

# 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**

Tuesday, May 5, 1953

The Senate was called to order by the President.

Prayer by the Rev. Edwin W. Grilley, Jr., of Augusta.

Journal of yesterday read and approved.

**House Papers**

Bill "An Act Relating to Evidence of Intoxication." (H. P. 422) (L. D. 469)

(In Senate, on May 2nd, the Minority Report, "Ought Not to Pass," was accepted in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby the Majority Report "Ought to Pass" was accepted, and the bill passed to be engrossed.

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

**Joint Order**

ORDERED, the Senate concurring, that "An Act relating to Application of Plumbing Laws," (H. P. 1276) (L. D. 1512) be recalled to the House from the office of the Governor." (H. P. 1300)

On motion by Mr. Haskell of Penobscot, indefinitely postponed in non-concurrence.

Sent down for concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on "Resolve in Favor of Arthur Payson, of Brooks," (H. P. 1098) (L. D. 1232) reported that the Senate recede and concur with the House.

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

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting with Bow and Arrow in Penobscot County," (H. P. 64) (L. D. 60) reported the same in a new draft, (H. P. 1280) (L. D. 1516) under a new title, Bill "An Act Relating to Hunting with Bow and Arrow in Piscataquis County," and that the same ought to pass.

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

In the Senate, on motion by Mr. Wight of Penobscot, the report was accepted in concurrence, House Amendment A was read and adopted in concurrence, and the bill as so amended, under suspension of the rules was given its two several readings and on motion by Mr. Boucher of Androscoggin, was laid upon the table pending passage to be engrossed.

The Committee on Legal Affairs on Bill "An Act Relating to the Practice of Architecture," (H. P. 676) (L. D. 692) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment "B".

In the Senate, the report was read and accepted, House Amendment B was read and adopted and under suspension of the rules, the bill given its two several readings and passed to be engrossed as amended in concurrence.

The Committee on Legal Affairs on "Resolve, Authorizing the Towns of Porter, Parsonsfield and Cornish to Devise Formula for Cost of High School," (H. P. 839) (L. D. 878) reported the same in a new draft (H. P. 1297) (L. D. 1548) under a new title, Bill "An Act relating to a School District for the Towns of Porter, Parsonsfield, Cornish and Others," and that it ought to pass.

Which report was read and accepted in concurrence, and under suspension of the rules the Resolve was read twice and passed to be engrossed in concurrence.

The Committee on Taxation on Bill "An Act Relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax," (H. P. 944) (L. D. 986) reported that the same ought not to pass.

On motion by Mr. Boucher of Androscoggin, tabled pending consideration of the report and especially assigned for later in today's session.

The Committee on Highways on Resolve, in Favor of the Town of South Thomaston, (H. P. 726) (L.

D. 746) reported that the same ought not to pass.

Comes from the House, the resolve substituted for the report, and subsequently indefinitely postponed.

In the Senate, on motion by Mr. Robbins of Aroostook, indefinitely postponed in concurrence.

The Committee on Agriculture on Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes," (H. P. 1032) (L. D. 1168) reported the same in a new draft (H. P. 1284) (L. D. 1530) under the same title, and that it ought to pass.

Comes from the House, the bill and report indefinitely postponed.

In the Senate:

Mr. FULLER of Oxford: Mr. President, this is a bill which a large number of the milk producers of Maine have asked to have imposed upon themselves for the purpose of promoting and fostering the educational and research experimental program relating to the dairy industry. There is considerable concern among the dairymen in relation to the competition they are getting from dry milk products and from the rather large production of milk.

At the hearing the bill was supported by the Maine Dairymen's Association, by many of the locals connected with this state association including the Knox local, Caribou local, Maine Dairy Council, New England Milk Producers Association, and by a number of large milk producers in Maine.

New Hampshire and Vermont are currently considering legislation of this kind. Connecticut has a tax of three cents per hundred for the same purpose. It is the hope of the dairymen that with funds available from this tax that some cooperative process in research and advertising and experimentation can be accomplished. There was some opposition at the hearing from four members of the legislature, two of them milk producers and two representing other producers. The committee attempted to have a referendum clause attached to the bill and then discovered it was not in accordance with the Constitution, and

that it could not be passed in that manner.

Following that attempt, the interested milk producers urged that the bill be given a favorable report and on that basis it came out of Committee unanimously ought to pass. It was the intent of the committee and the understanding of the committee that if the tax were imposed it would be paid by the producers, a tax of two cents per hundred pounds of milk and returned to the Taxation Department by the handlers of milk and deducted from the check returned to the producers. That was the intent of the committee in making its favorable report.

If the Senate accepts the report, it is the intention of the committee that an amendment be added that will make it effective for just two years of the next biennium as a test in regard to the value of the tax and whether or not the producers wish to have it continued.

With that explanation, Mr. President, I move that the unanimous ought to pass report of the committee be accepted in non-concurrence.

Mr. PARKER of Piscataquis: Mr. President, I too, shall move that the Senate accept the report of the committee. I am rising simply to state that later on, after this amendment that has been suggested, is enacted, or rather is attached to the bill, I may have to oppose the bill, but at the present time I am going to go along with the motion of Senator Fuller.

Thereupon, the ought to pass report was accepted in non-concurrence and under suspension of the rules, the bill was given its two several readings.

On motion by Mr. Fuller of Oxford, tabled pending passage to be engrossed.

Bill "An Act Relating to Powers of Attorney General." (S. P. 172) (L. D. 438)

(In the Senate, on April 1, passed to be engrossed.)

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

In the Senate, on motion by Mr. Reid of Kennebec, tabled pending consideration.

Resolve Providing for Liberalization of Eligibility Requirements for Old Age Assistance. (S. P. 365) (L. D. 975)

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

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

In the Senate:

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, I rise to make the motion that we concur with the House but previous to that I would like to explain that to my mind this bill is one of the bills that I believe should have had passage in both branches. I know of nothing any more heart rending than the cases that have come to my attention in the last year for old age recipients that because of our inflated dollars, some of their dependent's earnings have risen slightly over the rules and regulations set up by our welfare department whereby their earnings are such that the Welfare Department removed these recipients from the list of those receiving benefits.

I know of a case in an adjoining town near mine of a man and woman who have been on the pension list for six or eight years. They are now seventy-five years old. The man's health, since being removed from the list, has got to the point where he may live another month, and it is caused, to my mind only from worry over the pension.

You and I are not bothered very much by income or expenses of living, but if our circumstances were such that it depended on a small amount of funds coming in each month, where you knew where every penny was going, and that was suddenly denied, when a person becomes seventy years old or older, it does something to him to have that removed.

This bill would have put back on the rolls around 750 cases, many of them like the one I described. It just doesn't seem possible to take care of those people but on the other hand, we raise money for any number of other projects that to my mind cannot compare with these. I just had to get this off my chest. I move the indefinite postponement of the bill.

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

The Committee on Appropriations and Financial Affairs on "Resolve, Providing for a Salary Increase for State Employees (H. P. 1164) (L. D. 1319) reported that the same ought not to pass.

Mr. HASKELL of Penobscot: Mr. President, in support of the committee report and just so there will be no confusion as to just what this really does, this is a \$5.00 a week bill that goes back to last July and would cost \$1,100,000 in excess of the bill provided for in the appropriation measure. I put that into the record in case someone might think somewhere along the line that we have confused the wage increase already granted in both branches.

The same Committee on "Resolve, in Favor of Addition to Chemical Engineering Building at University of Maine," (H. P. 88) (L. D. 92) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of Hampden Academy," (H. P. 137) (L. D. 137) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of the Town of Hermon," (H. P. 484) (L. D. 503) reported that the same ought not to pass.

The Committee on Liquor Control on Bill "An Act Relating to Entertainment in Licensed Premises," (H. P. 539) (L. D. 571) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and accepted in concurrence.

The Committee on Agriculture on Bill "An Act Relating to Assessment on Milk Dealers and Producers for Promotional Purposes," (H. P. 624) (L. D. 647) reported that the same ought to pass.

Which report was read and accepted in concurrence, and under suspension of the rules the bill was read twice and passed to be engrossed in concurrence.

The Committee on Judiciary on Bill "An Act Permitting Parole for Lifers After Thirty Years' Imprisonment," (H. P. 1168) (L. D. 1323) reported that the same out to pass as amended by Committee Amend-

ment "A". (Amendment Filing No. 257)

Mr. DOW of Franklin: Mr. President, it is not my intention to debate this bill but due to the fact that I have had considerable calls from constituents of mine in opposition to it I would like to go on record as opposing it, knowing full well that such opposition is a futile gesture in the face of a unanimous committee report of a committee composed of ten lawyers and the action previously taken in the House. The reason for the opposition in my county is due to the two or more cases which might be affected by the passage of this bill which the people in the county would hate very much to see go into effect in regard to those two or more cases. They feel that a man sentenced to life imprisonment is lucky that he has escaped with his life. They are afraid that the passage of a bill of this type might open the door to future legislatures which would further soften our penal law. It has been pointed out to me that several states do have this law which, as it is written, appears to me to be quite harmless but which does allow for an individual with a life sentence to be eligible for parole after thirty years. It is the wish of my constituents that I oppose this bill and for that reason I do so.

