

# 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**

Thursday, May 7, 1953

The Senate called to order by the President.

Prayer by the Rev. David Flower of Augusta.

Journal of yesterday read and approved.

**Senate Committee Report**

Mr. Collins from the Committee on Appropriations and Financial Affairs pursuant to Joint Order (S. P. 599) reported "Resolve Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute," (S. P. 609)

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

Sent down for concurrence.

**Enactors**

Bill "An Act relating to Book-mobile Service." (H. P. 2) (L. D. 2)

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I would point out that there may be some justice in facing up these difficult problems as we come to them today to the end that by the time the two branches adjourn this legislative day, we will have in the engrossing department such bills as need to be engrossed, and to the end that the the end of this legislative day our actions will have confirmed what I think may be the desire of the majority of at least one branch that we do shake the general fund problems down to size this legislative day and such procedure as that it would seem to me if the non-concurring items that are to be engrossed can be engrossed tonight, we would have an orderly adjournment tomorrow.

Speaking more directly to this particular bill, it certainly has merit. It had Committee support and in final form came out with a divided report, true, at a much more modest figure than was first introduced. But it is one of those things that doesn't seem to have the same urgent support that many other things that we have to face up today have, and thus I regret-

fully make the motion that the bill be indefinitely postponed.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, it seems to me that this is a very worthy thing and I think it will bring to the country people an opportunity to read the books that they are unable to buy themselves and unable to procure from a library where they live so far away, and of course if we don't have the money to do it, we can't do it, but it seems it would be much more advisable to lay this on the table and see if we do have enough to take care of it, so I move it lie on the table until a little later.

Mr. HASKELL: Mr. President, I speak only to the matter of time, and speaking against the motion with reference only to time it seems that this is the legislative day that this must be faced up and it seems to me that your vote and I would ask for a division on this one, is to indicate whether we want this legislative day to reduce this down to size.

The PRESIDENT: The Senator from Androscoggin, Senator Kavanagh, moves that the bill be laid upon the table pending the motion of the Senator from Penobscot, Senator Haskell, that the bill be indefinitely postponed, and the Senator from Penobscot, Senator Haskell, has requested that when the vote is taken that it be taken by division.

A division of the Senate was had.

Five having voted in the affirmative and twenty-one opposed.

The motion to table did not prevail.

The PRESIDENT: The pending question now before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the bill be indefinitely postponed.

Thereupon, the bill was indefinitely postponed.

**Enactors**

Bill "An Act relating to Compensation for Death Under Workmen's Compensation Act." (H. P. 427) (L. L. 474)

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

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

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

Bill "An Act relating to Stock in Trade of Liquor Licensees." (H. P. 940) (L. D. 1000)

Bill "An Act Repealing Law on Canning of Clams and Mussels." (H. P. 1112) (L. D. 1247)

Bill "An Act relating to Funeral Expenses of Deceased Recipients of Old Age Assistance and Aid to the Blind." (H. P. 198) (L. D. 208)

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

Mr. CARTER of Oxford: Mr. President and members of the Senate, I think this is a very poor bill, and is a bill that is going to cause a lot of abuse on our highways. It is not liked by some members of the Highway Commission, and we passed a bill here two years ago in regard to weight on trucks for hauling pulpwood which has been the cause of great abuse on our roads. I move that this bill be indefinitely postponed.

Mr. JAMIESON of Aroostook: Mr. President and members of the Senate, I think that this is one of the bills that caused us the most trouble in front of our Transportation Committee. We had no objections from anybody connected up with the Highway Commission and as this bill is only for construction purposes it has three axle trucks with brakes on all three axles, and if greater loads are to be hauled the truckers will have to have a special permit from the State Highway Commission, and where it is just for construction purposes and they can't drive all over the state with these kind of trucks I think it is a good bill. I hope the motion of the gentleman from Oxford will not receive a passage.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate, I rise in opposition also to the motion of the Senator from Oxford, Senator Carter, to indefinitely postpone this bill, because according to what information I have received this bill was not opposed by the Highway Commission.

It has already been stated that this bill merely does the same thing for trucks and materials as is done for forestry products two years ago and there has been no evidence whatsoever that these trucks on forestry products have done any damage to the highways at all. In fact, I am going to say that this particular bill is going to be better because you do have the three axle trucks with brakes on all wheels, it will be a safer truck to drive on the highways. The Maine Good Roads Association sponsored this bill or approved this bill and personally I don't think that organization is an organization that would approve any bill that was going to destroy the highways.

It is merely asking for the construction materials to be hauled on these three axle trucks the same as the forestry products. If there were any damage resulting from this I would be the first one to oppose it. I hope the motion to indefinitely postpone will not prevail.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I was a signer of the minority ought not to pass report from the Committee on Transportation. I acknowledge that my service on that committee does not entitle me to participate to too great an extent in the measure because I was unable to attend many of the hearings.

I signed the ought not to pass report on what I choose to call a little bridge breaking gem purely on the matter of this principle. I acknowledge the truth of the statement of the Senator from Somerset, Senator Sinclair, that we did grant this privilege to the forestry products people. I voted against that, but now to open it up still further it seems to me to be opposed to good legislative procedure. I don't want to be unduly harsh but I don't feel at all hesitant in putting into the legislative record it seems to me the Highway Commission would be on a lot stronger ground with me if they would stand up and take a position on such matters as this rather than trying to stay in the middle and make everybody happy. That is my opinion of what the Commis-

sion did and that I don't like. Having taken the position and having given the proponents the privilege of saying the Highway Commission doesn't oppose it, doesn't to me by compounding what I still think was an error two years ago another error this year, doesn't solve the problem.

I am no highway engineer, but it just makes sense to me that if we liberalize these things that are sold to us by these experts as being right, we are not doing right by the highway program, and that's why I signed the minority ought not to pass report.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, when I first heard of this bill I understood it would take care of a few cases of trucks working on road construction jobs. The liberal meaning of the bill—and the bill says it applies to construction material, and under the bill as I read it a truck can haul steel plates from Fort Kent to Kittery. They don't even have to haul all construction materials on the load. Technically if part of the load consists of construction materials they can claim exemption under this bill.

Reference has been made to the attitude of the Highway Department and members of the Highway Commission showed some reluctance talking to me very definitely about it, but I did consult the bridge design department of the Highway Commission and asked a specific question and asked for a direct answer, and that question was this: "Are our State maintained bridges being designed to carry loads such as this bill contemplates?" and the direct answer to that question was "No, they are not." I needn't point out that the town bridges certainly probably are not designed to carry such loads either. I can conceive of no greater folly than the highway department that is designing bridges while the legislature at the same time passes a bill to put a load on those bridges which they are not designed to bear. I hope the motion to indefinitely postpone will prevail.

Mr. ROBBINS of Aroostook: Mr. President, I support the motion of the Senator from Oxford, Senator Carter. Like several others I sought

to obtain a definite opinion from the Highway Commission. In their defense I might say that two years ago they did take a position against the bill giving special privileges to shipments of forestry products. Nevertheless that bill was enacted over their objections and they told me they felt possibly that their knuckles had been rapped a little bit, and they didn't want to put themselves in the same position this session. But one of the Commissioners said two wrongs don't make a right, what you did two years ago was wrong and so is this, and if I were there I would go against it. It seems to me that the Senator from Cumberland, Senator Chase, has put his finger on one of the main arguments against the bill, that is the fact that many of our bridges are not designed to carry these loads, and for my money that is sufficient for voting against the bill and for the motion.

Mr. FULLER of Oxford: Mr. President and members of the Senate, this seems to be a pretty good start for guillotine day. I shall oppose the motion to be indefinitely postponed. It seems to me this is only a fair attempt to provide to the factory-made trucks a provision for this group and that if there is any injustice that an effort should be made to amend the law that was passed two years ago in relation to wood products rather than deny the group who are seeking this legislation.

Mr. CARTER: Mr. President and members of the Senate, I just wanted to speak on one point my good friend Senator Sinclair brought out, that there has been no abuse of the forest products truck law. That I would definitely dispute. We have probably 100 trucks hauling pulpwood into Rumford and veneer logs into Vermont in the western side of Oxford County. You can go up there today and find ordinary two-ton Chevrolet trucks with helper wheels on it with a 20 foot body, lengthened out with a 20 foot body on it hauling more load than the three axle trucks could due to the fact that it has less tail, and they are getting by with it despite the fact that I do not think it is according

to the law, and they are getting by with it and they will get by with it until that law is amended. The fellows with the good trucks, the three axle trucks with brakes on all wheels are kicking their heads off on account of this, they can't get the jobs, the fellows with the Chevrolet trucks can haul more wood than they can, and I saw one of those trucks and a State Policeman tried to stop him on the main street in Bethel which is down grade and he went about 300 feet before he could stop, and he wasn't going at any speed when he called on him to stop, he just didn't have the brakes. This calls I would agree for brakes on all three axles, but I think the law would be circumvented just the same way, just as the other one is.

Mr. SINCLAIR: Mr. President and members of the Senate, the statement was just made by my good friend the Senator from Oxford and I think the best reason in the world for having this three axle job compared with the long wheel trucks hauling forestry products don't have brakes on all wheels. As far as opening up, there was an amendment to this bill which was indefinitely postponed in the Senate here a few days ago that did call for opening this entire field up, on all trucks. This is definitely limited to construction products and it is the type of products that will be hauled here which would be the aggregate, stone, sand, etc., and concrete and it might be hot top, things like that. Maybe steel, concrete, pipe and many other products that would be hauled for construction projects would be hauled on a different type of truck altogether than this three wheeled so-called dump job. I would ask when the vote is taken it be by division.

Mr. JAMIESON: Mr. President and members of the Senate, Senator Carter made reference to those pulp trucks, I would like to say if you go up on the road from Bangor to Houlton, you will see from Haynesville clear to Mattawamkeag a bigger load on a two axle truck than the three axle trucks would be allowed to haul, and they are getting by with it.

The PRESIDENT: The question before the Senate is on the motion by the Senator from Oxford, Senator Carter, that the bill, L. D. 1164, be indefinitely postponed and the Senator from Somerset, Senator Sinclair, has asked for a division.

A division of the Senate was had.

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

Bill "An Act relating to Minimum Salaries for Teachers." (H. P. 324) (L. D. 392)

Bill "An Act relating to Assessments on Milk Dealers and Producers for Promotional Purposes." (H. P. 624) (L. D. 647)

Bill "An Act relating to the Practice of Architecture." (H. P. 676) (L. D. 692)

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

Bill "An Act relating to Duties of Parole Board." (H. P. 824) (L. D. 855)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted until later in today's session.)

Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing." (H. P. 976) (L. D. 1064)

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

Bill "An Act to Repeal the Tax on Cigars and Tobacco Products." (H. P. 1144) (L. D. 1292)

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

Bill "An Act Permitting Parole for Lifers After Thirty Years' Imprisonment." (H. P. 1168) (L. D. 1323)

(On motion by Mr. Dow of Lincoln, tabled pending passage to be enacted until later in today's session.)

Bill "An Act to Establish a State Committee on Aging." (H. P. 1197) (L. D. 1349)

Bill "An Act relating to Salaries of Public Utilities Commission." (H. P. 1211) (L. D. 1382)

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this is one of the bills I think we'll have to pass up at this time. I move for indefinite postponement.

Mr. HASKELL of Penobscot: Mr. President, only to establish what I think a reasonable method of procedure, the procedure followed by the Senator from Androscoggin, Senator Kavanagh, when she expressed her opinion related to the bookmobile bill, I think each one ought to express his or her views on the record and our conclusions related to these various bills, and I am sure there are others who want to express their opinion.

This bill does require \$5,000 per year from the general fund. It provides for \$1500 a year salary increase to two members of the Commission and I think a \$2,000 a year increase for the other member. I realize full well we have denied all department head wage increases. I speak to this one only because I believe that when the Public Utilities Commission Court was established there was reason to believe that it should be established at the same wage level as the Superior Court. For one reason or another it has not followed that procedure.

I believe in the interest of the public utilities and in the interest of the public that it should have consideration, and in speaking this way, I don't in any way mean to have you believe that I am going to upset the general conclusions that may have been arrived at by this Senate, but more do I speak to the point that we shouldn't, I believe, have any automatic decision on what should be passed and what must regretfully be killed. Each and every one of us regardless of what the item is should be privileged to express our opinion on an indefinite postponement motion. These comments I make to the proposition to what I think is a proper motion, the motion I think he will continue to make as he takes control, and those are my thoughts on this particular appropriation.

The PRESIDENT: The question before the Senate is on the motion by the Senator from Aroostook,

Senator Collins, that the bill be indefinitely postponed.

Mr. HASKELL: Mr. President, I ask for a division.

A division of the Senate was had.

Twenty having voted in the affirmative and ten opposed, the Bill was indefinitely postponed.

Bill "An Act relating to Hunting with Bow and Arrow in Piscataquis County and Waldo County." (H. P. 1280) (L. D. 1516) (On motion by Mr. Boucher of Androscoggin, tabled pending final passage.)

Bill "An Act relating to a School District for the Towns of Porter, Parsonfield, Cornish and Others." (H. P. 1297) (L. D. 1548)

"Resolve in Favor of Bosworth Memorial Association," (H. P. 23) (L. D. 18)

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, being a stubborn person I move the indefinite postponement of this resolve. Opposed to my motion is the acknowledgement that it does not come out of general fund revenues, it is an unappropriated surplus amount. In support of the motion to indefinitely postpone regardless of the fact that it is not out of general fund is the thesis that I did not succeed in selling to the sympathetic Senate a few days back when I pointed out the acceptance of this principle should pass before your eyes many other G. A. R. halls and many other structures and many other organizations of this nature.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I hesitate to inject myself into this little gem. I know something about it. I am probably one of two people in this particular Body who has actually been in the hall and knows what it is. I would like to point out that this was called the Bosworth Memorial Hall on Free Street in Portland and it is not only a veteran's home. What it actually is, is a real memorial of the Civil War and it is the only existing one we have left in Maine. There were two such memorials after the Civil War actually owned by the trustees of the G. A. R. veterans group. The other went by the board and this one will

eventually, I suppose if kindly succor, aid or help is not given to it. The point has been brought up that it contains many relics. I think the fairest way to explain it to you is to explain as sincerely as I can that this is not a veteran's home. It is not like an American Legion Home. They are not coming here to ask for assistance to a home project. It is in the nature of a real memorial and it is not a bad precedent to set a small sum aside from the unappropriated surplus for such a purpose. We have examples all through the Nation and in Maine we have spent thousands of dollars on our parks, many of which are memorials. I think this is a proper bill and I hope the motion to indefinitely postpone does not prevail.

