

# 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

Friday, May 8, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Douglas Robins of Augusta.

Journal of yesterday read and approved.

Mr. HASKELL of Penobscot: Mr. President, I ask that the rules be suspended to permit me to make a motion with respect to a paper which I think is in the possession of the Senate.

Thereupon, the rules were suspended.

Mr. HASKELL: Mr. President, is there in the possession of the Senate, an order relating to wage policies, presented by me yesterday?

The PRESIDENT: In answer to the Senator's inquiry, the Chair will state that there is in the possession of the Senate, the paper to which he refers.

Mr. HASKELL: Mr. President, I move the indefinite postponement of that order, and in support of the motion I would state that there have been certain technical corrections made by the Department of Finance, and if the motion to indefinitely postpone prevails, I will ask the Senate to consider another order to take this one's place.

Thereupon, the Order (S. P. 610) was indefinitely postponed.

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

ORDERED, the House concurring, that

Whereas, the general fund appropriation measure has been enacted by both branches and signed by the governor; and

Whereas, the appropriations related to all departments have been fixed by that act; and

Whereas, it is the intent of the legislature that such appropriations should continue to express legislative intent with respect to these departments; and

Whereas, the Personnel Board has indicated that in order to re-establish the State pay plan on essentially the same sound and equitable basis that it was when originally adopted on March 5,

1951 it would be necessary to increase classifications in general by two ranges.

The legislature does recognize that wage and salary levels for some classes, particularly of the nursing service in institutions, may require special consideration over and above the one step wage measure provided for all classified employees.

In view of these conditions the legislature does approve the general proposition that if possible within the appropriations to all the affected departments, the wage schedules of these classes of employees may receive special consideration, but the cost incident to such liberalization shall be limited to the economies that may be effected by the several departments involved.

With reference to the nursing service this order recognizes the general right of the Governor and Council with respect to both the contingent account and the institutional emergency funds, and in no way seeks to restrict the general authority given to the Governor and Council in appropriations from either of these funds for the problem presented by the nursing service wage scale levels.

Mr. HASKELL: Mr. President, only that the record may augment the order by indicating legislative intent, it is true I think that with respect to wage structure in the state, legislative intent is pretty well expressed by the appropriation measure and was especially expressed by the action of the legislature in the one step wage increase for all state employees. The purpose of this order is to indicate legislative approval to the responsible administrative officers that we will have here to run the affairs of state, that if within the appropriation measure and at the same time not restricting action with respect to the institutional emergency fund or the general contingency fund and if in the judgment of the administrators that we leave here and still within the limitations of the appropriations, there are things that seem to them to require with respect to the services mentioned in so far as the legislature is concerned, we are saying to them such action as they

may take will not be diametrically opposed to the policies set forth in the appropriation measure.

I said yesterday that this is an order that has been scanned by the Executive office, by the Finance administrators who must live with what we have left for them to work with until the legislature next convenes.

Thereupon, the order received a passage.

Sent down for concurrence.

Mr. Chapman of Cumberland presented the following order and moved its passage.

**ORDERED**, the House concurring, that the Legislative Research Committee be, and hereby is, directed to study corrupt practices in elections particularly political campaigns, election techniques and procedures; and be it further

**ORDERED**, that the results of such study together with any recommendations be reported to the 97th Legislature.

Mr. CHAPMAN: Mr. President, I just want to call to the attention of the Senate that we are all aware of the situation which prevailed during the past one and a half years, during which time we went through one of the roughest campaigns the state has ever had, and most of us seemed to be reasonably unhappy about it.

The purpose of this order was not to load the research committee with unwarranted amounts of work or to cause them to engage in anything that had particular difficulties involved with it, but it did seem appropriate where we have had a rather tough backwash from our last campaign, that it would be appropriate to look into, if the committee can do it feasibly, a possible solution to some of the unpleasant things that took place.

