

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

Wednesday, April 29, 1953

The Senate was called to order by the President.

Prayer by the Rev. John Donovan of Augusta.

Journal of yesterday read and approved.

House Papers

Bill "An Act Relating to Education in Unorganized Territory." (S. P. 448) (L. D. 1262)

(In Senate, on April 22nd, passed to be engrossed as amended by Committee Amendment "A" and as amended by Senate Amendment "B".)

Comes from the House, Committee Amendment "A" indefinitely postponed, and passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

In the Senate, on motion by Mr. Fuller of Oxford, tabled pending consideration.

"Resolve in Favor of Central Maine Sanatorium." (S. P. 559) (L. D. 1491)

(In Senate, on April 24th passed to be engrossed.)

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

(Amendment Filing No. 437)

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

"Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 597) (L. D. 637)

(In Senate, on April 22nd, passed to be engrossed.)

Comes from the House, having failed of final passage.

In the Senate, on motion by Mr. Haskell of Penobscot, the Resolve was indefinitely postponed.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve Relating to Ice Fishing in Hopkins Pond, Penobscot," (H. P. 99) (L. D. 101) reported that the Senate recede and concur with the

House in passing the Resolve to be engrossed.

Comes from the House, report read and accepted.

In the Senate:

Mr. WIGHT of Penobscot: Mr. President, I wish to oppose the conference committee report. I did not agree to it. I am not going to go into a long speech about it. Hopkins Pond is a trout pond. There are plenty of other ponds in the immediate vicinity which afford an opportunity for ice fishing. The Penobscot County Fish and Game Association are definitely opposed to opening the pond to ice fishing. I hope that this report will not be accepted.

Mr. DUNHAM of Hancock: Mr. President, I rise to oppose the motion of the gentleman from Penobscot. I rise this morning not to make a lengthy speech about this but only to rise in support of the little fellow, the man who only has a week end to himself, the man who only has an opportunity once in a while to put a pack on his back and go into the woods and really relax and enjoy himself. I rise to support the groups of boys I work with, who like to go in there and enjoy themselves, drop a hook into this pond and do it lawfully. I don't see any reason why this pond — half of it is in Hancock County and that is why I am speaking about it — I believe we should be given that right. Those boys don't hurt those ponds. They don't hurt them at all. They don't take enough fish out of there to amount to anything and they would not hurt Hopkins Pond. I think the conference committee is entirely correct about this and I hope the report will be accepted.

Mr. WIGHT of Penobscot: Mr. President, I move for indefinite postponement of the conference committee report and ask for a division.

A division of the Senate was had.

Eight having voted in the affirmative and eighteen opposed, the motion to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Dunham of Hancock, the report was read and accepted, the resolve was substituted for the report and under suspension of the rules was given

its two several readings and passed to be engrossed in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve to Repeal Certain Special Resolve Pensions," (H. P. 612) (L. D. 732) reported that the Senate recede and concur with the House in passing the Resolve to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto.

(House Amendment Filing 91)

Comes from the House, report read and accepted.

In the Senate, on motion by Mr. Dunham of Hancock, the Senate voted to recede and concur.

Bill "An Act Relating to Entertainment in Licensed Liquor Premises." (S. P. 132) (L. D. 320)

(In Senate on April 9th, passed to be engrossed.)

Comes from the House, indefinitely postponed.

In the Senate, on motion by Mr. Dennett of York, the Senate voted to recede and concur.

Bill "An Act Relating to Appropriation for Unorganized Territory Capital Working Fund." (H. P. 1073) (L. D. 1213)

(In Senate, on April 22 passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, engrossing reconsidered, and the bill passed to be engrossed as amended by Committee Amendment "A" and as amended by House Amendment "A" in non-concurrence. (House Amendment Filing 438)

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

House Committee Reports

The Committee on Claims on "Resolve, in Favor of Lowell and Louise Nichols of Dover-Foxcroft," (H. P. 579) (L. D. 621) reported that the same ought not to pass.

The Committee on Highways on Bill "An Act Relating to Reimbursement to Towns for Snow Removal," (H. P. 1016) (L. D. 1137) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting by Minors," (H. P. 214) (L. D. 241) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on Bill, "An Act Relating to Hunting with Bow and Arrow in York County," (H. P. 584) (L. D. 626) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on Bill, "An Act to Change Hunting Licenses for Minors," (H. P. 914) (L. D. 1015) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on Bill, "An Act Relating to Hunting with Bow and Arrow in Washington County," (H. P. 96) (L. D. 98) reported that the same ought not to pass as it is covered by other legislation.

The same Committee to which was recommitted Bill, "An Act Relating to Hunting Licenses for Minors," (H. P. 12) (L. D. 6) reported that the same ought not to pass as it is covered by other legislation.

(On motion by Mr. Dennett of York, tabled pending consideration of the report.)

The same Committee on Bill, "An Act Relating to Hunting Licenses for Minors," (H. P. 919) (L. D. 1020) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Judiciary on "Resolve Providing for an Increase in State Pension for Mary McMahon of Eastport," (H. P. 889) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act to Authorize Bonds in the Amount of Fourteen Million Dollars for Bonus to Maine Veterans of World War II and Korean Campaign and to Repay Bonds by Additional Cigarette and Tobacco Taxes," (H. P. 1155) (L. D. 1303) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on "Resolve, Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World War II and the Korean Campaign,"

(H. P. 1156) (L. D. 1304) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on Bill "An Act Relating to Inheritance Taxes on Joint Property Held by Husband and Wife," (H. P. 1136) (L. D. 1286) reported that the same ought not to pass.

The Committee on Labor on Bill "An Act to Eliminate Double Penalties Under Employment Security Law," (H. P. 526) (L. D. 564) reported that the same ought not to pass.

The same Committee on Bill "An Act Amending the Maine Employment Security Law as to Disqualification for Benefits," (H. P. 752) (L. D. 777) reported that the same ought not to pass.

The same Committee on Bill "An Act Amending the Maine Employment Security Law as to Employer's Experience Classifications," (H. P. 753) (L. D. 778) reported that the same ought not to pass.

The Committee on Natural Resources on Bill "An Act Relating to Interstate Water Pollution Control," (H. P. 1173) (L. D. 1317) reported that leave be granted to withdraw the same.

Which reports were severally read and accepted in concurrence.

The Committee on Agriculture on Bill "An Act Creating the Maine Food Law," (H. P. 344) (L. D. 351) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Highways on Bill "An Act Relating to Construction of State Aid Highways (H. P. 326) (L. D. 394) reported that the same ought to pass as amended by Committee Amendment A. (Amendment Filing No. 424)

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

The Committee on Towns and Counties on Bill "An Act Relating to Holidays for County Officers," (H. P. 1146) (L. D. 1294) reported that the same ought not to pass.

Comes from the House the bill substituted for the report and passed to be engrossed as amended by House Amendment A. (Amendment Filing No. 428)

In the Senate:

Mr. WEEKS of Cumberland: Mr. President, I move the acceptance of the ought not to pass report of the committee.

Mr. BOUCHER of Androscoggin: Mr. President, I rise in opposition to that motion. I would like to pass the bill as amended in the House and that would mean that the County of Androscoggin, the employees would not have to work on Saturdays. We delegates of Androscoggin County feel that our employees and our county buildings are just as important to us and merit as much as the state employees do.

The state house closes on Saturday morning and we would like to have Androscoggin County at least go along in that respect. We want to exempt our county employees from having to work on Saturday mornings. It has been the trend for years and it has been growing and eventually will become so all over the state, that all industries will work a five-day week, or forty-hour week, but the county employees now are still on the old system of working Saturday mornings. We probably are more conscious of the forty-hour week, being an industrial center where that is the trend and we just want to close the Androscoggin County offices so our employees will benefit.

That is all the amendment would do. It would give the County of Androscoggin employees an opportunity not to work on Saturday morning. I hope the Senate will not go along with the motion of the Senator from Cumberland, Senator Weeks.

Mr. BUTLER of Franklin: Mr. President, I rise in support of the committee report. I have had occasion to go down to the court house and to work, closing the offices is going to affect not only myself, but everybody else connected with the practice of law in counties adjacent to Androscoggin, where the records are necessary to our work. I hope that the motion of the Senator from Cumberland prevails.

Mr. WEEKS of Cumberland: Mr. President and members of the Sen-

ate, this bill is very short and refers to holidays for county officers. I suppose that means the Clerk of Courts and personnel, the Registry of Deeds and personnel, the probate office and personnel, the County Treasurer and all personnel and all the other offices involved in the Judicial force.

You really cannot see an analogy between industry and the activities of those offices. Our rights under the statutes are preserved in those offices and there are times, when time is of the essence, times when one day more or less is important in Judicial procedure.

I really cannot see how you can do it and that was the attitude of the committee. I certainly do not approve of this amendment which has come in to provide special legislation for Androscoggin County. I suppose the old theory of home rule comes up here but then again we are getting up to a higher level than the municipal level and I believe it is not proper for us to go that far.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I realize that it may be very pleasing to the attorneys that they cannot come into Androscoggin County on Saturday morning but I think the attorneys will agree with me that as a rule they do not come to the county buildings on Saturday morning anyway. In an emergency, yes, but as a rule they don't intend to do any work in Androscoggin County offices on Saturday morning. I believe they have a five day week in which they can transact business and I do not see that the attorneys are so busy that they will have to have the employees of the county in those offices every Saturday morning just in case they might have some business to transact. It is possible that we in Androscoggin are a step ahead of other counties. I think perhaps we are. I think it is a step in the right direction. I warn you in all fairness if you give this to us, you will have other counties coming in for the same exemption in the next legislature, and eventually the whole state will want to close their offices on Saturday morning.

I believe we should modernize to the extent that we do realize that a forty hour week in an office is

enough. We have granted that privilege to the banks in the state and I remember when that issue was before us and now our banks are closed on Saturday morning. In spite of all the prophecies, I don't believe anyone has suffered too much and I believe you can close the county offices on Saturday morning and still live, and I hope this motion does not prevail. I ask for a division when the vote is taken.

Mr. WARD of Penobscot: Mr. President and members of the Senate, as a member of the Committee that heard this bill I would like to say that I hope the Senate goes along with the motion of the Senator from Cumberland, Senator Weeks. The matter of closing county offices on Saturday is not a question primarily of whether it is going to be convenient or inconvenient for attorneys. County offices are maintained to serve the public. If you are involved in a suit at law and you wish to make an attachment on a person's property and you may or may not live in Androscoggin County. The real estate may be situated there and time may be the essence in regard to getting the attachment on record and if an attempt is made to place the attachment on record on Saturday and the offices are closed, many thousands of dollars may be involved and the claimant may lose the opportunity to place a valid attachment on that estate.

The same would be true in respect to the transfer of a piece of property where the recording of a deed is involved, and the same is true with respect to a mortgage. The County offices are maintained to serve the people of the State of Maine and the opening and closing of them should be somewhat uniform throughout the state, and in my opinion unless it is a designated legal holiday the offices should remain open throughout the state.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, it certainly is an honor to me to see the lawyers all getting up this morning uniformly opposed to this bill, but I want to tell them and tell the Senate that if we do not do it here, the day may not be far off when these employees may

be unionized and we will have to do it whether we want to or not. If they become unionized and they pass a law whereby they don't work on Saturday whether we like it or not we will have to close the offices on Saturdays. I don't think it is fair of us to take advantage of this group of employees. I was told by several department heads in Androscoggin County offices that they had quite a little trouble about employment on that account. The young ladies working in those departments resent the fact that they have to work on Saturday but all the state employees are not working on Saturday.