Mr. SQUIRE of Kennebec: Mr. President, strange as it may seem I have not talked with Senator Dow but I also have that feeling and I thought perhaps some member of the Judiciary Committee might more fully explain the bill. I am a little in doubt.

Mr. WARD of Penobscot: Mr. President, in connection with this bill, the wardens of the state prison appeared for it and a number of others. As I recall, the Commissioner was in attendance at this public hearing. I don't recall that he spoke for it but he certainly did not speak in opposition.

The measure would provide that persons serving life sentences might be eligible for parole provided such a person had never been convicted of any other capital crime. If the measure receives favorable consideration, it doesn't necessarily follow that every prisoner serving a life

sentence will be getting out. It would refer only to those who are carefully screened and those whom the parole board feel might make useful citizens. It was the unanimous opinion of the committee after hearing the matter, that it should receive favorable consideration.

Thereupon, the ought to pass report was accepted in concurrence, Committee Amendment A was read and adopted, and the bill, under suspension of the rules, was given its two several readings and passed to be engrossed in concurrence.

The Committee on Agriculture on Bill "An Act Limiting Milk Control to Producers," (H. P. 1033) (L. D. 1169) reported that the same ought not to pass.

Comes from the House, the bill and report indefinitely postponed.

In the Senate, on motion by Mr. Fuller of Oxford, indefinitely postponed in concurrence.

The Committee on Highways on Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns," (H. P. 1129) (L. D. 1280) reported that the same ought not to pass.

Comes from the House, the bill substituted for the Report, House Amendment "A" offered, and subsequently bill and amendment were indefinitely postponed.

In the Senate, on motion by Mr. Robbins of Aroostook, indefinitely postponed in concurrence.

At this time, the President appointed as Senate members of the Committee of Conference on the disagreeing action of the two bodies with respect to bill, An Act Relating to Evidence of Intoxication, (H. P. 422) (L. D. 469) Senators Ward of Penobscot, Harding of Knox and Broggi of York.

### Communication

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

May 4, 1953

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

The Speaker of the House today appointed the following Conferees

on the part of the House on the disagreeing action of the two branches of the Legislature on

Bill "An Act Relating to Evidence of Intoxication." (H. P. 422) (L. D. 469):

Messrs: TRAFTON of Auburn  
FULLER of Bangor  
STEWART of Portland

Respectfully

HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

Mr. BOUCHER of Androscoggin presented the following Order and moved its passage:

ORDERED, the House concurring, that H. P. 282, L. D. 279, bill, An Act Relating to Sales Tax on Isolated Sales of Automobiles be recalled from the legislative files to the Senate.

Mr. HASKELL of Penobscot: Mr. President, the pending question is the motion of the Senator from Androscoggin, Senator Boucher that the order have passage. I rise to speak against the measure, first asking whether it is true that passage of such an order would require a two-thirds vote, the measure having twice been turned down in this body.

The PRESIDENT: The Chair would answer the inquiry of the Senator by stating that the opinion of the Chair is that such action does not require a two-thirds vote.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, speaking to a motion that does not require a two-thirds vote, the casual sales bill when last before this body had as substantial arguments for it the fact that by the dealers own statements in the record I think, the casual sales device was being used on many occasions as a means of defeating the gross tax provision in the sales tax law. The estimated revenue which of course must be an estimate, was set up at \$150,000 under those conditions. I have been advised by the State Tax Assessor that the passage of the dealers bill would in fact substantially remove the revenue value that might have been the casual sales measure had we not passed the automobile bill. It is

perfectly obvious he is correct in that the dealers now do not have the competition of the casual sales made to avoid the net proposition that at least half of the profit has been taken out of such subterfuge.

The arguments that appeared to prevail in this branch were that we are adding a substantial number of Maine's citizens as debtors in some procedure unknown now to me, whereby they must deal either with the Motor Vehicle Registration Bureau or they must deal with the City and Town Clerks, or they must deal directly with the Sales Tax Division in picking up in \$2.00 and \$5.00 and \$10.00 taxes such taxes as they may be able to find in the casual deal operation. Of all the measures that seek to increase revenue, it seems to me that this is the most confusing one, the one most likely to bring heaps of criticism upon this legislature for some frenzied effort to find some money.

Now I have voted for other tax measures and I was particularly disappointed when the one clean cut tax measure, the one that is filled with equity and justice, namely, the one wherein the industrial lobby successfully avoided what I believe they stood up and agreed to the last session of the legislature as consideration for avoiding income tax and which measure I still think is the one filled with justice and equity. And the proposition such as this which seeks to revive lost costs by dumping onto the people of the State what I call a monstrosity which I am sure will be one of the most difficult taxes to ever fairly levy is a wrong proposition. Much better would it be that an order be introduced that would return to equity the distribution of general fund costs between individuals and corporations. But this one will come back to haunt you to a greater degree than when we dumped a 20% tax on an unsuspecting tobacco industry. This is a bad proposition from a procedural viewpoint. I believe that reviving it will result in completely inflated estimates of income. I think there are even more compelling reasons, having taken heart out of any income that might be in this bill by putting automobile sales on net, and I think that it

would be the height of selfishness for the motor vehicle industry having had the treatment it has in this legislature for seeking to further enhance their position in their industry by again dumping onto a casual sales deal in a tax measure that by its very nature exempts all other casual sales.

Only because I happen to know something about the utility industry, utility companies do take materials that have been sales tax paid and do make inter-company sales. The tax naturally does not apply. The items have been tax paid, but this proposition says that if I buy an automobile and pay the sales tax on it and I happen to make a casual sale to a friend or relative, having paid the sales tax, he must turn around and pay another sales tax. That's the same argument the auto industry wants to give to this legislature and those of you who bought the deal on that argument must view with alarm a bill that again brings that up and again creates that new inequity. Of all the things that might solve the few remaining problems that we have and there aren't too many of them, this one ought to be down at the bottom of the list, and I say that with all sincerity that I have.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I am very much surprised to see the majority leader opposing the recalling of that tax measure. He admits that he always voted taxes, I'll admit I never vote for taxes, I have always been against taxes, and to me I am not going after this bill for its tax value, but I'm going for this bill for the fairness of it. He calls it fair, and I differ in opinion with him because it is not fair, it is very bad. If the dealer who sells automobiles whose business it is to sell automobiles must pay a sales tax on whether it's used car or a new car, then the citizen who sells the car to another citizen should be in the same boat, he should pay a tax in all fairness.

I am going after this because I have been informed that there will be bootlegging. We have heard about bootlegging on liquor, you're going to have it in automobiles, that's what I have been told. That already small

operators are getting ready to sell used cars by individuals, they are furnished a car, they will re-sell it and there will be no sales tax on it. Again I say it is unfair. You are going to ask for bootlegging and that is what I am mostly concerned with is bootlegging of automobiles and the unfair part of the tax.

I have heard our majority leader cry wolf, complain how much we need the money, and I am dumb-founded this morning to hear him oppose a measure that might give the State of Maine \$100,000 or \$150,000 of revenue each year. That, I can't understand. The positions are reversed, if he was presenting that order and I was opposing it that would be the natural course of events. I am presenting it and he is opposing it, and that's reversed. He must be becoming a Democrat and I am turning into a Republican. Something is wrong as sure as the day is here. Either my thinking is wrong or the universe is going into reverse, I don't know which.

I fought the sales tax two years ago tooth and nail all through the session. I am still not reconciled with the sales tax, but if we must have a sales tax, and apparently we must, let's have it on a fair system, on a just system, not a sales tax for certain automobile dealers and let everybody else go scott free, but a sales tax on automobiles for everybody, whether I sell my car to one of you people in the Senate or whether you buy it from an automobile dealer, I say there should be a sales tax on it if you must have a sales tax, and apparently that's a must that existed after two years.

Again I repeat, watch out for bootlegging if you don't pass the casual sales tax on automobiles.

Now the Senator has brought out the fact that we have a casual sales tax on other merchandise, and if he wants to put an amendment to that bill to include that I'll go along with that, I'll buy that. I say to you let's have a fair sales tax. I went along with the net sales tax on automobiles, not because I like a sales tax but because I thought it was the fair thing to do that a man should pay on whatever amount of money he paid towards a new car, the actual cash, not the value of the car. I repeat to you that the dealer



whether he sells a new car or a second-hand car will charge you a sales tax because he must, but you and I doing a small business buy one car at a time and re-sell it and no sales tax. I'm telling you that I'll be tempted to go into the automobile business on that basis because I will have unfair competition against organized automobile salesmen.