I might say the purpose of the order is just a question of seeing if they can suggest any changes in our statutes when they get through with their study, that might prevent some of the awkward and improper things taking place that we all acknowledge have taken place the past year. Several pieces of legislation which have been brought into this session relating to this general subject matter by various

members of the legislature were duly considered by the committee, and by reason of hastiness in drafting and other reasons, were, most of them, reported ought not to pass, and under the circumstances, appropriately so, but if the thing is gone at in an orderly way, possibly something can be worked out. I now move that the order lie upon the table.

The order was laid upon the table pending passage.

### Enactors

Bill "An Act to Provide a New Charter for the City of Saco." (H. P. 430) (L. D. 477)

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

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

Bill "An Act Relating to Issuance of Harness Racing Licenses." (H. P. 931) (L. D. 996)

Bill "An Act Relating to Organization of Police Department of City of Lewiston." (H. P. 1052) (L. D. 1193)

Bill "An Act Relating to Closing County Offices on Saturdays." (H. P. 1145) (L. D. 1293)

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

Bill "An Act Exempting from Sales Tax Passenger Automobiles Not to be Registered in State." (H. P. 1272) (L. D. 1468)

Bill "An Act Relating to Binding of Logs, Lumber and Timber Carried by Motor Vehicles." (H. P. 1288) (L. D. 1531)

"Resolve, in Favor of E. Stanley Kitchin of Rumford." (H. P. 184) (L. D. 179)

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

"Resolve, Closing Little Sebago Lake, Cumberland County, to Ice Fishing." (H. P. 260) (L. D. 290)

"Resolve, Granting a Retirement Pension to Hugh A. Smith of Charleston." (H. P. 342) (L. D. 359)

(On motion by Mr. Butler of Franklin, tabled pending final passage.)

"Resolve, Relating to Navigation on Part of Sebago Lake, Cumber-

land County." (H. P. 1281) (L. D. 1517)

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

Bill "An Act Relating to Certain Policies of Insurance by Companies Organized Under General Law." (S. P. 433) (L. D. 1210)

Bill "An Act Declaring All Court Papers, Books and Records Pertaining to Adoption Confidential and Providing for Release Thereof." (S. P. 541) (L. D. 1454)

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

"Resolve, to Create a Special Committee to Study Safeguards in Construction Projects." (S. P. 536) (L. D. 1441)

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

#### Emergency

Bill "An Act Relating to Certain Tax Exemptions for Amputee Veterans." (S. P. 55) (L. D. 83)

Which bill being an emergency measure, and having received the affirmative vote of 240 members of the Senate was passed to be enacted.

#### Orders of the Day

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act Relating to Education in Unorganized Territory (S. P. 448) (L. D. 1262) tabled by that Senator on May 7 pending motion by Senator Broggi of York, that the Senate adhere; and on further motion by the same Senator, the Senate voted to adhere.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, 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 on May 7 pending consideration.

Mr. HASKELL: Mr. President, I think that the pending question is my motion that the resolve be indefinitely postponed. At the conclusion of brief and factual statements in so far as factual statements are possible in this resolve, I shall ask permission that I may

recall my motion, and the reasons for it are these.

Edmund Lee took the Calais Hospital for a substantial sum of money for board and care and medical and surgical assistance. It is also established that the state never did reimburse the hospital under the provisions of hospital aid statutes. So far as I can see there is no good reason why the hospital did not recover at least part of this cost by taking advantage of the hospital aid statute but they did not. The Chairman of the Claims Committee having compressed the claim down to a sum of money not greater than hospital aid reimbursement, the question of whether or not the hospital could have in the past recovered or will in the future recover for hospital aid, doesn't seem too important.

In the case of the Eastern Maine General Hospital claim and I would like to address my remarks particularly to the Senator from Washington, Senator Hanson, the Eastern Maine General hospital in that case did in fact recover from the state the full amount of hospital aid on the Medway case and they sought the difference in hospital aid and the cost to the hospital and the Senate joined in a motion to indefinitely postpone that on the principle that the hospital should not seek state aid to collect uncollectable bills over and above hospital aid provisions.