I don't know what the other counties are doing but I do know that Androscoggin County, on these long week ends in the state when all state offices are closed, the county offices are open in Androscoggin County and that has led to resentment there.

I think all employees, state or county should be treated alike on this Saturday procedure, and when the state offices close the county offices should close.

I am sorry if this conflicts with the wishes of the attorneys but they have five days to take care of their business and if those offices are legally closed on Saturday I don't believe there is any reason why they can't proceed to do their business on the next day that the office is legally open.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Weeks, that the Senate accept the ought not to pass report of the committee, and the Senator from Androscoggin, Senator Boucher has requested a division.

A division of the Senate was had.

Twenty-three having voted in the affirmative and two opposed, the motion prevailed, and the ought not to pass report of the committee was accepted in non-concurrence.

Sent down for concurrence.

The Committee on Towns and Counties on bill "An Act Relating to the Salary of the Judge and Recorder of the Waldo County Municipal Court," (H. P. 856) (L. D. 930) reported that the same ought to pass as amended by Committee Amendment A.

Comes from the House, Committee Amendment A indefinitely postponed, and the bill passed to be engrossed as amended by House Amendment A.

In the Senate, on motion by Mr. Weeks of Cumberland, the Senate voted to accept the ought to pass as amended report of the committee and the bill was read once; House Amendment A was read and adopted; Committee Amendment A was read and indefinitely postponed and under suspension of the rules, the bill as amended by House Amendment A was passed to be engrossed in concurrence.

The Committee on Appropriations and Financial Affairs to which was recommitted bill "An Act Relating to Payments to Towns by State in Lieu of Taxes," (H. P. 251) (L. D. 281) reported the same in a new draft (H. P. 1279) (L. D. 1515) under a new title, bill "An Act Providing for Towns Sharing in Profits from State Owned Lands" and that it ought to pass.

Comes from the House, the report accepted, and the bill in new draft and under new title passed to be engrossed.

In the Senate, the report of the committee was accepted and the bill read once.

Mr. Haskell of Penobscot, presented Senate Amendment A and moved its adoption: "Senate Amendment A to L. D. 1515, bill, An Act Providing for Towns Sharing in Profits from State Owned Lands.

Amend said bill by striking out the underlined word 'federal' in the 2nd line of that part designated 'Sec. 6A.'

Further amend said bill by adding after the underlined word 'land' in the 3rd line of that part designated 'Sec. 6A.' the following underlined words: 'through the use of federal aid funds under the Pittman-Robertson Federal Aid to Wildlife Act.'"

Which amendment was adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended in non-concurrence.

The Majority of the Committee on Correctional Institutions on Bill "An Act Providing for a Deputy

Commissioner of Institutional Service," (H. P. 897) (L. D. 883) reported that the same ought to pass.

(signed)

Senators:

GREELEY of Waldo
CARPENTER of Somerset
HANSON of Washington

Representatives:

COTE of Lewiston
MACOMBER of Jay
WADLEIGH of Mt. Vernon
SMITH of Farmingdale
ABBOTT of Mechanic Falls
WHITING of Skowhegan

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

(signed)

Representative:

FINEMORE of Bridgewater

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

In the Senate, on motion by Mr. Greeley of Waldo, the Majority Report "Ought to Pass" was accepted and the bill read once; House Amendment A was read.

Mr. HASKELL of Penobscot: Mr. President, assuming that the pending question is the adoption of the amendment purely on the technical grounds that if we appropriated money by this type of amendment which simply says that there hereby is appropriated such sums as the Governor and Council shall deem necessary, I would remind the Senate that the Governor and Council cannot appropriate any money except out of the contingency fund and I don't believe that the statutory provisions of the contingency fund are designed for appropriations for those things that the legislature could contemplate.

Only by way of suggestion, it might be in order for the committee to table the measure, re-write the amendment and make a specific appropriation, then the legislature would be doing its job and not getting into the contingency fund, which by direct reference, this does. It seems to me there is a great deal of merit in that picture.

Mr. GREELEY of Waldo: Mr. President, evidently the Majority

Floor Leader and the Revisor of Statutes don't agree. I move that this lie on the table until later today.

The motion prevailed and the bill and accompanying papers were laid upon the table pending adoption of House Amendment A.

Order

Mr. Haskell of Penobscot presented the following Order and moved its passage:

ORDERED, the House concurring that the legislative research committee be required to study the laws relating to political party caucuses and conventions with respect to the selection of delegates to state and national conventions with particular reference to methods by which these preferences and view of party members with respect to issues and candidates may be more accurately reflected in party decisions and to report to the next legislature by bill or otherwise such recommendations as may be deemed appropriate to this end.

Mr. HASKELL of Penobscot: Mr. President, in support of the motion that the Senate adopt the order, I am not taking the position often taken by those who lose bills to soothe their own feelings by passing a joint order giving their problems to the legislative research committee. We did not accept the theory of the presidential primary. I feel a little bit of responsibility in the fact that I probably did a very poor job in helping to draw the bill and presenting it to the committee but it seems to me, particularly in view of my confidence in the Legislative Research Committee, that they could make an objective study to determine what laws in other states may be and present to the next legislature for their consideration a more orderly report than I would be able to give as an individual with respect to this issue. For that reason I do hope that the order has passage.

The order received a passage and was sent down for concurrence.

Mr. Haskell of Penobscot presented the following order:

"Ordered, that the Senate rules shall be amended by adding to Section 34 thereof, the following:

"No persons other than a member or employee of the legislature shall approach a Senator in his seat when the Senate is in session. No registered legislative agent or counsel shall be present at a session of the Senate during consideration of any measure which he has supported or opposed on behalf of his employer during the legislative session."

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, at the end of a brief comment on this amendment to the joint rules, which requires a two-thirds vote, I shall move that the order lie upon the table with the request that it be printed in the calendar of the next legislative day. In order that there may be no thought of subterfuge. I was just a little bit hurt in yesterday's legislative session to see one good member of this Senate, debating from his own heart and conscience, being forced to do it in the face of those lobbyists who consistently opposed his convictions on certain laws. I am equally disturbed when another Senator is about to debate a measure opposed by another group of lobbyists and if he turns around they are practically breathing down his neck. It is not my point to try to reconstruct the activities of the members of the Third House, but I do think there is some point at which they ought to express the courtesy of absenting themselves, at least into the balcony, during the debate on some of these measures and particularly absent themselves in the very face of those who may be speaking in opposition to them. I would think the thing should have the consideration of the lobby and if any one of those members thinks it is any effort to curb their assistance, which is many times very helpful, I would be the first to move indefinite postponement of this order. But to me it is a courtesy which I think I would extend the Senate if I were a member of the Third House interested in a bill, to at least leave my opponents free to debate without having me either breathing down their neck or sitting in front of them. Mr. President, I move that the order be laid upon the table pending consideration and

be printed on the calendar of the next legislative day.

The motion to table and print prevailed.

Senate Committee Reports

Mr. Ward from the Committee on Judiciary on Bill "An Act to Incorporate the Old Town Finance Corporation," (S. P. 301) (L. D. 917) reported that leave be granted to withdraw the same.

Mr. Reid from the same Committee on "Resolve in Favor of Charles E. Darling of Enfield," (S. P. 494) (L. D. 1345) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Myrtie M. Brown, of China," (S. P. 502) (L. D. 1383) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Alice Knight Spinney, of Eliot," (S. P. 204) (L. D. 540) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Arthur W. Kalloch of Thomaston," (S. P. 111) (L. D. 312) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of George S. Bradbury, of West Franklin," (S. P. 98) (L. D. 233) reported that the same ought not to pass.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, I just don't understand the report that goes along with this resolve. I have always thought the State of Maine owed an obligation to this man which hasn't been met. He was in the employ of the State for many years and was injured on the job and due to that injury he had to retire from the State service. He has a family and as I recall he is getting a pension of \$67 a month and it would appear to me that the State should meet its responsibility and give this man what is duly recognized that he should have. It seems to me that if you are going to get people to serve your state in jobs of responsibility that they ought to be able to think they are going to be taken care of if something happens, and this is one of those occasions. This man has a large family, he has been in the hospital for the last three months and his family has to live

on this little small pension. Now he has returned to his home, he has a number of grandchildren and he would like to live like the rest of us but he can't do it because we are not doing what we should do for the man. I wish you would consider this and give the man the pension I ask. There is no question in the world that he is a deserving person. He ought to have it and I hope you will go along with me in moving that the resolve be substituted for the report.

Mr. REID of Kennebec: Mr. President and members of the Senate, I am waiting for a call from the Court House and may not be here for an hour or two. In respect to this particular measure, there were some thirty or forty bills before the Judiciary Committee which we had to read and we divided them up into categories, and our report is based on that result. If these various bills are to be debated one by one as to whether they ought or ought not to pass I will be forced to request that they lie upon the table until later in today's session. As far as the position of the Committee is concerned, their action was based entirely on the category in which this case was placed and I will say that it came very close to qualifying but did miss it. There is no objection to the legislature passing this particular one but I think in fairness to the Committee you should know that we put these various resolves in various categories and our record of those listings is open for inspection to any Senator who cares to inspect it. I don't want to oppose this measure as a welfare claim and if the Senate wants to pass it I have no objection but we were forced into a position where we had to use some rule. If you want to table these various bills I will table them and let every Senator who wishes to do so look over the action of the committee. I don't think any member of the Senate wants to oppose any one of these measures that on the basis of being a deserving case perhaps should be allowed.

Thereupon, on motion by Mr. Dunham of Hancock, the resolve and accompanying papers were laid upon the table pending the motion of that Senator to substitute the resolve for the report, and especially

assigned for later in today's session.

The same Senator from the same Committee on "Resolve Granting a Pension to Fannie Gushee, of Appleton," (S. P. 503) (L. D. 1384) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve Providing for Retirement Allowance for Ruth P. Vosburgh of Augusta," (S. P. 497) (L. D. 1377) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Nellie K. Freeman of Kittery," (S. P. 271) (L. D. 761) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act to Clarify Certain Procedures Under Maine State Retirement Law," (S. P. 123) (L. D. 332) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass New Draft

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to Hearings Before the Insurance Commissioner," (S. P. 44) (L. D. 57) reported the same in a new draft (S. P. 593) under the same title, and that it ought to pass.

On motion by Mr. Harding of Knox, tabled pending consideration.

Ought to Pass

Mr. Reid from the Committee on Judiciary on Bill "An Act to Incorporate the Portland Investment Co.," (S. P. 206) (L. D. 539) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of a Retirement Allowance for Gertrude E. Durost of Mars Hill," (S. P. 450) (L. D. 1268) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of a Retirement Allowance for Donald Mathieson of Freedom," (S. P. 452) (L. D. 1267) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of a Retirement Allowance for Harriet McClaskey of South Portland," (S.

P. 451) (L. D. 1266) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of a Retirement Allowance for Annie Pierce of Weeks Mills," (S. P. 453) (L. D. 1265) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of Althea C. Ward, of Augusta," (S. P. 473) (L. D. 1295) reported that the same ought to pass.

Which reports were severally read and accepted, the bill and resolves read once and under suspension of the rules, read a second time and passed to be engrossed.

Sent down for concurrence.

Mr. Reid from the Committee on Judiciary on "Resolve in Favor of Frank B. Adams of Thomaston," (S. P. 112) (L. D. 313) reported that the same ought to pass, as amended by Committee Amendment "A."

The same Senator from the same Committee on Bill "An Act to Incorporate the Aetna Finance Company of Maine," (S. P. 310) (L. D. 923) reported that the same ought to pass as amended by Committee Amendment "A."

The same Senator from the same Committee on Bill "An Act to Incorporate the Aetna Loan Company of Maine," (S. P. 311) (L. D. 924) reported that the same ought to pass as amended by Committee Amendment "A."