I know and I feel that possibly later on I would want to amend the bill to use it purposely to pay the extra money to the elderly teachers. I can well recollect what brought this to my mind when the Senator from Androscoggin County, Senator Kavanagh, remarked this was available and could be very easily collected and her reasoning was very sound, because when they come to register that car they can collect the sales tax at the same time they collect the excise tax. And certainly I for one if this measure goes through would like to see that money applied to paying our elderly teachers another extra \$100 a year pension. I hate to bring this subject of elderly teachers into the picture but it is a must with me when I stop to realize the present pension is \$600 and we give the recipients under the welfare system \$660. I ask you members of the Senate what fairness there is in that? When a teacher spent all her life teaching for the sum of \$6 or \$7 or \$8 a week, then when she gets in her old age of 70, 75 or 80 we pay her the magnificent sum of \$600 a year as a pension. I say to you that it is unfair. I am talking not tax measures this morning, I am talking fairness, and I am asking you members of the Senate to go along with me to recall this measure so that we may have that money especially to pay an extra \$100 to the elderly teachers as a pension.

Mr. WARD of Penobscot: Mr. President and members of the Senate, as a matter of revenue I was happy to vote for I believe L. D. 1425 which would returned to the state a matter of nearly \$300,000 without any additional expense being involved in the matter of collection.

In connection with the casual sales, every state in the union which has a sales tax recognizes the im-

possibilities and heavy expense involved in attempting to tax casual sales. As far as I know without exception every state that has a sales tax exempts the casual sales. On the matter of revenue from this particular measure, I talked with the State Tax Assessor a matter of two months or more ago prior to the passage of the net sales tax bill and prior to the decision in the Senate in connection with the casual sales tax bill which we then had to consider, and the State Tax Assessor informed me at that time that the passage of the net sale price bill in connection with automobiles would practically eliminate the value of the casual sales bill as a revenue measure.

In connection with the elderly teachers which has been brought into this discussion, it is my understanding that we have now passed a bill which allows a \$100 increase and brings the top bracket up to \$900. It is also my understanding that at the present time practically all of the teachers who are receiving a pension under that provision of the law are teachers who are in this \$900 bracket. There are a few cases who would be in the \$800 or \$700 bracket, but practically all of them are in the \$900 caption. For that reason Mr. President, I move that the order be indefinitely postponed and I request that a division be taken.

Mr. CUMMINGS of Sagadahoc: Mr. President and members of the Senate, I expect to be very brief this morning. I have listened to the good Senator from Cumberland, Senator Chase, when he has told this honorable body that he was not at his very best when he discussed the subject of insurance, and I had great sympathy for him when he said that. I have always had the greatest respect as we all have for the good Senator from Penobscot, Senator Haskell, and I have listened to his logic with the greatest of respect. However I am mentally putting him in the same category with the Senator from Cumberland, when it comes to the question of automobiles. I suppose we all are bound to have some weakness in our armor, and evidently that is the weakness in the good Senator from Penobscot. I rise merely to make it

clear that I honestly believe that there is not an automobile dealer in the State of Maine that cares one iota whether we have the casual sales bill or not. I wish to state for the record that I had no idea that this order was to be introduced this morning. I have heard it discussed but it came as a complete surprise to me, and I want it have no feeling whatever for the passage of a casual sales bill. Envy or revenge to the general public when they sell an automobile is far from being in my mind or I believe in the mind of any other dealers in the state. There may be of course exceptions.

Now in listening to the logic of the good Senator from Penobscot, Senator Haskell, I feel that he was on logical grounds perhaps on the question of orderly procedure and to have the firm necessity for legislation, I would have no quarrel with that. I do feel that the casual sales could be enforced without one penny of expense to the State of Maine. I am speaking in regard to the casual sales strictly in regard to automobiles. I can see it would be a very wide subject if it was opened up generally, so I do not know exactly where I stand on this particular proposition, because I feel that the basic part of the proposition in regard to taxing automobiles sold casually is sound. Whether it is good logic for this body to entertain this order at this late stage of the session is a problem for the general body to decide.

I have nothing further to say except to re-emphasize the fact to all of you that do not consider this in any way an automobile dealer bill. The automobile dealers are very happy with the great treatment that they have received from this legislature. We ask for nothing more. If this body insists on taxing the casual sales as a revenue producing measure that is perfectly acceptable to us. If you do not we are in exactly the same position.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, I think the other day when I spoke for the old teachers that most of the Senators here seemed to feel that if they did have the money they would be

very happy to give the old teachers that extra \$100 which they rightfully deserve, and seeing that there is a possibility of recalling this bill I think to be consistent we should recall it and then vote on it and pay these old teachers the \$100 which is rightfully theirs.

Mr. CUMMINGS of Sagadahoc: Mr. President, if I may, I would like to place a question through the Chair to the Senator from Aroostook, Senator Collins.

The PRESIDENT: The Senator may ask his question.

Mr. CUMMINGS of Sagadahoc: I would like to ask the Senator if he believes that this bill is necessary for the general fund revenue of the state or if there are other tax revenue bills in the offing which might accomplish the same purpose?

Mr. COLLINS of Aroostook: I don't know of any definite revenue measure that is before either body at the present time that seems to have much chance of passing. The only one I know—I would refer that question to the Committee on Taxation, they might be better informed. I might say that I will have an order to present a little later and if the order is carried by means of it we will present to the Senate at a little later date the expenditures that will be required, but as far as additional revenue at the present moment I have no knowledge.

Mr. CHASE of Cumberland: Mr. President, the Committee on Taxation filed its final report and I hope that the members thereof from now on will vote their individual convictions on any issue of financial problems which may be before the Senate.

With respect to the possibility for raising additional revenue, since that problem has here been suggested, there is a bill in the house which would tax domestic coal and oil. At the present time coal and oil are exempt while gas and electricity used for the same purpose are taxed. There is inequity there. That bill which carried an ought not to pass report of the Committee would if revived, raise approximately \$300,000. I imagine it would cost 75,000 families about

\$4.00 a piece for the year and it would remove the inequity which cannot practically be removed in the other direction by extending gas and electricity used for heating and cooking the same exemption. Speaking only as an individual if the Senate does wish to revive any measure for raising revenue I would think that the fairest proposition, the most equitable proposition which could be put forward would be to tax domestic coal and oil under a bill which still has a vital spark in it and would revise the manufacturers, provided of course I would hope if that were done the legislature would not spend all the money but would leave some cushion in the general fund which I think it should have.

The **PRESIDENT**: The question before the Senate is on the motion of the Senator from Penobscot, Senator Ward, that the order be indefinitely postponed and that Senator requested a division.

A division of the Senate was had.

Twenty-three having voted in the affirmative and eight opposed, the Order was indefinitely postponed.

On motion by Mr. Collins of Aroostook, it was

**ORDERED**, that the Senate members of the Committee on Appropriations and Financial Affairs do forthwith present to the Senate a tabulation that shows the general fund measures still under consideration, with the yearly cost to be indicated for each item. The Senators may, if they desire, give some indication as to their convictions as to the relative merits of each item so tabulated.

#### Enactors

Bill "An Act Creating a Division of Indian Affairs." (H. P. 245) (L. D. 226)

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

Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law." (H. P. 428) (L. D. 475)

Bill "An Act Amending Law on Ferry Between Beals and Jonesport." (H. P. 443) (L. D. 487)

Bill "An Act Relating to Charges for Medical Examination by Applicants for Employment." (H. P. 659) (L. D. 702)

Bill "An Act to Incorporate the Saco Sanitary District." (H. P. 845) (L. D. 949)

Bill "An Act to Grant a New Charter to the City of Hallowell." (H. P. 1105) (L. D. 1241)

Bill "An Act Relating to Expenditure of Potato Tax Funds." (H. P. 1253) (L. D. 1462)

Bill "An Act to Include the Typing of Blood in Prenatal Examination." (H. P. 1274) (L. D. 1510)

Bill "An Act Relating to Election of Members of School Board in Town of Camden." (H. P. 1282) (L. D. 1522)

Bill "An Act to Provide Additional State Office Space." (H. P. 1285) (L. D. 1533)

"Resolve, in Favor of Rodolphe H. Morais, of South China." (H. P. 498) (L. D. 1354)

Bill "An Act Relating to Elderly Teachers' Pensions." (S. P. 49) (L. D. 77)

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

Bill "An Act Relating to Retirement of Policemen Under Maine State Retirement Law." (S. P. 79) (L. D. 187)

Bill "An Act Relating to Pensions for Dependents of Deceased Officers of State Police." (S. P. 114) (L. D. 310)

Bill "An Act to Incorporate the Portland Investment Co." (S. P. 206) (L. D. 539)

Bill "An Act to Incorporate the Fidelity Finance Company." (S. P. 302) (L. D. 918)

Bill "An Act to Incorporate the Union Finance Company of Maine." (S. P. 310) (L. D. 923)

Bill "An Act to Incorporate the Union Loan Company of Maine." (S. P. 311) (L. D. 924)

Bill "An Act Relating to Line Budget for County Estimates." (S. P. 335) (L. D. 840)

(On motion by Mr. Reid of Kennebec, tabled pending enactment.)

