

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Sixth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Monday, May 4, 1953.

The Senate was called to order by the President.

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

Journal of yesterday read and approved.

**House Papers**

Bill "An Act to Incorporate the Newport School District." (H. P. 1209) (L. D. 1380)

(In Senate, on April 30th, passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, under suspension of the rules, engrossing was reconsidered, House Amendment "A" (Amendment Filing No. 548) was adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to recede and concur.

Bill "An Act Amending the Water Improvement Commission and Creating Standards of Classification." (S. P. 538) (L. D. 1451)

(In Senate, on April 17, passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "D" (Amendment Filing No. 490) in non-concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to recede and concur.

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

(In Senate on April 27th passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, under suspension of the rules, engrossing was reconsidered, House Amendment "A" (Amendment Filing No. 525) adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

On motion by Mr. Ward of Penobscot, the Senate voted to recede and concur.

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

(In Senate, on April 27th passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, under suspension of the rules engrossing was reconsidered, House Amendment "A" was adopted (Amendment Filing No. 526) and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

On motion by Mr. Ward of Penobscot, the Senate voted to recede and concur.

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

(In Senate on April 27th passed to be engrossed in concurrence.)

Comes from the House, under suspension of the rules engrossing was reconsidered, House Amendment "A" (Amendment Filing No. 523) was adopted, and the bill as amended by House "A" was passed to be engrossed in non-concurrence.

On motion by Mr. Jamieson of Aroostook, the Senate voted to insist on its former action whereby the bill was passed to be engrossed as amended.

The Committee on Claims on "Resolve to Reimburse Calais Regional Hospital for Aid to Edmund Lee," (H. P. 1079) (L. D. 1217) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 531)

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

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H.

P. 23) (L. D. 18) "Resolve in Favor of Bosworth Memorial Association," reported that the Senate recede from its action whereby it accepted the Majority "Ought Not to Pass" Report and concur with the House in accepting the Minority "Ought to Pass" Report and pass the Resolve to be engrossed in concurrence with the House.

Comes from the House, the report read and accepted.

Mr. REID of Kennebec: Mr. President, I move the acceptance of the report of the Committee of Conference in concurrence.

On motion by Mr. Haskell of Penobscot, the bill and accompanying papers were laid upon the table pending the motion of the Senator from Kennebec, Senator Reid, that the report of the Conference Committee be accepted.

The Committee on Education on Bill "An Act Relating to Minimum Salaries for Teachers," (H. P. 324) (L. D. 392) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 173)

Mr. BROGGI of York: Mr. President, I move that the Senate accept the Ought to Pass report of the Committee.

On motion by Mr. Haskell of Penobscot, the bill was laid upon the table pending the motion by Senator Broggi to accept the report.

The Committee on Judiciary on "Resolve, in Favor of a Retirement Allowance for Doris D. Ladd of Hallowell," (H. P. 598) (L. D. 638) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 468)

Which report was read and accepted in concurrence and the resolve read once; Committee Amendment "A" was read and adopted in concurrence, and the resolve as amended, under suspension of the rules, was read twice and passed to be engrossed in concurrence.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Certain Department Heads," (H. P. 1035) (L. D. 1179) under authority of

Joint Order (S. P. 495) reported Bill "An Act Relating to Salary of State Auditor," (H. P. 1260) (L. D. 1474) and that the same ought not to pass.

Which report was read and accepted in concurrence.

The Majority of the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution Providing for Two State Senators from Each County," (H. P. 1170) (L. D. 1325) reported that the same ought not to pass.

(Signed)

Senators:

REID of Kennebec  
WARD of Penobscot

Representatives:

McGLAUFLIN of Portland  
LOW of South Portland  
FULLER of Bangor  
TRAFTON of Auburn  
MARTIN of Augusta

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

(Signed)

Senator:

HARDING of Knox

Representative:

FITANIDES of Saco

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

On motion by Mr. Harding of Knox, tabled until later in today's session pending consideration of the reports.

The Majority of the Committee on Sea and Shore Fisheries on Bill "An Act Repealing Law on Canning of Clams and Mussels," (H. P. 1112) (L. D. 1247) reported that the same ought to pass.

(Signed)

Senators:

BROWN of Washington  
LITTLEFIELD of York  
DOW of Lincoln

Representatives:

STANWOOD of Steuben  
TUPPER

of Boothbay Harbor  
BILLINGS of Stonington  
HANSON of Machiasport

The Minority of the same Committee on the same subject matter

reported that the same ought not to pass.

(Signed)

Representatives

HIGGINS of Scarborough  
GILMAN of Portland

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

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

Under suspension of the rules the bill was read a second time and passed to be engrossed in concurrence.

The Majority of the Committee on Education on "Resolve in Favor of the Several Academies, Institutes and Seminaries," (H. P. 1244 (L. D. 1446)) reported that the same ought to pass.

(Signed)

Senators:

BROGGI of York  
FULLER of Oxford  
BUTLER of Franklin

Representatives:

FULLER of South Portland  
ROUNDY of Portland  
CORMIER of Rumford  
DICKEY of Brooks  
DENNIS of Litchfield

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

(Signed)

Representatives:

REYNOLDS of Mt. Desert  
CRABTREE of Island Falls

Comes from the House, the Majority Report accepted, and the resolve passed to be engrossed.

On motion by Mr. Broggi of York, the resolve and accompanying papers were laid upon the table until later in today's session.

The Majority of the Committee on Appropriations and Financial Affairs to which was recommitted Bill "An Act Relating to Bookmobile Service," (H. P. 2) (L. D. 2) reported that the same ought to pass as amended by Committee Amendment "A".

(Signed)

Senators:

COLLINS of Aroostook

HASKELL of Penobscot  
SINCLAIR of Somerset

Representatives:

JALBERT of Lewiston  
CAMPBELL of Guilford  
COLE of Liberty  
DAVIS of Harrison  
CATES of East Machias  
BURGESS of Limestone

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

(Signed)

Representative:

JACOBS of Auburn

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

On motion by Mr. Collins of Aroostook, the majority report of the Committee "Ought to Pass" was accepted in concurrence and the bill was given its first reading; Committee Amendment A was adopted in concurrence and under suspension of the rules the bill was given its second reading and passed to be engrossed as amended in concurrence.

The Majority of the Committee on Labor on Bill "An Act Relating to Compensation for Death Under Workmen's Compensation Act," (H. P. 427) (L. D. 474) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing 407)

(Signed)

Senator:

ST. PIERRE of Andros-  
coggin

Representatives:

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

The Minority of the same Committee on the same subject matter reported that the same ought to pass as amended by Committee Amendment "B". (Amendment Filing 412)

(Signed)

Senators:

WARD of Penobscot  
REID of Kennebec

Representative:

CASWELL of New Sharon

Comes from the House passed to be engrossed as amended by House Amendments "A" and "B".

(Amendment Filings 506 and 520)

On motion by Mr. Ward of Penobscot, the Majority Report of the Committee Ought to Pass was accepted and the bill was given its first reading; Committee Amendment "A" was indefinitely postponed; House Amendments "A" and "B" were adopted in concurrence; and under suspension of the rules the bill was read a second time and passed to be engrossed as amended in concurrence.

#### Orders

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

ORDERED the House concurring that Bill "An Act Relating to Application of Plumbing Laws," (H. P. 1276) (L. D. 1512) be recalled to the Senate from the Office of the Governor.

On motion by Mr. Weeks of Cumberland, the Order was laid upon the table pending passage.

#### Joint Order

From the House:

WHEREAS, the two branches of the Legislature have been in non-concurrence with respect to the Merit Award Board; and

WHEREAS, the Senate did recede and concur with the House in the deletion of the Merit Award appropriations in the appropriations measure;

BE IT THEREFORE ORDERED, the Senate concurring, that the Committee on Appropriations and Financial affairs may forthwith present to the House, such bill or resolve as the Committee may wish relating only to the subject contained therein. (H. P. 1299)

Which was read and passed in concurrence.

#### Senate Committee Report

Mr. Chapman from the Committee on Legal Affairs submitted its Final Report.

Which was read and accepted.

Sent down for concurrence.

#### Enactors

Bill "An Act to Incorporate the 'Household Finance Company of Maine.'" (H. P. 46) (L. D. 47)

Bill "An Act to Increase the Salary of the Judge of Probate, Lincoln County." (H. P. 79) (L. D. 74)

Bill "An Act to Incorporate the Monroe Finance Corporation of Maine." (H. P. 179) (L. D. 174)

Bill "An Act to Incorporate the Consumers' Finance Co." (H. P. 182) (L. D. 177)

Bill "An Act Relating to Salary of Members of the Legislature." (H. P. 250) (L. D. 280)

Mr. COLLINS of Aroostook: Mr. President, I move that this bill be laid upon the table. It involves \$13,800 per year in legislative expense.

Thereupon the bill was laid upon the table pending passage to be enacted.

Bill "An Act Relating to Construction of State Aid Highways." (H. P. 326) (L. D. 394)

Bill "An Act Creating the Maine Food Law." (H. P. 344) (L. D. 351)

Bill "An Act to Incorporate the 'Community Finance Corporation.'" (H. P. 419) (L. D. 494)

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

Mr. COLLINS of Aroostook: Mr. President, this item involves a salary increase of \$500.00 per year from the general fund. I move it be laid upon the table.

Thereupon, the bill was laid upon the table pending passage to be enacted.