Mr. HASKELL of Penobscot: Mr. President, I do move that the resolve be indefinitely postponed. When we turned down the Town of Garland, and I am sure many of us did so regretfully, we left a problem in the hands of those who will find it very difficult to solve. That same speech delivered to the City Council of Portland, that great metropolis in southern Maine, did not produce the dollars necessary to preserve this fine facility that is in the City of Portland and in all seriousness I think, just as the bank has taken care of this G.A.R. hall, it might not be unfair to ask the City of Portland to do its share and not put the burden on the State of Maine.

The PRESIDENT: The question before the Senate, is on the motion by the Senator from Penobscot, Senator Haskell, that the resolve be indefinitely postponed, and the same Senator has asked a division.

A division of the Senate was had.

Twenty-one having voted in the affirmative and eight opposed, the resolve was indefinitely postponed.

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

"Resolve in favor of a Retirement Allowance for Doris D. Ladd of Hallowell." (H. P. 598) (L. D. 638)

"Resolve to Reimburse Calais Regional Hospital for Aid to Edmund Lee." (H. P. 1079) (L. D. 1217)

Mr. HASKELL of Penobscot: This is one of the resolves which if finally passed will, I hope, be covered by a general bill taking the dollars out of unappropriated surplus. Since we are not talking about the general fund and there is no problem to resolve in that respect, I move that the resolve be laid upon the table pending final passage.

The motion to table prevailed.

### Order

#### (Out of Order)

ORDERED, the Senate concurring, that Bill "An Act relating to Duties of Official Court Reporter," (S. P. 104) (L. D. 318) be recalled to the House from the Engrossing Department. (H. P. 1305)

Which was read and passed in concurrence.

### Enactors

Bill "An Act Amending the Election Laws." (S. P. 309) (L. D. 926)

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

(On motion by Mr. Collins of Aroostook, tabled until later in today's session pending passage to be enacted.)

Bill "An Act relating to Hearings Before the Insurance Commissioner." (S. P. 593) (L. D. 1538)

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

(On motion by Mr. Broggi of York, the bill was indefinitely postponed.)

Bill "An Act Permitting Reassignment of Justice in Equity Matters." (S. P. 484) (L. D. 1342)

"Resolve Providing for a State Pension for Nancy A. Gilbert of Belfast." (S. P. 425) (L. D. 1545)

"Resolve in favor of State School for Girls." (S. P. 561) (L. D. 1493)

"Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County." (S. P. 480) (L. D. 1334)

"Resolve in favor of School for the Deaf." (S. P. 571) (L. D. 1503)

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



**Emergency**

Bill "An Act Relating to Compensation of State Police and Wardens of Inland Fisheries and Game and Sea and Shore Fisheries Departments." (S. P. 603) (L. D. 1546)

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed, was passed to be enacted.

**Emergency**

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

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed, was passed to be enacted.

**Emergency**

"Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees." (H. P. 400) (L. D. 453)

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed, was passed to be enacted.

**Additional House Papers  
Out of Order and Under  
Suspension of the Rules**

Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws." (S. P. 496) (L. D. 1369)

(In Senate on April 29th passed to be engrossed as amended by Committee Amendment "B".)

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

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

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

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

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

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

"Resolve, Authorizing Alfred Howard, Sr., and Ethel N. Howard of Bingham to Sue the State of Maine." (H. P. 1171) (L. D. 1326)

(In Senate, on April 30th, 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 was passed to be engrossed as amended by Committee Amendment "A" and now asks for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Messrs. WATSON of Moose River Plt.  
McGLAUFLIN of Portland  
TRAFTON of Auburn

On motion by Mr. Ward of Penobscot, the Senate voted to join with the House in a Committee of Conference, and the President appointed as members of such Committee on the part of the Senate, Senators Ward of Penobscot, Robbins of Arostook, and Greeley of Waldo.

The Committee on Liquor Control to which was recommitted Bill "An Act Relating to the Administration of the Liquor Law," (H. P. 538) (L. D. 554) reported that the same ought to pass as amended by Committee Amendment "A".

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

On motion by Mr. Boucher of Androscoggin, the Ought to Pass as amended report of the Committee was accepted and the bill was given its first reading; Committee Amendment A and House Amendment C were severally adopted in concurrence; and under suspension of the rules the bill was given its second reading and passed to be engrossed as so amended in concurrence.

Bill "An Act Creating a State Crime Commission." (S. P. 521) (L. D. 1422)

(In Senate, on April 30th, the Majority Report was accepted, and the bill passed to be engrossed as

amended by Committee Amendment "A".) (Amendment Filing 534)

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

On motion by Mr. Chapman of Cumberland, the Senate voted to insist and asked for a Committee of Conference, and the President appointed as members on the part of the Senate, Senators Chapman of Cumberland, Reid of Kennebec, and Carter of Oxford.

Bill "An Act Relating to Real Estate Brokers and Salesmen." (S. P. 26) (L. D. 14)

In Senate, on May 6th, voted to insist on its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and asked for a Committee of Conference, and the President appointed as members from the Senate:

Senators:

KAVANAGH

of Androscoggin

DENNETT of York

REID of Kennebec

Comes from the House, that body having insisted on its former action whereby the bill was indefinitely postponed, and now joins the Committee of Conference, the Speaker having appointed as members of such a committee on the part of the House:

Messrs: SANFORD

of Dover-Foxcroft

FITANIDES of Saco

TURNER of Auburn

In the Senate, the bill was referred to the Committee on Conference.

The Committee on Legal Affairs to which was recommitted Bill "An Act to Provide for a Civil Service Commission for the Town of Old Orchard Beach," (H. P. 273) (L. D. 301) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing 475)

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

In the Senate, the Ought to Pass as amended report of the Committee was accepted in concurrence and the bill was given its first reading, Committee Amendment A

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

#### Orders of the Day

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

Mr. HASKELL: Mr. President and members of the Senate, I will first ask unanimous consent that the especially assigned matter on Page 4 of today's calendar be continued as though it were a tabled item. I am assured by the Senator from Androscoggin, Senator Boucher, that that will be satisfactory to him and that he will take it off promptly. Then proceeding from that, if that is agreeable with the Senate, I would suggest the desirability of turning to Page 8 of the calendar, namely, the so-called "Collins tabled matters", he having granted permission to each member of the Appropriations Committee to take those matters off the table, and I am quite sure he would offer no objection to any member of the Senate taking those matters off the table in an orderly way. It seems to me that the orderly procedure would point to taking them off by numbers from one through seventy-one, getting as far as may be. I think most of them can be decided without much debate. So in fairness to the Committee on Claims and those members who have particular interest in claims, I would ask you to take your calendar and note those that some member of the Senate will speak against and speak briefly and give his reasons for speaking against it. If that Senate member be me it will be because I am trying to present the position of the department or whoever may disagree with the findings of the Committee or with both Branches, and in those cases I will be brief. Those numbers from the Committee on Claims are: Numbers 6, 12, 16, 17, 21, and 34. And for the particular benefit of the Senator from Penobscot, Senator Ward, Items 36 and 44.

The PRESIDENT: The Senator from Penobscot, Senator Haskell, asks unanimous consent of the Senate that bill, An Act Authorizing

Towns to Issue Revenue Bonds For Public Improvement (S. P. 85) (L. D. 192) which was tabled on May 6th by the Senator from Androscoggin, Senator Boucher, pending motion to indefinitely postpone be continued as a tabled item. Is there objection to this procedure on the part of the Senate? The Chair hears none and unanimous consent has been granted.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, resolve In Favor of Knox Memorial Association, Inc. For Support and Maintenance of "Montpelier" (H. P. 42) (L. D. 43) tabled by the Senator from Aroostook, Senator Collins, on March 5th pending final passage, and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, resolve In Favor of Henry J Deabay, of Ashland (H. P. 140) (L. D. 977) tabled by the Senator of Aroostook, Senator Collins, on March 12th, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, resolve In Favor of Ralph D. Olfene and Winifred O. Wallingford of Auburn (H. P. 160) (L. D. 804), tabled on March 12th by Mr. Collins of Aroostook, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, resolve In Favor of Leon C. Roberts and Sons of Winthrop (H. P. 495) (L. D. 978), tabled by Mr. Collins of Aroostook on March 12th, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, bill, An Act To Provide a Credit Against the Sales Tax When the Price is not Paid (H. P. 152) (L. D. 134) tabled by the Senator on March 19th, pending pas-

sage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table resolve, In Favor of Clyde Moores of Springfield (H. P. 139) (L. D. 1160), tabled by Mr. Collins of Aroostook on March 19th, pending final passage.

Mr. HASKELL: Mr. President and members of the Senate, this is a claim that I am sure came out of the Committee on Claims with a unanimous Ought to Pass report. This, as I understand it, refers to the general storekeeper who did as an admitted fact supply certain goods to a town family under general pauper law provisions within the town. The town refused to pay the bill, the matter was adjudicated in the courts and for some reason that I am sure the Committee on Claims can present, the town did not recover. The position of the department in this respect is that where a town has used the remedy adopted by the Maine Courts to adjudicate a claim of this nature, it could not be reversed in effect by the action of the legislature. I have no personal interest whatsoever in this and it amounts only to \$171.71. Those are my notes and that is all I will have to say on it, regardless of the action of the Senate.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I would certainly be remiss in my duties if I didn't inform this Body of the facts of the matter of this claim, L. D. 1160 and also the reason the Claims Committee reached the conclusion they did in the matter of passage. I want to say to you that the Claims Committee gave quite a bit of consideration to this case even though it is a small sum of money.

It appears that one Clyde Moores, who was storekeeper in the town of Springfield and also resided there, delivered certain supplies to a certain pauper in his municipality upon the order of the overseers of the poor, that the town of Springfield like many of our municipalities was short of cash and did not have money to pay its operating expenses, whereupon the little

town followed the procedure that many municipalities follow and that was to give an order. An order was given to Mr. Moores for the supplies and they were furnished, and the order was signed by what he translated to be three of the members of the Board of Selectmen. It was the understanding of the Treasurer and the municipal officers that the order should be kept by Mr. Moores until such time as money was available to pay for the supplies. There was no dispute but what he received the supplies from this source.

That occurred a long time ago, in 1936, I believe, and he held the orders in his possession thinking they were as good as cash until 1942 at which time it appeared that the Treasurer had sufficient funds to honor the order, he presented the order to the town and payment was refused. I don't recall exactly what the grounds were for the refusal but in any event Mr. Moores brought suit against the town for goods delivered, for the fair market value and it was entered in court and referred, as we do in many legal matters, and heard before a referee and I can't recall the reason at the moment and I am sorry I haven't my notes, but exception was taken to the referee's report, which is a legal procedure, and the matter went to law court and is reported in our Maine Decisions and the law court found that there was some technical reason that the case should be sent back for a new trial. I am stating these facts in the matter of explaining the time involved.

The matter came back to our courts and was tried again, and at the time of the second trial the defendants raised the issue that signatures on the order were not genuine, that the Chairman had signed all three names, a practice that I am sure all of you are familiar with who have been reared in a small locality, and the Chairman replied that he had been authorized to do it. That issue was not raised in the first instance. The law court found that a valid order had not been proved and the claim was refused payment. I think that is a fair statement of the facts. In view of the fact that the pauper has had these

supplies it seems to the Claims Committee that this bill should be paid. That was why we reported it out Ought to Pass and I will submit it to the wisdom of this Body whether or not Mr. Moores should receive pay for the goods he delivered and the money of his own that he used to purchase those goods. I move the final passage of the resolve.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, I am a little disturbed in this problem. Not yet has been presented that this is a pauper claim in which the State was primarily interested. Here is a situation where a storekeeper in a small town has advanced money, arguments have been presented, he went to court and lost out and now comes to the State and asks us to pay it. There are many matters of a similar nature, I believe, that have not come to this Body, and having served on town committees myself as a selectman and having other problems in overseeing the poor, which in all small towns the selectmen do, I feel that if we accept one claim of this nature we are opening the door and may be presented with other well deserving claims, and if so, we are going to assume a liability which I believe is out of all proportion to the amounts involved, insofar as the State can afford to pay. Therefore, I hope when the vote is taken we will use our heads and not our hearts. I trust the motion will not prevail.

Mr. SILSBY: Mr. President and members of the Senate, I would like to add just one more thing to my remarks and it is that the report was the unanimous report of the Claims Committee.

Thereupon, the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, Resolve in Favor of Dr. Bernard R. Marcus of Auburn, (H. P. 161) (L. D. 1161) tabled by that Senator on March 19, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Sinclair of Somerset, the Senate voted to take

from the table, bill, An Act to Prevent Multiple Sales or Use Taxes (S. P. 73) (L. D. 157) tabled by Mr. Collins of Aroostook, on March 19, pending passage to be enacted.

Mr. SINCLAIR of Somerset: Mr. President, this item protects the resident of Maine who by choice or necessity might make a purchase outside the State in a state that does have a sales tax, that he be given credit for that in the State of Maine to the extent of what he has paid. There is no refund if his tax goes higher than the taxation in Maine.

I know of only two cases in the last two years where this problem has been involved and it seems to me a very small amount to ask that these Maine citizens be protected in it by not having to pay a double tax, so I move that the bill be passed to be enacted.