The same Senator from the same Committee on "Resolve in Favor of Vera A. Gordon, of West Sullivan," (S. P. 130) (L. D. 339) reported that the same ought to pass as amended by Committee Amendment "A."

The same Senator from the same Committee on Bill "An Act Relating to Pensions for Dependents of Deceased Officers of State Police," (S. P. 114) (L. D. 310) reported that the same ought to pass as amended, by Committee Amendment "A."

The same Senator from the same Committee on Bill "An Act Relating to Membership in State Retirement System," (S. P. 374) (L. D. 1037) reported that the same ought to pass as amended by Committee Amendment "A."

The same Senator from the same Committee on bill, An Act Relating to Retirement of Policemen Under Maine State Retirement Law (S. P.

79) (L. D. 187) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once; Committee Amendment A was adopted and under suspension of the rules the resolve as amended was read a second time and passed to be engrossed.

Sent down for concurrence.

Mr. HARDING of Knox: Mr. President and members of the Senate, I have an unreasonable request to make and I thought the proper time to make it was at an unreasonable time. It isn't altogether an inappropriate time because you have just finished considering a number of pension bills, and I have another one. I have a letter dated April 22, so I had no previous knowledge of this. This is with regard to a retired school teacher in the City of Rockland. She is sixty years of age. She has had twenty-five years and some months service as a school teacher. She was retired under a disability pension of less than ten dollars a week. This resolve is for the purpose of bringing her under the minimum retirement benefit provision of regular retirements. It is a deserving case. If the Senate should consent to accept this by unanimous consent I will move further that it not be referred to a committee. It is a matter which ordinarily would be referred to the Judiciary Committee. I have conferred with the members of that committee and this is a resolve which should fall into a category, as you have heard described by the Chairman this morning, one of those resolves which ought to pass. I therefore request unanimous consent to introduce this resolve.

Thereupon, Resolve in Favor of Ruth Spear Sturtevant was received by unanimous consent and under suspension of the rules, without reference to a committee was given its two several readings and passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Senator from Oxford, Senator Fuller, calls the attention of the Chair to a group of students from the 7th and 8th grades of the school in Sweden. On behalf of the Senate the Chair

bids you welcome and hopes that you will have an enjoyable and instructive visit.

Mr. Ward from the same Committee on Bill "An Act to Incorporate the Fidelity Finance Company," (S. P. 302) (L. D. 918) 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 under suspension of the rules the bill as amended was read a second time and passed to be engrossed.

Sent down for concurrence.

Mr. Carpenter from the Committee on Inland Fisheries and Game to which was recommitted Bill "An Act to Revise the Biennial Revision of the Inland Fisheries and Game Laws," (S. P. 496) (L. D. 1369) reported that the same ought to pass as amended by Committee Amendment "B."

Which report was read and accepted, and the bill read once; Committee Amendment "B" was read and adopted, and under suspension of the rules the bill as so amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

The Majority of the Committee on Judiciary on Bill "An Act Creating a State Crime Commission," (S. P. 521) (L. D. 1422) reported that the same ought to pass as amended by Committee Amendment "A."

(signed)

Senators:

REID of Kennebec
WARD of Penobscot
HARDING of Knox

Representatives:

FITANIDES of Saco
FULLER of Bangor
MARTIN of Augusta
CIANCHETTE of Pittsfield
LOW of South Portland

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

Representatives:

McGLAUF LIN of Portland
TRAF TON of Auburn

On motion by Mr. Chapman of Cumberland the bill and accompanying papers were laid upon the

table pending consideration of the reports.

The Majority of the Committee on Judiciary on Bill "An Act Repealing the Legislative Research Committee," (S. P. 406) (L. D. 1113) reported that the same ought not to pass.

(signed)

Senators:

REID of Kennebec
WARD of Penobscot

Representatives:

TRAF TON of Auburn
FULLER of Bangor
LOW of South Portland
MARTIN of Augusta
CIANCHETTE of Pittsfield
FITANIDES of Saco

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

(signed)

Senator:

HARDING of Knox

Representatives:

McGLAUF LIN of Portland

On motion by Mr. Ward of Penobscot, the majority "Ought Not to Pass" report of the committee was accepted.

Sent down for concurrence.

Additional Senate Papers, out of order and under suspension of the rules:

Senate Committee Reports

Mr. Wight from the Committee on Inland Fisheries and Game, pursuant to Joint Order (H. P. 1031) reported Bill "An Act Relating to Rules and Regulations of the Department of Inland Fisheries and Game," (S. P. 594) (L. D. 1540) and that it ought to pass.

On motion by Mr. Carpenter of Somerset, the bill was indefinitely postponed, in non-concurrence.

Sent down for concurrence.

The same Senator from the same Committee under the same authority reported Bill "An Act to Make Allocations from the Department of Inland Fisheries and Game Receipts for the Fiscal Years Ending June 30, 1954, and June 30, 1955," (S. P. 595) (L. D. 1539) and that it ought to pass.

Which report was accepted and under suspension of the rules the

bill given its two several readings and passed to be engrossed.

Sent down for concurrence.

First Reading of Printed Bills

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1954 and June 30, 1955." (S. P. 591) (L. D. 1536)

Bill "An Act Relating to Town's Share for State Aid Reconstruction." (S. P. 592) (L. D. 1537)

Which were severally read once, and under suspension of the rules were read a second time and passed to be engrossed.

Sent down for concurrence.

Additional House Papers, out of order and under suspension of the rules:

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. 587) (L. D. 1526)

(In Senate, on April 28 passed to be engrossed as amended by Senate Amendments "A" and "B.")

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

On motion by Mr. Haskell of Penobscot the Senate voted to reconsider its former action taken on April 28 whereby the bill was passed to be engrossed.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, in case it is not evident to each member of the Senate, the status of the two Bodies with respect to the general appropriation measure, the Senate did adopt an amendment, Senate Amendment A, presented by the Senator from Penobscot, Senator Ward, which reinstated the Merit Award Board in the appropriation measure. The action of the other Body has been to delete the appropriation from the appropriation measure. The action of the other Body with respect to the amendment of Senator Broggi is to re-establish the \$25,000 per year in the tuition provision which was accepted by the House. So that in moving that the Senate recede and concur, followed by motions that the rules be suspended and the bill be

passed to be engrossed as amended by Senate Amendment A and House Amendment A, you will have a measure exactly as presented with the addition of the scholarship fund, with the deletion of the Merit Award Board, and with the further provision that line budgeting will be applied to the Treasurer of State with respect to personal services. The motion to suspend the rules and pass the bill to be engrossed will not be made if, again, any member of the Senate has any desire to make further amendment to the general appropriation measure.

On motion by Mr. Haskell of Penobscot the Senate then voted to recede and concur with the House; and on further motion by the same Senator, under suspension of the rules the bill was passed to be engrossed as amended by Senate Amendment B and as further amended by House Amendment A, in concurrence.

The PRESIDENT: The Senator from Androscoggin, Senator Kavanagh, calls the attention of the Chair to the fact that at the present time there is in the Senate Chamber a group of fifty pupils from the 7th and 8th grades of the school in Livermore, with Mrs. Mann and Mrs. Hincley, their teachers, and the Superintendent of the school Mr. Alfred Bracey. On behalf of the Senate the Chair welcomes you and trusts you will have a most enjoyable and instructive visit.

Enactors

Bill "An Act Relating to Acquisition of Schoolhouse Lots by Condemnation." (H. P. 269) (L. D. 297)

Bill "An Act Relating to Penalty for Selling Narcotic Drugs to Minors." (H. P. 334) (L. D. 401)

Bill "An Act Relating to Salaries of Certain County Officers of Washington County." (H. P. 359) (L. D. 375)

Bill "An Act Amending the Maine School Building Authority." (H. P. 522) (L. D. 556)

Bill "An Act Amending the Charter of the Municipal Court of the City of Lewiston re Payment of Expenses and Salary of the Judge." (H. P. 547) (L. D. 527)

Bill "An Act Relating to the Salary of the Reporter of Decisions." (H. P. 630) (L. D. 653)

(On motion by Mr. Haskell of Penobscot, tabled pending passage to be enacted.)

Bill "An Act Relating to the State Personnel Board." (H. P. 654) (L. D. 697)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Appointment of Recorder of Eastport Municipal Court." (H. P. 9972) (L. D. 1060)

Bill "An Act Relating to Removal of Bodies to Crematories." (H. P. 989) (L. D. 1077)

Bill "An Act Relating to the State Board of Examiners of Funeral Directors and Embalmers." (H. P. 990) (L. D. 1078)

Bill "An Act Amending the Charter of the City of Westbrook." (H. P. 1053) (L. D. 1194)

Bill "An Act Relating to Acceptance by State of Funds for Unorganized Territory Capital Working Fund." (H. P. 1072) (L. D. 1212)

Bill "An Act Relating to Persons Treating for Gunshot Wounds." (H. P. 1094) (L. D. 1228)

Bill "An Act Relating to the Registration and Practice of Osteopathic Physicians and Surgeons." (H. P. 1111) (L. D. 1246)

Bill "An Act to Change the Name of Portland University Extension Courses, Inc. and to Grant It Certain Powers." (H. P. 1139) (L. D. 1289)

Bill "An Act Creating the Old Orchard Beach Sewerage District." (H. P. 1225) (L. D. 1413)

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

Bill "An Act Relating to Exemptions from Taxation of Veterans." (H. P. 1234) (L. D. 1428)

Bill "An Act Relating to a Method of Creating Joint Tenancies in Real Property." (H. P. 1246) (L. D. 1452)

Bill "An Act Relating to Examination of Domestic Insurance Companies." (H. P. 1250) (L. D. 1458)

Bill "An Act Relating to Deception as to Prices of Motor Vehicle Fuel." (H. P. 1252) (L. D. 1460)

"Resolve, to Reimburse the Town of Brooks for Pauper Claim." (H. P. 25) (L. D. 1447)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve, to Reimburse the Town of Millinocket for Supplies Furnished the Warren Dorr Family." (H. P. 62) (L. D. 59)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve, for the purchase of One Hundred Copies of 'Highlights of Westbrook History.'" (H. P. 207) (L. D. 238)

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, with particular reference to this resolve but with general reference to such of the resolves as the Chairman of the Committee on Appropriations seeks to have passed, I would make, particularly to him, the comment that I think there are many members of the Senate who would like the price noted by him on any resolve which he thinks should be enacted. I have no way of knowing whether he intends to enact any of the capital bills appearing on this or any other calendars but I think that in recognition of the fact that there is no way of showing these amounts, and having been specifically requested by one member of the legislature that that be indicated, and having forgotten to do it, I take this awkward way of suggesting that to him.

Mr. COLLINS of Aroostook: Mr. President, in performance of the request of the Senator from Penobscot, Senator Haskell, I would say that Item 23, Legislative Document 238, is a resolve calling for four hundred dollars and this item is from surplus. I might also say that item 21, Legislative Document 1447, involves a claim for \$131.78. Item 22, Legislative Document 59, is a reimbursement to the Town of Millinocket in the amount of \$1,904.06. It seems to me that perhaps while we are going through these it would be better to table all the items on either surplus or from the general fund for the time being, with no thought of delaying action but to take up later in today's session.

Mr. President, I move that Item 23, L. D. 238, be tabled pending final passage.

The motion to table prevailed.
 "Resolve, in Favor of the Town of Castle Hill." (H. P. 208) (L. D. 1456)

Mr. COLLINS of Aroostook: Mr. President, Item 24, L. D. 1456, involves \$436.48. I move that it be tabled.