Bill "An Act Relating to Retirement of Firemen Under Maine State Retirement Law." (H. P. 653) (L. D. 696)

Bill "An Act Amending the Maine Employment Security Law as to Definition of Employing Unit." (H. P. 755) (L. D. 780)

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

Bill "An Act Relating to Eligibility for Retirement Under the Maine State Retirement Law." (H. P. 827) (L. D. 858)

Bill "An Act Relating to the Salary of the Judge of the Waldo County Municipal Court." (H. P. 856) (L. D. 930)

Bill "An Act Providing for a Deputy Commissioner of Institutional Service." (H. P. 897) (L. D. 992)

Mr. COLLINS: Mr. President, I think this involves an appropriation of \$7,000. I move that it be laid upon the table.

Thereupon, the bill was laid upon the table pending passage to be enacted.

Bill "An Act Continuing Pensions of Retired Members of the State Police." (H. P. 924) (L. D. 992)

Mr. COLLINS: Mr. President, my information on this is that it would cost the general fund \$10,048. I move that it be laid upon the table.

Thereupon, the bill was laid upon the table pending passage to be enacted.

Bill "An Act Amending the Community School District Law." (H. P. 936) (L. D. 984)

Bill "An Act Relating to Pensions for Firemen and Their Dependents Under the Maine State Retirement System." (H. P. 1049) (L. D. 1190)

Bill "An Act to Incorporate the Augusta School District." (H. P. 1054) (L. D. 1195)

Bill "An Act Amending the Charter of the City of Auburn." (H. P. 1055) (L. D. 1197)

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

Mr. COLLINS of Aroostook: Mr. President, I would like to call to the attention of the Senate that this item is out of surplus and involves \$76,906.35. I am not going to make the motion to table unless some of the Senators wish to have it done.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I will neither make a motion to table nor a motion for enactment but I think the Senate will have among its membership some who do not understand just what this resolve accomplishes. Under our existing statutes relating to Unorganized Towns the State has the financial burden relating to education but the property owners, usually wild timberland owners, have the responsibility so far as capital costs of educational facilities are concerned. There is also a provision that limits the percentage of

valuation that may be levied as a tax on wild land in any one year for the payment of those school facilities. Naturally the valuations for wild land vary in each unorganized town and so do the capital requirements vary in each unorganized town. But by and large, the limitation imposed by the tax provision means it will take from 15 to 30 years for the wild land owner by actual tax assessment to pay for the school facilities that seem necessary to the department. There could be two procedures. The tax can be levied and the sum paid into reserve until such time as the accumulation was sufficient for those schools. The last legislature did appropriate \$140,000 as a working capital fund for this department to build certain school facilities in the unorganized towns, the principal with no interest to be paid back by the taxes so levied. The department spent only \$16,000 in the last biennium leaving the balance in round figures of \$124,000.

The intent of this resolve is to re-establish the working capital fund at \$200,000 by adding roughly \$66,000 to it. The department submitted to the Committee the fact that they are substantially obligated, so far as the people in the unorganized towns are concerned, to an effort to accomplish the construction of school facilities in certain of the unorganized towns. The appropriation from surplus of this amount will permit them to do it, but as a working capital fund it will be ten to twenty-five years before the taxes so levied are put back into the working capital fund. The Appropriations Committee was unanimous in believing that that was a proper use of general fund surplus dollars.

We were impressed by the need of more adequate facilities to take the place of just about as disgraceful educational facilities as you could imagine in the unorganized towns. I shall not make the motion to table. Nor, particularly, the motion to enact. That is the pending question but anyone who has doubt or questions the advisability of it certainly should table it. Personally I believe the question should be the next question but that is at least my contribution in telling you what the amount

means and why we brought it out as we did.

Bill "An Act to Incorporate the Town of Eagle Lake School District." (H. P. 1190) (L. D. 1339)

Bill "An Act to Incorporate the Northern Finance Company." (H. P. 1199) (L. D. 1366)

Bill "An Act Accepting from Dorothea Dix Memorial Association a Deed of Gift of Dorothea Dix Park." (H. P. 1213) (L. D. 1386)

Bill "An Act Relating to Journey-men Welders." (H. P. 1230) (L. D. 1424)

Bill "An Act Providing for Towns Sharing in Profits from State Owned Lands." (H. P. 1279) (L. D. 1515)

Bill "An Act Relating to Report of Adoption Filed in Probate Court." (H. P. 1286) (L. D. 1534)

Bill "An Act Relating to Reimbursement in Towns for Snow Removal." (H. P. 1289) (L. D. 1532)

Bill "An Act to Create the Boothbay-Boothbay Harbor Community School District." (H. P. 1292) (L. D. 1541)

Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court and the Salary of the Judge of the Portland Municipal Court." (H. P. 1293) (L. D. 1542)

"Resolve, in Favor of a Retirement Allowance for Edith V. Jack of Hollis Center." (H. P. 16) (L. D. 10)

Mr. COLLINS of Aroostook: Mr. President, this resolve calls for an appropriation of \$3,600 the first year and \$1,500 the second year. I move it be laid upon the table.

Thereupon the resolve was tabled pending final passage.

"Resolve in Favor of Robert W. Johnson, of Rumford." (H. P. 30) (L. D. 24)

Mr. COLLINS of Aroostook: Mr. President, this resolve calls for \$800 per year. I move it be laid upon the table.

The resolve was tabled pending passage to be enacted.

"Resolve, Relating to Ice Fishing in Peabody Pond, Cumberland County." (H. P. 66) (L. D. 62)

"Resolve, Relating to Ice Fishing in Hopkins Pond, Penobscot County." (H. P. 99) (L. D. 101)

"Resolve, Regulating Fishing in Stearns Pond and Tributaries in the

County of Oxford." (H. P. 100) (L. D. 88)

"Resolve, Providing for a Retirement for Lydia B. Otis, of Carmel." (H. P. 297) (L. D. 358)

Mr. COLLINS: Mr. President, this calls for an appropriation of \$500 per year. I move that it be tabled.

The resolve was tabled pending final passage.

"Resolve, Granting a Pension to Ida N. Fuller of Mount Vernon." (H. P. 425) (L. D. 472)

Mr. COLLINS: Mr. President, this likewise calls for an expenditure of \$600 per year. I move that it be tabled.

The resolve was tabled pending final passage.

"Resolve, to Repeal Certain Special Resolve Pension." (H. P. 612) (L. D. 732)

"Resolve, in Favor of Sadie M. D. Jewell of Orono." (H. P. 927)

Mr. COLLINS: Mr. President, this item involves \$600 per year. I move it be tabled.

The resolve was laid upon the table pending final passage.

"Resolve, in Favor of Naomi G. Davis of Palermo." (H. P. 1018) (L. D. 1144)

Mr. COLLINS: Mr. President, this item likewise involves \$600 per year. I move it be tabled.

The resolve was laid upon the table pending final passage.

Bill "An Act Relating to Limitation for Injuries by Defect in Highways." (S. P. 59) (L. D. 127)

Bill "An Act Relating to Duties of Official Court Reporters." (S. P. 104) (L. D. 318)

On motion by Mr. Reid of Kennebec, tabled until later in today's session pending passage to be enacted.

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

Bill "An Act Relating to Duties of Clerk of Lewiston Municipal Court." (S. P. 177) (L. D. 436)

Bill "An Act Relating to Court Records and Official Court Reporters." (S. P. 219) (L. D. 585)

Mr. COLLINS: Mr. President, this involves \$8,250. I move that it be tabled.

The bill was laid upon the table pending passage to be enacted.



Bill "An Act Relating to Inspections by the Insurance Commissioner." (S. P. 290) (L. D. 825)

On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.

Bill "An Act Requiring Children to Care for Parents According to Ability." (S. P. 401) (L. D. 1118)

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

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

Mr. COLLINS: Mr. President, this bill calls for an expenditure of \$10,-500. each year. I move it be tabled.

The bill was tabled pending passage to be enacted.

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

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

Bill "An Act Relating to Charter Changes for City of Lewiston." (S. P. 508) (L. D. 1387)

Bill "An Act Relating to the Board of Registration for Professional Engineers." (S. P. 584) (L. D. 1524)

Bill "An Act Relating to Waiver of Restrictive Provisions in Deeds." (S. P. 585) (L. D. 1525)

Bill "An Act Relating to Facilities Furnished by Public Utilities." (S. P. 588) (L. D. 1527)

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

Mr. COLLINS: Mr. President, this is one of the resolves which calls for capital expenditures and would require from the unappropriated surplus \$21,700 the first year and \$15,000 the second year. I have no desire to table it unless some of the Senators so wish.

On motion by Mr. Hanson of Washington tabled pending final passage.

"Resolve, Relating to Post War Public Works Reserve Fund and Appropriating Moneys for the Women's Reformatory." (S. P. 580) (L. D. 1520)

Mr. COLLINS: Mr. President, this resolve calls for \$15,000 which uses up some of the post war public re-

serve fund and so used for the Women's Reformatory.

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

### Emergency

Bill "An Act Relating to Registration Fee for Boat Trailers." (S. P. 590) (L. D. 1529)

Which bill being an emergency measure and having received the affirmative vote of 31 members of the Senate and none opposed was passed to be enacted, and having been signed by the President was by the Secretary presented to the Governor for his approval.

### Emergency

"Resolve, Providing for Expenditures on Airports." (S. P. 581) (L. D. 1521)

Mr. COLLINS: Mr. President and members of the Senate, this calls for \$65,000 the first year and \$25,000 the second year, both from the unappropriated surplus and out of fund used for the improvements of the various airports around the State in connection with the use of federal funds.