Thereupon, the bill was passed to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, resolve In Favor of Angelo Cote of Augusta (H. P. 117) (L. D. 89) tabled by that Senator on March 26, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, resolve In Favor of Mrs. Ada A. Hiscock of Farmingdale (H. P. 490) (L. D. 509) tabled by that Senator on March 26, pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, resolve In Favor of the Town of Whitefield (H. P. 718) (L. D. 1332) tabled by that Senator on March 26, pending final passage, and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, resolve To Reimburse the City of South Portland for Support of Margaret Dawson (S. P. 243) (L. D. 669) tabled by Mr. Col-

lins of Aroostook on March 26, pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this one I have a little more spirit in than I did the Springfield reference even though it happens to be in South Portland. It is a proposition of where the recipient of one of the old age assistance grants lost her grant by virtue of an inheritance and by virtue of the fact she did transfer that inheritance with or without consideration, and that is the question in issue, but having received an inheritance and transferring that to another she was concluded by the Department to be ineligible by that action. It seems that this is one case where the legislature can well stand behind the Department. The legislature set up these procedures relating to the balance sheet of an applicant or the balance sheet of the recipient. If either the applicant or the recipient has certain sums of money then the applicant or recipient is ineligible. It doesn't seem to me that the legislature wants to go too far in attempting to adjudicate disputes between the Department and the town or city.

What happened after the Department ruled as it thought best the City of South Portland picked up the load and did expend they say \$1,027.16. The statement of fact is very similar, but she cannot get old age assistance before she is 82 years old. She needed help and the City of South Portland seeks to be reimbursed having given her the help. Now if we are going to pick up the policy of reimbursing cities and towns for settled cases where they are age 82, where they need it and where they are not eligible for old age assistance and base our claim on the fact that a little bit more generous Department would have kept her eligibility in tact, then it seems to me you are opening up a pretty broad field. I can assure the Senate that the Department feels rather firmly on this matter of principle, and it wasn't at all difficult for me to speak to the matter of principle even though I know that the claim will be well defended by the Committee on Claims and well defended by the Senator from Cumberland, Senator Weeks. Mr.

President, I move that this resolve be indefinitely postponed.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, this is a place where I wish we could have an opportunity to have a court of adjudication or a determination of the problem rather than the department.

As the Senator from Penobscot, Senator Haskell, has used the word transferred, I know he did it sincerely, but it wasn't exactly that. I think probably the members of the Senate can remember some of the discussion we had regarding this when it first came up, and actually the dispute is on the interpretation of the meaning of the Statute and what standards you are going to set up as a basis on which you are going to determine compliance and non-compliance. Senator Haskell mentioned the age of the lady being 82. I know it is in excess of 85 and I don't know how close it is to 90. This case arose in 1949 at which time as the Senator said she was on relief, and she was a beneficiary under a will whereby she received \$2600 approximately, and at that time she was 80 but I won't say exactly what. Our report the other day reported that she was 90, but whether that is accurate or not I don't know, but I'm positive she is in excess of 85.

So the question becomes interpreting the Statute which says that anyone who divests themselves of property or doesn't receive adequate return for property shall be forever barred from ever participating in the program again. The rule is not that you will be placed on a period—for instance if you as in this case received \$2600 there are no standards set down that \$2600 should be spread over a certain number of months—and therefore, if she spends it sooner than that period then she has got to wait that number of months before she could get back on it again, nothing of that kind. If you receive the adjudication from the department that the statute has defined it then you are off forever no matter what happens.

In this case an 80 or 85 year old woman did use up her money in approximately I believe eighteen months instead of over say 30

months which the department thought might be the better period. We argued the case with the Department repeatedly and did everything in our power to prevail upon them not to make an adjudication of the question, and as I said there is the angle of the court and I would like to find out sometime. The city spent \$85 a month to take care of her to take care of such needs as she has. The expenditures here which we are claiming is simply that if they hadn't made an adjudication this expense wouldn't have been necessary because part of this would not have been charged against the town or city, and I persist in saying that the standard of care that you should set up for a person of our age, we pride ourselves on being fairly alert and being aware of what's going on compared to a woman of 85 who is reaching the end of the trail pretty much, there would be a tendency for all of us if we had conserved our assets to be a little bit less careful in spending thinking that we haven't long to go. I think that the adjudication by the department was wrong and I think she should be picked up and placed back on the roll, and on that basis I think it is fair that the city should be reimbursed for this \$1,000.

Mr. HASKELL: Mr. President, I think there is one point that hasn't been covered. I am sure the Senator from Cumberland would have covered it or I should have covered it, but maybe it is fairly important. The action of this 96th legislature has in fact granted pardon to every applicant and every recipient who prior to January 1, 1950 got himself or herself into this position, so that if by that remote chance the Senate does stand by the department and by the rulings of the Attorney General in this case, then the city of South Portland 90 days after adjournment of this legislature will no longer find itself barred by the statute relating to transfer of property, and come early August I hope then this applicant will again be fully eligible and can then go back onto the old age assistance relief. I would also point out that if you do grant this one up to January 28, 1953 I see no reason why the next legislature shouldn't pick

up the costs on January 29 and carry them through to early August of this year.

It is purely a principle of standing behind the laws that we have written and standing by both the Department and the Attorney General and saying this lady is no more eligible than hundreds of others and we heard that case pleaded when we granted the pardon bill January 1, 1950 date. The Senator from Cumberland, Senator Weeks, can take that to Portland on this particular one the conclusion if you will just wait 'til August the state will pick up the deal again.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, I am sorry the Senator from Penobscot, Senator Haskell said that this woman should be penalized. As I understood the case when it was brought before our Committee, this woman was 85 years old or over and she had an attendant or a nurse or somebody else who managed all this money and then finally disappeared. Our Committee didn't believe that the old lady should be penalized for what somebody else did, therefore I think that the motion of the Senator from Penobscot should not prevail.

Mr. HANSON of Washington: Mr. President and members of the Senate, I would like to come to the support of Senator Haskell or King Midas if you want to call him that. I have had considerable personal experience with just this sort of thing. It has been my personal philosophy that we should stand pretty well on our own. I think in my own personal business I have tried to stand on my own, but many times when I have taken patients in need and tried to do something for them and many elderly people at that, realizing there was probably or possibly some chance of working out a situation in the future for them, I have found many times that on doing that that a near relative will come in and make a deal to preclude any responsibility that the recipients properly should have and on several occasions have I been stuck as we may say for goodly bills that should

have been justly paid and have been maneuvered out of.

Mr. HASKELL: Mr. President, I would add only this, that when a division is had the issue is not Margaret Dawson vs. the State of Maine it is the City of South Portland vs. the State of Maine.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, I rise in support of the motion of Senator Weeks of Cumberland, that we have just granted in the last disputed case a sum of money, only \$100, to a person who couldn't get it out of the Courts, it had gone by a long time. Here the department has taken a stand that this lady of this age should have done something which wasn't done, therefore is barring the payment of this bill. Certainly here is a case I feel where justice is carried out if the legislature assumes the obligation which this bill presents. I trust when the vote is taken that we can—a sufficient number of us can support this measure.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I am a bit confused in the matter of the issue we are debating. I am sorry to say that I was not in here at the time this matter was heard by reason of my illness, but as I understand the facts presented at the hearing and to the members of the Committee, it is not my understanding that Mrs. Dawson is the owner of any real estate. It is my understanding that Mrs. Dawson's brother is deceased and she received a small legacy from his estate which money was used to pay her obligations and I am a bit confused with the real estate problem, I didn't have knowledge of.

Mr. WEEKS: Mr. President and members of the Senate, the Senator from Hancock, Senator Silsby, is right, there was no real estate, there was a personal property bequest, and it is true that the money did go perhaps a little bit faster with the assistance of two other individuals who I think took advantage of her. No question about that. I was thinking in reference to making this same decision, I know of an elderly lady about 65 years old who came into the office one day and reported the fact that someone whom she had trusted un-

wisely had taken every bit of money that she had, some \$1400. I wondered what the decision of the department would be in that case. They refused her access to the rolls again on the basis that because she had trusted unwisely and had thereby divested herself of her money because she had confidence in someone else, she could be denied an opportunity.

Now in this particular case she was at the age where it is quite natural that we have to trust others, and they did take advantage of her in my opinion.

The Senator from Penobscot informed us that the department said she may go back on the rolls as soon as the law which we have passed becomes effective, but that doesn't help us on the \$1,000 which we would not otherwise have had to expend. I feel that the claim is justified.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Haskell, that the resolve be indefinitely postponed and the same Senator has requested a division.

A division of the Senate was had.

Seventeen having voted in the affirmative and 13 opposed,

The resolve was indefinitely postponed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of the Town of Milo (H. P. 486) (L. D. 506) tabled by the Senator from Aroostook, Senator Collins, on April 9 pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table, Resolve to Reimburse White and Hayes of Bangor (H. P. 501) (L. D. 1358) tabled by Mr. Collins of Aroostook on April 9 pending final passage; and on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve to Reimburse Clark - Mitchell Funeral Homes of Bangor (H. P. 502) (L. D. 1355) tabled by that Senator on April 9 pending final passage; and

on further motion by the same Senator the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, Resolve in Favor of Eastern Maine General Hospital of Bangor (H. P. 634) (L. D. 656) tabled by Mr. Collins of Aroostook on April 9 pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this is a resolve in favor of the Eastern Maine General Hospital in Bangor. I happen to be a trustee of that hospital. I would move that the resolve be indefinitely postponed. My reasons for the motion are these: This is a case where a patient was admitted to the hospital and when he was admitted he convinced the admitting office that either his own resources or insurance would be sufficient to pay his hospital bills. It was quite a serious case of long duration and the hospital, when they woke up to the fact that what he had told them wasn't true, found themselves in the hole to the extent of \$2,300. In that respect I have sympathy for the hospital. It is a matter of principle, however. If we start reimbursing private hospitals over and above the hospital aid permit, I don't see that there is any end to it. I don't want to involve myself into an extended debate but it opens up the question of whether or not the whole hospital aid program isn't as unsound as a three-dollar bill, and while I realize that the resolve was put in to help the Eastern Maine General Hospital to recover its loss on a bad credit risk, I don't think it is good policy for the state to adopt. Therefore, I move indefinite postponement of this resolve.

The motion to indefinitely postpone prevailed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of the Town of Knox (H. P. 638) (L. D. 1353) tabled by Mr. Collins of Aroostook on April 9th pending final passage; and on motion by Mr. Collins of Aroostook the resolve was finally passed.



On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, Resolve in Favor of the City of Gardiner (H. P. 797) (L. D. 882) tabled by that Senator on April 9th pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, Resolve in Favor of the Town of Liberty (H. P. 637) (L. D. 1356) tabled by Mr. Collins of Aroostook on April 9th pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate. This is another of those principle affairs. As I understand it the case involves the town's share in the ADC payment. I think both sides agree that the town hasn't received the money and the question is whether the Town of Liberty should pay to the state its share of the cost of ADC or whether the state should in fact taken over one hundred per cent of the claim. Now, in doing that, the question would be adjudicated as to whether or not the recipient does in fact have a settlement in the Town of Liberty. That town has unsuccessfully attempted to establish the fact that the recipient did not have a settlement in Liberty. The town is unhappy with the Attorney General's ruling and is very unhappy with the recent ruling of the Supreme Court which does in fact say to the department and to the cities and towns that the department's determination of settlement should prevail. Now, if by action of the legislature we say that this general court shall determine those facts, it seems to me that whenever the department rules against a town on a matter of settlement the town should appeal to the general court of this legislature. I agree thoroughly with the Senator from Hancock, Senator Silsby, that this legislature is a general court. Of that there can be no dispute. But I am told that the facts of this case clearly indicate that the position of the state should be maintained and the department and the Attorney General should be supported by the action of the general court.

So, again with reluctance, because one of my best friends in this legislature is the sponsor of this measure, I move indefinite postponement.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I cannot give much light to the facts of their particular resolve although I recall what has been told me by the Department of Health and Welfare that this case involved and I understand that there was some question as to who should pay for the support of the child. There was a companion case, so to speak, to this resolve and that was the State of Maine vs the Inhabitants of the Town of Swans Island which I think has been very recently decided, and by reason of the attorneys in the case taking the matter before the Law Court on an agreed statement of facts, it was determined just what was the meaning of the statute. Meanwhile these towns were uncertain as to the extent and meaning of the statute and waived their rights and served proper notices to the towns responsible for the child receiving aid. I cannot give all the facts but I must go along and support my committee that they felt that the state did pass a statute which was ambiguous and by reason of that the towns were precluded from getting their proper rights.

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

A division of the Senate was had.

Twenty-three having voted in the affirmative and five opposed.

The resolve was indefinitely postponed.

On motion by Mr. Collins of Aroostook the Senate voted to take from the table, Resolve in Favor of Ray Spearen of South China (H. P. 908) (L. D. 1357) tabled by that Senator on April 9th pending final passage.

Thereupon, on motion by Mrs. Kavanagh of Androscoggin, the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, Resolve in favor of Joseph A. DiDonato (H. P. 641) (L. D. 1331) tabled by Mr. Collins of Aroostook on April 9th pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this involves one of these claims to reimburse a person who has had to move from one section of the state to another while employed by the state. I think the Senate will remember that in case of three game wardens we granted the resolve under the circumstances that those three wardens had been reimbursed by the department, and it may have been off the record information but the information that I had was that the department had said in effect, "I did promise that and if the state does not see fit to pay it I will," and they were reimbursed.

In this case, so far as I know, the circumstances were quite different and this is simply one of the run-of-the-mill transfers which if accepted in principle could be followed up by I don't know now how many more unless there are some generally similar circumstances it seems to me we would be doing a favor to the next legislature if we set up a stop sign that might be interpreted to mean that we have now firmly established the fact that we do not pay for the moving expenses of the state employees. I move the indefinite postponement of the resolve.

Thereupon the resolve was indefinitely postponed.

On motion by Mr. Haskell of Penobscot

Recessed until this afternoon at one-thirty o'clock Eastern Standard time.

#### After Recess

The Senate was called to order by the President.

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

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H. P. 1153) (L. D. 1301) Bill "An

Act Relating to Re-Classification of State Aid Highways as Town Ways," reported that they are unable to agree.

Which report was read and accepted in concurrence.