Bill "An Act Relating to Membership in State Retirement System." (S. P. 374) (L. D. 1037)

Bill "An Act Relating to Membership on the Maine School Building Authority." (S. P. 442) (L. D. 1152)

Bill "An Act to Provide for the Approval of Degree-Granting Institutions." (S. P. 464) (L. D. 1299)

Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine." (S. P. 527) (L. D. 1423)

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

"Resolve, in Favor of George S. Bradbury, of West Franklin." (S. P. 998) (L. D. 233)

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

"Resolve, in Favor of Frank B. Adams of Thomaston." (S. P. 112) (L. D. 313)

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

"Resolve, in Favor of Vera A. Gordon, of West Sullivan." (S. P. 130) (L. D. 339)

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

"Resolve, in Favor of a Retirement Allowance for Gertrude E. Durost of Mars Hill." (S. P. 450) (L. D. 1268)

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

"Resolve, in Favor of a Retirement Allowance for Harriet McClaskey of South Portland." (S. P. 451) (L. D. 1266)

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

"Resolve, in Favor of a Retirement Allowance for Donald Mathson of Freedom." (S. P. 452) (L. D. 1267)

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

"Resolve, in Favor of a Retirement Allowance for Annie Pierce of Weeks Mills." (S. P. 453) (L. D. 1265)

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

"Resolve, in Favor of Althea C. Ward, of Augusta." (S. P. 473) (L. D. 1295)

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

"Resolve, in Favor of Edward Alvin Hodsdon, of Presque Isle." (S. P. 548) (L. D. 1463)

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

"Resolve, in Favor of Mrs. Ruth Spear Sturtevant, of Rockland." (S. P. 597)

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

"Resolve, Providing for State Pension for Rose LaPointe of Turner." (S. P. 601)

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

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

#### Emergency Measures

Bill "An Act to Make Allocations from the Department of Inland Fisheries and Game Receipts for the Fiscal Years Ending June 30, 1954 and June 30, 1955." (S. P. 595) (L. D. 1540)

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

#### Emergency

"Resolve, Providing for Certain Construction at Portland Municipal Airport." (S. P. 553) (L. D. 1486)

Which resolve being an emergency measure, and having received the affirmative vote of 30 members of the Senate, and none opposed was finally passed.

Bill "An Act Relating to Expenditures of Town Road Improvement Fund." (H. P. 642) (L. D. 657)

Which was passed to be enacted.

The PRESIDENT: The Senator from Kennebec, Senator Tabb has called the attention of the Chair to the fact that there is in the Senate Chamber today, a group of girls from the Hi-Tri-Y Club of Winthrop High School. In behalf of the Senate, we welcome you and hope that you have an enjoyable and instructive day.

#### Orders of the Day

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 the Senator from Cumberland, Senator Weeks, on May 4 pending passage to be engrossed; and on motion by the same Senator, the bill was retabled pending passage to be engrossed, and especially assigned as the first order of business this afternoon.

The President laid before the Senate, bill, An Act Relating to Inspections by the Insurance Commissioner (S. P. 290) (L. D. 825) tabled on May 4 by the Senator from Kennebec, Senator Reid, pending motion by Senator Butler of Franklin that the bill be indefinitely postponed.

Mr. DENNETT of York: Mr. President, in case there is any doubt, I don't have a real, distinct interest in this bill but at the same time I will reiterate the statement made last night that I can see nothing harmful in the bill. It merely places the insurance commissioner and his agent under the general provision of the law which takes care of constables, fish and game wardens, coastal wardens, etc. It is my general understanding that even the penalty for assault and battery on an individual or civilian who has no connection with the law, is as much or exceeds the amount set forth in this bill. I still can see no reason for the indefinite postponement of the measure.

Mr. BUTLER of Franklin: Mr. President, the bill as originally presented, was on the part of the desire, perhaps of the expert officers for a bit of additional privilege or right which they felt they are entitled to have. The bill came out as amended, putting them on the same plane as other officers. They are not officers but simply a branch of our government and under that they have a right to do certain things. There is no need for this. It is unnecessary legislation. Why clutter up our books? In so far as protection is concerned, if our local inspectors are fully cognizant of their rights and gain nothing by this, and nothing are they going to gain, then we do not need it. The bill simply puts the inspectors from the insurance department, Mr. Flynn and those working in conjunction with him, and protects them if they get a little rambunctious in the enforce-

ment of their duties. We feel that they are already protected and do not need further protection.

Mr. CUMMINGS of Sagadahoc: Mr. President, as a member of the Business Legislation Committee, I think I should come to the rescue of my colleague, Senator Dennett of York. There was some discussion as to whether this bill is necessary. The insurance commissioner felt that this is necessary legislation. The insurance commission is an important part of our state enforcement agency. I believe that if we have any confidence in our state department we should certainly give them the power which they believe they deserve and need. They are being given no powers under this, which are unusual or extreme and there has been no evidence presented that they have ever usurped additional power. I think we should oppose the motion to indefinitely postpone.

Mr. BUTLER: Mr. President, all that has been said may be true but so far we have implicated in other measures, a desire for home rule, and this is an illustration of where we are going to overcome home rule and supplant home rule by giving greater authority to centralization here in Augusta. If we are going to maintain that which we believe in fundamentally, then let us be consistent and not pass out to the officials which have been elected or appointed by us here in Augusta, such additional authority.

Mr. DENNETT of York: Mr. President and members of the Senate, I disagree most wholeheartedly with Senator Butler. As an exponent of home rule and having stood in this Senate many times I would be one of the last ones who would attempt to defeat home rule. I do not think that the principles of home rule enter into this at all and I don't think it is an attempt by the insurance commissioner or his agents to throw their weight around. When the vote is taken, I ask for a division.

Mr. WEEKS of Cumberland: Mr. President, as I analyze this amendment, which in effect is now the bill, it merely gives additional protection that other law enforcement officers have. I have been in several boarding homes where old people

are confined. There is one place which is somewhat reluctant to have inspectors come in. You have to give notice in advance so that they have an opportunity to make the place presentable. And at times there is great difficulty in gaining access to the premises. I certainly feel that this is needed and the motion to indefinitely postpone should not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the bill be indefinitely postponed.

A division of the Senate was had.

Five having voted in the affirmative and twenty-six opposed, the motion to indefinitely postpone did not prevail.

On motion by Mr. Fuller of Oxford, the Senate voted to take from the table bill, An Act Imposing a Tax on Milk Producers for Promotional Purposes, (H. P. 1284) (L. D. 1530) tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator, Senate Amendment A was presented, and adopted without reading.

Thereupon, on motion by Mr. Parker of Piscataquis, the bill was laid upon the table pending passage to be engrossed, and was especially assigned for Wednesday, May 6th.

On motion by Mr. Fuller of Oxford, the Senate voted to take from the table bill, An Act Relating to Education in Unorganized Territory (S. P. 448) (L. D. 1262) tabled by that Senator on April 29 pending consideration.

Mr. FULLER of Oxford: Mr. President and members of the Senate, I really feel that I am not adequately prepared to do justice to the bill which in the minds of many is the most important that was heard before the Committee of Education during the present session. It relates to the fund for schooling in unorganized territory, and would add to that fund money for the purpose of assisting in the transporting of secondary school pupils from the unorganized territory to schools available.

It is found that there is a situation existing in which pupils in order to attend secondary schools

are being transported at their own expense to distances up to 43 miles each way each day. That cost is being borne by the families of these students as long as they can possibly do so. There are families which are rather low in economic status and high in the number of children who might attend school. They in some instances take turns in this way that one will go and his transportation costs will be paid until another in the family, another child becomes of high school age when the first one will drop out and the second one will continue until the third and so on.

In some instances the secondary schools have allowed bills to continue unpaid up to a considerable amount in order that the students involved might continue and have lost considerable money in that way. Particularly some of our private schools that are having difficulty in paying their bills. In other instances we find that established bus routes do not reach to the location of prospective high school students and those students are not attending high school at all. We shall hear considerable about principles I expect before the debate ends. To me it is the principle of extending to the students, respective students in unorganized territories the matter of equal educational opportunity. It is of concern that it is not possible that all of the boys and girls in our state, whether in organized or unorganized territories, do not have a chance to attend secondary schools.

The fund, and here we find the stumbling block, would need to be increased in the opinion of Mr. McMonagle who supervises this part of our State educational system, to the amount of \$20,000 each year of the biennium in order to effect the changes in transportation that would be needed to meet the problem.

I believe that I should repeat that in the minds of many, not only the Committee of Education, but your Commissioner of Education and Mr. McMonagle and the school principals who are concerned with the instruction of these boys and girls that it is the most important educational bill that we have had

face this session. With that I will subside.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this is another Chapter 37 deal and even though we had substantial sums available for appropriation it would be pretty well down the list if I were privileged to make up a personal list of bills that were deserving. I don't for a minute feel that educational opportunities shouldn't be given to the children in the unorganized territories. As evidence of that I would have you note that the department requested roughly \$270,000 a year in state funds, the Governor's budget reduced it to approximately \$220,000 in state funds. The first blush of the appropriation measure restored 100% of that cut, and even in that effort to go back to the Governor's budget I participated as effectively as I could in salvaging something over \$30,000 for Mr. McMonagle in the job he is doing in the unorganized townships. It's a problem and he is doing a grand job. Now this bill seeks to amend the '45 law which provided that wherever an unorganized town is an island community the state shall pay the transportation costs of the youngster onto the mainland or in lieu thereof board him, thereby giving him mainland educational opportunities, and each year the legislature had an appropriation that some of you may have wondered about, and it is always called "education of island children." That is the historical background of that particular appropriation in the appropriation now, and this bill in no way affects it.