Mrs. KAVANAGH of Androscoggin: Mr. President, I rise to ask a question. I wonder why the Lewiston Airport wasn't mentioned in that bill?

The PRESIDENT: The Senator from Androscoggin, Senator Kavanagh, asks the question which may be answered by any Senator.

Mr. HASKELL of Penobscot: Mr. President, we have a general statutory provision that relates to the expenditure of State funds for capital improvements, major maintenance and repairs on airports within the State and with one exception, namely the Augusta Airport, the general statutes provide for 25% local funds, 25% State funds and 50% federal funds. With respect to Augusta, it being the State airport, 50% state funds and 50% federal funds. Now this one selects seven airports for major work this year. And it was the suggestion of the aeronautics commission that in their opinion those were the airports that needed seal coating, hard-surfacing or what have you, this year. The Committee did nothing with respect to inspecting va-

rious airports but relied entirely on a pretty competent aeronautics commission to tell us where in their opinion state funds could best be expended for the next two years. With respect to the Lewiston Auburn Airport it was their opinion that that airport, with some others, were not this year up for expenditures. I think the money was fairly allocated.

On motion by Mr. Boucher of Androscoggin, the resolve was laid upon the table pending passage to be enacted until later in today's session.

#### Orders of the Day

The President laid before the Senate, bill An Act Permitting Re-assignment of Justice in Equity Matters (S. P. 484) (L. D. 1342) tabled by Mr. Ward of Penobscot, on May 2nd pending adoption of Senate Amendment A.

Senate Amendment A was adopted.

On motion by Mr. Silsby of Hancock, the bill as amended by Senate Amendment A was laid upon the table pending passage to be engrossed until later in today's session.

The President laid before the Senate, bill An Act Relating to Pari-Mutuel Pool Contributions and Night Running Racing (H. P. 976) (L. D. 1064) tabled by Mr. Sinclair of Somerset on May 2nd pending passage to be engrossed.

Mr. WARD of Penobscot: Mr. President, noting the absence of the Senator from Somerset, Senator Sinclair, I move that this be retabled and taken up later in today's session.

The motion to retable pending passage to be engrossed, prevailed.

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

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table House Report from the Committee on Education "Ought to Pass as amended by Committee Amendment "A" on bill, An Act Relating to Minimum Salaries for Teachers (H. P. 324) (L. D. 392), tabled by that Senator earlier in today's session pending motion by Mr. Broggi of York that the Ought

to Pass report of the Committee be accepted in concurrence.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, at the outset I will acknowledge that I am much more reluctant to raise any questions related to a teachers minimum salary bill than I might be to raise questions of principle related to a bonus measure or matters of principle related to retroactive pay or some of the other things that probably with complete stupidity I have spoken to in this Senate, but I do think there ought to be a full and complete understanding of the principles involved in our actions on the teachers minimum salary bill. There are one or two of those principles that if we do adopt them before understanding the impact of them certainly I have no objection.

I have a rather complete ignorance of the educational statutes and I am sure there are members of this Senate who can correct me if I am generally wrong, but up to the time the general subsidy law became effective the legislature could increase minimum salaries of teachers and by the proper wording of the law increasing the minimum give wage increases across the board to generally all public school teachers in amounts equal to the amount that we increased the minimum.

Each one of us when we voted for this bill knew that we were not only increasing the minimum but also increasing by that same amount the salaries of all the teachers and when we did that we accompanied our actions by appropriations in which the State did pick up the tab and finance the cost of those increases via the list then existing relating to subsidies to the cities and towns, and by that action we got the teachers pay up to an absurdly low level. That, I agree, and I think the members of the Committee on Education will agree that the minimum amount was too low and also that the minimum would not have too much effect so far as the general scale of teachers' pay was concerned. I don't see anything wrong with that. In the first place we were paying the bill. In the second place we were following a general concept of the nation-wide fed-

eral regulations relating to wages in which we did set up a 40c minimum wage scale and gradually got it up to 75c. But in none of that type of legislation had we attempted to go beyond the minimum. In other words, we haven't said that an electrician, for instance, with five years of training, shall go so many steps above the minimum. We haven't said that a graduate engineer minimum shall be established for such and such a rate. We dealt with minima completely. This bill changes the whole concept and not only redefines minimum but also carries the scale up and seeks to establish by statute the doubtful conclusion that length of service and/or educational progress shall serve as criteria in establishing wage rates.

Now, the Committee will correct me if I am wrong in this general statement that we are dealing with a twenty million dollar a year wage structure and anything that this legislature does to a twenty million dollars a year wage structure is pretty important, and I have a feeling that we want to be sure in setting all wage rates throughout the scale in this twenty million dollar wage structure, that we know just what we are doing and that we are doing something that will have acceptance by the people who are going to pay the money.

Now if this legislature felt that it knew enough about city and town finances, if it knew in the City of Lewiston, for instance, that the Finance Committee of the City of Lewiston did believe that teacher's salaries in the City of Lewiston should be corrected to meet the Legislative formula, then I think we could well adopt it. But I am not satisfied for one, to believe that I know enough about the City of Bangor's finances to conclude that Bangor should fill in its wage structure, \$27,500, which is the eventual cost of the scale set-up, or was in the original bill, because I understand the amendment simply lengthened out the time in which the City of Bangor will reach the minima so established.

I will say to the proponents of the measure that I believe the legislature should adopt as a principle that teachers wages are too low, adopt as a principle the fact

that those wages ought to be increased and in the increase the State share by the subsidy law a very generous part of whatever may be the increased cost. But I am not convinced that we want to take over the prerogative of the town meetings, and in the end result the establishment of local tax rates by our action here. If we want to pass a bill with an appropriation whereby it will set up the state share of a fund to do this job that I could follow. But to sit back rather smugly, as I see it, and say to the cities and towns "we are going to put a statute on the book that directs the wage structure of your teachers and we are willing to pay the state share" whether it is 15% in the more fortunate towns or 65% in the less fortunate towns, looks to me as though it is asking me to take on more than I am willing to chew. I will grant it is a fine thing and that probably each one of you would be a hero of the educational people but somehow or other you have got to face up to the fact that the town meetings and city councillors, if they follow the statutes, have themselves got to come into concurrence with what the legislature says is the ticket.

The Committee did take out the penalty provision whereby non-concurrence with the statutes by the towns would result in withholding the funds, and I commend them for that. I think they have amended it now so that the impact of the bill is spread over a longer time than when they first considered it. I haven't been lobbied by anyone on the issue but to me the very important part as a matter of principle is our moral right to dictate by statute what every city and town in this State shall do with respect to any expenditure short of the emergency type of thing we are up against. I think it would be almost unfair to set up wage standards for almost any type of local service and I think almost anyone at the town level would stand up and say "why don't you go to Augusta and take up the income of the State Government and leave to us the work of establishing wage structures on the one greatest expense item of the cities and towns, that of teachers' salaries. I think

we want to think carefully. I predict that we will vote for it but I don't want to vote it until at least that principle has been put into the record and I am sure that it should be adopted by those honestly desirous of doing something to increase teachers' salaries so as to increase teaching standards in the State of Maine.

Mr. BROGGI of York: Mr. President and members of the Senate, I think I have very consistently, in my legislative career, voted for home rule and against state control except where an absolute emergency existed. A good example and a corollary of this bill under discussion is the problem of pollution of our streams that came before the legislature this session and relatively few towns have taken action relative to this problem, and consequently we had to enact legislation because an emergency or near emergency existed. I want to tell you why my opinion is that an emergency exists in the field of teachers' salaries at this very moment. And because of this emergency or near emergency I favor this bill and hope it has passage.

First, I have said before in this Senate that there are approximately 800 teachers in Maine today teaching under permits and sanctions who do not have a requisite education to get teacher's certificates and because we don't want empty classrooms and someone must teach our classrooms, 24,000 boys and girls in Maine are being taught by teachers who are teaching under this sanction and permit law. In some cases those teachers are merely high school graduates. Dr. Dearborn of Farmington State Teachers College said the Commissioner of Education had a girl who, after one year at the teacher's college didn't have enough finances to continue and decided to go out and teach, and there are 18 principals looking for her services because of the acute shortage of teachers. It is estimated that Maine classrooms will have over one thousand teachers next year teaching under sanctions and permits, but 35,000 Maine boys and girls will be in classrooms taught by teachers in this category.

Is this what the Senate wants in the State of Maine?

Statistics from the Department of Education show that in 1947-48 Maine was 35th in the 48 States in paying its teachers and in the four year period since then we have dropped to 42nd. There are only 5 other states in the Union who pay less money than we do to our teachers. I claim this is an emergency. I want to give you some statistics, not in the far west but in New England. Massachusetts pays \$1500 per teaching position more than Maine does. New Hampshire pays \$600 per teaching position more than Maine does. Vermont pays \$200 per teaching position more than Maine, Connecticut pays \$1600 per teaching position more than Maine does, and Rhode Island pays \$1200 per teaching position more than Maine does, and that is the competition the Maine Superintendents and Maine School Systems face. Does anybody wonder why we have close to a thousand sanction and permit teachers? Our teachers want to stay in Maine and teach here and they offer them up to 50% more in other New England states.

I want to read a quotation from Governor Cross' inaugural message: "In the field of education we must use a three-fold attack to solve the basic problems of teachers' pay, teachers' training and continued state aid to towns and cities. The State should lead the way in setting standards of teachers' pay based on ability, training and years of experience.