Bill "An Act Relating to Police Officers in Uniform Stopping Motor Vehicles for Examination." (H. P. 270) (L. D. 298)

(In Senate, on March 24th indefinitely postponed in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed.

In the Senate, on motion by Mr. Haskell of Penobscot, tabled pending consideration until later in today's session.

Bill "An Act Relating to Duties of Court Stenographers." (H. P. 104) (L. D. 318)

(In the Senate, on May 4 passed to be engrossed as Senate Amendments "A" and "B" (Amendment Filings 483 and 568) in non-concurrence.

Comes from the House, passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto, (Amendment Filing 588) in non-concurrence.

On motion by Mr. Reid of Kennebec, tabled pending consideration until later in today's session.

The PRESIDENT: The Chair will state that it has been suggested as a possible method of procedure that in view of the fact that at the time the Senate recessed for lunch the Senate had reached Item 22 on the special calendar tabled for the Chairman on the Committee of Appropriations and Financial Affairs, that unless there be objection on the part of any member of the Senate possibly the Chair might take the items in regular order and announce them without the necessity of the procedure of having a member of the Committee move to take from the table, with the full understanding, of course, that if any member of the Senate desires to retable any item that motion would first be in order. In order that there be no question about it the Chair will ask if there is objection to such

procedure on the part of any member of the Senate. Not hearing any objection, this procedure will be followed.

The President laid before the Senate, resolve In Favor of A. P. Russell of Berwick For Damage By State Wards (H. P. 497) (L. D. 1391) tabled by Mr. Collins of Aroostook, on April 16, pending final passage.

Thereupon, on motion by Mr. Sinclair of Somerset, the resolve was finally passed.

On motion by Mr. Dunham of Hancock, it was

ORDERED, the House concurring, that the Legislative Research Committee be authorized to study the problem of state aid to education, including the matter of equalization through state subsidy to municipalities under the formula now used as a basis for distribution of state aid, and such other related matters as may be involved in a comprehensive study of state educational finance; and be it further

ORDERED, that the Committee report to the next legislature the result of its study with such recommendations as it may deem appropriate.

The President laid before the Senate, resolve to Reimburse J. J. Blackmore of Berwick for Damage Done by State Wards, (H. P. 496) (L. D. 1393) tabled by Mr. Collins of Aroostook, on April 16, pending final passage.

Thereupon, on motion by Mrs. Kavanagh of Androscoggin, the resolve was finally passed.

The President laid before the Senate, Resolve in Favor of S. Gaudet and Son, of Rockwood, (H. P. 402) (L. D. 1390) tabled by Mr. Collins of Aroostook, on April 16, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate, bill, An Act to Control Vesicular Diseases, (S. P. 465) (L. D. 1296) tabled by Mr. Collins of Aroostook, on April 22, pending passage to be enacted.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this is one of the items which

I think we had agreed perhaps should not receive final passage. Under the terms of the bill there was an appropriation from the surplus to take care of the expense involved during the year. Since this work has been started, in January to the first of July, and the way the bill was written, the sum of \$10,000 was to come from surplus and then the bill called for an expenditure of \$750 a year for each of the next two years. The Commissioner of Agriculture has stated he thinks this is a very desirable program and if the members of the Senate would feel so inclined I have an amendment to offer that would take \$5,000 from the unappropriated surplus and then amend the bill further by striking out all of Section 4, which carries the appropriation of \$7500 per year. And, Mr. President, I would move that we reconsider our action whereby this bill was passed to be engrossed.

Thereupon, under suspension of the rules the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. COLLINS: Mr. President, I offer Senate Amendment A, hoping it is fully understood by all the Senators and no way trying to put anything through that the entire membership would not approve. But I think this appropriation from the surplus was omitted as part of the act and any money that they didn't spend up to the first of July would remain as a carrying account. So I offer Senate Amendment A and move its adoption.

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

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Relating to Police Officers in Uniform Stopping Motor Vehicles for Examination (H. P. 270) (L. D. 298), tabled by Mr. Haskell of Penobscot earlier in this afternoon's session, pending consideration.

Mr. REID of Kennebec: Mr. President and members of the Senate, if my recollection is correct the Senate indefinitely postponed this particular bill as covered by other

legislation. I now understand that the other legislation has been indefinitely postponed and this comes from the House, that Body having insisted on its former action whereby this particular bill was passed to be engrossed. It seems to me the quickest way to solve this is to commit it to a Committee of Conference, which I move.

Thereupon, the Senate voted to insist and asked for a Committee of Conference.

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

Mr. REID of Kennebec: Mr. President and members of the Senate, the last House action on this bill was accomplished for the purpose of correcting an error. There was a Committee Amendment, as I recall it, and it should have been an amendment to the amendment of the House as corrected, and I therefore move the bill be passed to be engrossed in concurrence.

Thereupon, the Senate voted to recede and concur.

The President laid before the Senate bill, An Act Exempting Ships' Stores from Maine Sales Tax (H. P. 17) (L. D. 11), tabled by Mr. Collins of Aroostook on April 24th, pending passage to be enacted.

Thereupon the bill was passed to be enacted.

The President laid before the Senate bill, An Act Relating to Malt Liquor License Fees in Unorganized Territory (H. P. 982) (L. D. 1070), tabled by Mr. Collins of Aroostook on April 24th, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate bill, An Act to Amend the Sales and Use Tax Law Relative to Packaging and Shipping Materials (H. P. 1232) (L. D. 1426), tabled by Mr. Collins of Aroostook, on April 24th, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate resolve, Appropriating Money for the purchase of "The Length and Breadth of Maine" (H. P. 313) (L. D. 385), tabled by Mr. Collins of Aroostook on April 24th, pending final passage.

On motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

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

Sent down for concurrence.

The President laid before the Senate resolve, In Favor of Robert E. Towle of Portland (H. P. 795) (L. D. 1392), tabled by Mr. Collins of Aroostook on April 24th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, Reimbursing Certain Taxpayers in Indian Townships (H. P. 1165) (L. D. 1320), tabled by Mr. Collins of Aroostook on April 24th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, In Favor of The Maine Historical Society (S. P. 122) (L. D. 331), tabled by Mr. Collins of Aroostook on April 24th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, To Reimburse the Town of Brooks for Pauper Claim (H. P. 25) (L. D. 1447), tabled by Mr. Collins of Aroostook on April 29th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, To Reimburse the Town of Millinocket for Supplies Furnished the Warren Dorr Family (H. P. 62) (L. D. 59), tabled by Mr. Collins of Aroostook on April 29th, pending final passage.

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

ate, the Town of Millinocket is well represented in this Senate. Even though the notes that I have tell me to oppose this one, and even though I would oppose it, I thought I had a good case even if it did affect the town of Millinocket, I can't for the life of me make a convincing argument against this one.

I'll tell you what my notes say. The 95th legislature said it ought to pass, that's the first argument. The second one is in 1949 there was some doubt as to the settlement and on May 16, 1950 following extensive investigation, the department accepted the case as a state charge. Now the town of Millinocket is attempting to collect from the state subsistence from 1932 to 1950. Since we get into the matter of principle it seems to me that the state having accepted the thing you can arrive at some reasonable compromise in the error of the state in their conclusions prior to that period, there might be some justification for the case. As I understand it the case has been compromised from \$9,000 down to \$2,000. Still trying to be as honest as I can in expressing the departments conclusion, I don't think they have given a very good case on this one, but I think the Senate ought to require the representative of the town of Millinocket to justify the case, so I move the indefinite postponement of the resolve.

Mr. WARD of Penobscot: Mr. President and members of the Senate, this case originated in 1932. Most of us can well remember in 1932 the State of Maine and all the towns were in the middle of the depression. It so happened that in the year 1932 I happened to be the Chairman of the Board of Selectmen of the town of Millinocket. This particular case arose when a person went in to the Overseer of the Poor in Portland or South Portland, I have forgotten which, seeking assistance and as was customary then the Overseer's office took an affidavit from the applicant and the affidavit seemed to indicate that the pauper settlement of that person for example was in the town of Millinocket, so they notified us that the family was down there seeking assistance.

In 1932 I think most Overseers were more concerned with trying to feed a large number of people and house them and clothe them than they were in chasing around on an isolated case and in settling the pauper settlement of that particular family. In respect to this family, the question of the Dorr family, there was always considerable question as to whether or not their pauper settlement was actually in Millinocket. From time to time they did get assistance in Portland or South Portland, I have forgotten which, we would pay the bills and then we would threaten to put the family back in Millinocket and when we threatened that they would cease getting help and there was nothing we could do until the next time.

This continued along over a period of years and finally in 1950 the state was very firmly convinced that this family was a state charge, so that meant from 1932 up to 1950 the town of Millinocket had paid out money on behalf of the State of Maine in support of this family. My colleague here has been talking about principles all during the session, and if there is any principle here I think that the principle is that the State of Maine ought to pay this just debt. It seems to me that this is a just debt and if I was an attorney representing a debtor who had a bill of \$9,000 hanging over his head and could settle it for approximately \$2,000 I would think I was getting a pretty good trade. I presume what the Claims Committee did on this matter was to go back over a few of the more recent years and arrive at a figure of \$1900 which is approximately 20% of the claim and that is what they allowed, and I would certainly think the town of Millinocket was at least entitled to 20% of the claim when actually the entire amount should be paid to them because there isn't any question whatsoever that from 1932 to this date this family was a charge that was the sole responsibility of the State of Maine, and they were not a charge that the town of Millinocket was responsible for. Consequently I oppose the motion to indefinitely postpone.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of

the Senate, as a member of the Claims Committee we thrashed this through pretty thoroughly and of course it has been four months, and this was one of our first claims that came up and it is difficult to remember the details of all of these cases after four months and since we had over 90 claims to consider. But we came to the conclusion that the state was responsible for this claim and as the senator has stated we gave them about 20% and we felt that we were justified in doing that and I trust that the motion of Senator Haskell will not prevail.

Mr. BUTLER of Franklin: I rise to point of inquiry as to how it happens that on the \$100 item back in 1936 the Committee on Claims allowed the full amount, and here with the city of Millinocket they cut the claim 20%. I am just wondering how they arrive at that point. If the city of Millinocket was so entitled why do they have to take only 20% of the claim?

Mr. HASKELL: Mr. President, on behalf of the State of Maine I withdraw my motion to indefinitely postpone.

The PRESIDENT: The Senator from Penobscot, Senator Haskell, requests unanimous consent to withdraw his motion to indefinitely postpone. Is there objection? Hearing none, the motion to indefinitely postpone was withdrawn.

Thereupon, on motion by Mr. Ward of Penobscot, the resolve was finally passed.

The President laid before the Senate resolve, For the Purchase of One Hundred Copies of "Highlights of Westbrook History" (H. P. 207) (L. D. 238) tabled by Mr. Collins of Aroostook on April 29th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, In Favor of The Town of Castle Hill (H. P. 208) (L. D. 7456) tabled by Mr. Collins of Aroostook on April 29th, pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I think the State has a better case with this resolve according to the information supplied by the department. This is a case involv-

ing three units of government involving the Town of Castle Hill, the Town of Lubec and the State of Maine. The Town of Castle Hill seeks the money and the recipients have settlement in Lubec. Lubec is reluctant to pay Castle Hill so Castle Hill thinks the State of Maine should pick up the tab. The department thinks it is poor business. Of all of them I am sketchy in the preparation of this one. I think the town would be a better place to look for the costs than for the State of Maine because as you all know there are many disputes among towns relating to settlement cases and as the issue is clear cut it is a Lubec settlement maybe they ought to face it up rather than ask the State for consideration. I would move for indefinite postponement.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I have struggled with the facts and the law involved in this particular case and I think I have arrived at the factual solution as well as the legal solution, but believe me, it took some time. It is one of these cases which is the result of a woman living with a man to whom she thought she was married and divorced from another man, and I will try to relate the facts to you people of the Senate and maybe you can unravel this puzzle.

It seems that one Mary who was married to a Bullett and living with a man in the town of Castle Hill. It appears that while she was living with the other gentleman that three children were born, and Mary proceeded to acquire a divorce from her husband Bullett, and upon being granted the divorce for some reason or other she did not ask for custody of three of the minor children which were supposed to be the children of Sam Crowley, no question there. Now I think I am correct and the other lawyers in this honorable body can correct me, but I believe under the present existing statute when a mother divorces or wife divorces her husband and asks the custody of the children that the children take the settlement of the mother if that custody is granted. I will stand corrected if I am wrong. However there were two of the children she did have

custody and the other three she did not. Now over the period of time I think she may become—let me see, I think they had to have aid and called on the town of Castle Hill, and Castle Hill I believe was of the opinion that Mary did not have a pauper settlement there and they notified the State of Maine. The State of Maine I believe started an investigation which followed through up until June 15, 1950 and came up with a more complicated set of facts.

Sam Crowley who was presumed under the law to be the father of these three children was reported to have a pauper settlement in the town of Lubec. Investigating further in the town of Lubec it appeared that Sam Crowley did not have any residence there by reason of emancipation in 1919. To make a long story short they consulted legal talent Mr. Beck of Presque Isle and they immediately investigated the case to bring an action against Lubec and upon investigation found that emancipation was the issue and that it was back in the year of 1919 and the evidence if there was any, could not be ascertained. Now that brings us up to another rule of law. Our Courts decided I think in Catherin vs Kenton in 97 Maine that emancipation had to be proved, that the question that a father had deserted or a boy deserted or the father deserted the boy was something that had to be proved. Now the evidence has been all disclosed and we of the Claims Committee have come to the conclusion that in view of the good faith that Castle Hill and Lubec and the State of Maine have all shown in trying to unsnarl this problem that the larger of the three ought to carry the responsibility. It is anyone's case.

There isn't any question in my mind but what if the mother had asked for the custody of the children at the time of the divorce the State of Maine would have paid for the three and that would have been the end of it, and it doesn't seem that Castle Hill should be penalized for the misapprehension of law of the mother when she obtained a divorce, and I honestly feel it is a claim that should be paid.