The motion to table prevailed.

"Resolve, to reimburse George H. Morong, of Portland." (H. P. 401) (L. D. 454)

Mr. COLLINS: This involves \$1,200 from the general fund. I move that it be tabled.

The motion to table prevailed.

"Resolve, for Repairs of Church and Convent at Peter Dana Point and Old Schoolhouse Used for Religious Purposes at Princeton." (H. P. 483) (L. D. 502)

Mr. COLLINS: This involves \$6,719 from unappropriated surplus. I move that it be tabled.

The motion to table prevailed.

"Resolve, in Favor of the City of Auburn." (H. P. 491) (L. D. 510)

Mr. COLLINS: Mr. President, this involves \$1,786.82 from the general fund. I move that it be tabled.

The motion to table prevailed.

"Resolve, in Favor of the Town of Jay." (H. P. 798) (L. D. 1448)

Mr. COLLINS: Mr. President, this involves \$166. I move that it be tabled.

The motion to table prevailed.

"Resolve, in Favor of the Town of Van Buren." (H. P. 963) (L. D. 1449)

Mr. COLLINS: Mr. President, this involves \$165 from the general fund. I move that it be tabled.

The motion to table prevailed.

"Resolve, Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute." (H. P. 1036) (L. D. 1180)

Mr. COLLINS: Mr. President, this involves \$60,000 from unappropriated surplus. I move that it be tabled.

The motion to table prevailed.

"Resolve, Regulating White Perch Fishing in Lake Auburn, Sabattus Pond and Little Sabattus Pond." (H. P. 1047) (L. D. 1188)

"Resolve, in Favor of the Town of Fort Fairfield." (H. P. 1080) (L. D. 1450)

Mr. COLLINS: Mr. President, this involves \$358.19 to be rebated by the Department of Health and Welfare. I think it should be tabled. It will be from the general fund.

The motion to table prevailed.

"Resolve, to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal." (H. P. 1249) (L. D. 1457)

Mr. COLLINS: This involves a million dollars from the unappropriated surplus. I move it be tabled.

The motion to table prevailed.

Bill "An Act Providing for Construction of Dormitory at the University of Maine and Appropriating Moneys Therefor." (S. P. 47) (L. D. 124)

Mr. COLLINS: Mr. President, this involves \$400,000 to be taken from the University of Maine. I move it be tabled.

The motion to table prevailed.

Bill "An Act Relating to Members of the Executive Council and Manner of Selection." (S. P. 68) (L. D. 154)

Mr. HASKELL of Penobscot: Mr. President, with no reference whatsoever to money, I move this bill lie upon the able pending passage to be enacted. (S. P. 68) (L. D. 154)

The motion to table prevailed.

Bill "An Act Relating to Bulldozing of Streams." (S. P. 169) (L. D. 413)

Bill "An Act Relating to the Regulation of Cosmetics." (S. P. 183) (L. D. 424)

Mrs. KAVANAGH of Androscoggin: Mr. President, I move this bill be referred back to the Committee.

Thereupon, the bill was laid upon the table pending the motion of the Senator from Androscoggin, Senator Kavanagh to table.

Bill "An Act Relating to Delisting and Discontinuance of Purchasing Liquor by the Commission." (S. P. 224) (L. D. 592)

Mr. HASKELL: Mr. President, again with no reference to money, I move this lie upon the table pending enactment.

The motion to table prevailed.

Bill "An Act Relating to Application for Writ of Habeas Corpus." (S. P. 248) (L. D. 671)

Bill "An Act Relating to Requirements of Group Accident and Sickness Insurance Policies." (S. P. 288) (L. D. 826)

Bill "An Act to Dissolve the First Parish of Freeport." (S. P. 320) (L. D. 806)

Bill "An Act Relating to Tax Stamp Discounts in Cigar and Tobacco Products Law." (S. P. 333) (L. D. 833)

Mr. COLLINS: Mr. President, this would indicate that there is a reduction in revenue of approximately \$24,000 per year. I move it be tabled pending enactment.

The motion to table prevailed.

Bill "An Act Relating to Admission Age for Maine School for Deaf." (S. P. 418) (L. D. 1126)

On motion by Mr. Chapman of Cumberland, tabled pending passage to be enacted.

Bill "An Act Providing for the Classification of Certain Surface Waters." (S. P. 429) (L. D. 1156)

On motion by Mr. Squire of Kennebec, tabled pending passage to be enacted.

Bill "An Act Exempting Certain Education Institutions from the Sales Tax." (S. P. 524) (L. D. 1416)

Mr. COLLINS: Mr. President, this indicates a revenue deduction of approximately \$20,000 per year. I move it be tabled.

The motion to table prevailed.

Bill "An Act to Provide Public Services for Certain Deorganized Townships." (S. P. 529) (L. D. 1432)

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

Resolve, in Favor of the Town of Aurora." (S. P. 95) (L. D. 231)

Mr. COLLINS: This item calls for an expenditure of \$337.38 which would come from surplus. I move it be tabled.

The motion to table prevailed.

"Resolve, Providing for Construction of Dolpins at Maine Maritime Academy." (S. P. 162) (L. D. 405)

Mr. COLLINS: This calls for \$15,000 from unappropriated surplus. I move it be tabled.

The motion to table prevailed.

"Resolve, in Favor of George L. McLellan, of Lamoine." (S. P. 165) (L. D. 410)

"Resolve, in Favor of Northern Maine Sanatorium." (S. P. 240) (L. D. 665)

Mr. COLLINS: This calls for \$25,000 from unappropriated surplus. I moved it be tabled.

The motion to table prevailed.

"Resolve, in Favor of Wesley Ramsey, of South Portland." (S. P. 245) (L. D. 1438)

Mr. COLLINS: Mr. President, this calls for \$146.55. I think it is from general funds. I move it be tabled. The motion to table prevailed.

Which bills were passed to be enacted and the resolves finally passed.

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-three and for the Year Nineteen Hundred Fifty-four." (H. P. 120) (L. D. 121)

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

Emergency

Bill "An Act to Withdraw the Town of Steuben from the West Washington Community School District." (H. P. 1243) (L. D. 1445)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

Emergency

Bill "An Act Relating to Expenditure Aroostook County Funds for Ricker College." (S. P. 458) (L. D. 1273)

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and 3 opposed, was passed to be enacted.

The PRESIDENT: The Chair will inform the Senate that at yesterday afternoon's session the Senators may recall that there was a discussion with reference to H. P. 90, L. D. 94, Resolve Authorizing the Commissioner of Inland Fisheries and Game to Pay Certain Claims". At that time it was felt

that the resolve was to go to the engrossing department. A check of the records showed that the resolve is in order to be finally passed. If there is no objection on the part of any member of the Senate the resolve may now be finally passed.

The resolve was finally passed.

The **PRESIDENT**: The Chair calls to the attention of the Senate that there is presently in the balcony of the Senate a group of students from the 7th and 8th grades of the Jefferson Village School with their Principal, Mrs. Dana Parlin. On behalf of the Senate the Chair bids you welcome and hopes you will have a most enjoyable and instructive visit.

On motion by Mr. Haskell of Penobscot

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

After Recess

Orders of the Day

The President laid before the Senate, Senate Reports (divided) from the Committee on Legal Affairs; Majority Report Ought to Pass; Minority Report Ought not to pass" on (S. P. 35, L. D. 38) tabled on April 28 by the Senator from Cumberland, Senator Chapman, pending consideration of the reports.

Mr. **CHAPMAN** of Cumberland: Mr. President and members of the Senate, bearing in mind the remarks of yesterday on this particular resolve, I move that the Senate accept the Majority report for the sole purpose of permitting the amendment discussed yesterday to be presented.

Thereupon, the Ought to pass report of the committee was accepted and Resolve Proposing an Amendment to the Constitution Providing for Annual Session of the Legislature (S. P. 35) (L. D. 38) was read once, and the same Senator presented Senate Amendment A and moved its adoption.

Mr. **CHAPMAN**: Mr. President and members of the Senate, the amendment is very long, and that is the reason that I move to dispense with the reading. Its purpose in effect is short and quickly

explained. What this does is to change this resolve from a resolve providing for annual sessions of the legislature to one which makes one minor change in the constitution to make it possible to have an annual session if we ever should decide to do so. This is made necessary by the fact that the Constitution provides that bills and acts shall not become effective until ninety days after the legislature adjourns. All this amendment does is to strike out the provision which says that there shall be annual sessions of the legislature and provides for the words, in further definition of the word recess as follows: "after the recess of the legislature passing it" and then the new words, "providing that such recess be for a period of more than ninety days, or adjournment without day," and the rest of it is as it always has been. This would make it possible if we should decide at the beginning of another legislative session or during one, or at the end of one, to have a special session of our own direction without having to call on the extraordinary powers of the Chief Executive. That is all it does. It is very simple. It does not cost anything. It seems to be a logical and reasonable thing to do.

Mr. **HASKELL** of Penobscot: Mr. President and members of the Senate, the Senator from Cumberland, Senator Chapman has been very fair and very objective and very brief in explaining both the original intent of the resolve and the new Constitution Resolve represented by the amendment.

If I had to choose between the mandatory annual session as provided for in the original resolve, and the permissive annual session as would be provided for in the enabling resolve, I would certainly choose the second. My objection to selecting even the second choice which gives to the legislature the same general constitutional rights now enjoyed by the Executive, that of calling the legislature into session is this: In the first place, I have no confidence that an annual session procedure would cost any less than twice as much as our present provision. I think that generally has been the experience of such states as have changed from

biennial sessions to annual sessions. I see no sign that a cloture can be imposed at an earlier date and I see no lessening in the number of bills and resolves presented to the legislature so that involves an item of some \$400,000 for the cost of the second session and only the Senator from Androscoggin, Senator Boucher, could shrug off \$400,000. Second and of equal importance I doubt that the Maine legislature could count among its members as many people as it now does who have substantial experience in affairs of business, affairs of professional activity, because it is difficult enough to make a decision that you are going to take three or four or five months once every two years, but when faced with the decision of taking the best part of half a year every year, I expect that you preclude from service in this state house, many of the able people that are now here at some sacrifice to themselves even though they come once in two years.

I do not believe that the State of Maine has suffered under two years provision. I don't believe the legislature itself needs to take unto itself that power given to the Chief Executive, of calling the legislature into session when the situation requires it. I do not think any Governor has ever had any hesitancy in calling a legislature into session as the occasion has required, and those Governors who have, have been most cooperative in restricting the sessions to brief appearances.

Therefore, I oppose the original resolve and I think it would be a mistake to offer an incentive to future legislators to themselves determine that they should come back in annual or special session. I think the Chief Executive of the State can determine whether we need to be more than once in two years.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I want to apologize in all humility for rising a second time at a busy time of our legislative year, several points have been made and made quite capably by the Senator from Penobscot, Senator Haskell, but I do want to give an answer, because an answer exists.

I don't see any necessity for the assumption that a divided legislative session would require two periods of four months each even if you made them available. If you look at our legislative records year by year, and our legislative accomplishments year by year, and our legislative documents year by year, you will notice that there is a strange constant ratio in the volume, page-wise, and in the amount of time spent in session. In other words the reason that we are in session longer now is because we have more business now. Whether or not we should have more business is a matter which we cannot control. The bills have to come in, and they have to be heard. It is my contention and I think it is a sound one that the reason we are in session is because we have more business and there is a ratio in the amount of business we do, and the amount of time we spend doing it. If we cut that volume in half, we won't be here so long. It is not necessary to have the same old chestnuts year after year such as we have biennium after biennium.