Dr. Dearborn and the Commissioner of Education said the passage of this bill was a matter of simple justice to the teachers of Maine. We have got to have accredited teachers for our boys and girls. Let's follow the other Branch and pass this bill 95 to 1 and tell the Maine teachers we appreciate their services to our boys and girls, and when the vote is taken I ask that it be taken by division.

The PRESIDENT: The question before the Senate is on the motion by the Senator from York, Senator Broggi, that the Senate accept the Ought to Pass as amended report of the Committee, and the same Senator has asked that when the vote is taken it be taken by division.

Mr. CHASE of Cumberland. I expect to vote for this bill. It is the best we can do. But I do object to the removal of the penalty clause, and I do suggest to those Senators who see in the removal of the penalty clause some measure of protection for the towns that do not comply with the law, that they read Article 8 of the Constitution, which says: "The legislature is authorized and it shall be its duty to require the several towns to make suitable provisions at their own expense for the support and maintenance of the public schools." I know of no way in which the legislature could establish the "suitable provisions" more firmly than by establishing minimum salaries as part of the town budget.

It is true, of course, that that provision of the Constitution has been very loosely construed. Back in the 1870's when the state desired to establish a state school fund out of the proceeds of the sale of some of the public lands, the matter was taken to the Court and the Court said that "suitable provision" was not necessarily a sufficient provision and through that small crack between the meaning of the word "suitable" and the word "sufficient" we are now pushing approximately six million five hundred thousand dollars a year. I will not go further into the history of the interpretation of that provision but it seems to me the Constitution being the supreme law of the state that if the legislature passes a law establishing minimum salaries the towns are subject to the Constitution regardless of the fact that the law does not carry a penalty clause such as by withholding state aid.

Mr. BROGGI of York: Mr. President and members of the Senate, I would like to answer a couple of points brought out by the Senator from Penobscot, Senator Haskell. He compared this with setting the pay of electricians. As we all know, electricians have their own union and set their own wages and absolutely control their own profession, if we can call it that. Teachers are subject to the school boards, town meetings and the state legislature.

Another point brought out by Senator Haskell was that this should have the acceptance of those who pay the money. I am happy to say that the House Chairman of the Committee on Education and I met with the Education Committee who are representatives of the school system and full time employees of the school system and they gave it their absolute approval. Two weeks ago the Education Committee met with the superintendents of the state, a steering committee of the superintendents of the state, and in their opinion this was the most important piece of legislation before the legislature. This particular bill recognizes the emergency and sets the floor and is not effective until 1954. And if the bill receives passage Maine still will be the lowest state in New England on teachers' salaries. I still hope the members of the Senate will go along with this. I think it is a step in the right direction and that it will do a lot for public education in Maine.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, I appreciate the remarks made by the majority floor leader. I am not unaware that through the last three or four legislatures Education has made vast strides in Maine. We have a continuing contract with teachers which takes the place of tenure which a lot of states have and we have a subsidy program in which I think there must be some changes before it will be acceptable to me. Nevertheless, this is a step in the right direction. We have the best retirement system there is in any state of the Union, if we take care of these elderly teachers, which I think we will. I am also aware that the Appropriations Committee this year has been very kind to education. I think they have their share of the money for capital improvements. I think they did a swell job and should be congratulated. But I am perturbed about the existing condition of education in the State of Maine. I am perturbed because I know young people do not seem to want to go into the teaching profession. I think the answer to that perhaps is in an article I saw in Newsweek a couple of months ago in which there was a questionnaire set up in

a particular locality in which they set forth the various salaries in the professions and asked the parents what profession they would like to have their children to enter. And do you know that the teaching profession was not even mentioned by these parents. So there is something we must do to attract young people to go to normal school. It is true that we will have a few teachers in Maine next fall and that is an emergency. It is an emergency where we need to protect the young people in this profession, and therefore, I shall have to agree with Senator Broggi to try this method and see if this won't be the answer to the question. I hope the bill passes.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am entirely reconciled to the conclusion of both Branches of the legislature but let's not go into this blind. Let's see just what this alley leads to so that come next legislature there won't be so many people amazed at the end results as still seemed to be amazed when they found automobiles were taxed on a gross basis.

This bill calls for approximately three quarters of a million dollars of new expenditures. It means, for example, that if the City of Bangor goes along until September 1954 without granting this new wage structure and does put it in in September 1954, then approximately three quarters of biennium expenses will be based on a lower wage scale. If this legislature faces again next year as it does this year a three-quarter million dollar increase in educational costs, and understand that is only the state share and represents less than one third of the total, remember that come the next session when the cities and towns look for their subsidy payments they are going to be reimbursed, not the state share but unless this subsidy law is amended they will get the benefit of only one quarter of this. That is not an emergency but I think we should all look ahead to see where the impact is and if it is too severe and the cities and towns come and say, "the last legislature directed this thing and yet the subsidy laws don't give us any substantial relief for the next two

years," you have got to do something about it. I don't use that as an argument against the bill but think of the impact of this thing, and if we are spending a million more now, then I think we have got to find an appropriation of three-quarters of a million dollars a year to take care of it. I think that in the biennium following when the cities and towns come for their subsidies that the formula set-up just does not permit realization of what I think those cities and towns expect they are going to get.

So let's do a little forward thinking, and I think too that is the honorable thing to do and I will vote for the amendment and if a majority of both Branches want the measure I will vote for the enactment of the measure with the penalty feature in. Then you will have a bill that does what you intend to do. I will participate in that and certainly I will participate in changing the subsidy formula to account for it but let's do it with our eyes wide open and not make a tremendous problem of finances for the cities and towns in the next two years following the end of this biennium. It is there just as sure as I am standing on my feet.

Mr. DOW of Lincoln: Mr. President and members of the Senate I find myself in rather an odd position in regard to this bill. It happens that the school committee of my town has asked me to oppose it. But after having taught myself for 12 years I had to give up teaching in order to raise and support a small family. I liked teaching but I couldn't afford to continue. I agree with most of the principles in the remarks of the Senator from Penobscot, Senator Haskell, but I believe it is necessary that some towns here in Maine be prodded by legislation such as this or they would be extremely slow in making reasonable adjustments with their teachers. In these towns the standards of education are low because of unqualified teachers and I believe that unless some of these towns are prodded by such legislation as this their standard may go even lower. I shall vote for the bill.

Mr. FULLER of Oxford: Mr. President and members of the Senate, I went along in Committee

with this bill as I do believe there is an emergency in connection with our teacher supply. I believe I am fully aware of the impact of the local level and at the state level. The amendment which provides that only \$300 per teacher increase be allowed in one year improves the bill considerably, to my way of thinking. There is in my mind the thought that it would still be further improved by making that \$100 instead of \$300. The teachers in the two higher brackets in Maine are now being paid salaries which are defined by the bill. It would seem that the teachers in the two lower brackets should be the ones which perhaps would need the greater increase the quicker, in order to protect Maine from having those teachers got to states where higher salaries are paid. In connection with the attractions of high-school graduates to our normal schools, the objective would be met if the payments were started at \$100 per year although I am not able to apply the slide rule quickly enough to the impact but it would seem that the impact, both at the local and state level, would be materially decreased. I am not going to offer an amendment, I went along with the Committee and I want to stay with them. I believe this is an emergency. I just offer that as a possible suggestion of meeting the objectives of the bill and reducing the impact from local and state levels.

The PRESIDENT: Is the Senate ready for the question?

The question before the Senate is on the motion of the Senator from York, Senator Broggi, that the Senate do accept the Ought to Pass as amended report of the Committee.

A viva voce vote being had

The report was accepted and the bill given its first reading.

Committee Amendment A was read.

Mr. HASKELL: Mr. President and members of the Senate, under the parliamentary guise of speaking to the passage of the motion I would suggest the desirability that this bill go along in its normal way but that the bill as amended be printed. I am quite sure many would like to take home with them a printed

bill. That is only a comment. I think there would be great and good reason for someone on the Committee putting back into the bill its intent by putting the penalty back in. We have had our constitutional lawyer, the Senator from Cumberland, Senator Chase, point out the constitutional provisions that make it mandatory and I believe that we should put that amendment back on.

On motion by Mr. Broggi of York, the bill and accompanying papers were laid upon the table pending the adoption of Committee Amendment A.

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

Mr. HASKELL: Mr. President, I have had the privilege of serving for six years on the Legislative Research Committee. I have served my share of the time and put my share of work into it and I would like to have these remarks prefaced by the general comment that there are no conditions whatsoever under which I would even consider the thought of serving again on that committee. These remarks I make in case someone may think I am trying to get myself back on the Research Committee. I am not. I am not interested.

In prior sessions the Legislative Research Committee has had referred to it some good orders, some bad orders, and some indifferent orders, but at no session of the legislature has there been an orderly effort to sit down among ourselves and work out an orderly program of what we want our Legislative Research Committee to work on. To me, that is a waste of good effort. You have had as the executive head of that committee one of the ablest men in the State willing to give freely of his time and effort, he has had the experience of finding out those things which he knows are the difficulties we have and he knows what the legislature will accept for reports. I refer, of course, to Sam Slosberg. You also have the good fortune of having in this legislature a Senator likely to be a member of that Committee who is a work-horse and probably who has as fine

a mind in such matters as I have ever been privileged to work with. I refer to Ed Chase.