Thereupon, Mr. Haskell was granted unanimous consent to withdraw his motion to indefinitely postpone, and the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of the City of Auburn (H. P. 491) (L. D. 510) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of the Town of Van Buren (H. P. 963) (L. D. 1449) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of the Town of Fort Fairfield (H. P. 1080) (L. D. 1450) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of Wesley Ramsey of South Portland (S. P. 245) (L. D. 1438) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of the Town of Aurora (S. P. 95) (L. D. 231) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Bill, "An Act Exempting Certain Education Institutions from the Sales Tax" (S. P. 524) (L. D. 1416) tabled by Mr. Collins of Aroostook on April 29, pending passage to be enacted.

Thereupon the bill was passed to be enacted.

The President laid before the Senate Bill, "An Act Relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" (S. P. 333)

(L. D. 833) tabled by Mr. Collins of Aroostook on April 29, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate Resolve, in Favor of the Town of Jay (H. P. 798) (L. D. 1448) tabled by Mr. Collins of Aroostook on April 29, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, Providing for the Revision of the Statutes (S. P. 170) (L. D. 419) tabled by Mr. Collins of Aroostook on April 30, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of Bert W. Paul of Skowhegan (H. P. 488) (L. D. 508) tabled by Mr. Collins of Aroostook on May 1, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of Carroll L. McKusick of Parkman (H. P. 159) (L. D. 733) tabled by Mr. Collins of Aroostook on May 1, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate, bill, An Act Relating to Salary of Members of the Legislature (H. P. 250) (L. D. 280), tabled by Mr. Collins of Aroostook on May 4 pending passage to be enacted.

Mr. COLLINS: Mr. President, I move that the bill be indefinitely postponed.

Mr. BOUCHER of Androscoggin: Mr. President, I don't care to go along with that motion. I have already taken a stand on this and I am going to be consistent, with myself at least, and oppose the motion to indefinitely postpone this bill. And when the vote is taken, Mr. President, I ask that it be taken by a division.

A division of the Senate was had. Twenty-four having voted in the affirmative and four opposed, the bill was indefinitely postponed.

The President laid before the Senate bill, An Act Relating to the Salary of the Reporter of Decisions (H. P. 630) (L. D. 653) tabled by Mr. Collins of Aroostook on May 4, pending passage to be enacted.

Mr. COLLINS: Mr. President, I move that this bill be indefinitely postponed.

Mr. Chapman of Cumberland: Mr. President and members of the Senate, I hesitate to rise in opposition to the motion of the Senator from Aroostook but I feel compelled to do so. This particular bill calls for what looks like an increase in the salary of the Reporter of Decisions of the Supreme Court. It actually, when viewed in its proper light, is not an increase at all. For many years the salary of the Reporter of Decisions was \$2500. About ten or eleven years ago it was cut from \$2500 to \$2000 under rather peculiar circumstances, a sort of fight between a former reporter and certain political antagonists of his. For the past eight or nine years it has been \$200. This bill seeks to restore that back to \$2500. I might say that from about 23 or 24 years ago there has been no raise at all despite the rising costs in living and all the other features we are acquainted with. I know the present Reporter of Decisions because he happens to be a law associate of mine and that is why I am interested in this. When he took office some three years ago he had before him the job of finishing off the printed volumes of four years of the Reports of our Supreme Court. He did that and he has kept up with the volumes which have come out in the last three years, and if you take those two factors together you can see he has done almost double the work the Reporter should have to do. In addition to that he has put out the advance sheets of monthly reports of decision, thus assuming additional duties never assumed before. It seems to me that the \$500 suggested in this bill should have been carried out before and that it is not asking too much to squeeze this one under the wire and I hope the motion to indefinitely postpone does not prevail.



The PRESIDENT: The question before the Senate is on the motion by the Senator from Aroostook, Senator Collins that the bill be indefinitely postponed.

A viva voce vote being doubted by the Chair, a division of the Senate was had.

Ten having voted in the affirmative and nineteen opposed

The motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate bill, An Act Providing For A Deputy Commissioner of Institutional Service (H. P. 897) (L. D. 883) tabled by Mr. Collins of Aroostook on May 4, pending passage to be enacted.

Thereupon, on motion by Mr. Carpenter of Somerset, the bill was indefinitely postponed.

The President laid before the Senate bill, An Act Continuing Pensions of Retired Members of the State Police (H. P. 924) (L. D. 992) tabled by Mr. Collins of Aroostook on May 4, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate, resolve In Favor of A Retirement Allowance for Edith V. Jack of Hollis Center (H. P. 16) (L. D. 10) tabled by Mr. Collins of Aroostook on May 4, pending final passage; and on motion by that Senator the resolve was temporarily retabled pending final passage.

The President laid before the Senate resolve, In favor of Robert W. Johnson of Rumford (H. P. 30) (L. D. 24) tabled by Mr. Collins of Aroostook on May 4 pending final passage.

On motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby this resolve was passed to be engrossed.

The same Senator presented Senate Amendment A which was

adopted; and the resolve as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate resolve, Granting a Pension to Ida M. Fuller of Mount Vernon (H. P. 425) (L. D. 472) tabled by Mr. Collins of Aroostook on May 4, pending final passage.

On motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby this resolve was passed to be engrossed.

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

The President laid before the Senate resolve, Providing for a Retirement Pension for Lydia B. Otis of Carmel (H. P. 297) (L. D. 358) tabled by Mr. Collins of Aroostook on May 4 pending final passage; and on motion by that Senator the resolve was temporarily re-tabled.

The President laid before the Senate resolve, In Favor of Sadie M. D. Jewell of Orono (H. P. 927) (L. D. 1024) tabled by Mr. Collins of Aroostook on May 4, pending final passage.

On motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby this resolve was passed to be engrossed.

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

Sent down for concurrence.

The President laid before the Senate resolve, In Favor of Naomi G. Davis of Palermo (H. P. 1018) (L. D. 1144) tabled by Mr. Collins of Aroostook on May 4, pending final passage.

On motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action whereby this resolve was passed to be engrossed.

The same Senator presented Senate Amendment A which was adopted; and the resolve as so amended

was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate bill, An Act Relating to Court Records and Official Court Reports (S. P. 219) (L. D. 585) tabled by Mr. Collins of Aroostook on May 4, pending passage to be enacted.

Thereupon on motion by Mr. Collins of Aroostook, the rules were suspended and the Senate voted to reconsider its former action where-by the bill was passed to be engrossed; Senate Amendment A was indefinitely postponed in non-concurrence and the same Senator presented Senate Amendment B, which was adopted, and the bill as amended by Senate Amendment B was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, bill, An Act Relating to Number of Justices of Superior Court (S. P. 402) (L. D. 117) tabled by Mr. Collins of Aroostook on May 4, pending passage to be enacted; and on motion by Mr. Haskell of Penobscot, the bill was passed to be enacted.

The President laid before the Senate bill, An Act Creating A Division of Indian Affairs (H. P. 245) (L. D. 226) tabled by Mr. Collins of Aroostook on May 5, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate bill, An Act Relating to Elderly Teachers' Pensions (S. P. 49) (L. D. 77), tabled by Mr. Collins of Aroostook on May 5, pending passage to be enacted.

Thereupon, the bill was passed to be enacted.

The President laid before the Senate resolve, In Favor of George S. Bradbury, of West Franklin (S. P. 98) (L. D. 233), tabled by Mr. Collins of Aroostook on May 5, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, In Favor of Frank B. Adams of Thomaston, (S. P. 112)

(L. D. 313), tabled by Mr. Collins of Aroostook, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, In Favor of Vera A. Gordon of West Sullivan (S. P. 130) (L. D. 339), tabled by Mr. Collins of Aroostook on May 5, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate resolve, In Favor of a Retirement Allowance for Gertrude E. Durost of Mars Hill (S. P. 450) (L. D. 1268) tabled by Mr. Collins of Aroostook on May 5, pending final passage; and on motion by Mr. Collins the resolve was re-tabled pending final passage.

The President laid before the Senate Resolve, in Favor of a Retirement Allowance for Harriet McClaskey of South Portland (S. P. 451) (L. D. 1266), tabled by Mr. Collins of Aroostook on May 5, pending final passage; and on motion by Mr. Collins the resolve was re-tabled pending final passage.

The President laid before the Senate Resolve, in Favor of a Retirement Allowance for Edith V. Jack of Hollis Center (H. P. 16) (L. D. 10), tabled by Mr. Collins of Aroostook earlier in today's session pending final passage; and on motion by Mr. Collins the resolve was finally passed.

The President laid before the Senate Resolve, Providing for a Retirement Pension for Lydia B. Otis, of Carmel (H. P. 297) (L. D. 358), tabled by Mr. Collins of Aroostook earlier in today's session pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, In Favor of a Retirement Allowance for Gertrude E. Durost of Mars Hill (S. P. 450) (L. D. 1268), tabled by Mr. Collins earlier in today's session, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of a Retirement Allowance for Harriet McClaskey of South Portland (S. P. 451) (L. D. 1266), tabled by Mr. Collins of Aroostook earlier in today's session pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, In Favor of a Retirement Allowance for Donald Mathieson of Freedom (S. P. 452) (L. D. 1267), tabled by Mr. Collins of Aroostook on May 5, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, In Favor of a Retirement Allowance for Annie Pierce of Weeks Mills (S. P. 453) (L. D. 1265), tabled by Mr. Collins of Aroostook on May 5, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, in Favor of Mrs. Ruth Sturtevant, of Rockland (S. P. 597), tabled by Mr. Collins of Aroostook on May 5th, pending final passage.

Thereupon, the resolve was finally passed.

The President laid before the Senate Resolve, Providing for State Pension for Rose LaPoint of Turner (S. P. 601), tabled by Mr. Collins of Aroostook on May 5th, pending final passage; and on motion by Mr. Boucher of Androscoggin, the resolve was finally passed.

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

ORDERED, the Senate Concurring, that the Legislative Research Committee be and hereby is directed to study the laws exempting property of corporations organized under Chapter 50 of the Revised Statutes from taxation together with the practical application and effect of the application of such laws to the assessments of taxes in the municipalities of the State. (H. P. 1306)

On motion by Mr. Chase of Cumberland, tabled pending passage.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to the Issuance of Operators' Licenses from Date of Birth," (H. P. 878) (L. D. 870), reported that they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

The PRESIDENT: With respect to the disagreeing action between the two branches of the legislature on Bill, An Act Relating to Police Officers in Uniform Stopping Motor Vehicles for examination (H. P. 270) (L. D. 298) the Chair will appoint as members on the part of the Senate of a Committee of Conference, Senators Silsby of Hancock, Butler of Franklin, and Weeks of Cumberland.

The PRESIDENT: With respect to the disagreeing action between the two branches of the legislature on Resolve, in Favor of the Town of Garland (H. P. 1038) (L. D. 1182) the Chair will appoint as members on the part of the Senate of a Committee of Conference, Senators Collins of Aroostook, Haskell of Penobscot and Sinclair of Somerset.

The PRESIDENT: With respect to the disagreeing action between the two branches of the legislature on Resolve, in Favor of the Several Academies, Institutes and Seminaries (H. P. 1244) (L. D. 1446) the Chair will appoint as members on the part of the Senate of a Committee of Conference, Senators Haskell of Penobscot, Collins of Aroostook and Ward of Penobscot.

The President laid before the Senate bill, An Act Authorizing Towns Issue Revenue Bonds for Public Improvement (S. P. 85) (L. D. 192) tabled by Mr. Boucher of Androscoggin on May 6th, pending motion to indefinitely postpone, and today assigned.

Thereupon, Mr. Boucher of Androscoggin was granted unanimous consent to withdraw the motion to indefinitely postpone.

Mr. BOUCHER: Mr. President, I would now like to know the position of the bill.

The PRESIDENT: The Secretary will read the endorsement on the bill.

The SECRETARY: On April 24th the Senate accepted the report of the Judiciary Committee Ought to Pass in New Draft and under New Title, being Senate Paper 579, L. D. 1519. In the House on May 6th the original bill was substituted for the new draft and passed to be engrossed.

Mr. BOUCHER: I move we concur with the House in substituting L. D. 192.

Thereupon, the original bill was substituted for the new draft and given its first reading; the same Senator presented Senate Amendment A which was adopted; and on further motion by the same Senator under suspension of the rules the bill was given its second reading and passed to be engrossed as amended by Senate Amendment A in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Reports from the Committee on Labor on bill, An Act Relating to Unemployment Compensation Regarding Waiting Period, (H. P. 1100) (L. D. 1234), majority report Ought Not to Pass, minority report, Ought to pass, tabled by that Senator on April 27th, pending consideration; and on further motion by the same Senator the majority report Ought Not to Pass was accepted in concurrence.

On motion by Mr. Harding of Knox, the Senate voted to take from the table Senate Report Ought Not to Pass from the Committee on Judiciary on Recommended Bill, an Act Relating to Evidence of Offenses Before the Grand Jury (S. P. 407) (L. D. 112) tabled by the Senator on April 22nd, pending consideration of the report.

Thereupon, on motion by Mr. Chapman of Cumberland, the bill was substituted for the report and the bill was given its first reading; the same Senator presented Senate Amendment A which was adopted;

and under suspension of the rules the bill was read a second time and passed to be engrossed as amended. Sent down for concurrence.

On motion by Mr. Dow of Lincoln, the Senate voted to take from the table Bill, "An Act Permitting Parole of Lifers After Thirty Years Imprisonment" (H. P. 1168) (L. D. 1323), tabled by that Senator earlier in today's session, pending passage to be enacted.

Mr. DOW of Lincoln: Mr. President and members of the Senate, still realizing the futility of opposing the report of ten lawyers in the Judiciary Committee, nevertheless, I feel this is a poor piece of legislation and that I must attack it even though I do so single handed.

In talking with some members of this Committee I find that this was an administrative bill and that at the hearing no opposition appeared. The bill as I said a few days ago in itself appears to be harmless. Some of the provisions in the bill do say. One says that a lifer in order to be eligible for parole must not have a previous record. Another says that before an individual is considered for parole that an investigation is carried out in the locality from which he came. But I feel that the passage of this bill would just be a step in softening our penal laws. I feel they are lenient enough.