In the second period of the biennium, if we were to have annual sessions, and I don't want to argue that point now because I don't think it is before us, but the point has been made and I think it should be answered, there could be excluded by cloture, just as we now exclude bills by cloture so that only new matters and matters relating to finances, which are always current, could be considered in that second part of the legislature session. But we are not talking about that now.

Now as to the argument that we are opening the door. I don't think we are opening the door to anything that we cannot control. The point has been made that the people who serve in the legislature would be discouraged at the thought of four months a year instead every two years. That is founded, of course, on the fundamental reasoning that we would have the same amount of business each year. If the sessions are cut to two or two and a half months, by setting a cloture and adhering to it, we could do our business, as New York does and as some of the other states do, and

get out in a period of two or two and a half months. And if you do get out in that period of time, certainly legislative service would be far more attractive to anyone than it is now. It is easier to leave a business for a short period once each year than a longer period once every two years. As I said before that is not the issue before us now, but the point was made and I wanted to comment on it.

The statement has been made that Maine has not suffered because of the biennial sessions. I don't think that Maine has suffered but I do think when we have these long, long sessions that the legislature suffers, and so do the legislators. I think probably all of you are suffering right now. I know I am, but the main point, and this is the real issue before us and the point that I want to make.

The real issue now is this. This isn't really an enabling act. The legislature by its general powers can always reconvene by adjourning to a specific date. The only reason that this is before you in its present form, is to straighten out the confusion on one word, "recess". We just don't want any doubt about what a recess means. If "recess" meant just what it appears to mean, we would say that we could recess for a period of two weeks, five months, one year, and your bills and acts would become effective after that recess, ninety days, just as the constitution provides and the legislature could by its own powers adjourn to a specific date. They can do it now. The only point is that there is one opinion of the justices in our law books 116 Maine, page 587 which construes the word "recess" as meaning adjournment. We decided to clarify that so that it would be perfectly clear that the legislature already has the power to convene at a specific date, if it wants to. I am not saying that it should. I am saying that if it wants to, it could.

Now, reference has been made to special sessions of the legislature, called by the Governor and as the Senator from Penobscot, Senator Haskell, has said, whenever special sessions have been necessary the power of the Governor to call them has always been diligently exer-

cised. That, however, relates to an emergency arising after the legislature has adjourned without day and the only way to deal with that emergency is for the Chief Executive to call a special session.

I do not want to debate the issue of annual sessions and that is not the issue before us. This is not even an enabling act. It is merely a clarification of one word, the word "recess" and it doesn't cost anything to clear that up, and it doesn't seem to be too much to do to clarify a provision when the time cannot be far away when we may have to have annual sessions. And on that basis I move the adoption of the amendment.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am at a distinct disadvantage in debating this issue against the talents of a lawyer well acquainted with legal procedures and with the Constitutional provisions, but I will give you a layman's impression of just how far this goes toward annual sessions.

In 1908, I think, the people of the State of Maine amended the situation in providing for the initiative and referendum provision and to make the referendum provision effective there had to be a waiting period after the adjournment of the legislature to permit the people to exercise their right of referendum of any bill passed by the legislature. That is the source of the ninety day provision in the Constitution. The attempt of the amendment before us is to so amend the Constitution as to permit a recess or adjournment and still have the effective date of the ninety days prevail. I don't think the Senator should be confused in the belief that that does not open the door to annual sessions by direction of the legislature. I suspect the Senator from Cumberland, Senator Chapman wouldn't want you confused on the point that it would permit a legislature to itself determine the need for a session after adjournment but before the date of convening of the next regular legislative session.

For my choice I am content to leave it to whoever is in the corner office, completely confident that he will call the legislature together

whenever he feels that it is necessary to call it back in session.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, having been invited indirectly by the majority floor leader to enter into this debate, I will gladly accept the challenge and tell you my impressions with regard to biennial sessions.

In 1935 I first came to Augusta as a legislator in the House. At that time we were paid the sum of six hundred dollars which was good money for the time, and the sessions lasted about two and a half-months. If you figure that up you will find it gave us about \$20 a day. I am making these remarks because I want to answer a question brought up by my good friend about the four hundred thousand dollar expense annual sessions would cost to the State of Maine. Also at that time, if my recollection is right, the legislature spent, or the budget was, about twenty million dollars. Now, it is about a hundred million dollars, almost five times what it was then. I think if we had annual sessions with their added expense it is not going to break the State of Maine. I have heard many times about the expense of the legislature but when it comes to spending money otherwise it seems we can spend it.

Now, I represent about eighty thousand people in Androscoggin County who are citizens of the State of Maine and I want to do the best job I can, and I want this Senate to understand that I don't feel I only represent the Democrats in Androscoggin County but I represent the whole of the people in Androscoggin County, be they Democrats or Republicans, Independents or what-not.

I honestly believe that if we had annual sessions like other states have we would do a better job for the people of the State of Maine, for all the people. I am not so much interested what individual legislators want to do, or want to put over, in these last days of the legislature in order to go home and plant potatoes or to build houses like I do, but I am interested in what we will do for the people of the State of Maine, and that, I think could be done far better if we had annual

sessions. Let's get to work and do a real job and go home every year or else let's stay at home and let someone else come who will do the job right for the people of the State of Maine.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, I do not feel so strongly as some upon the subject of annual sessions but I do urge upon those who advocate annual sessions that they give greater study to the mechanics of the operation of the legislature than seems to be reflected in this original resolve or in the amendment which is now proposed. The possibility of a short session of the legislature is subject to another provision of the Constitution which this does not seem, perhaps, to amend, which is the initiative legislative action on any major subject, until 45 days have elapsed after the convening of the legislature, during which period people have the right to initiate legislation, and you cannot act effectively on any subject when anything we may do in a particular field may be held by the Supreme Court to be a substitute measure. Furthermore, it is now possible for a brief period of time between the adjournment of the legislature and the convening of the next, during which time a person can find out what the law is, provided he asks only one lawyer, but under the possibility of annual sessions it would be entirely possible for a referendum on a bill passed by the first session to be held by vote of the people while the same legislature was in its next session. And in view of those objections, recognizing as I do that these is support for the annual sessions, I believe that when a bill or resolve is proposed for that purpose that considerable attention should be given to the legislative mechanics, and until such a proposition can be worked out on a workable basis I shall be obliged to oppose annual sessions and also the amendment here proposed which contemplates a recess or interim. Between sessions of the legislature.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I apologize for rising a second time on this issue but I feel it is necessary to do so in order to correct an impression which may have

been left by my colleague, who is, incidentally, one of the best constitutional lawyers in Cumberland County although he is not a member of the Bar.

It so happens, however, that the provision to which he refers has been considered carefully in connection with the mechanics of the legislative process as affected by the amendment to the original resolve. Section 18 of the Constitution says that direct initiative legislation cannot be acted upon until 45 days after the convening of the regular session. And what that means is that the regular session convening on the first Wednesday of the odd year must remain in session for 45 days at which time you don't have to worry about initiative legislation. The fact that such legislation failed to be voted on in the September general election while the legislature might be in session, although it isn't reasonable to suppose it would with annual sessions, has no application at all because that refers only to one real issue before the people at the polls.

Mr. HASKELL: Mr. President, I move that the amendment be indefinitely postponed and when the vote is taken I ask for a division, and if the motion prevails I will tell the two constitutional lawyers of Cumberland County that there will be introduced into this session a joint order which will give the Legislative Research Committee an opportunity to study all the ramifications of this interesting problem.

A division of the Senate was had.

Twenty-five having voted in the affirmative and seven opposed,

The amendment was indefinitely postponed.

Thereupon, on motion by Mr. Chapman of Cumberland the resolve was indefinitely postponed.

The President laid before the Senate, divided Senate Report from the Committee on Agriculture on Bill, "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine," (S. P. 527) (L. D. 1423) Majority Report "Ought to Pass as Amended by Committee Amendment A," Minority Report "Ought Not to Pass" tabled by Mr. Fuller of Oxford on April 28 pending consideration of the reports and today assigned.

Mr. FULLER of Oxford: Mr. President and members of the Senate, this act relating to the marketing of Irish potatoes grown in Maine has been proposed for the purpose of putting on our statutes an enabling act that would provide that our Commissioner of Agriculture might enter into a marketing agreement with producers and handlers of potatoes for the purpose of regulating the preparation for the sale and handling of those potatoes. Such agreement could only be made upon the approval of at least two-thirds of the producers, voting in referendum, who had engaged in the production of potatoes in the preceding fiscal year and that at least two-thirds of the total volume of potatoes produced in the preceding fiscal year should be included in the favorable two-thirds vote, and in addition that no agreement could be made between the Commissioner of Agriculture and the handlers of potatoes until approved by at least fifty percent of the handlers, including fifty percent of the volume of potatoes handled.

The majority report Ought to Pass of the Committee was on the act as amended by Committee Amendment "A" which proposes to strike out of the act as drawn the so-called compulsory inspection provision which was among the proponents of the act and the opponents rather objected to. By the Committee Amendment that section has been changed to make inspection of the potatoes voluntary.

The other major change that the amendment proposes is to bring the provision for the referendum from the section in the bill to an earlier section, or from Section 255 to Section 252. The other several amendments apply to a clarification of the language in the act.

I supported the majority favorable report on the bill for several reasons: One, that it is in effect a home rule matter, being rather earnestly requested by quite a substantial number of the producers in Aroostook as well as other interested people. Secondly, because believing in the majority rule and noting that it requires at least two-thirds of the producers to vote favorably, the producers who vote, it does seem to me that these people

should have the opportunity to so express their desires. Third, several other states have State marketing agreements that are operating successfully. In fact, the State which today is providing the greatest competition to Maine potatoes, the State of Idaho, has such an agreement. The State of California has a market agreement involving several agricultural commodities. It is interesting to note that the United States Secretary of Agriculture who apparently is definitely opposed to control and support, has indicated rather considerable interest and support for State marketing agreements. And finally it has seemed that such a provision on our statutes, although by many it is not considered the whole answer, that it could not be harmful and that it might be of some service to an industry that is facing some serious problems.

Now there has been considerable opposition and objection to the act: One, that it isn't needed, that the potato growers should have the opportunity to work out their own problems. Twenty years ago when I was in Aroostook County conditions were considerably different and the growers were able to work out their own difficulties in several instances. Today they are faced with increased production because of improved fertilizer and improved treatment of the crops and they are faced with the increased competition from other states. We are told that today the State of Idaho has 25% of the potato business in the City of Boston, which is really at our back door; 50% of the potato business in the City of Pittsburgh is taken care of by the State of Idaho. We also heard the objection from the opponents that they don't know from whence came this proposition. It is my understanding that the Maine potato industry council sat for at least two meetings on this proposition and that there was at least considerable majority support for this introduction. We also hear that it is simply an entering wedge to bring back price support and acreage control. I submit to you that the matter of price support at the state level seems to be an impossible proposition and

that there is no provision in the act for acreage control.

Mr. President, I move the acceptance of the majority Ought to Pass report.

Mr. TABB of Kennebec: Mr. President and members of the Senate, it is quite a difficult thing for me to go from liquor to potatoes. Undoubtedly if we were talking about alcohol I might be able to talk a little better on this subject. My good colleague and the Chairman of the Agriculture Committee, Senator Fuller, I have the greatest respect for. He has done a remarkable job on that Committee. He has answered a lot of questions in opposition to this bill and I would like to make just a few more statements as a minority signer of the bill.