It seems to me that since we are probably a little bit ahead of the House in our procedure there might be good merit in taking an hour or an hour and a half sometime this week, and if the calendar this afternoon permits it, I see no reason why we might not do it this afternoon to permit someone to make a motion that the Senate resolve itself into a Committee of the Whole and, operating as a Committee of the Whole, which of course removes it from the restrictive procedures relating to Senate debate, have a good and frank discussion of what each one of us would like to see come out of the Research Committee. We are getting to that state of the session when orders relating to that Committee should be put together and be put through. I make this only as a suggestion which if you think well of it might give you an opportunity to think over the things we would like to have discussed and maybe the end result of it would be some orders that would bring about a more orderly program for this Committee and do a great deal more for the legislature than it has ever done.

Thereupon, on motion by Mr. Haskell of Penobscot.

Recessed until this afternoon at 1.30 o'clock E. S. T.

#### After Recess

Mr. COLLINS of Aroostook: Mr. President, I would like to inquire whether H. P. 1073, L. D. 1212, Bill "An Act Relating to Appropriations for Unorganized Territory Capital Working Fund" is in the possession of the Senate.

The PRESIDENT: The Chair will answer the Senator by stating that the document is in the possession of the Senate.

Mr. COLLINS: Mr. President, out of order and under suspension of the rules, I would move that we reconsider our action whereby this bill was passed to be enacted, and in support of my motion I would say that at the time we enacted it I thought that that part of the amendment which had been put in increasing the amount came from unappropriated surplus, but

on examining the bill later I found that it came from the general fund. So that if you give reconsideration to the enactment and the increasing I would then offer an amendment which would take the fund from the unappropriated surplus.

The motion to reconsider enactment of the bill prevailed, and on further motion by the same Senator the Senate voted to reconsider its action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment "B" and moved its adoption.

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

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, "An Act Relating to Funeral Expenses of Deceased Recipients of Old Age Assistance and Aid to the Blind" (H. P. 198) (L. D. 208) tabled by that Senator on May 19 pending passage to be enacted, and on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment "A" which was read and adopted and the bill as amended passed to be engrossed, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table 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), and on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

The same Senator presented Senate Amendment "A" which was read and adopted, and the resolve as amended passed to be engrossed, in non-concurrence.

Sent down for concurrence.



On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, "An Act to Establish a State Committee on Aging" (H. P. 1197) (L. D. 1349) tabled by that Senator on April 9 pending passage to be enacted.

On motion by Mr. Cummings of Sagadahoc, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment "A" which was read and adopted, and the bill as amended passed to be engrossed, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Broggi of York, the Senate voted to take from the table bill, An Act Relating to Certain Tax Exemption for Amputee Veterans (S. P. 55) (L. D. 83), tabled by that Senator on March 12th, pending passage to be enacted.

On further motion by the same Senator the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed: adoption of Senate Amendment A to Committee Amendment A was reconsidered, which amendment was indefinitely postponed.

The same Senator presented Senate Amendment B which was read and adopted; and the bill as amended by Senate Amendments A and B was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Dennett of York, the Senate voted to take from the table bill, An Act Relating to Certain Policies of Insurance by Companies Organized Under the General Law (S. P. 433) (L. D. 1210), tabled by that Senator on April 30th, pending adoption of Senate Amendment A.

Mr. DENNETT of York: Mr. President, and members of the Senate, I now move the indefinite postponement of Senate Amendment A and before the motion is put I would like to request that the Secretary read Senate Amendment A.

The Secretary read Senate Amendment A.

Mr. DENNETT: This is a simple little amendment. It is so simple the only effect it will have is to

completely kill the bill as written. I would like, in as brief a manner as possible, to present to the Senate what this bill really means. I think, as most of you know, insurance in itself is a complex and intricate business and is so finely interwoven with the law itself it is very difficult to tell where insurance leaves off and the law begins. However, the main purpose of this bill is to permit the writing of extended medical payment coverage in the State of Maine on your automobile liability policies. Now, what is extended medical payment coverage? It is an additional coverage which would apply to the members of the household of the insured with respect to all automobile accidents occurring in cars not owned by the insured. Present automobile insurance affords coverage in cars owned by the insured and would be continued for that purpose. The extension of medical aid would include injuries in vehicles and public conveyance if hit by automobiles. The effect of this addition would be to afford medical, surgical, hospital, nursing service in connection with all automobile accidents involving any member of the insured's immediate family. Also a weekly indemnity which would be available to the insured and his wife if she has an earned income, as a means of protection in any automobile accident either while in an automobile or caused by an automobile to such person as a pedestrian and it also has death benefit coverage which would provide for payment of a specific amount in the event of the death of the insured caused by any automobile accident.

Now, presently this coverage is available in the following states, as incidentally this legislation has been introduced in every state in the United States and the legislative assemblies of certain territories of the United States. This extended coverage may be written in Alabama, Louisiana, Delaware, Kentucky, Mississippi, Minnesota, Montana, Nevada, New Mexico, New York, Rhode Island, Tennessee, Texas, Utah, Vermont and Washington, and legislation was passed this year in some of these states and last year in the states of Connecticut and New York. The

question has been raised and statements have been made, not in this Body but through the corridors to the effect that Maine is being made a guinea-pig with respect to this type of coverage. In 1951 the legislation to enable this coverage to be written was passed in Connecticut and New York and I think anyone who has the slightest knowledge of insurance knows that the insurance laws of the states of Connecticut and New York are the strictest to be found in the United States and if in those states they deemed this a good and sufficient coverage for the people of their states it certainly is good for all other states. Incidentally, an interim commission was established in Wisconsin two years ago to study the insurance laws in general and they came forth with a recommendation that this extended medical payment be added to Wisconsin policy and this telegram has since been received, "extended medical payment legislation has been passed in the State of Wisconsin."

It is hard and very difficult to conceive that any state in the United States would balk at this type of coverage. I think I understand quite well where the objection comes from in the State of Maine. We have just a few weeks past put out similar legislation in the State of Maine known as the Standard Health and Accident Uniform Provision Bill. It covers a set of standards on health and accident policies which have been accepted, again, by about every state in the United States. A great deal of difficulty has arisen in times past on health and accident insurance. There have been many fly-by-night concerns that have been endeavoring to sell this type of coverage: away down at the bottom of the policy in fine print you will find that in order to be paid for an accident you have got to fall off the north pole, or die of some rare disease, under the health provisions. I don't refer to any health and accident company whose principal office is in the State of Maine. But there are those fly-by-night concerns that advertise in periodicals and newspapers and offer something which is an impossibility and they put out

these policies that don't mean a thing.

These standard provisions in the past were to do away with that sort of thing and they certainly had no intent to apply them to the automobile liability policy. Now in striking out the words, "this shall not be deemed an accident policy," you leave a great deal of doubt. You say an automobile policy is an automobile policy and not an accident policy. Such is not the case. Even now a certain form of accident insurance is present written into your automobile liability policy whereby the medical payment at the present time, which is for nothing but for automobiles alone, covering the man insured or his wife or any person who happens to be in the automobile which has an accident and yet no voice has been raised by the accident and health companies.

I personally favor extending it. It is certainly for all the people who wish to buy it, we have no compulsory insurance in Maine. Furthermore this legislation is permissive. No policy can be written in Maine unless it has the full approval of the Insurance Commissioner, so there is absolutely nothing that is trying to be put over on anyone. These accident and health companies which seem to feel they would be hurt in the least. Such coverage as they might write along those lines is so small it is hardly worth bothering with. Insurance itself is a progressive institution. There is no question about it. Just as fast as the laws will allow they are endeavoring to put just as much in the one package as they possibly can so that a person may have complete coverage without going here and there and buying different kinds of policies, and there is no reason why those things should be kept separate and apart or why the people of the State of Maine should not receive the same benefits which ultimately the people of the other states will receive.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, I told the Senate the other day I didn't know anything about insurance and in spite of the remarks by the Senator from York, Senator Dennett, I still find it difficult to

conceive of an accident policy which is not an accident policy.

Now, in the final days of the legislature it is a favorite procedure of the girls in the office and sometimes of a press reporter, to engage in the nomination of legislative favorites and they pick out the person who is the best looking, best informed and most influential. I am a constant candidate for the nomination of the most unsophisticated, most gullible, most credulous and most naive. I am even so unsuspecting that it was only last week that I discovered there was a lobby around here concerned with horse racing, and I am so credulous that ten days ago when we were sure that we might adjourn at the end of last week I would have been willing to bet one dollar against a thousand dollars that we might do it. Credulity has some advantages. I notice that when I think there is a fish there usually is a fish and as I cast the lure of this amendment in the direction of the Senate aisle I seem to detect in the swirl and bubble the signs of a fish rising.

This amendment, as I understand it, would merely require that anyone selling an insurance policy under this clause should state on the policy that it is a limited policy, which I believe to be the case. I have here considerable correspondence on the matter and I am aware that this is a subject of controversy between two different kinds of companies.

Here is a telegram from the Manager of the New York Life Insurance Company, Mr. Don H. Stimpson, a man of high repute and I believe concerned with the highest of ethics in the insurance business. He describes this bill as "a bare-faced attempt on the part of a few automobile companies to bypass provisions of standard accident law protecting Maine citizens. Companies can now do everything the proposed law provides if willing to comply with standard provisions. Why should standard provisions so recently enacted be set aside for a privileged group? Hope you will vigorously oppose the bill."