I cite to you the case many of you may remember of a fugitive from New York State who was being pursued by officials of that state for a capital crime several years ago, and had he been caught in the State of New York or some other state he might have gotten the electric chair. He stole a car, drove to Maine, and upon arriving in the first city that he came to in Maine he shot a policeman on the street and got life imprisonment in the State of Maine. Another case that is quite close to me is one in which an individual serving a 15 year sentence in Pennsylvania for a crime in connection with the drowning of a little girl, was paroled from that state after seven years where they have to my mind rather lax parole laws, and being a former resident of the State of Maine perhaps

they figured he would come back to the State of Maine and they would be rid of him. He did exactly that. Within a few months time he committed the crime of armed robbery and murder by shooting a man down in cold blood in a grocery store because he wouldn't hand over the money.

The State of California has a parole law which makes lifers eligible after seven years and records show that 40% of these parolees are returned for violation. In Maine the Governor and his Council already have the power to pardon a lifer who submits an application for executive clemency. In Massachusetts a lifer is not eligible for parole in this state. New Hampshire lifers are not eligible for parole consideration. In this state their only recourse is through a pardon by the Governor, and there are many other states I could cite.

I have heard it said that a man in a fit of passion commits a murder and after 30 years he has been punished enough and could be eligible for parole and perhaps if released would become a good citizen. But I ask you what would prevent that same man from having another fit of passion and killing someone else. What I am afraid of in this particular law is that a few good results from parolling some of these 30 year termers, I mean good results, I mean by parolling some men after 30 years having them go out and taken back into society and perhaps make a good citizen. But what I am afraid of is that if that should happen what is there to prevent some future legislature decreasing the 30 years to 20 or 15 as has been done in some of these other states, cut back, softened up, made a little easier.

Most of the states that parole lifers have a capital punishment law where real serious crimes are taken care of by capital punishment. Those of not so serious a nature are given life and therefore are eligible for parole under the provisions of that state's law. It seems as though I voted against everything and everybody here today so I do not expect too much support on this particular issue, however, I don't like the bill and

I want to move that it be indefinitely postponed.

Mr. SQUIRE of Kennebec: Mr. President and members of the Senate, I want to assure Senator Dow that he is not alone in his feelings. I think the other day he expressed that he felt that way although we hadn't discussed the matter with each other at all, but I feel the same way that he does. I think he very ably covered the ground and in my mind it seems that most of these lifers are in there for a vicious crime. Many of them are sex maniacs and although their deportation may be exemplary in the prison and although the parole board may act through sincerity, the record shows throughout the country that there are times when quite a few of these men have again committed a vicious crime. One appears in the paper every so often and probably all of you have seen them. For that reason I feel that we are taking quite a step and I would support the Senator from Lincoln, Senator Dow, in his contention moving indefinite postponement and I would like to vote against the bill also, so I move when the vote is taken it be taken by division.

Mr. REID of Kennebec: Mr. President and members of the Senate, this is probably one of those bills that falls into that category where you have to let your conscience be your guide, and the action of the Committee is only an action expressing some feelings on the subject. I think however, there is one thing that has not been brought out here today, and that is this, that in this state we do not have degrees of murder, like first or second or third degrees. We have a murder statute and a manslaughter statute and perhaps it is not a matter of common knowledge but there is a law in this state that you can be found guilty of murder in the State of Maine without any premeditation whatsoever. If you inflict for example upon a person wounds so severe that the person dies the rule would be that you could be found guilty of murder, it is quite unlike a premeditation charge, that is the reason why in other states they have different degrees for that offense. This is a humanitarian meas-

ure in one way. Many years ago when murder was committed the punishment reached even the torture step. In this country in many states you can be executed in one form or another for murder. The State of Maine has I believe for a long time removed capital punishment and promoted life imprisonment. This step to make it possible for parole after 30 years applies only in cases where a person involved had never been guilty of any other felony before in his life so that it would not apply to what we term repeater cases. I think it was the feeling of the majority of the committee that passage of the bill was sound, progressive legislation, therefore I hope the motion to indefinitely postpone does not prevail.

The PRESIDENT: The question before the Senate, is on the motion by the Senator from Lincoln, Senator Dow, that the bill be indefinitely postponed, and the Senator from Kennebec, Senator Squire, has requested that when the vote is taken that it be taken by a division.

A division of the Senate was had.

Eight having voted in the affirmative and twenty-one opposed.

The motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be enacted.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act To Repeal the Tax on Cigars and Tobacco Products (H. P. 1144) (L. D. 1292) tabled earlier in today's session by that Senator, pending passage to be enacted.

On motion by Mr. Wight of Penobscot, under suspension of the rules, the Senate voted to reconsider its former action, whereby the bill was passed to be engrossed, and the same Senator presented Senate Amendment A which was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table, An Act Relating to Powers of Attorney General (S. P. 172) (L. D. 438) tabled by that

Senator on May 5th, pending consideration.

Mr. REID of Kennebec: Mr. President and members of the Senate, I first wish to say that I speak only or I rise to speak only on matters pertaining to general law regarding the Attorney General's Department and in no way intend to speak against the present attorney General, it is simply a matter of what and how broad his statutory power should be his, or his successor.

Up until two years ago the Attorney General's Department functioned under general common law powers and presumably had a right to do most of the things which maybe he has done after it came by its statutory powers two years ago. There is no Maine case directly defining the powers of the Attorney General, but they have been recognized in the past as a matter of custom, and there is a Massachusetts Court case which says these things in effect. The office of the Attorney General is one of the institutions of the Commonwealth brought by the early settlers to these shores. And further the Massachusetts Court went on to say often has been recognized that the powers of the Attorney General are not circumscribed by any statute, but that he has certain common law practice that is pertinent to the office. In checking up in what way the Attorney General may have functioned with respect to counties in the past, I find there are several instances in the case of death or sickness of the County Attorney where the Attorney General walked in to help out the situation and apparently no one questioned his right to do so.

Two years ago I put in a bill in the early stages of the session putting more teeth in the gambling laws because at that time I was convinced that we had a growing network of organized gambling in the State that ought to be stopped and thought that could best be done by handing jail sentences to the offenders. It didn't receive any particular attention although it was going along all right when the Kefauver Crime Investigation Committee received all of a sudden a lot of favorable publicity and the then situation got looked into rath-

er thoroughly in the State of Maine and as you all remember the Attorney General at that time hired special assistants to curb organized gambling in the state.

At the same time he handed to me a bill giving him declaratory statutory powers and asked me to sponsor it which I did and I had in mind at the time that the statutory powers would be used further and make it easier what I thought should be his job in cutting out the organized gambling. The preamble to that law passed two years ago reads as follows: "Whereas the Attorney General is a constitutional officer of the State and as such invested with the common law powers of the office, and whereas the authority to act as chief prosecuting officer of the State under common law has not been expressed by decretory legislation".

I agree that allowing the Attorney General, without giving any reason or finding fault, to simply oust the County Attorney is poor legislation. For that reason I hope this bill which simply takes out the words "in place of " receives passage. Mr. President I think the pending question before the Senate is on the acceptance of the report. I move that the Senate insist upon its former action and ask for a Committee of Conference.

Motion to insist prevailed and the President appointed as members of such committee on the part of the Senate, Senators Reid of Kennebec, Harding of Knox and Ward of Penobscot.

#### **Additional House Papers out of order and under suspension of the rules**

The Committee of Conference 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) reported that they are unable to agree.

Which report was read and accepted in concurrence.

Bill "An Act Relating to Administration of the Highway Commission." (S. P. 598) (L. D. 1544)

(In Senate, on May 6th, passed to be engrossed as amended by Senate Amendment "B", as amended by

Senate Amendment "A" thereto; (amendment filings 603, 604)

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

(Amendment filing No. 606) thereto, in non-concurrence.

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

"Resolve in Favor of Eastern Maine General Hospital, of Bangor." (H. P. 634) (L. D. 656)

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

Comes from the House, that body having insisted on its former action whereby the resolve was passed to be engrossed, and now asks for a Committee of Conference.

On motion by Mr. Ward of Penobscot, the Senate voted to join with the House in a Committee of Conference and the President appointed as members of such committee on the part of the Senate, Senators Hanson of Washington, Collins of Aroostook and Sinclair of Somerset.

Bill "An Act Relating to Officers and Employees of the Legislature." (S. P. 583) (L. D. 1523)

(In Senate, on April 28th, passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" (Filing No. 596) (amendment also changes title.)

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

Bill "An Act Relating to Bookmobile Service." (H. P. 2) (L. D. 2)

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

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

Mrs. LORD of South Portland  
Messrs: ROUNDY of Portland  
Miss CORMIER of Rumford

In the Senate, that Body voted to join with the House in a Com-

mittee of Conference, and the President appointed as members of such Committee on the part of the Senate, Senators Collins of Aroostook, Haskell of Penobscot and Sinclair of Somerset.

“Resolve in Favor of the Town of Liberty.” (H. P. 637) (L. D. 1356)

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

Comes from the House, that body having insisted on its former action whereby the resolve was passed to be engrossed, and now asks for a Committee of Conference.

In the Senate, that Body voted to join with the House in a Committee of Conference.

“Resolve in Favor of Joseph A. DiDonato.” (H. P. 641) (L. D. 1331)

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

Comes from the House, that body having insisted on its former action whereby the resolve was passed to be engrossed, and now asks for a Committee of Conference.

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

Bill “An Act Relating to Education in Unorganized Territory.” (S. P. 448) (L. D. 1263)

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

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed as amended by Senate Amendment “B” in non-concurrence, and now asks for a Committee of Conference.

In the Senate; that Body voted to join with the House in a Committee of Conference.

On motion by Mr. Fuller of Oxford, the Senate voted to take from the table, Senate Report Ought Not to Pass from Committees on Legal Affairs on bill, An Act Relating to Long Meets in Harness Racing, (S. P. 273) (L. D. 762), tabled by that Senator on April 23, pending consideration of the report; and on further motion by the same Senator the Ought Not to Pass report of the Committee was accepted.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table, Resolve, In Favor of Edward Alvin Hodgdon of Presque Isle (S. P. 548) (L. D. 1463), tabled by that Senator on May 5, pending final passage; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

The same Senator presented Senate Amendment A which was adopted, and the resolve as so 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, Resolve, Providing Funds for Nursing Attendant Education (H. P. 480) (L. D. 499), tabled by that Senator on May 6th, pending assignment for second reading; and on further motion by the same Senator the resolve was indefinitely postponed in non-concurrence.

Sent down for concurrence.

Mr. BROGGI of York: Mr. President, under suspension of the rules, I move that the Senate reconsider its action where it asked for a Committee of Conference on L. D. 1262, An Act Relating to Education In Unorganized Territory.

The motion to reconsider prevailed.

Mr. BROGGI: Mr. President, I move the Senate now adhere.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was laid upon the table, pending the motion of Mr. Broggi of York, that the Senate adhere.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve, In Favor of Althea C. Ward of Augusta (S. P. 473) (L. D. 1295), tabled by that Senator on May 5th, pending final passage; and on further motion by the same Senator under suspension of the rules the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.



The same Senator presented Senate Amendment A which was adopted and the resolve as so 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 Senate Order, Relating to Lobbyists, tabled by that Senator on April 29th, pending consideration; and on further motion by the same Senator the Order was indefinitely postponed.

Mr. COLLINS of Aroostook: Mr. President, I rise to inquire if Legislative Document 77, S. P. 49, bill, An Act Relating to Elderly Teachers' Pension is in possession of the Senate?

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

Thereupon, on motion by Mr. Collins, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed 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.

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

Sent down for concurrence.

"Resolve, in Favor of Bosworth Memorial Association." (H. P. 23) (L. D. 18)

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

Comes from the House, that Body having insisted on its former action whereby the resolve was passed to be engrossed, and now asks for a Committee of Conference.

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

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Membership of State Harness Racing Commission," (H. P.

663) (L. D. 706) reported that the same ought to pass.

(signed) Senators:

WEEKS of Cumberland  
CHAPMAN of Cumberland

Representatives:

STEWART of Paris  
STEWART of Portland  
HAND of New Limerick

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

(signed) Representatives:

GOWELL of Berwick  
CHILDS of Portland  
WOODCOCK of Bangor  
MARTIN of Eagle Lake

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

On motion by Mr. Weeks of Cumberland, the bill was laid upon the table until later in today's session, pending consideration.

On motion by Mr. Haskell of Penobscot

Recessed until this evening at 7:00 o'clock, Eastern Standard Time.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table Bill, "An Act Relating to Bounty on Bears" (H. P. 1043) (L. D. 1185) tabled by that Senator on May 1 pending motion by the Senator from Androscoggin that the bill be indefinitely postponed.

Mr. PARKER: Mr. President and members of the Senate, I thought it might be well to remove this bear bounty bill from the table for two reasons. One is while we are still speaking to one another and are able to travel the corridors without interference from anyone. Second, I thought it might be well to talk for a while about a bill which would not require money either from the unappropriated surplus or the general fund.

As you all know, the revenue that places a bounty on bears is derived from dog licenses. First I would like to explain to the Senate, the value of the industry in the

State of Maine. The last available figures are for the year 1950, and the number of sheep and lambs in the State of Maine in 1950 was 23,000. The value of those animals was \$287,771. They all sold for \$101,503.

It is my understanding that since 1950 the sheep industry in the State of Maine, particularly in Aroostook County, has increased. The number of domestic animals, heifers, calves and other animals destroyed by bear for the year 1951-1952, the fiscal year that is, this is the damage by bear—in Aroostook County there were 79 sheep killed by bear, with a value of \$1833. In Franklin County there were 81 killed by bear with a value of \$2,864. Hancock County one, Oxford County 7, Penobscot County 26 with a value of \$640. Piscataquis County 35 with a value of \$902, Somerset County 63 with a value of \$1825. Washington County 13 with a value of \$264. There were four heifers killed in the state by bear; there were 8 calves killed by bear; one bull killed by bear; eleven pigs killed by bear and the total number of animals killed was 329 with a total value of \$9,959.