I would like to take you back and show you why I am bitterly opposed to the bill in the way it was brought down here and introduced. I have the greatest respect for the Senator from Aroostook, Senator Collins, with whom at the time the bill was brought down here, I talked it over with and I agreed not to object to having the bill put in at that time by unanimous consent, hoping that possibly we would be able to get some idea of what they really want in Aroostook County. At the hearing, believe me, we couldn't find out who was really at the bottom of the bill. Nobody seemed to want to take the credit of handling and writing the bill except the Senator who said he had been asked to put the bill in. My good friend, the Senator from Oxford, Senator Fuller, knows very well, as well as I do, that they are in a terrible state up there amongst themselves. They don't even know what this bill is all about. The Senator from Aroostook, Senator Jamieson had sent about one hundred copies of this bill to put up there in Aroostook and they can't find the hundred copies they put up there and they don't know where they went to so they could have a chance to study this bill. I don't know where they went to, we could surmise, but it wouldn't be polite to. At the time the bill was brought down here by this Committee, after the people in Aroostook outside of eleven

people on that Committee that voted for it and four that was undecided, if I remember correctly, made up their minds to present this bill. Even members on that Committee stated that they never knew anything about it. They hadn't even seen the bill until they appeared at the hearing. To me that was trying to ram down legislation to satisfy a few people that have gotten hurt because of their greediness when they could have sold their potatoes and collected for them and held them for a better price.

It does seem to me that it is poor legislation for this legislature to try to put over legislation that they do not know whether they want it in Aroostook County or not. Now as I understand it, from the hearing, this potato county or whatever it is called, have an advertising agent and he himself is upset because they jumped the gun on him or his concern in the very thing they were trying to feather out for those people and what is for the best interest of the potato people. They are very much upset on that proposition. My good friend, the Senator from Oxford, Senator Fuller, quotes Idaho, Idaho, has a market agreement as I understand it, and I am not a potato man. Idaho is limited to one grade of potatoes but we raise several grades here in Aroostook County and this is what I understand the objections are. They are afraid that it is going to lead to Government control again which they do not want. They have suffered, they have been penalized by the Government by billions of bushels being thrown away. They want to be left alone, they want to solve their own problems. I have asked several people themselves and it is a puzzle what it is all about.

I want to quote one thing in here which says in one part that the Commissioners shall fix the rate of assesment to be paid by the State handlers. The producers up there are either in the red or in the black according to whether the price is a cent a barrel or a dollar a barrel. Suppose it is a dollar a barrel and they get caught in the red. Who is going to suffer? They are. And again, it leads, as

I said, to price control, and they believe themselves that if the branding laws were enforced they wouldn't need this piece of legislation. They claim the Commissioner of Agriculture now and they don't need this legislation to help them along. They want us to let them alone and let them handle the problem. They have survived it when they have been burned before and they can survive it again. And I feel the way this legislation has been handled, especially by that Committee up there which couldn't answer the question which were put to them in the hearing in regard to the bill, that it looks to me like a small group that have been stung and are now trying to get out from under and force legislation down the throats of the legislature.

I don't want you to feel that I am really opposed to the bill. It is a matter of the kind of legislation that it is and I for one don't like anything rammed down my throat. Therefore, Mr. President and members of the Senate, I hope that the motion of my good friend, the Senator from Oxford, Senator Fuller, does not prevail.

Mr. DOW of Lincoln: Mr. President and members of the Senate, I am reluctant to speak in opposition to Senator Fuller, who has been most kind to me, but as one of those who signed the minority report I feel that it is my duty to give some of my reasons.

Senator Tabb has already given you several of the reasons I had, but in addition, I would like to say that this bill was introduced hurriedly and by a relatively small group of potato farmers and dealers who seemed to be in a state of panic over the currently low price of market potatoes. I don't question the fact that something should be done to improve the quality of the potatoes put on the market. I was born and brought up in Presque Isle and I still regard Aroostook County as my home and even though I have lived outside the County for several years I will stand up for Aroostook County any day in the week but I feel, through the contacts I have made with many well-established potato farmers whom I have known all my life, that this piece of legislation

is not necessary and not wanted especially since there has not been sufficient time to allow for a majority of the industry to even know what it is all about, let alone digesting the contents of this bill.

It has been said that this is only an enabling act to allow for a referendum whereby two-thirds of the industry must accept this marketing agreement before it is put into effect. I have always been one for home rule but in this case I don't believe such a complicated, highly involved piece of literature as this marketing agreement seems to be should be put out for farmers to vote upon without more time for a very thorough study of its merits. I therefore oppose the majority report because I believe it would be poor legislation to push this through with such a rush.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, it seems to me we are making quite a little stew here about a small matter. All we want is a little enabling law that the people can vote on and decide whether they want it or not. That is all they want. No seriously, the marketing agreements are pretty well known in Aroostook County. They know what they can do and what they can't. They threw out a federal act a couple of years ago and it was coupled with price support and price support went out the window. With a state regulation you set up a program whereby your producers and your shippers if they decide they want to have a marketing order, can do so, and if they find that there is a surplus of potatoes and they want to hold a certain grade off the market, if they find they want to establish a certain grade which we all know would be desirable, they are able to do it.

The mechanics of the thing is involved. What matters most to me is how the bill is going to be administered. Now the bill is administered by the Commissioner of Agriculture and the committee who are elected in the various districts set up under the act.

Now, before any marketing order can be issued, and that is the implements the marketing agreement, two thirds of the producers have to

signify their approval and fifty per cent of the handlers. It doesn't seem to me that you are taking much of a chance by passing a little enabling bill if you have to have two-thirds of the growers and fifty per cent of the handlers approve it before it can be put into effect. I do feel that there is a need.

We have had three hearings. We had the general hearing between both the proponents and the opponents. He had a second hearing at which the proponents were there and we had a third hearing at which the opponents were there. I attended all three and the last session before the executive.

I was interested to listen to a few remarks from the Commissioner of Agriculture, Fred Nutter.

Mr. Nutter did not say in strong language whether he approved or disapproved the bill. He is too canny for that, but he did say this, that he would administer the bill if it were passed, to the best of his ability. He did say that Maine potatoes are having trouble in the market. There needs to be improvement in grade. He said he felt that something needs to be done to strengthen the marketing of Maine potatoes.

I don't want to misquote anyone but I am pretty sure that is what he said. It would seem to me that a committee composed of producers and handlers together with the administration of the Commissioner of Agriculture that the industry itself is not going to do too many things that they don't want to do.

The compulsory inspection feature of the act which has been thrown out and which does weaken the bill of course from an administration viewpoint, sweetens it up a little to some of the opponents. It is interesting to note that now even though we have no compulsory inspection, 85% of all the car load shipments of potatoes shipped from the State of Maine are voluntarily inspected and the shippers pay for that inspection. There is a difference of course between the inspection they pay for there and the inspection that is made under the branding law. The inspection under the branding law is a policing thing will just say whether or not the potatoes in the container are up to

the grade that they are marking and if they are not, the shipment can be prosecuted and penalized. But we really are in trouble as to grade of potatoes. We ship good potatoes out of Maine, but there are also some potatoes that, because of the grading itself, the U. S. No. 1 grade, allows such a wide variation in size and also such a tolerance in defect that oftentimes the package that the consumer receives is not a real good package.

I say to you that this will help us in marketing. It won't be accomplished unless the people want it. I think the bill should be passed.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator Fuller that the Senate accept the Majority "Ought to pass" report of the committee.

A division of the Senate was had.

Twenty-seven having voted in the affirmative and four opposed, the motion prevailed, the "Ought to Pass" report was accepted on the bill read once; Committee Amendment A was read and adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended in 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 Members of Executive Council and Manner of Selection, (S. P. 68) (L. D. 154), tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. HASKELL: Mr. President and members of the Senate, this is a bill presented by the Senator from Aroostook, Senator Collins, and relates to the manner of selection of the Executive Council. The Constitution provides for the Executive Council and it also provides that the Executive Council shall be elected by the legislature. By statute we provide the manner in which those Executive Councillors shall be distributed geographically in the several councillor districts, providing that each councillor district shall be represented by a councillor of pre-determined residence during

the pre-determined two years as apportioned by the legislature. There is no question of apportionment or reapportionment in this matter but the bill refers only to the manner in which the intent of the Constitution shall be carried out. As it is now carried out by custom the members of the majority party within the councillor districts meet and attempt to arrive at the name of the councillor who shall have the majority support of those members of that party who are members of the incoming legislature. Having attempted to make a selection, the person selected then goes before the party caucus preceding the convening of the legislature and the party caucus confirms the conclusion of the majority or denies the conclusion of the majority. They also by custom, have determined which candidate shall be the candidate of the party in cases of ties.

Now, this measure changes that procedure rather substantially. It provides that the members of the party eligible to vote shall meet at a pre-determined date—and I have no objection to that—and provide that if a majority shall agree on one candidate and his name is filed with the Secretary of State who in turn files it, not with the party caucus but with a joint convention where a county delegation who fails to find majority support for a candidate before a pre-determined date then all of the elected Senators and Representatives in that councillor district shall attempt themselves to make a selection. Having made that selection the name is then filed with the Secretary of State and he in turn files it with, not with a party caucus but with a joint convention held for the purpose of electing the councillor. Now I would have just as much confidence in a joint convention and their ability to select the proper person for councillor as I would have in a caucus of their party. I certainly have no objection to that point but I do object to taking away from the party members what we now have in the nature of a veto. I personally like the procedure we used prior to the formal opening of this session in which the members of the two respective parties could in open debate determine whether

they wanted one candidate or another and personally I believe it was the intent of the Constitution to give us that right.

I will agree thoroughly the party harmony might best be preserved, certainly councillor district harmony might best be preserved if we followed this procedure but to me there is something fundamental in holding over the delegation from Penobscot County the moral obligation to come before a caucus of all Republicans in this State and present to them the name of a person that will have pretty much unanimous acceptance. I don't by any inference indicate there have been names that wouldn't have had unanimous acceptance but I do point out that this legislature did see fit to resolve itself into a Committee of the Whole with respect to the party to exercise its judgment. I think it exercised its judgment well and I think the exercise of that judgment should be within the confines of the caucus procedure just as it is within the procedure within the County and within the councillor district, and I think it is a great error to jump from the concept of caucuses within the county, caucuses within the district, and void caucuses of the whole and go into the joint convention. I don't think it is a party issue irrespective whether it is Democratic or Republican. The principles are equally sound.

For those reasons, Mr. President and members of the Senate, I would move indefinite postponement of the bill.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, it appears that this is one of my days to howl. If I had a dead bill in this legislature I think this is it. I introduced the bill in the hope to clarify a situation that I thought was getting more or less out of control. There was no procedure of caucuses in the various counties in which they were to select their councillor candidates. We have seen some trouble arising as a result of this during the last four years. It appeared to me that if a procedure could be spelled out it would be better than one that depended upon custom alone. For that reason I contacted the Deputy Sec-

retary of State, outlined what I thought would make good procedure and he proceeded to draft the bill. The bill provides that in the county from which the councillor is to come, the senior Senator shall call a number of the delegates of the majority party in that county and they will proceed to ballot on their councillor-elect. If one candidate receives a majority of the number of the delegation, that name is certified and sent to the Secretary of State. If, however, no one candidate gets the majority, then a meeting is called of the counties comprising the councillor district and at this councillor district meeting the man is selected. Of course he must come from the county from which the councillor is to come. If a majority of the councillor district select a man then he becomes the nominee and his name is certified to by the Secretary of State. Then when the legislature convenes those names are presented to the joint convention. The feature that the Senator from Penobscot, Senator Haskell, has spoken about, is whether or not that name should also be presented to the caucuses of each party or to the caucus of the majority party was one of the things with which I was a little bit concerned. But it seemed to me in order to accomplish the results which I hoped it would, that it would be better to have the names certified and presented to the joint convention. The legislature in joint convention would have the right, as it does now, and of course under the law must have, to select those who make up the Executive Council. The Senator from Penobscot, Senator Haskell, has very well told you what the difference is. The primary difference is that the caucuses wouldn't get the opportunity to vote on that candidate but the caucuses of the various counties have already voted on the candidate, and if they cannot agree, then the caucuses of the district, comprising the councillor districts have voted for it and it is a majority vote in that case. I rather thought it would be helpful. I still think that it will. This is for you members to decide.