In that respect Calais being in Washington County, looks different to me than Eastern Maine being in Bangor. I was wrong in my motion to indefinitely postpone, and justice will prevail if you permit me to withdraw my motion and then I think the pending question will be enactment.

The PRESIDENT: The pending question is on the final passage to resolve, the Senate having reconsidered its action of indefinite postponement.

Thereupon, the resolve received a final passage.

The PRESIDENT: The Senator from Sagadahoc, Senator Cummings has called the attention of the Chair to the fact that the group of students presently in the Senate Chamber are from Rich-

mond High School. In behalf of the Senate, we bid you welcome this morning and hope that you will have an enjoyable and instructive day.

The PRESIDENT: The Senator from Hancock, Senator Dunham, has called the attention of the Chair to the fact that the group of students presently in the Senate Chamber are from the Blue Hill Consolidated School seventh grade with Mr. Heilsberg, Principal. In behalf of the Senate, we bid you welcome and hope that you have an enjoyable and instructive day.

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

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

(In Senate, on May 7, passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, and as amended by Committee Amendment "A". (Amendment Filings 595, 625 and 348)

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

In the Senate, on motion by Mr. Haskell of Penobscot, the Senate voted to insist on its former action and ask for a Committee of Conference.

The Majority of the Committee on Legal Affairs on Bill "An Act Creating a Racing Commission," (H. P. 1188) (L. D. 1337) reported that the same ought to pass.

(signed)

Senator:

CHAPMAN of Cumberland  
Representatives:

STEWART of Paris  
WOODCOCK of Bangor  
CHILDS of Portland  
STEWART of Portland

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

(signed)

Senator:

WEEKS of Cumberland

Representatives:

GOWELL of Berwick  
HAND of New Limerick

Comes from the House, indefinitely postponed.

In the Senate, on motion by Mr. Haskell of Penobscot, tabled pending consideration.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve in favor of Stanley Kitchin of Rumford (H. P. 184) (L. D. 179) tabled by that Senator earlier in today's session pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table Resolve Granting a Retirement Pension to Hugh A. Smith of Charleston (H. P. 342) (L. D. 359) tabled by that Senator earlier in today's session pending final passage.

Mr. BUTLER of Franklin: Mr. President, in the passage of this resolve, I am wondering if we have fully appreciated the fact just what this does. This has already cleared the Judiciary Committee on the basis of the contribution. This is involving the pay of a teacher. Off-hand we would say that we are going to look out for the teachers but our retirement system as I understand it has been established for the benefit of the public school teachers. This particular resolve is in favor of Hugh A. Smith, and during the years of his life in teaching, it has been confined to the private schools, the academies and by this he is asking that the state recognize that he has taught in academies.

Now it is true that he has contributed, or is willing to contribute payment to enable him to come under the retirement act but at the same time he is not in the public school system at the present time. This is L. D. 359 which we have had before us, and if we pass this type of resolve, there is going to be no reason at all why other teachers in the state working for the benefit of the youth, receiving higher pay than what we are able to pay in our public schools, cannot come in in the future and ask if they in turn cannot come in and have the bene-

fit of our retirement system and ask to have the benefits by coming in and making their contributions.

Having made their contributions, having earned more money in the private schools than they are in the public schools, we are giving a premium on our retirement system in the future to private school teachers and a tearing down of the benefits of the public school teachers which we are fundamentally required to protect. That is why I feel that the passage of this legislation is not going to assist our fundamental interest in the public school teachers. We are going to invade even further our retirement act in the future by permitting the teachers who have not seen fit to stay in our public school system, to have the benefit of the higher salary and higher retirement and on that account I tabled the measure and hope that you took the opportunity to really think this over. If the motion for final passage is not carried, I will make the motion that the resolve be indefinitely postponed.