The President of the Southern Maine Life Underwriters says:

"The law provides that when benefits are limited, the policy shall have printed in bold type on its

face, 'This is a Limited Policy. Read it carefully.' We have no objection to the sale of such insurance even though it does provide such limited coverage, provided the policy is called by its right name and meets the requirement by stating that it is limited coverage. Such insurance can be issued under the law right now provided the policy states that it is limited."

I believe, Mr. President and members of the Senate, that it is in the interests of accurate representation on a contract of insurance being offered for sale that this amendment should be adopted, and I shall say no more about it even under the greatest provocation.

Mr. DENNETT of York: Mr. President and members of the Senate, I have no real wish to extend this argument but I would like to bring out to the members of the Senate that the various institutions that favor this type of legislation are such groups as the American Mutual Life Insurance Company, the Association of Casualty and Surety Companies, The Farmers Insurance Group, The National Association of Casualty Insurance Agents, the National Association of Independent Insurers, National Association of Insurance Agents, National Association of Insurance Brokers, National Association of Mutual Insurance Agents, National Board of Fire Underwriters and the United States Chamber of Commerce Insurance Section. At the present time you are writing in your insurance policies a form of accident insurance when you are writing medical payments as they are. I can see no reason on earth why that cannot be extended to automobile accidents that occur outside of the insured's own vehicle. I surely think this is in the best interest of the people of the State of Maine that this amendment should be killed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Dennett, that Senate Amendment A. be indefinitely postponed.

Mr. DENNETT: Mr. President, I rise only to ask for a division.

A division of the Senate was had.

Twenty having voted in the affirmative and ten opposed, Senate

Amendment A was indefinitely postponed.

Thereupon, the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table resolve, To Reimburse George H. Morong of Portland (H. P. 40) (L. D. 454) tabled by that Senator on April 29th, pending final passage, and that Senator yielded to the Senator from Piscataquis, Senator Parker.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, as a member of the Claims Committee and because of the fact that our Chairman is not in his seat this afternoon I suppose I should express the different thoughts that were presented to the Committee on this claim. As you all know, this claim was originally set up asking for the sum of \$4,043 incurred by George H. Morong of Portland in his expense account in promotion of work projects and soliciting markets for hand manufactured objects of the Passamaquoddy Tribe of Indians. He presented evidence to the Committee that this work was at the suggestion of the Governor and Council. I made rather extensive notes during the hearing, some of which I will mention. I do this because I believe that you all should have what we had in the Committee to base our opinion on in coming out with a unanimous Ought to Pass report.

There was a letter presented to the Committee signed by Councilor Bird, according to my notes, dated December 15, 1951, and I have a notation that says something like this: "Councilor Maloon and I have agreed to find some place where funds might be likely available to pay as much of this expense as possible." That letter was presented by Mr. Morong in support of his claim. He also brought out that the expense of this claim was for disbursements only, money that he had actually spent in the promotion of this undertaking and not in any way for services.

The Committee amended the amended claim down to \$1200. because several times in the items of the claim there were mileage items

that called for what was in our opinion, a much larger amount than we thought should be allowed for trips such as from Portland to Old Town or Portland to Eastport. That is the reason we cut the amount down to \$1200. I might say that this claim caused a great amount of executive work during our executive session. There were many questions asked but the final vote was unanimous that this should be cut down to \$1200. and Ought to Pass.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, it is something of a relief for me to stand up and oppose something and get away from this staid and worn-out theory of principle. I don't think there is much principle involved in this matter. As far as I am concerned and anything I say will be simply information given to me by the occupants of this area to my right and will simply state the views they have expressed to me. As you know, there is but one member of the Council who served on the last Council and he has been very firm in expressing his convictions to me. In the first place, I would remind the Senate that two Governors and two Councils have denied the payment of the bill. Those two Governors and two Councils have had at their command adequate funds up to a couple of hundred thousand dollars in most cases with which to pay any claims they thought right and just. They are firm in their conviction that the work contemplated by this was not authorized, was not effective, and in that respect I think there is some substantial confirmation from the Indians involved. They believe that even had the work been effective the general policy of authorizing a do-good scheme with the hopes that it would apply to a legislative claim committee is pretty poor business. The Senator from Piscataquis, Senator Parker has confirmed what they expressed and when the claim was first presented it was padded to such an extent that, in the words of three members of the council it might even constitute fraud. I have always acknowledged the right of any citizen to come before the legislature and present his claim and I certainly acknowledged the authority

of the claims committee to compromise the four thousand dollars claim down to twelve hundred dollars, but I have a little bit of faith in future governors and councils and I would like their opinion that the claim should not be paid. Therefore I move that the resolve be indefinitely postponed.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, I too am a member of that committee and I will mention some of the data that Senator Parker has not mentioned. The first time this claim was called to my attention was in the Claims Committee but previous to that one day a man said to me, "I think it is wonderful what they are doing with the Indians." He said there was an article in the Saturday Evening Post the last week and I was rather interested. That was before I knew anything about this Morong claim. So I tried to get a Saturday Evening Post and I was unable to get one but when the hearing came on this claim I asked if it was the same person who had been doing the work told about in the Saturday Evening Post and they said it was.

After the hearing I felt convinced that Mr. Morong had done a splendid job in this instance and I feel that he was encouraged by the Governor and the Council, and I will read to you a paragraph from Governor Payne's letter written on July 2nd, 1951: "In talking with the members of the Council it is our feeling that this project should originally be planned to be established at the Passamaquoddy Tribe, and that it be on a small scale basis at first in order to determine whether there is a real possibility, and what interest is taken by members of the tribe. In short, the plan should embrace starting on a small scale, with a minimum of expense, in order to test out this plan. Then, if the test is successful, it is always possible to expand the operation as the demand requires."

Here is a paragraph from a letter written to Mr. Morong by Mr. Stevens, the Commissioner of Health and Welfare: "I think your interest in this project is commendable. You probably know that Mr. George N. Blake has written to me in regard to the possibility of the Indians

supplying baskets for gift shops. I have written to our Indian Agent, Hiram Hall, enclosing the letter from Mr. Blake and suggesting to the Indian Agent that everything possible be done in order to comply "with the suggestions made in that letter. I would be very helpful to all if we could get something organized. Your assistance is much appreciated."

Here is an article taken from a Maine paper: "Mrs. Leo Shay, a Penobscot Indian, said the present Indian agent, Hiram Hall of Robbinston, who is under the department's supervision, 'has proved a failure in what he has been doing.' Hall's term expires June 10. Mrs. Shay and other spokesmen asked for help in organizing an industry to make the Indians of her tribe and the Passamaquoddy tribe self-supporting. She said Hall had been of no help in that field. Hall's work in the department is confined to relief administration. However, George H. Morong of Portland, who led the group appearing today, told Payne and the council: 'The whole solution of the Indian problem is to get them self-supporting. They shouldn't be treated as wards and paupers. It reduces their self-respect.' Morong, a steward in a Portland club who has worked with Indians many years as an avocation, offered to direct a rehabilitation program, and promised to submit a concrete plan for such a program at the council's next meeting June 27. He said the cost would be comparatively small. 'You bring in a program and assure us that you would be willing to direct it,' Governor Payne said, 'and I don't think you'll have too much trouble here.'"

Here is a letter from former Senator Allen: "I would like to register my approval of the claim of George Morong before your committee at this time. I regret that I am unable to be in Augusta for the hearing today but would like to be recorded as favoring passage of the resolve. In my last two years, as Chairman of the Legislative Research Committee, I had ample opportunity to observe the work which Mr. Morong did among the Indians. His work was not only helpful, but his attitude was one

of complete sincerity. He attempted for the past several years to promote and encourage self supporting projects and to generally lift the Indians out of their depressed economic and social status. It is my understanding that he was encouraged to carry out more extensively this work by former Gov. Payne and his Executive Council; although I understand no funds were ever paid to Mr. Morong. I do not presume to know the legal aspects of the claim but I do feel that he rendered services which should have been taken care of by the State and that these services were undertaken by him without any idea of a profit to himself. My endorsement of this claim is personal only and in no way should be construed as having any official status from the Legislative Research Committee, which did not consider the matter at any time."

Now I will tell you how we arrived at the \$1200. We understood that Mr. Morong has mortgaged his insurance of \$1200 and we felt that if we could give him the \$1200 we would like to do it. Personally, I think he is deserving of more than that. I think he has done wonderful work among the Indians and I think if more people did that kind of work instead of handing out money and other things to them the Indians would become self-supporting and would have a little more respect for themselves.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, George H. Morong is the steward of the Cumberland Club of Portland, of which I am a member. He is highly regarded by the members there. I deem him to be a man of good character. I have reason to believe that in the work he was trying to do for the Indians that he has had reason to rely upon certain assurances which may or may not have been given with legal authority. Whether he should have relied on such assurances is a question but in view of the fact that the Claims Committee has considered this claim and cut it down to this point and has reported unanimously that it ought to Pass for this amount, I shall vote to sustain the Committee in this claim.

Mrs. KAVANAGH: Mr. President, when the vote is taken I ask for a division.

Mr. HASKELL: Mr. President, I will not speak again on the measure but it seems to me—and frankly, it was this fact alone that made me think we should agreed to the request of the Council who opposed the measure—that the Council of Governor Payne did in fact hear the claim and the Council of Governor Cross did in fact hear the claim, and both of them have the available funds. It seems to me that the Governors are men in each case who if they had any reasonable doubt in their minds that authorization may have been given they would have acknowledged the claim on some reasonable basis. My argument is simply that neither of those groups did. Both of them did deny it. Certainly both of them knew a great deal more about it than I want to know about it, and I am simply speaking to a confirmation of what their decisions have been on two occasions. Certainly his right of appeal still remains with that same Council. It doesn't seem to me that if they had a claim twice denied by our adjudicating body with both authority and funds to pay it that we could turn around and pay it with general funds.