When a town gives up its charter and goes back to unorganized status, the whole deal with respect to the cost of services in that town changes and I think without doubt the change is one in favor of operating expense at the local level and against expense at the state level and that is as it should be. The state takes over lock, stock and barrel, the operating costs of schools in the unorganized town. We have set up working capital funds whereby school facilities may be improved and bettered. Now if we embark upon this proposition we are saying that no longer shall

either the individual or the taxpayer in the town that is deorganized be responsible even for the transportation of the school children.

As a matter of principle I believe that this is a very substantial step toward a condition where we will make it altogether too attractive for the town to give up its charter and come over on the state.

I don't want to view it with alarm and point out that this will push any struggling town over the border and back onto the state, but \$20,000 spread around relatively few communities will certainly be pretty attractive bait for still more towns to give up their charters.

How much better it would be to look this right in the eye and say, "Here, when you shifted from organized to deorganized status, you freed yourselves as land owners and property owners of some pretty substantial burdens."

It seems to me that if you don't attack the problem, bills like this are going to make more and more towns go into deorganized status, and create more and more problems of state government taking over functions that I have heard almost every member of this Senate say should be solved at the local level. To me that is the principle involved in this bill.

Mr. BROGGI of York: Mr. President, to say that education has not been treated kindly by this session would be an understatement and I would be most ungrateful to make such a statement. Because of the fact that the appropriations committee or rare occasions vote with their hearts instead of their heads, we have a new dormitory at Gorham, new science building at Farmington more liberal requirements for teachers, considering a new minimum salary bill for teachers, approximately a million dollars increase for state subsidy for schools, new dormitory for the state university, enough educational funds for the state university so that they will not have to raise tuition. We have enough educational funds for unorganized territories and increased funds for operation of the teachers colleges. I think these things add up to the fact that education has been used very kindly.

This particular bill involves many youngsters in the unorganized territory who in order to go to high school, must travel some 43 miles a day. The mortality rate in the secondary schools in these sections of our state runs as high as 40%. In Sanford, Bangor and other such places, it is under 1%. It would alarm anyone interested in education to see a 40% mortality in secondary education.

Some of us who live in the larger communities are willing to pay state funds to which we contribute, to see that these youngsters get these advantages, even though the advantages of this sort are not asked for or needed for our own youth. I consider this a service to a bunch of kids who want a high school education and I certainly hope that the motion of Senator Fuller prevails.

Mr. FULLER: Mr. President, I don't recall that I made a motion but if there is one to be made I would like to make it. I would just say that it seems to me that this is just another case of Nero fiddling while Rome burns, if we as a legislature will sit here and draw these red herrings across the face of the matter and these youngsters who can not wait too long, are not getting an education. I do appreciate that there is a large red herring, and that is the lack of funds. I will make the pending motion.

Mr. HANSON: Mr. President, I have the utmost respect for the principles of the Senator from Penobscot, Senator Haskell, but I believe sometimes that we sometimes find a loophole. I believe that the Senator told us that we were a subsidy to the great land owners in deorganized territory. I certainly believe that, but would not it be a step to bring these land owners to appreciate their obligations to a few people who are indigent to that part of the country for many years: The state move ahead, show them their moral responsibility and produce for these boys and girls what the need for education and then go back and get the taxes from the land owners later on.

Thereupon, the rules were suspended and the Senate voted to reconsider its former action whereby it adopted Committee Amendment

A and further voted to indefinitely postpone committee Amendment A in concurrence.

Mr. HASKELL: Mr. President, understanding that the motions which have been gavelled through, relate only to the confusion on the amendment. It was first in the appropriation measure for one year and then was an appropriation from unappropriated surplus and now you have the bill back in good shape, I think so that we have an appropriation of \$20,000 a year out of the general fund and I still think the title of the bill should be, "The fund to encourage towns to deorganize" but I won't stress that point. In order that there may be a division on the main issue, if the Senator from Oxford, Senator Fuller, does not object, I would move that the bill be indefinitely postponed and when the vote is taken I would like to take my beating by a division.

A division of the Senate was had.

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

Thereupon, the bill as amended by Senate Amendment B was passed to be engrossed in concurrence.

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

Mr. BOUCHER: Mr. President and members of the Senate, during the course of Sunday, I had occasion to read a certain newspaper from Portland. I always read that paper because I am interested to find out what they have to say about Maine Politics. This time I was quite disconcerted because I think there was a false statement made. The article starts by saying that the beer lobby hurts Haskell. I imagine they are referring to our Majority Floor Leader. I have no objection to that, in fact I thought it was all right so long as they were trying to set Senator Haskell where he belongs it was all right with me, but I do object to the last part where it took the so-called three musketeers apart. It said, "While on the subject of beer lobby, it was extremely noticeable to me how jubilant the three musketeers were after they had led the fight to defeat the non-returnable malt



liquor bottle bill. These three Senators, Boucher, Dennett and Tabb, are members of the Liquor Control Committee. They have championed many wet bills in the Senate. They openly join with the beer lobby in celebrating the defeat of non-returnable bottles, the minute the fight was won."

I think the writer of this article missed the boat. He missed the fact that one of our members, Senator Tabb, was caught, when two members of the committee had agreed not to speak on the matter and Senator Tabb was left high and dry holding the bag. Apparently Senator Parker was giving him a lot of fight, so much so that our good Senator Tabb had the "wigwams" and finally I decided that I could no longer stay put but had to get up and tell the Senate what I had to say. Senator did not even speak. He stayed put as he had agreed to. Probably I should have let Senator Tabb wiggle out of it by himself, but I didn't.

I further want to defy anyone to find one liquor bill with my name on it. I did not introduce one liquor bill and I never have introduced a liquor bill, either dry or wet.

On motion by Mr. Haskell of Penobscot, recessed until one-thirty o'clock this afternoon, eastern standard time.

#### After Recess

The Senate was called to order by the President.

The President laid before the Senate, bill, An Act Relating to Pari-Mutuel Pool Contributions and Night Running Racing (L. D. 1064) tabled by the Senator from Cumberland, Senator Weeks earlier in today's session pending passage to be engrossed, and on motion by Mr. Dennett of York, the bill was passed to be engrossed.

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

Bill, An Act Relating to Inspection by the Insurance Commission (S. P. 290) (L. D. 825).

Comes from the House, having been passed to be enacted.

In the Senate, the bill was passed to be enacted.

Mr. BROGGI of York: Mr. President, may I inquire if L. D. 83 is in the possession of the Senate?

The PRESIDENT: The Chair will state in answer to the inquiry that bill, An Act Relating to Certain Tax Exemptions for Amputee Veterans (S. P. 55) (L. D. 83) is in the possession of the Senate.

Thereupon, on motion by Mr. Broggi of York, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; Committee Amendment A was indefinitely postponed, and the bill, as amended by Senate Amendment A and Senate Amendment B was passed to be engrossed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, An Act Relating to the State Personnel Board (H. P. 654) (L. D. 697) tabled by that Senator on April 29 pending passage to be enacted; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. COLLINS of Aroostook: Mr. President, I now submit Senate Amendment A and move its adoption. I would say that the purpose of the amendment is to put an appropriation in the bill. It is the hope of the committee on Appropriations that by putting the appropriation into the various bills, that we can do away with any supplemental bill at all. For that reason the appropriations have to be put into the various bills.

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

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, bill, An Act Relating to Organization of Police Department of the City of Lewiston (H. P. 1052) (L. D. 1193) tabled by that Senator on May 4 pending motion by the Senator from Androscoggin, Senator Foucher, that the bill be indefinitely postponed.

Mr. BOUCHER of Androscoggin: Mr. President, apparently between the recommitment of this bill to Legal Affairs and the return of the bill to the Senate, an amendment

was lost in the shuffle. It now has been found and the bill is acceptable to me in its new form. I yield to the Senator from Cumberland, Senator Chapman, the Chairman of the Legal Affairs Committee.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, taking no responsibility for the item lost in the shuffle, concurring with the Senator from Androscoggin, Senator Boucher, I do have Senate Amendment A to present to the bill, and for that purpose, I first move the indefinite postponement of Committee Amendment A, to the bill.

Thereupon, on motion by Mr. Chapman of Cumberland, the bill was laid upon the table pending consideration.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Relating to Line Budget for County Estimates (S. P. 335) (L. D. 840) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. REID of Kennebec: Mr. President, this bill as originally drawn applied to all counties in the state, and I understand that there is objection to it in that form. There is an amendment which makes it apply only to Androscoggin County and I know that my county is opposed to the bill even with the amendment.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, this bill was originally a statewide bill. If you will recollect, it came in "Ought Not to Pass". I offered an amendment to make it apply only to Androscoggin County and at that time this Body went along with it on the first and second reading and engrossment to go along with me for Androscoggin County. It went into the other Body and had the same treatment, went through its three readings, engrossment and enactment in there and now it is back here as an enactor.