Thereupon, on motion by Mr. Broggi of York, the resolve was laid upon the table pending motion by Senator Butler to indefinitely postpone.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table bill, An Act Relating to Closing County Offices on Saturdays (H. P. 1145) (L. D. 1293) 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. Collins of Aroostook, the Senate voted to take from the table bill, An Act Declaring All Court Papers, Books and Records Pertaining to Adoption Confidential and Providing for Release Thereof (S. P. 541) (L. D. 1454) 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. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to the State Personnel Board (H. P. 654) (L. D. 697) tabled by that

Senator earlier in today's session pending passage to be enacted.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, at the conclusion of brief remarks I shall move indefinite postponement of this bill. To explain what the issue is and I assure the Senate it is not a minor issue but is a major issue of principle, and it is not a principle that I view with alarm. It is a principle that the Senate make up its mind between two general paths. The State Personnel Board as members of the Senate know, is made up of three public members, and does not include as such, representatives of the employee or the employer, in this case the state.

The bill as introduced did three things. First it increased the pay from \$10 to \$15 and I think that has been amended or will be if it has final passage. It provides, or will provide the very small amount of money to compensate the fourth and fifth members and it also provided, and this is the issue, that the state personnel board shall be changed from a three person public management board in which the three members represent not the employer or the employee but are what in labor relations we call public members, supposed to be and in fact are, without prejudice for or against the employer or the employee.

The bill seems to establish the theory of tri-partite representation where the adjudicating board would have the public with control, having three votes but sitting with them would be the employer via a state department head, and an employer represented by a member of the state association.

Now in labor relations we do have tri-partite tribunals. The war labor board during war time, was set up as a tri-partite body with the public, the employer, management, employee, labor represented on the Board. The reason for that was in the thousands and thousands of cases that could be sure that the viewpoint of the two parties need not be presented by counsel or by respondents but in the executive sessions both parties of interest, would be represented, and in effect the public members would cast the de-

ciding vote so almost without exception the votes were two to one.

In a broad policy making board such as that, tri-partite representation probably is good. With respect to the State Personnel Board being set up with three public members and having, I believe, adequate opportunity for representation before those three public members by the employer and by the state represented by the Department heads and the Department of Finance in the dollar matters, it seems too, and I would like to make this quite clear, it seems to the Chairman of the present board that the three public member board would be a more effective procedure than would the inclusion of representatives of employer and employee. He does believe that they have done a good job in adjudicating disputes, he believes they have been impartial and both sides have had equal representation.

I was not particularly impressed with another argument which was that if you do increase the Board from three to five you probably will name two more members from Imperial Kennebec. That did not particularly impress me because I have just as much faith in an employee from Kennebec as I would have from Cumberland. Neither am I impressed by the fact that when you talk about \$34 million - - -

If the reporters want to plead accuracy, they may make note at this point, of the fact that the Senator from Franklin, Senator Butler lit his cigar with a match that was apparently not of normal manufacture. Now, having completely lost my train of thought, I am reminded that I was left up in the air with about \$34 million.

To get back to the issue at hand, it is purely a case of whether you want to go to tri-partite on this Personnel Board or whether you want to leave it as a three man public Board. I make the motion to indefinitely postpone and will let the Senate decide that issue. Please don't vote with respect to Imperial Kennebec or the small amount of money involved. But I do think you should give serious thought to the principles I have tried, despite the interruption, to present to the Senate.

Mr. REID of Kennebec: Mr. President, I may be wrong but I was under the impression that we had an anti-fireworks law on the books.

This bill was sponsored by the state employees association whose representative appeared at the hearing and gave the reasons why they thought it was a good bill. About the same time the committee received a letter from a member of the employment security commission indicating that in his opinion the bill would be rejected.

He appeared before the committee and we felt that his arguments should prevail. It seemed to us that the Personnel Board should have in addition to the three public members, a representative of the department heads and of the employees association.

This is one of those things where everyone has his own personal feelings as to which is best. It is something which each individual member weighs in his own mind to see what the best representation would be in his opinion.