Mrs. KAVANAGH: Mr. President, I have some information that might be of interest in a letter from Frederick H. Bird on the Council written in December, 1951: "Dear George: I have discussed your situation at some length with the Governor and Councilor Meloon. There seems to be some difference of opinion as to how far it was intended you should go and as to how far the Governor and Council could reasonably and legally go along with you. My suggestion, in an attempt to do something for you, is that you make out an accurate and detailed list of the amounts you have expended since your appearance before the Council last Spring. Please bear in mind to list only those items that bear on the project you outlined to us. When you have completed this, send the list to Council Meloon, with a copy to me. George Meloon and I have agreed to try to find some place

where funds might be legally available to pay as much of this expense as possible.”

Here is a letter written to Mr. Morong on August 3, 1951, by Governor Payne: “Dear George: Thanks very much for the material you have sent me in your letter of July 26th. This has been reviewed with the members of the Executive Council and the matter is going to be given further study. There is another approach to this problem which I believe should be explored first. It would not be expensive and yet would give a very definite indication as to the possibilities which may be available there for the members of the Passamaquoddy Tribe. My interest in their problems has never lessened and will not until we come up with something of a very constructive nature. It is necessary, naturally, that this be considered very carefully on the basis of what seems to be the most desirable way to work out a sound solution. You may be sure that I will be in touch with you further on this as soon as we have been able to explore fully the avenues of approach. Thank you very much for your continued interest.”

That sounds as though the Governor was very much interested in their problem and encouraged the man to do the work. I don't see how much better encouragement could have been given.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the resolve be indefinitely postponed and the Senator from Androscoggin, Senator Kavanaugh has requested that when the vote is taken that it be by division.

A division of the Senate was had Eighteen having voted in the affirmative and thirteen opposed, the motion to indefinitely postpone prevailed.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Relating to Duties of Official Court Reporters (S. P. 104) (L. D. 318), tabled by that Senator earlier in today's session pending passage of the bill to be enacted.

The same Senator presented Senate Amendment B which was read

and adopted; and the bill as amended by Senate Amendment B was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Reports from Committee on Judiciary on bill, An Act Relating to Undesirable Political Activities (H. P. 1192) (L. D. 1356), majority report Ought Not to Pass, Minority report Ought to Pass, tabled by that same Senator on April 22, pending consideration of the report; and on further motion by the same Senator the majority report Ought Not to Pass was accepted.

On motion by Mr. Silsby of Hancock, the Senate voted to take from the table bill, An Act Permitting Reassignment of Justice In Equity Matters (S. P. 484) (L. D. 1342), tabled by that Senator earlier in today's session, pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed as amended by Senate Amendment A in non-concurrence.

On motion by Mr. Ward of Penobscot, the Senate voted to take from the table bill, An Act Relating to Pari Mutuel Pool Contributions and Night Running Racing (H. P. 976) (L. D. 1064), tabled by that Senator earlier in today's session pending passage to be engrossed, and that Senator yielded to the Senator from Cumberland, Senator Weeks.

On motion by Mr. Weeks of Cumberland the bill was re-tabled pending passage to be engrossed and tomorrow assigned.

On motion by Mr. Dennett of York, the rules were suspended and the Senate voted to reconsider its action whereby bill, An Act Relating to Certain Policies of Insurance by Companies Organized under the General Law (S. P. 433) (L. D. 1210) was passed to be engrossed.

On motion by the same Senator Committee Amendment B was adopted and the bill as amended by Committee Amendment B and Committee Amendment A was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to Salaries and Travel of Superintendents of Schools (H. P. 325) (L. D. 393) tabled by that Senator on April 24 pending passage to be enacted, and that Senator yielded to the Senator from Penobscot, Senator Haskell.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, the Revised Statutes of Educational Laws provides that the various cities and towns shall have school superintendents and also provides that the State, with respect to these school superintendents shall pay them certain amounts for salary and travel. I think the current State payment is \$1350. per superintendent for salary ad \$350. for travel per year. Such sums as they receive in addition to that are matters for the towns in the school union and I don't think it is unfair to say that the average salaries are in the \$4500. to \$6500. classification. In fact, the Chairman of the Committee liberalized that and made it \$5000. to \$6500.

Now, this measure would increase this amount from seventeen hundred to two thousand dollars or an increase of three hundred dollars per superintendent and I think there are 95 of them, and to finance this would require in State funds \$28,500 for each year of the biennium. I am very doubtful that there are those even among the firmest supporters of the cause of education who will believe that of the meager amount still remaining in the available general fund for appropriations by this legislature, that this is not the most deserving. Three hundred dollars on top of seventeen hundred dollars is a substantial increase on the part of the State. We do have subsidy obligations. It seems to me that having adopted the normal school amendment relating to tuition and having given pretty general treatment to other operational costs of education and certainly reasonably generous treatment to capital needs of education, this is one bill that we with regret can pass up, and I move indefinite postponement of the bill.

Mr. BROGGI of York: Mr. President and members of the Senate the superintendents of school are necessarily servants of the State, as well as servants of the towns or city or union which employs them. The purpose is the necessity for making superintendents servants of the state as well as municipalities because they have certain duties to carry made by this legislature which should be paid for by this legislature. They also have to carry out Federal and State Act. For example, in order for parochial schools to operate as such they must respect state laws, they must conduct course prescribed by the legislature in order for them to exist. The salaries of superintendents on the State level have not been changed for over twenty years. The portion paid by the State of the salaries received by them at present is \$1350. In 1932 this amount was set up and the average superintendent wage was approximately \$3900. or \$4000. and the State participated to the extent of one-third. Inasmuch as the average wage of the superintendent today is \$5600., the bill was put in to raise this to \$1750. to still make it approximately one-third. I defer to the wisdom of the Senator from Penobscot, Senator Haskell, in his knowledge of veneral fund expenditures and very reluctantly go along with him in voting to indefinitely postpone this bill.

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?

The motion to indefinitely postpone prevailed.

On motion by Mr. Chapman of Cumberland the Senate voted to take from the table, bill An Act Relating to Food and Shelter for Sick, Injured or Abandoned Dogs (H. P. 667) (L. D. 710) tabled by that Senator on April 15th pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland the Senate voted to take from the table, bill, An Act



Relating to Explosives (H. P. 671) (L. D. 714), tabled by that Senator on May 1 pending adoption by Senate Amendment A; and on further motion by the same Senator Senate Amendment A was adopted.

Under suspension of the rules the bill was then given its second reading and passed to be engrossed as so amended in non-concurrence.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table, bill, An Act Relating to Inflammable Oils and Liquids (H. P. 673) (L. D. 716) tabled by that Senator on May 1 pending adoption of Senate Amendment A; and on further motion by the same Senator Senate Amendment A was adopted.

Under suspension of the rules the bill was then given its second reading and passed to be engrossed as so amended in non-concurrence.

Sent down for concurrence.

On motion by Mr. Squire of Kennebec, the Senate voted to take from the table, bill, An Act Providing for the Classification of Certain Surface Waters (S. P. 429) (L. D. 1156) tabled by that Senator on April 29 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 table, bill, An Act Amending the Maine Employment Security Law as to Definition of Employing Unit (H. P. 755) (L. D. 780) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment A and moved its adoption.

Mr. WARD of Penobscot: Mr. President and members of the Senate, I move that the amendment be indefinitely postponed. As I understand it the intent of the amendment is that the employer who does not come under the provision of the Employment Security Law by em-

ploying eight or more, may if he wishes when he employs seven or less come under the provisions of the Security Law. It is my understanding that at the present time the matter is discretionary with the Commission in respect to the employer who has seven or less employees and it is provided for in Sec. 18, III Sub-paragraph A, which was adopted in 1945, Chapter 116 of the Public Laws of that year, which provides that an employing unit not otherwise subject to the provisions of this Chapter may by complying with certain regulations, become an employer subject to the same extent as all other employers. This, however, is discretionary with the Commission.

If you should pass this amendment you take that discretion away from the Commission and I move indefinite postponement.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I was hoping the Senate would allow this to go to the House and see what happened down there and if it was accepted there we might debate it but as long as the Senator from Penobscot, Senator Ward, has debated it this afternoon, I will say what little I have to say at this time. As I understand it an employer who has never qualified is left at the mercy of the Commission. I call that discrimination. Eventually, members of the Senate, you are going to drive the small contractor out of business. Their business fluctuates from year to year. I have had times when I had as many as 50 employees and a time when I have had none in the same year. I am in a position where I can get back but the small employer can't get back if the Commission feels he isn't going to be a paying customer.

I don't believe this law was created for paying customers or for to make money for the State of Maine. I believe it was created to protect the workers in the State of Maine, and if you don't amend this law it won't be but a few years before you will have real labor trouble among the small employers and the employees and it will be because of the Commission driving the employer out of business and the employee will find work where he can, and if he can't

he will come back and collect under the Unemployment Compensation.

All I ask at this time is to pass this amendment and send it to the House and see what happens there and then if it comes back, debate on it here. I am sure that sooner or later we will pass a similar amendment in order to protect the small employer as well as his employees. I therefore hope the motion of the Senator from Penobscot, Senator Ward, does not prevail.