I quote those figures for one purpose only and that is to try to impress upon you the value of the industry to the State of Maine and the amount of damage that is done by bear in the state. If I may, at this time, I would like to inquire from the Chair what the bill's status is—this is L. D. 1185.

The PRESIDENT: In answer to the inquiry of the Senator, the Secretary will read the endorsements.

The SECRETARY: In the House of Representatives, read a third time and passed to be engrossed as amended by House Amendment "A" and House Amendment "B" as amended by House Amendment "A" thereto.

In the Senate on April 30 read once, House Amendment "A" adopted; House Amendment "B" as amended adopted; Senate Amendment "A" to House Amendment "A" to House Amendment "B" adopted and the bill laid upon the table by the Senator from Penobscot, Senator Wight, pending motion to indefinitely postpone.

The PRESIDENT: The pending question is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be indefinitely postponed.

Mr. WIGHT of Penobscot: Mr. President, I think probably this Senate has heard enough from me on this subject but I know that there is another bear bounty bill around here somewhere, in the other Branch, I believe, and I shall go along with Senator Boucher in the indefinite postponement of this bill.

Mr. SILSBY of Hancock: Mr. President, this bill has several amendments and is very confusing and perhaps I will confuse the issue a little more by saying that there is also a companion bill in the House which has not quite so many amendments as I understand but is not the bill that it appears the sponsors want to pass. I believe that the amendment on this particular bill that we are now considering in effect leaves the bill so that the bounty will be paid in Aroostook, Piscataquis and Penobscot County. I believe that the other amendment is to the end that the bounty in the matter of price tag is \$25 instead of \$15.

This seems to be a very serious matter with some of my good friends in the northern part of the state. They feel there is a definite need for it, and I hope that the motion of the Senator from Androscoggin will not prevail.

Mr. WIGHT: Mr. President, when the committee considered these bills and reported out this particular bill as ought to pass in its original condition, the other bill was reported out ought not to pass. I will in all fairness state that this bill originally was the better of the two bills so if there is any choice between the two, and if you can restore the natural shape of this bill, it is better than the other one.

Mr. PARKER: Mr. President, I would now move that all the amendments that have been attached to legislative document 1185 be indefinitely postponed and in support of that I just want to make a statement similar to one made by the Chairman of the Committee, Senator Wight of Penobscot, that by removing these amendments we

have the original bill and if it is enacted according to the written document it will simply put on our statutes for the next two years, the exact one that has been on for the previous two years which calls for a bounty on bears for \$15. I think that is the one we should pass and if my motion is sustained I shall move that this bill be enacted.

The motion prevailed, and all amendments attached to the bill were indefinitely postponed.

Mr. WIGHT of Penobscot: Mr. President, I present Senate Amendment A to the bill and move its adoption and I might offer an explanation. At the present time, the license fee for non-resident trappers in the state of Maine for any animal is \$200. A great many non-residents come into the state in the fall and I am sure they might be interested in trapping bear if the fee were not so high. They go to the Rocky Mountains to look for bear so why not to Maine. However, the \$200 fee would be quite a drawback and this amendment simply puts the fee for bear trapping down to \$10 and I think this would bring some non-resident bear trappers into our state.

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

Sent down for concurrence.

On motion by Mr. Silsby of Hancock, the Senate voted to take from the table Senate Report "Ought not to pass" from the Committee on Welfare on Resolve Providing for State Pension for Eva. A. Scammon of Franklin (S. P. 103) tabled by that Senator on April 21 pending consideration of the report.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, this is a resolve which is very close to my heart. However, a few days ago I found it my duty to make a decision as to whether or not I would stand up, substitute the bill for the report on another case in the same community. I felt that the one I supported the other day was a little more worthy than this and I do not have the unmiti-

gated nerve at this time to make the motion to substitute this bill for the ought not to pass report. Therefore, I move acceptance of the ought not to pass report.

The motion prevailed and the ought not to pass report of the committee was accepted.

Sent down for concurrence.

On motion by Mrs. Kavanagh of Androscoggin, the Senate voted to take from the table House report from the Committee on Taxation on bill, An Act to Repeal the Exemption from the Sales Tax of Domestic Fuel (H. P. 687) (L. D. 722) reported ought to pass in new draft and under new title as "An Act to Amend and Clarify the Exemption of Fuel from the Sales and Use Tax" (H. P. 1271) (L. D. 1467) tabled by that Senator on May 6 pending consideration of the report; and on further motion by the same Senator, the report was accepted and under suspension of the rules, the bill was given its two several readings and passed to be engrossed in concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to Members of Executive Council and Manner of Selection (S. P. 68) (L. D. 1544) tabled by that Senator on May 6 pending consideration.

Mr. COLLINS of Aroostook: Mr. President, as you remember no doubt, this bill was indefinitely postponed in this Branch, and then when it went over to the other branch, an amendment was added to the bill which, I think, clears up one of the difficulties that the bill had in this branch in that the nomination will go to the caucus preceding the meeting of the joint convention. I will read you the amendment which was adopted in the House:

"The Secretary of State shall file such certificates with the secretary of the party caucus held preceding the convening of the legislature, and the nomination shall be made at said party caucus."

In showing this amendment to the Senator from Penobscot who was opposed to the bill, he thought that it might further clarify the situation if we added another

amendment which is what I would like to propose now and since it is short, I will read that additional amendment. It says: "It is not the intention of the legislature that the provisions of this section will in any manner restrict the rights of the party caucus to reject the nomination so presented."

It seems to me that this amendment answers the objections of most of the members of the Senate. I talked with Senator Hanson of Washington and it covers his objections. It does spell out a manner of procedure and in the initial stages the delegates from the county can go to the councillor district if they don't get a majority in the county from which the Councillor is to come. So if it is in order, Mr. President, I move that the Senate reconsider its former action.

Thereupon, under suspension of the rules, the Senate voted to reconsider its former action where it adopted House Amendment A; and on Motion by Mr. Collins of Aroostook, Senate Amendment A to House Amendment A was adopted; House Amendment A was amended by Senate Amendment A was adopted and the bill was passed to be engrossed as amended by House Amendment A as amended by Senate Amendment A there to in non-concurrence.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Senate Report "Ought not to pass" from the Committee on Judiciary on bill, An Act Relating to Limitation of Slander and Libel Suits (S. P. 486) (L. D. 1364) tabled by that Senator on April 9 pending consideration of the report.

Mr. CHAPMAN of Cumberland: Mr. President, I don't want to appear to be taking to many trips to the well, as the saying goes, but I have an amendment to present which has been presented to the members of the committee, which is apparently satisfactory to them. First I shall move that the bill be substituted for the report, having been assured that that is agreeable to the committee.

Thereupon, the bill was substituted for the report and read once;

on motion by Mr. Chapman of Cumberland, Senate Amendment A was adopted and under suspension of the rules, and bill was given its second reading and passed to be engrossed as amended by Senate Amendment A.

Sent down for concurrence.

On motion by Mr. Harding of Knox, the Senate voted to take from the table House Report (that the Senate recede and concur with the House in the passage of the resolve to be engrossed) from the Committee of Conference on Resolve in Favor of Arthur Payson of Brooks (H. P. 1098) (L. D. 1232) tabled by that Senator on May 5 pending consideration.

Mr. HARDING: Mr. President, this original resolve in favor of Arthur Payson of Brooks, was one of a large number of pension resolves which were referred to the Judiciary committee. The other day you heard the Chairman of that committee explain how these various resolves were divided into categories and reported out either ought to pass or ought not pass according to the category into which each resolve fell. This particular one fell into the ought not to pass category and it did so for the reason which I will explain. All of the resolves which fell into the ought to pass category did so because they presented something out of the ordinary, something unusual which recommended their passage. All of those which fell into the ought not to pass category could not be said to be without merit from some points of view, but they were not unusual. This particular one calls for an increase in pension simply because the pension has not followed the cost of living rises and the dollar of this pension has shrunk along with every other dollar. That in itself, in one particular case, might be a sufficient reason to pass the resolve and grant a larger pension. If that were done in this particular case, however, it would be only equitable that you go into the classification into which this pension falls, take every pension in that classification and raise it for the same reason.

There may be some reason to do that. If there is, this is not the

time to do it because earlier in the session when we had a little money we appropriated \$25,000 to pay for an independent survey of the pension system in the State of Maine. That survey will be made and when it is made, this pension, as well as the other pensions will be reviewed.

If this particular resolve is passed, it will, in principle, do violence to what the Judiciary Committee has tried to do in the matter of consistency, with this and with every other pension resolve before it. I now move that the Senate reject the report of the Committee on Conference.

The motion prevailed and the Conference Committee report was rejected.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table Bill, "An Act Relating to Membership of State Harness Racing Commission" (H. P. 663) (L. D. 706) tabled by that Senator earlier in today's session pending consideration of the divided report (Majority, Ought to Pass; Minority, Ought Not to Pass, from the Committee on Legal Affairs); and on further motion by the same Senator, the Majority Report "Ought to Pass" was accepted, the bill read once, the rules suspended, the bill read a second time and passed to be engrossed in concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Bill, "An Act Relating to Hunting with Bow and Arrow in Piscataquis County and Waldo County" (H. P. 1280) (L. D. 1516) tabled by that senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Bill, "An Act Relating to the Practice of Architecture" (H. P. 676) (L. D. 692) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. BOUCHER of Androscoggin: Mr. President, I want the majority leader to notice how obedient I am

tonight in removing my bills from the table. But I would ask to retable this measure because I have an amendment I would like to prepare, and I move that the matter be retabled until tomorrow morning.

A viva voce vote on the motion to table, being doubted by the Chair, a division of the Senate was had.

Eleven having voted in the affirmative and seventeen opposed, the motion to table did not prevail.

Mr. BOUCHER: Mr. President, I am very humble. I have all the fight taken out of me. I will ask that the bill be laid upon the table only until later tonight.

Mr. CARPENTER of Somerset: Mr. President, I request a division.

A division of the Senate was had. Twenty-seven having voted in the affirmative and two opposed, the motion to table until later tonight prevailed; and the bill was laid upon the table pending passage to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve to Reimburse Calais Regional Hospital for Aid to Edmund Lee (H. P. 1079) (L. D. 1217) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this appears to be a resolve presented to the Committee on Claims and truly is L. D. 1712 and appears to seek reimbursement from the state in the sum of roughly \$1500 to the Calais Regional Hospital. I think that the same arguments I presented to the Senate with respect to the Eastern Maine General Hospital in Bangor would prevail in this one. There is nothing to indicate in the statement of facts that it was a state charge; there is nothing to indicate that the hospital has not been reimbursed out of the hospital aid statute and it seems to be another one of those cases where a private hospital is seeking reimbursement from the state for a poor credit risk and on that general principle I make the same motion that I made with respect to the Bangor Hospital and that is

that the resolve be indefinitely postponed.

Mr. SILSBY of Hancock: Mr. President, I thought my troubles were all over today but I find there are still some matters demanding my consideration. This resolve was requested by the Calais Regional Hospital for the aid furnished one Edmund Lee. Mr. Lee was hit by a hit and run driver while in Eastport. He was taken to the Calais Regional Hospital with very serious injuries and was admitted on July 22, 1947, I believe.

It appears that there was quite a bit of investigation trying to locate and ascertain who the party was that caused the injuries to Mr. Lee. Some time elapsed, I believe it was months, and the investigation resulted in no information that would bear any light upon the party involved.

Mr. Lee was in the Calais Regional Hospital about 220 days, the hospital aid that he would have been entitled to and I checked this with Health and Welfare was \$16.19 a day of which no part was ever collected by the hospital. It is not like the case of the Eastern Maine General because they had collected from hospital aid. The total bill was around \$1500 and we of the Claims Committee in applying \$16.19 a day, we had a sum much larger than that. I think we took forty to sixty percent and arrived at a figure which I find in my notes was \$893.91, much less than the state would have paid under hospital aid.

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

A viva voce vote being doubted by the Chair, a division of the Senate was had.

Twenty-three having voted in the affirmative and five opposed, the motion to indefinitely postpone prevailed.

Mr. HASKELL: Mr. President, being on the prevailing side of the last motion, I would now move that the Senate reconsider its action just voted on. I did not hear all of the argument and I would not want to be one to create an injustice. If the

motion to reconsider prevails, I shall sit down with the Claims Committee and be sure that my motion was not an unjust one.

The motion prevailed and the Senate voted to reconsider its action just taken, whereby the bill was indefinitely postponed; and on further motion by the same Senator, the resolve was laid upon the table pending to be enacted.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Amending the Water Improvement Commission and Creating Standards of Classification (S. P. 538) (L. D. 1451) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. COLLENS of Aroostook: Mr. President, I have an amendment which I will offer. The amendment cuts out the appropriation in Section 6 of the bill. The carrying out of the bill will be by the State Improvement Commission and will have to be done with those funds that are in the general appropriation bill. For that reason I offer Senate Amendment A and move its adoption.

Mr. BUTLER of Franklin: Mr. President, I hope when the vote is taken on this that the Senate will not see fit to accept the amendment. I fully realize that most likely you will see fit to accept the amendment. The bill when it came out of committee carried an additional appropriation over and above the original measure because the committee felt that if we really meant business for what little bit we have been given credit for, that we have to have a little bit of money in order to operate and to properly enforce the laws which we do have and for that account there is a price tag of \$25,000 which this amendment eliminates. I fully appreciate that we are short of cash but this if for the enforcement of the law and it makes very little difference how good a law we have on the books if we don't have the money to back it up. For that reason

I trust that the motion will not prevail.

Mr. COLLINS: Mr. President, the amount involved in the appropriation was \$27,293 the first year, and \$28,559 the second year. I have no quarrel with the bill. I do have a grave premonition that the money just is not available and for that reason, if the bill is any good in itself and if the sponsor of the bill wants it on the books, he will get it if we take the appropriation out. It is true that the enforcement will have to come from funds actually in the department but in this stage of our legislative proceedings, I do not know where else we would get the money.

A viva voce vote being had on the motion to adopt Senate Amendment A, the Chair was in doubt.

A division of the Senate was had.