I want to point out that my county is one of the few counties where both parties are about equally divided. We have agreed among ourselves, both Republicans and Democrats, that this is good for

Androscoggin County. The Chairman of our County Taxes is a member of the House and a Republican, and he appointed with my sanction, a committee to go over the budget for Androscoggin County during this session. The net result was that by budget lining we came out with \$80,000 to the good, gross. In other words, Androscoggin was going to save about \$80,000 in two years. The other counties can do as they please but we want this bill to go through and I hope the Senate will go along with us.

Thereupon, the bill was passed to be enacted.

On motion by Mr. Weeks of Cumberland, the Senate voted to reconsider its action taken a few minutes ago, whereby it passed to be engrossed, bill, An Act Relating to Pari-Mutuel Pool Contributions and Night Running Racing (L. D. 1064).

Mr. HASKELL of Penobscot: Mr. President, I do appreciate the courtesy extended to me by the Senator from Cumberland, Senator Weeks. I assure the Senate that my remarks will be brief. This bill as every member of this Senate knows, relates to the dispute between the Scarboroughs and the Gorhams. In this particular stage of the legislature there is no doubt in my mind that the Scarboroughs have beaten the Gorhams. It happens that at the last three sessions, I voted for the Scarboroughs. This time I am voting with the Gorhams, and that is consistent with some of my votes.

I would like to offer an amendment and have a division on it that will settle one simple question. I do not think it relates to the question of whether the Scarboroughs beat the Gorhams or not. It simply is a question of whether or not, all of us being reconciled to the fact that the public is going to be taken for another \$50,000 and whether we want that \$50,000 to go into better purses at the fairs, better exhibits at the fairs or better operating statements of the fairs, or whether that same \$50,000 should go into the general fund to give to this legislature in its closing days, \$50,000 a year leeway which I think I can assure the Senate is going to be badly needed.

The acceptance of the bill, to speak on the other side of the proposition will deny to the fairs this extra \$50,000 of stipend money. I am not vindictive in offering this amendment. I speak exactly as I spoke when the main issue was settled. My interest in the thing is seeing to it that the general fund has the most protection it possibly can have.

I am not going to speak of such things as an unholy alliance—that is all past history. There is in front of you, members of the Senate, this afternoon, \$50,000 a year in general fund revenue and you have a great opportunity to state whether you want that to be appropriated to the fairs or whether you prefer it to be made available to such of those projects as must be defeated if we are going to have a balanced budget.

The amendment doesn't in any way take from the glory of the Scarboroughs their victory over the Gorhams but it would put the income resulting from this new tax on the public to a use that I think is more meritorious than additional subsidy to the fairs and I assure you, even to the extent of pledging my vote on the record, to support the victory, if need be, of the Scarboroughs over the Gorhams.

I present Senate Amendment A and move its adoption.

Mr. DENNETT of York: Mr. President and members of the Senate I rise in opposition to the adoption of the amendment presented by the Senator from Penobscot, Senator Haskell. In his usual manner, the Senator from Penobscot has presented this amendment in a wonderful way. It really sounds pretty good, and as is usual, I rise with fear and trembling when I oppose him. However, I think the members of the Senate should know to what purposes this so-called stipend accrues. It goes, of course, to the agricultural fairs in the State of Maine in support of the Future Farmers of 43 schools and 45 instructors; it goes to the 4-H boys and girls and in 1952, 5,363 of them engaged in 7,764 projects of which 95% were exhibits at the agricultural fairs. The fairs have a minimum of \$10,500 in cash prizes with many agricultural premiums by all the agricultural fair associa-

tions. Another thing, and this is not arguing either the pros or cons of Scarborough vs. Gorham but I think it was quite well brought forth in the debate of the other evening that as a result, if this bill should pass there would be possibly from \$100 to \$200 thousand — the amount is really unknown exactly — but it is considerably in excess of \$50,000 that would accrue to the general fund through payment of taxes.

I think it really unnecessary at this time to introduce this amendment. I appeal to you for the benefit of the agricultural fairs and the rural population of the State of Maine not to support this amendment.

Mr. FULLER of Oxford: Mr. President and members of the Senate, I rise in opposition to this amendment. I believe that in addition to the very important educational feature of the fairs, which is of considerable proportion, is creating a great deal of interest among the young people,—I have a daughter who takes part in this program and I feel sure it is one of the highlights of the year for her when she can exhibit her graham muffins or her dresses or aprons at the several fairs.

Our county fair associations are of considerable of a tradition here in Maine. They are of long standing, beginning in 1937 with the formation of the Kennebec Agricultural Association. A major prize was offered, a grand premium of \$50 for the best feed horse kept in Maine for six months preceding said show. That fair was incorporated under the laws of Massachusetts and when Maine became a state it was made the Maine Agricultural Society and had two exhibitions and then went the way of many later fairs. That was because of inability to finance its program.

I think socially it attracts quite a number of out of state visitors who plan their vacations to coincide with the county fairs. I submit to you that the social values of the Franklin County fair where at least once a year many of the people up in the northern part of that county are able to come down and rub elbows with the people of Farmington.

Now why, because of these purposes and objectives do the fairs seek additional help through an increased stipend? I think that the point is obvious to many that the cost to fairs has increased materially, that they are struggling for existence, that there is considerable competition and that it all resolves into the point of whether or not the objectives of the fair associations are worthy of continuance and extra support. I hope that the amendment does not receive a passage.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, I feel I should offer my opposition to this amendment because within the last few days I have had occasion to examine the statutes in regard to what takes place with the 15% of the pari mutuel income at both our running and harness tracks. I think I am correct in saying that 5% of the take is now going to the general fund of the state, in the case of the running races and 10% to the fair organization. And under the proposed running race bill,  $\frac{1}{2}$  of 1% which would make 15½% take would be allocated to the fair stipend fund. I hope I have made it clear that 5% is going to the general fund and why should the running race allocate a half of 1% to the fair stipend? I believe for this reason. They are taking up much of the time that is available to the fairs, also they are using a lot of the revenue that would come into the fairs ordinarily in their attendance and admittance fees. For that reason I can see no logical reason why one half of one percent should not go to the fairs for the various projects.

Now just a little further in this same thought. The harness racers in the state will still be contributing to the fairs one half of one percent and to give them what is due them, they are taking this one half of one percent out of their portion of the take, and not out of the public.

Mr. HASKELL: Mr. President, I certainly do not want to pursue the point, and I am very hopeful that you will accept as entirely sincere my desire not to becloud the issue between the Scarboroughs and the Gorhams. I am reconciled to that. The proposition I lay before

you is simple. The stipend fund, if it were an appropriation and in the appropriation measure would have just as many dollars in it for the next biennium as for this. It would have increases as the sucker money increases and it would do the same thing. I recognize its value to the future farmers program, the home makers' program and it is fine, but the proposition is whether we are going to increase the state appropriation for that service. We are going to take in money out of the public and we have said, "Let's hold existing services about where they are." Now here is an opportunity right in front of us to finance some new services. Do you want it? It is as simple as that. Frankly I do. I don't want to go home having denied some of these things. The issue is very clear. Adopt this amendment and you take \$50,000 for some of these bills that we all want to pass; deny it and you increase the appropriation to the fairs.

Mr. BOUCHER: Mr. President, I would just like to tell the Senator from Penobscot, Senator Haskell, that I am wondering if this is a dissolving of the unholy alliance we heard about the other night.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell that the Senate adopt Senate Amendment A.

Mr. PARKER: Mr. President, I request a division.

A division of the Senate was had.

Eleven having voted in the affirmative and twenty-one opposed, the motion to adopt Senate Amendment A did not prevail.

Thereupon, the bill was passed to be engrossed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Report from the Committee of Conference on Resolve in Favor of Bosworth Memorial Association (H. P. 23) (L. D. 18), 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; tabled on May 4th by that Senator, pending motion

by Senator Reid of Kennebec that the Conference Committee report be accepted.

Mr. HASKELL of Penobscot: Mr. President and Members of the Senate, this certainly is not a major bill. I do not think it involves any particular major principle and it does not involve any money from general funds. It involves \$5,000 from unappropriated surplus. The bill was heard by the Committee on Appropriations. Nine members report that it ought not to pass and the tenth member said, "I must sign a minority report and I hope the bill is defeated." The problem is very simple. A very deserving member of a very deserving cause came before the committee and said that a G. A. R. Hall in Cumberland County—I think it was Portland but it might be South Portland—doesn't have sufficient funds to make necessary repairs on the G. A. R. home and therefore they hoped that the state would appropriate \$5,000 to aid in repairing the home. They told us that in the home were certain Civil War relics and it was a desirable case and we ought to pass it.

The committee discussed it in executive session and with the exception of the tenth member we concluded that if we accepted as a principle the proposition that the state would go into major repairs on G. A. R. Halls or other types of homes such as this, it would make just another Ricker and we thought that good common sense indicated that we ought to leave the door closed and that is why the report was brought in as it was. That is why I assume that the committee report went under the hammer in the Senate. It is with these comments that I oppose the motion of the Senator from Kennebec that the Conference Committee report be accepted.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, the story that the Senator from Penobscot has told you is true in part, but he did not tell you that the bill was recommitted to the committee and in that instance a split report was put out in which, I think, four or five of

the House members signed an ought to pass report. In the Committee on Conference, the matter was brought before the committee and at that time the plea of the House members regarding the house relics and the other treasures of the Civil War that are in the building, was brought to the attention of the committee and we felt that if a conference committee could possibly make a compromise, that here was an opportunity to do so. And for that reason we did make that recommendation.

