L. D. 428. Amend said resolve by adding after the words 'appropriated from the' in the 1st line of the last para-

graph the words 'unappropriated surplus of the'."

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

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, An Act Relating to Allowance to Commissioned Officers for Maintenance of Uniforms and Equipment (S. P. 195) (L. D. 432) tabled by that Senator on March 26, pending passage to be enacted; and that Senator yielded to the Senator from Penobscot, Senator Haskell.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this is a bill which has been before prior legislatures and does seek for the biennium about \$24,000 to be paid to commissioned officers for the maintenance of uniforms. As Senator Collins has told you this morning, the acceptance of the appropriations measure in new draft will leave about \$200,000 a year in operating gain from which we must determine which L. D.'s are going to have a passage.

I certainly don't ask the Senate to accept all valuations placed by the committee on Appropriations and Financial Affairs, but with respect to this item, it was very well down on the list and very well beyond the \$200,000 limit and I therefore, with the usual regret, move the indefinite postponement of the bill.

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Bill, An Act Relating to Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court (S. P. 342) (L. D. 838) tabled by that Senator earlier in today's session pending consideration, and the Senator yielded to the Senator from Androscoggin, Senator Kavanagh.

Thereupon, on motion by Mrs. Kavanagh of Androscoggin, the rules were suspended and the Senate voted to reconsider its action of March 18 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.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve Relating to the Taking of Clams in the Town of Harpswell (H. P. 850) (L. D. 882) tabled by that Senator on April 9 pending final passage.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, there are several of these resolves that pertain to lobsters or clams and the reason they were tabled was that we were informed that it would cost the Sea and Shore Fisheries Department some money in the administration of it. However, we came to the conclusion that they are all good bills and should be passed unless there are Senators who have a reason why they shouldn't be.

Thereupon, the resolves was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to the Taking of Lobsters in York River, County of York (S. P. 329) (L. D. 832) tabled by that Senator on April 9 pending passage to be enacted; and on motion by the Senator from York, Senator Littlefield, the bill was passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, An Act Relating to the Taking of Alewives in the Town of Gouldsboro (H. P. 998) (L. D. 1085) tabled by the Senator on April 24 pending passage to be enacted; and on motion by the Senator from Hancock, Senator Dunham, the bill was passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve to Reimburse the Town of Jefferson for Conveyance of School Children (H. P. 719) (L. D. 1368) tabled by that Senator on April 9 pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Sen-

ate, I was sure that one member of the Appropriations Committee did not intend to take over all of the difficult burden of speaking against the enactment of many of these bills, but this document provides for reimbursement to the town of Jefferson for the conveyance of school children. The facts are very simple. The town operates a school bus and on one particular route there are a large number of committed children and the town seeks reimbursement for the allocated cost of transportation of these committed children. It is almost the same as the New Gloucester case so far as principle is concerned in that there are over 2500 committed children in the state. They are often conveyed to the schools. The acceptance of the principle that the towns shall seek general fund assistance for this service would have state wide application. The towns do receive general subsidy allowance and it seems to me that the acceptance of this resolve could lead at the next session and future sessions, an ever increasing number of resolves seeking, by this method to accomplish that which is not contemplated in the general subsidy formulae. Again with reluctance, I move the indefinite postponement of this resolve.

The motion prevailed and the resolve was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, bill, An Act to Repeal the Liquor Research Commission Law and Provide that the Department of Health and Welfare Assume Certain Responsibilities Relating to Alcoholism (H. P. 206) (L. D. 237) tabled by that Senator on March 26 pending passage to be enacted.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this bill is one that provides that the liquor research shall be assumed in the Department of Health and Welfare and that they will employ someone to administer the act. The bill has gone along to this point of enactment and it replaces the old set-up of the liquor research commission and when that commission goes out of the picture

they left funds that lapsed and the lapsed funds are in excess of the amount required under this bill. Under this bill it will take \$9,000 a year but it will release to surplus the amount of money that was not used by the liquor research commission. I think the bill should be enacted. I think it will serve a real purpose and I move that it be enacted.

The motion prevailed and the bill was passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve in Favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War (H. P. 485) (L. D. 505) tabled by that Senator on April 9 pending final passage.

Mr. COLLINS of Aroostook: Mr. President, according to the information that we have this resolve calls for an appropriation of some \$200. It is not too vital perhaps, but I would move its enactment.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act to Exempt Automobiles Used in Driver Education Program from the Sales and Use Tax (S. P. 457) (L. D. 1271) tabled by that Senator on April 16 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve for a Recess Committee to Study all Phases of the Maine State Retirement System and Related Titles of the Social Security Act. (S. P. 454) (L. D. 1264) tabled by that Senator on April 24 pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, it is now my pleasure to speak for a measure. There is a \$25,000 cost in an appropriation out of unappropriated surplus for general fund, and it is \$25,000 from one of these study affairs. However, we have contingent liability in our retirement statutes of somewhere in the order of \$40,000,000, and that



liability in my opinion at least, is rather sketchily stated and rather sketchily understood, and at least with respect with one major group of state employees I think our accruals are grossly understated.

I further believe that the consideration that would have to be given on the Committee on Judiciary to special consideration to the special laws are done without too much rhyme or reason despite the excellence of that committee. I can say that, it is simply a repetition of what some members of that committee have told me. This money will not be spent for state employees, it will be spent for outside expert talent to come in here and at least put in front of us the liabilities, the accrual requirements that the action of past legislatures have written into our statute books. I think it should have been appropriated and work done several sessions ago. For that reason I was perfectly content to include that \$25,000 in the list of unappropriated surplus items as one worthwhile, non-recurring item, and I am hopeful that great good will come out of the study. Therefore, Mr. President, I move for final passage of the resolve.

Thereupon the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, Resolve Providing for the Printing of "Maine Pollen Survey" (S. P. 478) (L. D. 1333), tabled by that Senator on April 24th, pending passage to be enacted, and that Senator yielded to the Senator from Penobscot, Senator Haskell.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, realizing the need for almost unanimous consent, with the number now present in the Senate, I will explain very briefly the intent of this bill. In 1949 the Legislature appropriated the sum of \$15,000 and authorized a pollen survey of the

State of Maine which would point out those places and areas in the State of Maine which were free of certain pollen types that those who suffer from various allergies could be free of. The survey was done with the assistance of probably the best allergist in the State of Maine at his own expense both as to salary and to travel.

The work that he has turned out has been accepted by the medical profession as the most outstanding work that has ever been done in this State along that line and the purpose of the resolve would be to print it so it can be distributed to the various clinics in the East where other allergists are willing and anxious to get them for the benefit of those people with respect to specific allergies from which they are suffering.

If the resolve has passage I am told that at the annual meeting of the American Medical Association the thing is scheduled as a feature item of the allergy exhibit, it will get into allergy specialists' hands all over the country and it seems to me it is well worthwhile to send \$2300.00 in return for \$15,000.00 and since the thing was to enhance the State of Maine as a vacation State and bring into the unpollened areas those people of wealth who are willing to spend that wealth to get rid of their hay-fever. I think it is worthwhile from an economic viewpoint, and since it is an emergency measure I move that it be finally passed as an emergency measure.

A division of the Senate was had.

Twenty-three having voted in the affirmative and non opposed, the resolve was finally passed.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at nine o'clock, Eastern Standard Time.