Mr. HANSON of Washington: Mr. President and members of the Senate, having gone through a little history on this thing recently I

would like to make a few remarks. Not long ago an eminent attorney, probably among the greatest jurists America has had, made the statement that we only learn things by history. We certainly have had some history. I think Senator Collins has made an attempt to correct the situation but I think that when we find our political machinery in error we should look back over our history and correct whatever error we find. I certainly do not believe that the proposals in this act will correct any of the errors that we found out last time. Thank you.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the bill be indefinitely postponed. Is the Senate ready for the question?

A viva voce vote being had

The bill was indefinitely postponed.

Sent down for concurrence.

Additional House Paper, Out of Order and Under Suspension of the Rules

“Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.” (S. P. 493) (L. D. 1347)

(In Senate, on April 28th, voted to insist on former action whereby the Resolve was passed to be engrossed as amended by Senate Amendment “A”.)

Comes from the House, that body having insisted on its former action whereby the bill was indefinitely postponed in non-concurrence.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, back as a boy in my livery stable days I learned it was impossible to ask too much of a willing horse. So far as this bill is concerned I have asked those associated with me in this matter to refrain from further attempts to oppose it. I want to express my deep appreciation to the Chairman of the Committee for the long hours and the hard work which he did in his capacity as Chairman, and to the members of the Committee for their active interest in the mat-

ter and to all those here and elsewhere who have worked with me to carry out what I deem to be a Constitutional duty of this legislature. And to those who may not be embraced within the scope of that thinking I offer my felicitations.

I am going to move that the Senate adhere to its position on this bill as taken on two votes in this Senate, and speaking to that motion I should like to summarize the existing situation as I see it. The essentials of the situation seem to be this: The last legislature failed to reapportion as the Constitution expressly required. This legislature has been advised by the Supreme Court that it is the duty of this legislature to reapportion representatives. So far, this legislature has failed to do so. The record to date, in my opinion, is not good, either for the legislature or for the party power.

Now there may be room for honest differences of opinion regarding the 1950 census of population as to its accuracy but certainly no one in sincerity can allege that the population justifies the existing distribution of representatives. No one can truthfully deny that the people of my county will be deprived of their constitutional right of representation if this legislature fails to act. It would be necessary to find in the rest of the State outside of Cumberland and York counties, 120,000 people to be added to the population of the rest of the State in order to justify the claim that the Constitution was complied with by the existing distribution of representatives.

Early in this session the Senators from York and Cumberland asked the Senators of the other counties who were likely to be affected by reapportionment to agree with us to leave this enumeration and apportionment to a Committee from neutral counties, from the counties which would not be affected in their total representation. We said we were willing to make every concession reasonably consistent with the clear language of the Constitution. Our suggestion was not accepted. Perhaps it wasn't a good one. So we were obliged to

follow the old way — the old way of convenience. We have tried to do so politely, civilly and without retaliation or threat. We tried to help everyone here who deserved to be helped. In fact, I can recall a number of cases where I have been so busy working on the causes of other people that they have been able to spare more time in which to work against reapportionment.

Now I don't know how long our people can be expected to be patient under an injustice but I hope they still may wait patiently for a more tolerant attitude in this legislature at a time in which their rights may be respected and confirmed. During this debate a good many have expressed their great love and respect for the Constitution. They are for the Constitution, they are for reapportionment but not in this way or according to the bill which the Committee produced. So far no one has come forward to propose any other way with which the Constitution could be complied with in this respect. I feel that we have met our responsibilities under our oath to our constituents and to this legislature. We have done as well as we could and while time is still available by which this duty can be accomplished we now await such proposals or overtures from any of those who are generally concerned about this failure to comply with the Constitution. It still isn't too late for them to meet their responsibilities in a constructive and Constitutional manner.

Mr. President, I move the Senate do now adhere to the position already taken by a majority of the Senate in two votes which we have had on this bill.

Thereupon, the Senate voted to adhere of its former action taken on April 28th whereby the bill was passed to be engrossed.

**Additional House Papers,
Out of Order and Under
Suspension of the Rules
Ought Not to Pass
and Leave to Withdraw**

The Committee on Claims on "Resolve, in Favor of the Town of

Jay," (H. P. 1082) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Bulldozing of Streams," (H. P. 588) (L. D. 629) reported that the same ought not to pass.

The same Committee on "Resolve, Authorizing Construction of New Fish Hatchery and Rearing Station, in Aroostook County, from Capital Improvement Fund," (H. P. 810) (L. D. 894) reported that leave be granted to withdraw the same.

The same Committee on "Resolve, Authorizing Construction of Fish Rearing Station at Littleton in Aroostook County from Capital Improvement Fund," (H. P. 811) (L. D. 895) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Increasing Fees for Hunting and Fishing Licenses and Creating a Capital Construction Fund Therefrom," (H. P. 1088) (L. D. 1235) reported that leave be granted to withdraw the same.

The Committee on Judiciary on Bill "An Act Relating to Retirement of Certain Members of the State Police," (H. P. 520) (L. D. 560) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of Miss Margaret Crosby of Bangor," (H. P. 134) (L. D. 108) reported that the same ought not to pass.

The same Committee on "Resolve, Providing for Retirement Pension Increase, for Arthur L. Jordan of Augusta," (H. P. 424) (L. D. 471) reported that the same ought not to pass.

The same Committee on "Resolve, Granting a Pension to Hubert E. Redding of Oakland," (H. P. 928) (L. D. 1025) reported that the same ought not to pass.

The same Committee on "Resolve, Providing Retirement Pension Increase, for Nina Staples of Whitefield," (H. P. 926) (L. D. 983) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

Communication
STATE OF MAINE
 House of Representatives
 Office of the Clerk
 Augusta

April 29, 1953

Hon. Chester T. Winslow
 Secretary of the Senate
 96th Legislature

Sir:

The Speaker of the House has appointed the following Conferees on the part of the House on the disagreeing action of the two branches of the Legislature on:

Resolve, Opening Upper Rang Pond, Androscoggin and Cumberland Counties, to Ice Fishing. (H. P. 518) (L. D. 521)

Messrs. EDWARDS of Raymond
 ABBOTT of Mechanic Falls
 SCOTT of Wales

and on:

Resolve, Opening Brackett Lake, Aroostook County, to Ice Fishing. (H. P. 817) (L. D. 901)

Messrs. WILLIAMS of Hodgdon
 CAMPBELL of Guilford
 MORRIS of Portage Lake

and on:

Resolve, to Reimburse the Town of Jefferson for Conveyance of School Children. (H. P. 719) (L. D. 1368)

Messrs. CHASE of Whitefield
 HUSSEY of Windsor
 TUPPER

of Boothbay Harbor

and on:

Resolve, in Favor of the Town of Stoneham." (H. P. 1239) (L. D. 1434)

Messrs. FERGUSON of Hanover
 FORD of North Waterford
 FULLER of Bangor

Respectfully,

HARVEY R. PEASE
 Clerk of the House

Which was read and ordered placed on file.

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 Transportation on Recommended Bill, An Act Relating to Registration Fees for Farm Trucks (H. P. 768) (L. D. 802), tabled by that Senator on April 24th, pending consideration of the report.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, I will say that not only are the farmers interested in this but also the consumers of the State of Maine are vitally interested. There are in the State of Maine 651 common carriers, 1717 contract carriers with 256 owners. There are in the State of Maine 7658 interstate carriers with 521 owners. There are 54,411 other trucks. The total number of trucks registered in the State of Maine for the preceding fiscal year was 64,477. I cite those figures because I wish the members to know the number of trucks we have and I want to present my argument why trucks owned by farmers and operated on farms are in my estimation entitled to a registration fee that is not as large as for trucks that are operated by commercial owners that travel entirely on our highways and that wear out our highways many times more than those owned on farms and operated part or two-thirds of the time on the owners' land instead of on the highways. That is my whole reason for asking for a license fee that is smaller than that required of commercial vehicles.

It has been brought to my attention that there is opposition to this bill from the Highway Department because they feel they are going to lose revenue. Now this bill calls for one class of farm trucks the gross weight of from 11,001 pounds to 16,000 pounds and with the amendment the fee will be \$40. The present commercial vehicle is paying \$80. for carrying this same weight. You can readily see that any industry that would come before you and ask for a registration fee of a truck they are now paying \$80. to register and asked to have that fee cut in half, they are either not using good judgment or we wouldn't be using good judgment to grant it. It has been estimated by the department that under this bill the Highway Department would lose \$100,000 approximately, in revenue, because of the difference in the cost of present commercial vehicles now taxed at \$80. for this class and the proposed reduction to \$40. but I think I can convince you that there will be hardly any loss in revenue to our Highway Department, and I base

it on these facts that the average farm truck today is licensed for fifteen or twenty or twenty-five dollars at a weight very much lower than this proposed weight. I have no figures on how many in the State of Maine are registered at \$20. but I certainly believe that 8 out of 10 trucks now owned on farms are registered under this \$20. fee for the reason that that fee will allow them to haul the loads that the average farmer carries. And the farmer can put on any amount that our trucks will carry regardless of what fee is paid but when they go out on the highway but must be not exceeding 5,000 pounds. When it becomes necessary to haul heavier loads, which occasionally happens to all farmers, the average farmer goes to the telephone and calls a commercial trucking firm.

Let me say this, members of the Senate. This bill is similar to bills that are in operation in most of our New England States and is meeting with success in those states. We believe there will be many trucks now operated on farms, registered on farms, for the smaller fee that would go up to the \$40. fee in buying this new registration so that the reduced income of the Highway Department would be very little if any. It is my sincere belief that if this bill is passed it will not cause the Highway Department a nickel and I believe it will allow the farmers of Maine to comply with the law and do some of their hauling on the roads.

Mr. President, I move that we substitute the bill for the Ought not to Pass report, and when the vote is taken I ask for a division.

Mr. ROBBINS of Aroostook: Mr. President and members of the Senate, my interest in this bill rises from the fact that it is a charge on our highway funds. I discussed it with the head of the registration department and went over his figures with him and asked him to summarize his estimation of the effects of this bill. The gist of it is that it will cost the Highway Department at least a hundred thousand dollars a year. That is based on estimation because nobody has taken an actual poll to find out how many farm trucks there are but they did take a poll of one out of every

five trucks as late as 1951 and on the basis of that he estimates four thousand trucks will be affected and through a series of calculations which I have here the minimum it will cost the State will be \$160,000. Since I have spent four terms down here trying to build up the highway fund I simply cannot go along with a bill that the most qualified man in the State of Maine thinks will reduce revenue by that amount.

My second reason for opposing this measure is that I don't know how we can establish which is a farm truck. Mr. Weed tells me it will be necessary to put it on the back of the registration application, asking if this is a farm truck to which the owner will say yes. And on whom does the burden rest of proving whether it is or not? Must we sent out agents throughout the State to prove it? I don't know, but I think it is raising a pretty tough problem.

Mr. President, I move the acceptance of the "Ought Not to Pass" report of the Committee.