This does not involve a vast amount of money. It was our impression that it would not be a recurring item and for that reason the conference committee reported out as it did.

Mr. REID of Kennebec: Mr. President, until I became a member of the Conference Committee I did not know too much about this measure. I did not even know I was on the conference committee but I found it out and although the measure went under the gavel in the Senate, the House insisted—one member in particular was extremely anxious that these relics housed in South Portland, be protected. As I understand it, the principal difficulty is a roof very badly in need of repair. I finally concluded this. I would rather vote in favor of this Bosworth Memorial the sum of \$5,000 and then take the three million dollar appropriation for the state house, which bill lies on the table, and cut it back to \$2,995,000.

Mr. DENNETT of York: Mr. President, as the third member of the conference committee who still doesn't know much of anything about the bill, I trust you will go along with the conference committee report.

Mr. HASKELL: Mr. President, when the vote is taken, I hope it will be by a viva voce vote.

A viva voce vote being had, the Chair was in doubt.

A division of the Senate was had.

Sixteen having voted in the affirmative and fifteen opposed, the motion prevailed; the Conference Committee report was accepted; the Senate receded from its former action whereby it accepted the "Ought

not to pass" report of the Committee, and concurred with the House in the acceptance of the Minority "Ought to pass" report; and under suspension of the rules, the bill was given its two several readings and passed to be engrossed in concurrence.

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

Bill "An Act to Authorize Issuance of Bonds in the Amount of Twenty Million Dollars for Bonus to Maine Veterans of World War II and Korean Campaign" (H. P. 1132) (L. D. 1282).

(In the Senate, on May 2nd passed to be engrossed as amended by Committee Amendment A.)

Comes from the House, under suspension of the rules, engrossing reconsidered, House Amendments B and C adopted, and the bill as so amended passed to be engrossed in non-concurrence.

In the Senate:

Mr. CHASE of Cumberland: Mr. President, I hope that the members of the Senate are aware from the action of the House that the legislature is now aware of the fact that the Constitutional Amendment was not essential to the bill, and that is the reason I assume that it has been indefinitely postponed as it has been in the House. While these two were companion measures, if they had gone to the people in that manner there was always the possibility that the people would have passed the one and rejected the other which would have created a snarl for someone to unravel.

There are some other snarls in the bill, which I have and I will try as best I may to present them to the Senate as I see it, speaking to L.D. 1282. Conditional upon ratification by the people, which presumably would be at the election of 1954, the bond could be sold after the act is ratified by the people, if it is. The first appropriation made under this act, it having first been ratified, is made as of April 1, 1955 and it comes out of general fund. April 1, 1955 falls within the biennium for which this legislature is now making appropriations, and at the present moment, the possibility of there being one million dollars

plus interest on the bonds, in the general fund, as of that date appears to be extremely remote. Furthermore, the possibility that there may be one million dollars in unappropriated surplus of the general fund as of that date seems somewhat doubtful. If there is no such money either in the unappropriated surplus or the general fund as of that date, or as of the date of ratification of the act, the measure to come within the scope of Article 4, Part 3, Section 19 of the Constitution, as it was amended by the people in 1951 which says, "Any measure referred to the people and approved by a majority of the vote given thereupon shall, unless a later date is specified in said measure, take effect and become a law in thirty days after the Governor has made public proclamation of the results of the voting, which he shall do within ten days after the voting thereon has been canvassed and determined, provided however, that any such measure which entails expenditure in an amount in excess of available and unappropriated state funds, shall remain inoperative until 45 days after the next convening of the legislature in regular session unless the measure provides for raising new revenue adequate for its operation."

Now since this measure does not provide for raising new revenue, the only source from which money can come is from unappropriated general funds and possibly from unappropriated surplus. I have previously suggested to the Senate the probability that there will be no such amount of money available.

If there is such money in that amount this act, if approved by the people and proclaimed law, will strip the general fund so that these are the possibilities that we face if we take action on this measure. Either the general fund and the unappropriated surplus will be wiped out or the legislature will have to choose between repealing the bonus act which has just been ratified by the people, or face the possibility of immediately passing an emergency act to finance the measure.

I don't think such problems as that should be handed by one legislature to another. We are responsible for the condition of the general

fund and the unappropriated surplus and to enact a measure now when there is no good assurance that the money will be available if the act is ratified by the people seems to me to be a poor way to play ball with our successors.

There are other implications in the act if it is ratified and declared operative. Expenditures start immediately on the Board which is created to receive applications for the bonus. I would hate to go into all that. I have made my main point on the measure.

I am not in favor of the measure. It has been said here that the veterans may want it and the people may want it, but to my mind there can be no greater illusion for a legislature to cherish than the notion that government can be conducted on the basis of what the people want or the veterans want.

No mechanics have ever been invented for a determination of what they want and we all know that their wants always exceed what they go after or the possibility of satisfying those wants, and I am speaking on these technicalities now before the measure is still in the condition where it can be amended if anyone wants to do it. If what this legislature wants to do is to use such machinery as we have for finding out how the majority of the voters feel about this, there is no better way to do it than refer a question to the people, "Do you want to pay a veteran's bonus and be taxed to pay it?" You don't have to pass any act and you don't have to provide any bond issue. You simply have to ask the people and they can vote Yes or No and the next legislature can deal with the problem on the basis of what the people seem to want, on the basis of their vote. There is no necessity to tie it up with a twenty million dollar bond issue which is all snarled up. I move the indefinite postponement of the measure.

Mr. REID of Kennebec: Mr. President, out of deference for the sponsors for some kind of legislation which would permit the people to vote as to whether or not they want a bonus, and also out of deference to the Senator from Cumberland, Senator Chase, who has raised some serious questions of mechanics,

it seems to me that this bill should be placed on the table and I so move.

The motion prevailed and the bill was laid upon the table pending motion by Senator Chase of Cumberland to indefinitely postpone.

"Resolve Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World War II and the Korean Campaign" (H. P. 1133) (L. D. 1283)

(In the Senate on May 2 passed to be engrossed in concurrence.)

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

In the Senate, on motion by Mr. Reid of Kennebec, the resolve was laid upon the table pending consideration.

The Committee on Transportation on bill, An Act Relating to the Issuance of Operators' Licenses from Date of Birth (H. P. 878) (L. D. 870) reported that the same ought not to pass.

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

In the Senate:

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, there are two issues involved here. First whether or not we shall continue to have drivers licenses required on a date fixed in the statutes, or whether we shall have the date determined by the applicant's birthday. The arguments in favor of the birthday proposition are that it will lead to an advantage to the department in taking the workload from the department and should in that respect be an economy measure. So far as the public are concerned, I cannot believe but that it will be to their advantage and they will avoid the long line that forms.

The committee voted ought not to pass on one theory and one theory alone and that is for one year it will deny to the highway fund roughly \$400,000 that they pick up in one fell swoop at the start of the year and it will be August before they catch up with that amount. I voted against it because in budgeting income, the highway department has always brought it in in that order. So far as convenience to the Department of Motor Vehicles

and the public is concerned, I think there is merit in the bill.

I am going to move in spite of the report, that the bill be substituted for the report in concurrence, knowing that if for any reason the Highway Committee is disturbed, I know they will table or oppose the motion.

The motion prevailed, the bill was substituted for the report and under suspension of the rules, was given its two several readings and passed to be engrossed in concurrence.

The Committee on Legal Affairs on Bill "An Act to Provide a New Charter for the City of Saco" (H. P. 43) (L. D. 477) reported that the same ought to pass as amended by Committee Amendment A.

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

In the Senate, the report was accepted, Committee Amendment A was read and adopted and under suspension of the rules, the bill was given its two several readings and passed to be engrossed as amended in concurrence.

The Committee on Taxation on Bill "An Act to Repeal the Tax on Cigars and Tobacco Products," (H. P. 1144) (L. D. 1292) reported that the same ought to pass.

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

In the Senate:

Mr. CHASE of Penobscot: Mr. President and members of the Senate, this bill repealing the tax on cigars and tobacco products was reported by the Committee on Taxation "Ought to pass" with full knowledge and appreciation of the fact that it could not pass effective in this biennium if the net purchase price tax on automobiles was enacted and so it was held by agreement on the House table waiting the disposition on that matter, and apparently they have just recently found the time to remove it.

The bill has been amended in the House making the repeal effective two years from July first so it would not affect the revenue for the next

biennium. I have just spoken at some length on another matter and there are other Senators familiar with the history of this act. I hope that they will speak on this and I shall move that the Senate accept the ought to pass report of the committee and adopt the House Amendment.