Mr. WARD: Mr. President, when the vote is taken I ask for a division.

The PRESIDENT: The question before the Senate is on the motion by the Senator from Penobscot, Senator Ward, that Senate Amendment "A" be indefinitely postponed and the same Senator asked that the vote be taken by division.

A division of the Senate was had.

Twenty-one having voted in the affirmative and none opposed, Senate Amendment "A" was indefinitely postponed, and the bill was passed to be engrossed.

On further motion by the same Senator the bill was passed to be enacted.

On motion by Mrs. Kavanagh of Androscoggin, the Senate voted to take from the table, House Report Ought to Pass with Committee Amendment "A" from the Committee on Legal Affairs on Bill, "An Act Relating to Organization of Police Department of City of Lewiston," (H. P. 1053) (L. D. 1193) tabled by that Senator on April 27, pending consideration of the report; and that Senator yielded to the Senator from Androscoggin, Senator Boucher.

Thereupon, on motion by Mrs. Kavanagh of Androscoggin the report of the Committee was accepted and the bill read once; Committee Amendment "A" was adopted.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, this is not a good bill for the City of Lewiston. This would increase the Captains, Sergeants and Lieutenants under the present set-up for the City of Lewiston and it would create added expense. I don't believe it is what the police commission wants. They came to me and wanted a bill authorizing

them to set up their government subject to the approval of the finance board so they would have the say of how much money would be spent in the police department. Under this bill they would have no say. The least we can do if you want to pass this bill—and I am not for it—but at least we can have a referendum on it and send it back to the people and see if they are willing to amend their charter to that effect. If you pass this bill in its present form it will take the power away from the finance board and leave it entirely with the police commission and that isn't what they want.

I move the indefinite postponement of this bill.

Thereupon, upon motion by Mr. Haskell of Penobscot, the bill as amended by Committee Amendment "A" was laid on the table pending the motion of Mr. Boucher of Androscoggin, that the bill be indefinitely postponed.

On motion by Mr. Broggi of York, the Senate voted to take from the table, House Report from the Committee on Education on Bill, "An Act Relating to Minimum Salaries for Teachers" (H. P. 324) (L. D. 392) reporting that the same Ought to Pass as amended by Committee Amendment "A," tabled by that Senator earlier in today's session, pending adoption of Committee Amendment "A."

The same Senator presented Senate Amendment "A" to Committee Amendment "A" and moved its adoption.

Senate Amendment "A" to Committee Amendment "A" was adopted; Committee Amendment "A" as amended by Senate Amendment "A" was adopted; and under suspension of the rules the bill was given its second reading and passed to be engrossed as so amended in non-concurrence.

Sent down for concurrence.

On motion by Mr. Broggi of York, the Senate voted to take from the table House Reports from the Committee on Education on Resolve in Favor of the Several Academies, Institutes and Seminaries, (H. P. 1244) (L. D. 1446), majority report Ought to Pass, minority report

Ought Not to Pass; tabled by that Senator earlier in today's session, pending consideration of the report; and that Senator yielded to the Senator from Penobscot, Senator Haskell.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this is one bill I offer no apologies for taking a shot at. It is a resolve in favor of several academies, institutes and seminaries of the State for an increase of \$25,100 each year of the biennium out of the general fund. When we constructed the subsidy measure we did a pretty good job for the academies as I think everyone agreed and the academies have the exact sum the public schools have with two exceptions. The first exceptions favored the academies, and I refer to the fact that generous legislators in the past have made substantial appropriations for capital expenditures to the academies over and above what penurious legislators have done for the public schools, which is practically zero. The only other difference is that with respect to a few academies the State does not give a special subsidy that relates to domestic science, agriculture and mechanical arts, such as woodworking, etc., in an extra subsidy field, but this type of resolve goes back to what I don't think I am too harsh in calling the Old Academy Pork Barrel deal in which someone makes up a list on some basis or another and includes the good, bad and indifferent, and I refer to the financial ability and comes up with a well-filled pork barrel of \$225,000 all of which is over and above subsidies which the academies receive. I think when we were sold the subsidy bill we were told that this was the end of the academy resolve. Now, they are back again, small it is true, but to embark on this one is certainly directly opposed to all the fairness and justice in the subsidy bill. I move indefinite postponement.

The motion to indefinitely postpone prevailed.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table, bill, An Act Relating to Inspections by the Insurance Commissioner (S. P. 290) (L. D.

325), tabled by that Senator earlier in today's session, pending passage to be enacted.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, I move to indefinitely postpone this measure. Here is a bill which we are attempting to give to the Insurance Commissioner authority which he does not have now of going into property for purposes of inspection and the bill with a penalty of \$500 if he is refused permission to enter or eleven months in jail. Now that is going pretty far when he hasn't got such authority at the present time and his asking that seems unreasonable. This all accrued out of a case in the law court where the Commissioner was refused authority to go in and try to get a court permit and the court said he couldn't have one, so here is this bill. It is a case of giving too much authority. I move indefinite postponement.

Mr. DENNETT of York: Mr. President and members of the Senate, I rise in opposition to the motion of the Senator from Franklin, Senator Butler. Perhaps in its original form the bill was not too well drawn, although as I have stated previously it was heard before Business Legislation and it had no opposition and was passed out "ought to pass". Subsequently it met with opposition and as a result it was amended with an amendment which at the time appeared to meet with the approval of all concerned.

Now I think if we can just go over this briefly. It places the Insurance Commissioner and his authorized representatives in the same category with constables, deputy sheriffs, sheriffs, Inland Fish and Game wardens, liquor inspectors or police officers while in the lawful discharge of their official duties.

Now under the law, the insurance commissioner is required under certain circumstances to make certain inspections. If anyone refuses to permit him to inspect, there is not much he can do about it. I don't think that this legislation is vicious in any manner and it merely confers upon the insurance commissioner or his authorized representative the same rights and privileges from assault and intimidation

as is conferred upon any officer of the law. I hope if you can see it in the same manner as I see it, you will not go along with the Senator from Franklin, Senator Butler.

Mr. REID of Kennebec: Mr. President and members of the Senate, I only recently had an opportunity to read the amendment and I want to make sure before I vote that I am right. When the original bill was called to my attention I was inclined to think it had a pretty heavy penalty for a very minor offense. As I read the amendment here, which I haven't read until just now, the entire original bill after the enacting clause is struck out and the only thing the bill now calls for is a penalty if an insurance commissioner or his authorized representative is either intimidated or assaulted and I am wondering if the Senator from Franklin, Senator Butler, objects to that amendment in that form.

The PRESIDENT: The Chair understands that the Senator from Kennebec, Senator Reid, asks a question through the Chair, of the Senator from Franklin, Senator Butler, who may answer the question if he cares to do so.

Mr. BUTLER of Franklin: Mr. President, answering the inquiry of Senator Reid of Kennebec, I would say that the bill does not add anything as has already been stated. It doesn't add a thing and why should we go through the motion of putting it on the books? I suppose the proponents of the measure must have thought it added something or they never would have presented it. The fact that it was not opposed at the hearing does not mean anything because perhaps there was someone sitting as I was sitting, just waiting to see if someone felt the same as I did.

I still feel that this is not good legislation and that is why I raise the issue at this time.

Thereupon, on motion by Mr. Reid of Kennebec, the bill was laid upon the table pending motion by the Senator from Franklin, Senator Butler that the bill be indefinitely postponed; and the matter was especially assigned for Tuesday, May 5.

On motion by Mr. Harding of Knox, the Senate voted to take from the table Divided House Report from the Committee on Judiciary; Majority Report "Ought Not to Pass" Minority Report "Ought to Pass" on Resolve Proposing an Amendment to the Constitution Providing for Two State Senators from Each County (H. P. 1170) (L. D. 1325) tabled by that Senator earlier in today's session pending consideration of the report.

Mr. HARDING: Mr. President, in looking around the Senate Chamber and seeing three senators from Kennebec County and three from Androscoggin, three from Aroostook, three from York, three from Penobscot, four from Cumberland, I have no delusions about what is going to happen to this resolve.

I do think it has merit. In order not to waste time I will not discuss those merits. However, I shall move that the Minority Report of the committee be accepted and I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Harding that the Minority "Ought to Pass" Report be accepted, and that Senator has requested a division.

A division of the Senate was had.

Twelve having voted in the affirmative and sixteen opposed, the motion did not prevail; and upon further motion by the same Senator, the Majority Report "Ought Not to Pass" was accepted in non-concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table House Report Ought to Pass as amended by Committee Amendment A from the Committee on Judiciary on bill, An Act Relating to Duties of the Parole Board (H. P. 824) (L. D. 855) tabled by that Senator on April 22 pending consideration of the report; and on further motion by the same Senator, the report of the committee was accepted, the bill read once, Committee Amendment A was read and adopted.

Mr. REID: Mr. President, I present Senate Amendment A to the

bill which takes care of the appropriation.

Thereupon, Senate Amendment A was adopted and under suspension of the rules, the bill was given its second reading and passed to be engrossed as amended by Senate Amendment A in non-concurrence.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to Salaries of Public Utilities Commission (H. P. 1211) (L. D. 1382) tabled by that Senator on April 9 pending passage to be enacted; and on further motion by

the same Senator, the Senate voted, under suspension of the rules, to reconsider its former action whereby the bill was passed to be engrossed; Senate Amendment A presented by the same Senator, was adopted, 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 Penobscot,

Adjourned until tomorrow morning at eight-thirty o'clock eastern standard time.