Mr. PARKER: Mr. President and members of the Senate, I hesitate to oppose such figures as have been presented by Senator Robbins but I wish to make one point and that is that all the figures he has presented and that I have presented previous to that, the possibility of a decrease in revenue of approximately one hundred thousand dollars, are based on only one thing and that is there are so many trucks now registered at \$80. and under this proposed bill they will be registered for \$40. That is the only argument brought out by the opposition. My argument is this, and I will leave it with you to decide. If this number of trucks now being registered at \$15. or \$20. there would be registered at \$40. would cut down this one hundred thousand dollars to practically nothing. That's the whole argument.

I don't want to impose on your time any longer. Just consider whether those trucks on farms that are now being registered for a smaller fee will go up to this fee, which I can assure you I am positive they will, or whether the State of Maine is going to lose one hundred thousand dollars. If I thought

that for a minute I never would have stood up here in the first place.

Mr. DOW of Lincoln: Mr. President, I would like to ask a question through the Chair of the Senator from Piscataquis, Senator Parker.

The PRESIDENT: The Senator may ask his question through the Chair and the Senator from Piscataquis, Senator Parker, may answer if he wishes.

Mr. DOW: How do the farmers feel about this law already on the books, Senator, that have been spoken about by the Senator from Aroostook? Or don't they know about it?

Mr. PARKER: Mr. President, in answer to the inquiry, to my mind there isn't a farmer in the State of Maine who isn't aware of this law that the Senator from Aroostook referred to. In fact, that law was put on the books, if I am correct, by Senator McKusick of my county. The reason it isn't used more is because it provides that by paying a certain percentage of the original cost of the registration, for thirty days you may haul heavier loads. The difficulty is that if you have a heavy load or two during one month and a heavy load or two during the next month, and so on during the twelve months of the year, the whole cost of operating the truck is two or three times the cost it would be today at the large registration fee in the first place. If you were going to use it only one or twice a year it would be different but if you are hauling one or two heavy loads a month throughout the year it would cost a tremendous amount of money.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Piscataquis, that the bill be substituted for the report, and the same Senator has asked that when the vote is taken it be taken by division.

A division of the Senate was had.

Three having voted in the affirmative and 23 opposed,

The motion to substitute did not prevail.

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

Mr. REID of Kennebec: Mr. President and members of the Senate, Item 6 on Page 4 of today's journal was tabled this morning by the Senator from Hancock, Senator Dunham. He cannot be here now and I ask to take it from the table for the purpose of retabbling it and especially assigning it for tomorrow morning in his behalf.

Thereupon, the Senate voted to take from the table Resolve in Favor of George S. Bradbury of West Franklin (S. P. 98) (L. D. 233), tabled earlier in today's session by the Senator from Hancock, Senator Dunham, pending consideration of the "Ought Not to Pass" report of the Committee; and on further motion by the Senator from Kennebec, Senator Reid, the resolve was retabbed and especially assigned for tomorrow morning.

Mr. COLLINS of Aroostook: Mr. President, I would like to inquire if House Paper 1073, L. D. 1213, Bill, "An Act Relating to Appropriations for Unorganized Territory Capital Working Funds," is in the possession of the Senate?

The PRESIDENT: The Chair will state, in answer to the inquiry of the Senator, that the bill is in the possession of the Senate.

Mr. COLLINS: Mr. President, I move that the Senate do now reconsider its former action whereby it receded and concurred with the House on this bill and I do this in order to submit an amendment which will clarify the bill due to an error which was made in the original amendment that was set up.

Thereupon, the Senate voted to reconsider its former action taken earlier in today's session whereby it was voted to recede and concur with the House in passing to be engrossed as amended by Committee Amendment "A" and by House Amendment "A," Bill "An Act Relating to Appropriation for Unorganized Territory Capital Fund" (H. P. 1073) (L. D. 1213); and on further motion by the same Senator the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Thereupon, on further motion by the same Senator, Committee Amendment "A" was indefinitely postponed.

The same Senator presented Senate Amendment "A" which was adopted without reading and the bill as amended by Senate Amendment "A" was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Pennobscot, the Senate voted to take from the table bill, An Act Relating to the Salary of the Reporter of Decisions, (H. P. 630) (L. D. 653) tabled earlier in today's session by that Senator; and on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment A which was adopted without reading and the bill as so amended passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table, bill, An Act Relating to Inspection by the Insurance Commissioner (S. P. 290) (L. D. 825) tabled by that Senator on April 14th pending consideration; and that Senator yielded to the Senator from York, Senator Dennett.

Mr. DENNETT of York: Mr. President and members of the Senate, my purpose in rising is ultimately to ask reconsideration of our action whereby we passed this bill to be engrossed, and to introduce an amendment if reconsideration is granted, however, first I would like to give the members briefly the history of this bill.

This bill was heard by the Committee on Business Legislation. There were no opponents and the bill received a unanimous Ought to Pass report. In its legislative travels it met with tempestuous weather in the other Body and was returned to us. I believe this amendment is acceptable to all concerned. It strikes all of the original bill out and amends it by putting in the insurance commissioner or his authorized representative in the same category as sheriffs and deputy sheriffs, constables, game wardens and coastal wardens while in the legal discharge of their du-

ties. Consequently, I now move that we reconsider our action whereby we passed the bill to be engrossed.

Thereupon, under suspension of the rules the Senate voted to reconsider its action taken on March 19th whereby the bill was pressed to be engrossed as amended by Committee Amendment A.

The same Senator presented Senate Amendment A which was adopted without reading 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 House Report, Ought to Pass as amended from the Committee on Inland Fisheries and Game on A Resolve Regulating Fishing in Stearns Pond and Tributaries in the County of Oxford (H. P. 100) (L. D. 88) tabled by that Senator on April 27, pending consideration and on further motion by the same Senator Committee Amendment A was indefinitely postponed.

Under suspension of the rules the bill was given its second reading and passed to be engrossed, in concurrence.

On motion by Mr. Dennett of York, the Senate voted to take from the table bill, An Act Relating to Hunting Licenses for Minors (H. P. 12) (L. D. 6) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator the Ought Not to Pass report of the Committee was accepted in concurrence.

On motion by Mr. Broggi of York, the Senate voted to take from the table Senate Report Ought Not to Pass from the Committee on Appropriations and Financial Affairs on bill, An Act Relating to Salaries of Members of the Superior Court (S. P. 388) (L. D. 1099), tabled by that Senator on April 22, pending consideration of the report.

Mr. BROGGI: Mr. President and members of the Senate, since the 96th Legislature has not seen fit to raise the salaries of any of the department heads apparently it is not the intent of this legislature to raise any department heads or

justices but I feel that under our present economy in order to attract the type of men for justices we would like such as we already have on the bench we should raise salaries. However, since it does not seem to be the will of the legislature I reluctantly move that the Ought Not to Pass report of the Committee be accepted.

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

Sent down for concurrence.

On motion by Mr. Broggi of York, the Senate voted to take from the table Senate Report Ought Not to Pass from the Committee on Appropriations and Financial Affairs on bill, An Act Increasing Salaries of Members of the Supreme Judicial Court (S. P. 389) (L. D. 1095), tabled by that Senator on April 27th, pending consideration of the report; and on further motion by the same Senator the Ought Not to Pass report of the Committee was accepted.

Sent down for concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table Senate Report Ought to Pass from the Committee on Education on bill, An Act Relating to Membership on the Maine School Building Authority (S. P. 442) (L. D. 1152), tabled by that Senator on March 26th pending consideration of the report; and on further motion by the same Senator the Ought to Pass report of the Committee was accepted and the bill was given its first reading.

Under suspension of the rules the bill was then given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion of Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act Relating to Delisting and Discontinuance of Purchasing Liquor by the Commission (S. P. 224) (L. D. 592), tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to

take from the the table Senate Report Ought Not to Pass from the Committee on Towns and Counties on bill, An Act Relating to Line Budget for County Estimates (S. P. 335) (L. D. 840), tabled by that Senator on March 31st pending consideration of the report; and on further motion by the same Senator the bill was substituted for the report and given its first reading.

The same Senator presented Senate Amendment A which was read and adopted and under suspension of the rules the bill was given its second reading and passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table bill, An Act Relating to Reclassification of State Aid Highways as Town Ways (H. P. 1153) (L. D. 1301), tabled by that Senator on April 14th, pending passage to be engrossed.

Mr. PARKER of Piscataquis: Mr. President, I now move that the bill be indefinitely postponed.

Mr. ROBBINS of Aroostook: Mr. President, I am sorry twice in the same afternoon to find myself on the opposite side from the Senator from Piscataquis, Senator Parker, and we have got to get at it again in the morning on another bill. What this bill does is this: Under the present law when it is proposed to reclassify any highway upwards from a town way to a state road or a state aid road to a state highway these selectmen or twenty citizens of any towns which happen to be affected, may if they wish, insist upon a hearing. I understand such a hearing has never been requested. The purpose of this bill was to enable the citizens and management of a town in case a road was going to be declassified downward, to request some consideration from the Highway Department. It was put in at a time when it was thought that reclassification might occur during the next biennium and as we all know there won't be any during the next two years but it is thought it would be a good thing to have it on the books in case we ever do. I don't think it will do any harm and the time may come when the towns

would be very glad to have such a law.

Mr. PARKER: Mr. President and members of the Senate, I move for indefinite postponement for two reasons: One is the same one that has been brought out by the Senator from Aroostook, Senator Robbins, that there will be no reclassification of highways for two years, therefore, why put a statute on the books that no one is going to use for two years and we know it. My second reason is that if you will turn to the L. D. 1301, you will find that it reads that in the very last line that the Commission shall be the sole arbiter of the designation. For those two reasons I can see no reason why this legislature should make our statutes any longer by enacting a law that won't be used for two years. If I remember correctly, our majority floor leader has put in many long hours, I would judge, in trying to find some particular statutes that could be repealed that are not being used, and why should we further enact a law we know won't be used for two years and maybe at that time it won't be anything we want and should either be amended or thrown out altogether.

Mr. ROBBINS: Mr. President, I can see some reason in the first point but in connection with the second point the Senator has made, I would like to remind the Senate that the State Highway Commission is already the sole arbiter of the designation of these roads. Someone has to be and they are. This bill represents no change at all over the existing law.

The PRESIDENT: Is the Senate ready for the question?

The question before the Senate is on the motion of the Senator from Piscataquis, Senator Parker, that the bill be indefinitely postponed.

A viva voce vote being doubted a division of the Senate was had. Fifteen having voted in the affirmative and twelve being opposed, the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the table Divided Report, Majority Report Ought to Pass, Minority Report Ought Not to Pass, from the Committee on Correctional Institutions on bill, An Act Providing for a Deputy Commissioner of Institutional Service (H. P. 897) (L. D. 883), tabled by that Senator earlier in today's session, pending adoption of House Amendment A; and on further motion by the same Senator House Amendment A was indefinitely postponed, and that Senator presented Senate Amendment A, which was adopted without reading, and under suspension of the rules the bill was given its second reading and passed to be engrossed as amended in non-concurrence.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table bill, An Act Relating to Journeymen Welders (H. P. 1230) (L. D. 1424), being a new draft of H. P. 186, L. D. 197; tabled by that Senator on April 23rd, pending passage to be engrossed, as amended by House Amendment A.

Thereupon, under suspension of the rules the Senate voted to reconsider its action whereby House Amendment A, was adopted.

Mr. Chapman of Cumberland presented Senate Amendment A to House Amendment A which was read and adopted and House Amendment A as amended by Senate Amendment A was adopted and the bill passed to be engrossed as so amended in non-concurrence.

Sent down for concurrence.

Mrs. KAVANAGH of Androscoggin: Mr. President, there is an old saying that the brain can absorb only what the seat can endure. I move the Senate adjourn.

The motion prevailed and the Senate adjourned until tomorrow morning at eight thirty o'clock Eastern Standard Time.