Mr. WARD of Penobscot: Mr. President and members of the Senate, I would like to speak briefly in regard to this matter. At the 1947 session of the legislature, there were several major tax bills presented for consideration. There was also a bill presented which would increase the tax on cigarettes. The cigarette bill was reported out of committee unanimously "ought not to pass" and as I recall, it was in the middle or early days of the session. The legislature then proceeded to debate the various measures, tax bills, and one by one defeated them so that we arrived at a position in the closing days of that session where it was absolutely necessary to pass some type of a revenue measure in order to balance the budget. So in the very closing hours, this bill which was on the table in the House, was taken from the table, the bill was substituted for the ought not to pass report, it was amended to place a 20% tax on cigars and tobacco products, an emergency provision was attached, the bill was passed by both branches, signed by the Governor and became a law before the people who were interested in tobacco products and cigars, had any knowledge whatsoever that such an act was contemplated.

Subsequently each succeeding legislature has had a bill before it to repeal the tobacco tax and each Taxation Committee has unanimously reported the bill out as ought to pass but at each session we were faced with the proposition that in budgeting for the session the amount of revenue has always been put in the budget and we get to a point where it almost seems impossible to pass the bill.

It seems to me that the bill in its present condition is a very appropriate way to handle the situation because by so doing, when it comes time to prepare the budget two years hence, it will then be impos-



sible to place in the budget the estimated revenue from the tobacco tax. If it then become advisable at the next session of the legislature to attempt to continue the revenue from this source, it will then be necessary to present a bill and have a public hearing on it and the tobacco interest will be given a fair opportunity to have their day in court.

I sincerely hope that this bill receives favorable consideration.

Thereupon, the ought to pass report was accepted, House Amendment A was read and adopted in concurrence and under suspension of the rules, the bill was given its two several readings and passed to be engrossed as amended in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Town of Garland" (H. P. 1038) (L. D. 1182) reported that the same ought not to pass.

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

In the Senate:

Mr. PARKER of Piscataquis: Mr. President, this resolve calling for \$10,000 from the general fund is for the purpose of repairs on a school building that was practically wrecked in a high wind that occurred in that town some time during the winter, in the month of January. This two story building was the one in which the larger part of the school children went to school in that town.

On examination of the building after this terrible wind, the state insurance department condemned it as being unfit and unsafe to hold a school in which children had to get their education. An attempt was made to utilize two other old buildings but they were no more suitable than the one that was condemned.

At the present time the town of Garland is holding school sessions in those old school buildings that are outmoded, inadequate, without proper sanitary facilities either from a health or sanitary viewpoint.

One half of the pupils in that little town have to attend school in the forenoon, and the other half in the afternoon, thus making extra

periods for the teachers and also for transportation facilities.

The population of this little town is approximately 400 inhabitants. They have about 100 school children. The valuation of Garland is slightly in excess of \$200,000. They have a town debt of slightly over \$14,000. I wish you would try to digest in this short moment what that means to a town that has hired more money than is allowed by the state, in order to try in years passed to keep their town roads, their town schools and other necessary parts of town organization. Their tax rate is 134 mills, which is the highest, or one of the highest in the state.

The building I refer to is not located where most towns would like to have their school building, on low ground, but it can be made with the addition of this appropriation, suitable for school purposes. There is an emergency clause on the bill and I believe it should be there. I only want to say this in closing. That regardless of the fact that this came out of committee as "ought not to pass", I believe there are times when even the appropriation committee could render a decision that is wrong and I for one, want to move that the bill be substituted for the report.

Mr. COLLINS of Aroostook: Mr. President, it is with a great deal of reluctance that I rise to oppose the motion of the Senator from Piscataquis, Senator Parker. This is one of the situations where you have to make a decision between voting with your head or your heart. There is no doubt but that the facts as related are true. They do need repairs on their school building. But I would have you bear in mind that we have had a number of such resolves before us during this session of the legislature and it would seem to be discrimination in favor of one town at the expense of another if we pass this. The other resolves also had much in their favor.

We have other bills left to consider which also have much in their favor. There are some upon which we are all agreed. It seems to me that while we have to choose between some of these items, that we should not pass this particular bill

and I would move for its indefinite postponement.

Mr. HANSON of Washington: Mr. President and members of the Senate, I think we will all agree that the town of Garland is desperate. I sympathize with the problems that Senator Collins of Aroostook presents to us but I think if we take the individual problems individually they will be found to be not quite as desperate as Garland is. I do not think under the circumstances that it would be discrimination to grant this request.

Mr. HASKELL: Mr. President and members of the Senate, Garland is in my county. Garland has always been very kind to me when my name has appeared at the town polls. I have a lot of friends in Garland. I think a great deal of the residents there and the representative who introduced this measure. My good sense would dictate that I keep quiet but I do not think the record shows the matter of principle involved. I think I should point out that state policy is to aid in the operational cost of public schools and leave to the cities and towns the problem of supplying facilities. And once we use general funds to go to their aid, we open up a field that has no end in sight. Certainly the easiest thing in the world to do is to vote for Garland. Remember we did that for Ricker. I think the pleasure of doing this one good deed would be offset by the doubt of the wisdom of your action in regard to the others.

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

Mr. SILSBY of Hancock: Mr. President, I have a great deal of respect for the appropriations committee and the position that they have taken in this matter but I cannot help from asking myself this question. In the resolves that the appropriations committee has turned down, I wonder if the circumstances are the same. I wonder if the other towns have boys and girls who are obliged to go to school a half day in order to get their education. I am fearful of precedent, yet I am not unmindful that in the years we have progressed as a state we have had to establish precedent.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Collins to indefinitely postpone the bill and the Senator from Piscataquis, Senator Parker, has requested a division.

A division of the Senate was had.

Twenty having voted in the affirmative and ten opposed, the motion to indefinitely postpone prevailed in non-concurrence.

Sent down for concurrence.

The Committee on Inland Fisheries and Game on "Resolve Prohibiting the Use of Live Bait in Lakes and Ponds of T. 15, R. 9, Aroostook County" (H. P. 171) (L. D. 167) reported that the same ought to pass.

Comes from the House, indefinitely postponed.

In the Senate, on motion by Mr. Collins of Aroostook, the resolve was laid upon the table pending consideration of the report.

The Committee on Inland Fisheries and Game on "Resolve Closing Island Pond, T. 15, R. 9, to Fly Fishing Only," (H. P. 172) (L. D. 181) reported that the same ought to pass.

Comes from the House, bill resolve indefinitely postponed.

In the Senate, on motion by Mr. Wight of Penobscot the resolve was indefinitely postponed in concurrence.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Local Opinion for Horse Racing," (H. P. 974) (L. D. 1062) reported that the same ought not to pass.

(Signed)

Senator:

WEEKS of Cumberland

Representatives:

CHILDS of Portland

STEWART of Paris

GOWELL of Berwick

HAND of New Limerick

MARTIN of Eagle Lake

The Minority of the same Committee on the same subject matter reported the same in a new draft (H. P. 1301) (L. D. 1551) under title of Bill "An Act Relating to Refer-

endum for Pari Mutuel Horse Racing," and that it ought to pass.

(Signed)

Senator:

CHAPMAN of Cumberland

Representative:

STEWART of Portland

Comes from the House, bill and reports indefinitely postponed.

In the Senate, on motion by Mr. Weeks of Cumberland, the ought not to pass report of the committee was accepted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve Prohibiting the Use of Live Bait in Lakes and Ponds of T. 15, R. 9, Aroostook County (H. P. 171) (L. D. 167) tabled by that Senator earlier in today's session pending consideration of the report; and on motion by Mr. Wight of Penobscot, the resolve was indefinitely postponed in concurrence.

On motion by Mr. Fuller of Oxford, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve in Favor of Apple Storage and Packing Room at Highmoor Farm (S. P. 93) (L. D. 230) tabled by that Senator on April 10 pending consideration of the report; and on further motion by the same Senator, the ought not to pass report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Bill, An Act Requiring Children to Care for Parents According to Ability (S. P. 401) (L. D. 1118) tabled by that Senator on May 4 pending passage to be enacted and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

On further motion by the same Senator, Committee Amendment A was indefinitely postponed and the bill 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 bill, An Act Relating to Hunting with Arrow in Piscataquis County, (H. P. 1280) (L. D. 1516) tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator, the bill as amended by House Amendment A was passed to be engrossed in concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Report from the Committee on Taxation on bill, An Act Relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax (H. P. 944) (L. D. 986) tabled by that Senator earlier in today's session pending consideration of the report; and on further motion by the same Senator, the ought not to pass report was accepted in concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table bill, An Act Relating to Organization of Police Department of City of Lewiston (H. P. 1052) (L. D. 1193) tabled by that Senator earlier in today's session pending assignment for second reading.

Mr. CHAPMAN of Cumberland: Mr. President, with reasonable assurance that this is now technically correct, I present Senate Amendment A and move its adoption.

Senate Amendment A was adopted and under suspension of the rules was passed to be engrossed in non-concurrence.

Thereupon, the Senate voted to reconsider its action just taken whereby the bill was passed to be engrossed; the bill was then 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. Hanson of Washington, the Senate voted to take from the table Resolve in Favor of Central Maine Sanatorium

(S. P. 559) (L. D. 1491) tabled by that Senator on May 4 pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at 8:30 o'clock, eastern standard time.