Twenty having voted in the affirmative and seven opposed, the amendment was adopted and the bill as amended by Senate Amendment A was passed to be engrossed, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Recessed for five minutes.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table Senate Report "Ought not to Pass" from the Committee on Legal Affairs on bill, "An Act Relating to Pari Mutuel Pool Contributions to Stipend Fund (S. P. 274) (L. D. 763) tabled by that Senator on April 24 pending motion by the Senator from Penobscot, Senator Haskell, that the Senate accept the report of the committee; and on the motion by Mr. Carpenter of Somerset, the bill was substituted for the report and under suspension of the rules was given its two several readings and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Resolve Proposing an Amendment to the Constitution

to Provide for a Bonus to Maine Veterans of World War II and Korean Campaign (H. P. 1133) (L. D. 1283) tabled by that Senator on May 5 pending consideration; and on further motion by the same Senator, the resolve was indefinitely postponed in concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table 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) tabled by that Senator on May 5 pending motion by the Senator from Cumberland, Senator Chase, to indefinitely postpone.

Mr. REID of Kennebec: Mr. President and members of the Senate, I see nothing to be gained by debating this measure any more than it already has been debated. Senator Chase raised many pertinent questions as to mechanics of the bill. A majority of the committee favored it on the theory that the people ought to vote on the issue without any special tax attached to it. In order to satisfy, or attempt to satisfy one objection, the sponsors have prepared an amendment which I shall offer. As I understand it, on page two of the bill it says "beginning April 1, 1955," and the amendment changes that to September 1, 1955.

Thereupon, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. CHASE of Cumberland: Mr. President, I have no objection to the adoption of any amendment which may be designed to put the bill in the best possible shape. When the amendment has been considered and I can view the document in the light of its then condition, I may address myself to the main issue.

Thereupon, Senate Amendment A was adopted.

Mr. CHAPMAN of Cumberland: Mr. President, I am going to offer Senate Amendment B also attempting to assist in the project of putting the bill in its best possible form. The purpose of Amendment B is to make sure that the referendum question contained in the bill,

contains a straightforward representation of what the significance of the bill is, and to this end the amendment proposes that in the latter part of the referendum question which reads, "Shall a bond issue be ratified for the purpose set forth in the act?" And this amendment would add to that, "And to provide for the payment of such bonds by general tax revenue?"

The purpose is obvious, to make it fully understood that the money is not phantom money but must be paid for. I offer Senate Amendment B and move its adoption.

Thereupon, Senate Amendment B was adopted.

Mr. CHASE of Cumberland: Mr. President, I would now like to address myself to the main issue which is my motion that the bill be indefinitely postponed. If the issue of a veterans bonus is presented to the people it should be by a proper document in Constitutional form. I spoke the other day at some length on this issue and did not cover all the objections which can be made to the bill. It will be noted on page two that the act expressly states that if a majority of the inhabitants voting on the question are in favor of it the Governor shall forthwith make known the facts by his proclamation and the act shall thereupon become effective as of the day of said proclamation. That is right after the election. The act cannot become effective as of that time unless there is unappropriated money or tax revenue provided for in the bill.

The possibility of the state having money available at that time may be considered but I call to your attention the fact that the appropriation for this purpose, under the amendment just adopted does not take place until September 1, 1955, which will certainly be a long time after, if the election is held at the next general election. That would seem to dispose of the question of any specific appropriation being available when the act is ratified by the people and when the Governor under the act itself, has proclaimed it.

The Constitution further states that "any 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 to its operation."

The amendment presented by Senator Chapman does not provide any new revenue. It simply explains to the people that the proceeds will come out of general fund revenue which is certainly not new revenue. On that one issue alone, it seems to me that the act is defective.

I hope that my motion to indefinitely postpone will prevail.

Thereupon, House Amendment "C" was adopted in concurrence, House Amendment "B" was adopted in concurrence.

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

Mr. ST. PIERRE of Androscoggin: Mr. President, I request the Yeas and Nays.

A division of the Senate was had.

Obviously an insufficient number having risen, the Yeas and Nays were not ordered.

A division of the Senate was had on the motion to indefinitely postpone the bill.

Twenty-one having voted in the affirmative and nine opposed, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Bill, "An Act Relating to Duties of Parole Board" (H. P. 824) (L. D. 855) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. COLLINS of Aroostook: Mr. President, this bill relates to the duties of the parole board and under the terms of the bill, the compensation is increased from ten to twenty dollars per day. I have an amendment which would strike out that twenty dollars and bring the compensation back to the ten dollar figure so I would move that the Senate reconsider its action taken whereby this bill was passed to be engrossed.

Thereupon, under suspension of the rules, the Senate voted to re-



consider its former action whereby the bill was passed to be engrossed; Senate Amendment "A" was adopted and the bill as amended by Senate Amendment "A" was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table Joint Order (S. P. 606) recalling to the Senate from the Governor, Bill, "An Act Relating to Application of Plumbing Laws" (H. P. 1276) (L. D. 1512); tabled by that Senator on May 4 pending passage; and on further motion by the same Senator, the Joint Order was indefinitely postponed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Divided Senate Report from the Committee on Labor; Majority Report Ought not to pass; Minority Report Ought to pass; on Bill, "An Act Relating to Compensation Benefits Under Workmen's Compensation Act" (S. P. 63) (L. D. 130) tabled by that Senator on April 24 pending consideration of the reports; and that Senator moved that the Senate accept the minority ought to pass report.

Mr. WEEKS of Cumberland: Mr. President, I request a division.

A division of the Senate was had.

Three having voted in the affirmative and twenty-five opposed, the motion did not prevail.

Thereupon, the Majority Report "Ought not to pass" was accepted.

Sent down for concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table House report, ought not to pass, from the Committee on Appropriations and Financial Affairs, on recommitted Resolve in Favor of State Soil Conservation Committee (H. P. 790) (L. D. 907) tabled by that Senator on April 23, pending consideration of the report; and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

Mr. Parker of Piscataquis was granted unanimous consent to address the Senate:

Mr. PARKER: Mr. President, I would like to ask through the Chair, of the Chairman on Appropriations, the exact status of our unexpended surplus fund at this date.

Mr. COLLINS: Mr. President, I don't think I have the balance at hand at this moment but as to the status of the surplus fund, but this afternoon at 1:40 the surplus figure was \$230,000. If we feel that we are going to leave in the fund the \$900,000 for the contingency fund for the next two years, and the approximately one million dollar reserve, I am under the impression that that surplus has shrunk considerably since the time of this report. I seem to remember seeing a figure later in the day where the amount was around \$58,000.

Mr. PARKER: Mr. President, I fully realize that it is impossible to squeeze the funds for this resolve as badly as it is needed for the animal industry in the State of Maine, out of the unappropriated surplus, not because there is not enough there, but because of certain rules that have to be followed.

It is customary for the appropriation committee to feel that unless they have at least a million dollars, they have only a penny. I move, Mr. President, that the bill be indefinitely postponed.

Mr. COLLINS: Mr. President, I certainly am going along in the indefinite postponement of this bill, but I would like to point out to the members of the Senate that the appropriations committee were in quite a quandry as to the disposition of the surplus funds. As you well know, there were four resolves concerning the University of Maine in relation to buildings there. The Appropriation Committee felt after considering the situation at some length, that it would not be fair to appropriate money for all of these buildings and for that reason, went along with the ought not to pass report on three of the items.

The legislature was generous enough to provide funds for a new dormitory at the university, provided that the trustees of the university secure a like amount of \$400,000. I would like to point out to you that the University of Maine and its trustees although I am not speaking for the trustees officially,

put before the members of this legislature, before the legislature met, a program of their thinking and planning over a long range period. I believe that the administration of the University of Maine is quite concerned as to its future and the welfare of the people of the state. I believe they wish to carry out a program they feel that the people of Maine want. To do that requires a lot of money. It is true, and I think I do voice the opinion of the trustees of the University of Maine that they feel that the operating expense of the university come first. And it is for that reason that they have tried to present the picture of the university in such a way that the operating expenses are of the utmost importance.

I know that while many of the people of this legislature feel that the amount requested by the University of Maine was very large, I feel that if they could look closely into the administration of the university, the service that it has provided and the youth that it has served and is serving, they would feel that the request was not unreasonable.

In regard to this particular item it is one that they hope to pass some time in the future. This year it is not possible and so I do go along with the indefinite postponement of the bill.

Mr. DOW of Franklin: Mr. President and members of the Senate, my six page speech concerning this item has been discarded. I have seen the poultry industry in the State of Maine increased from eight million dollars in 1929 to sixty-two million dollars in 1952. It is now the largest agricultural industry in the state, taking a number one spot from the fairs in the last two years. I feel that the facilities of our research department at the university can be compared with a model T Ford burning one hundred octane gas. In other words, greatly inadequate. But in view of the circumstances, I very, very reluctantly go along with the motion of the Senator from Piscataquis, Senator Parker.

The PRESIDENT: The Chair will state that the resolve has not yet been removed from the table.

Thereupon, on motion by the Senator from Piscataquis, Senator Parker, 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 Addition to Animal Science Building at University of Maine" tabled by that Senator on April 10 pending consideration of the report; and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

Mr. Broggi of York was granted unanimous consent to address the Senate.

Mr. BROGGI of York: Mr. President, in the last two days, this branch has had to use a common expression "clobber". A lot of bills very close to all of our hearts have had to be "clobbered" but the amount of money left for us to spend naturally was the result of the thinking of both branches, and inasmuch as final action on these things are a matter of procedure for the Senate, who always have final action on these matters, it is incumbent upon this Body to do the so-called "clobbering". I know all of us had to give ground on things dear to our hearts. I know I hated to see education in unorganized territories go by the board; we all hated to see bookmobile service go by the board; each and every one of us hated to see nurses training go by the board. However, final action does rest with this branch and we only had so much money to work with.

I want to express my appreciation at least, to the appropriations committee who I think did a splendid job, and to all of the members of the Senate, each of whom gave up bills close to their hearts.

I would like to pay my personal congratulations to Senator Haskell who was the chief clobberer. He has done a swell job and I know I speak for every member of the Senate when I say "Thank you, Bob for a swell job."

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

Relating to Duties of Parole Board (H. P. 824) (L. D. 855) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the Senate voted under suspension of the rules, to reconsider its former action whereby the bill was passed to be engrossed; and the same Senator presented Senate Amendment A and moved its adoption.

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

Sent down for concurrence.

On motion by Mr. Chase of Cumberland, the Senate voted to take from the table Joint Order Relative to Directing the Legislative Research Committee to Study Certain Laws (H. P. 1306), tabled by that Senator earlier in today's session pending passage.

Mr. CHASE of Cumberland: Mr. President, while the research committee is not likely to have the funds to undertake any extensive study, I believe that the intent of the order is to direct attention to the exemptions of the property of certain corporations without capital stock as organized under Chapter 50, with particular reference to tax exemptions of benevolent and charitable institutions. These exemptions appear to constitute a problem of some magnitude in certain areas. I believe that the study can be made with the aid of certain state offices, to the extent of being able to present such recommendations as ought to be made to cover that particular field. If the Senate deems this an appropriate subject for study by the research committee, I offer no objection to the passage of the order.

Thereupon, the order received a passage in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H. P. to 270) (L. D. 298) Bill "An Act Relating to Police Officers in Uniform Stopping Motor Vehicles for Examination," reported they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve Authorizing Alfred Howard Sr. and Ethel M. Howard of Bingham to Sue the State of Maine," (H. P. 1171) (L. D. 1326) reported that the House recede from its former action whereby the Resolve was passed to be engrossed as amended by Committee Amendment "A"; that the House adopt Conference Amendment "A" and pass the Resolve to be engrossed by Committee Amendment "A" and Conference Amendment "A" (Amendment Filing 616)

That the Senate recede from its former action whereby it accepted the Minority "Ought Not to Pass" Report, concur in accepting the Majority Report "Ought to Pass" as amended by Committee Amendment "A" and pass the Resolve to be engrossed as amended by Committee Amendment "A" and Conference Amendment "A".

Comes from the House, the report read and accepted.

In the Senate, on motion by Mr. Ward of Penobscot, the conference committee report was accepted; the Senate reconsidered its acceptance of the ought not to pass report; the Majority "Ought to Pass" report was accepted; Committee Amendment A and Conference Amendment A were severally adopted, and under suspension of the rules, the resolve was given its two several readings and passed to be engrossed in concurrence.

The House having joined the Senate in a Committee of Conference, on the disagreeing action of the two branches of the legislature on Bill "An Act Relating to Powers of Attorney General." (S. P. 172) (L. D. 438) the Speaker appointed the following Conferees:

Messrs: SMALL of Mexico  
FOGG of Madison  
ANDERSON of Greenville

**Communication**

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

May 7, 1953

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

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

"Resolve in Favor of Joseph A. DiDonato." (H. P. 641) (L. D. 1331)

Messrs: TURNER of Auburn  
ALBEE of Portland  
CENTER of Standish

and on:

"Resolve in Favor of Eastern Maine General Hospital of Bangor." (H. P. 634) (L. D. 656)

Messrs: POTTER of Medway  
CENTER of Standish  
FULLER of Bangor

and on:

"Resolve in Favor of the Town of Liberty." (H. P. 637) (L. D. 1356)

Messrs: COLE of Liberty  
DICKEY of Brooks  
LOW of Rockland

and on:

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

Messrs: LOW of Rockland  
CENTER of Standish  
TRAFTON of Auburn

and on:

"Resolve in favor of Bosworth Memorial Association." (H. P. 23) (L. D. 18):

Messrs: BERRY of South Portland  
LARRABEE of Westbrook  
McCLUSKEY of Warren  
Respectfully

HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

Bill "An Act Relating to Limitation of Slander and Libel Suits." (S. P. 486) (L. D. 1364)

In Senate, on May 7th, bill substituted for the Ought Not to Pass Report and passed to be engrossed as amended by Senate Amendment "A". (Amendment Filing 623)

Comes from the House, the "Ought Not to Pass" report accepted in non-concurrence.

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

On motion by Mr. Haskell of Penobscot,

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