Mr. HASKELL of Penobscot: Mr. President, the rude interruption that I experienced drove out of my mind one other thought which I intended to make. I think maybe the record should show that at least one member of the Senate does state that so far as his intention is concerned, when the time comes to appoint the department head and the employer, the Governor wants to be sure to find a department head who has plenty of time to devote to listening to the position of the employer in all matters, and certainly the position of the employee who represents the position of several thousand employees wants to be someone whose duties are such that he can carry the burden.

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. Seventeen having voted in the affirmative and eleven opposed, the bill was indefinitely postponed, in non-concurrence.

Sent down for concurrence.



On motion by Mr. Broggi of York, the Senate voted to take from the table Resolve Granting a Retirement Pension to Hugh A. Smith of Charleston (H. P. 342) (L. D. 359) tabled by that Senator earlier in today's session pending motion by Senator Butler of Franklin to indefinitely postpone.

Mr. BROGGI of York: Mr President, this matter was debated yesterday and I know the Senate does not want to hear it all over again. I would just say to Senator Butler, that Hugh Smith didn't plant the matches on his desk and with a request for a division, I definitely oppose the motion to indefinitely postpone.

Mr. DUNHAM of Hancock: Mr. President, I wish to rise to oppose the motion of the Senator from Franklin. I am very well acquainted with this case. We have one of the best retirement systems of any state in the union. That is one good factor about getting people to come into the teaching profession.

I cannot understand why a man who chooses to spend his life teaching in a private school, giving of his talents to teaching young people, whether they are in a private school or public, I cannot understand why that man is not entitled to come under the contributory pension plan. If he is willing to pay, and he is willing to pay, I should think that he should be allowed to come in under our system and I certainly think this motion should not prevail.

Mr. BUTLER: Mr. President, recognizing a lost cause where it is always unpopular to try to recognize the financial status which certain acts will accrue in the future, I ask for permission to withdraw my motion.

Thereupon, the motion to indefinitely postpone was withdrawn, and on motion by the same Senator, the bill was finally passed.

On motion by Mr. Parker of Piscataquis, it was

ORDERED, the House concurring, that the Legislative Research Committee be requested to study the problem of litter and refuse on the roadsides of the state, and to make such recommendations as may be

deemed appropriate for the abatement of this nuisance.

Sent down for concurrence.

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

Mr. ROBBINS of Aroostook: Mr. President and members of the Senate, I believe that every member of the Senate is familiar with the civic and patriotic contributions which the Maine Department of the American Legion has contributed to the life of Maine at the state and local level. I expect, however, that some of us may not be as familiar with the activities which the Legion has been carrying on in the last two years in publicizing the State of Maine at their annual national convention.

Commencing in 1951, the Legionnaires obtained from the manufacturer in Camden at no cost to them, a log cabin which they set up in Miami in 1951 and in Times Square in 1952. They manned it twenty four hours around the clock, giving out literature about Maine and mailing to every delegate, at their own expense, a copy of the Maine Legionnaire, giving information about Maine.

They propose to do this again this year. It seems to me that it would be very much in order for us, particularly at a time when we are so conscious of a drain on funds, to commend the efforts of the Legion where they are carrying on this excellent work at no cost to the state, and entirely on their own initiative.

Mr. President and members of the Senate, I offer a commendatory Resolution at this time and move its adoption:

#### STATE OF MAINE

#### RESOLUTION

Commending the Department of Maine, The American Legion.

RESOLVED: That the 96th Legislature does highly commend the Department of Maine, The American Legion, for their effective and efficient efforts to publicize the State of Maine and its products at their National convention in Miami in 1951 and in New York in 1952; and be it further

**RESOLVED:** That the 96th Legislature does most highly commend and encourage The American Legion in their plans for an exhibition at their National Convention at St. Louis in August of this year; and be it further

**RESOLVED:** That the activities of The American Legion in this matter have done much to benefit not only the veterans of Maine but all the citizens of this State; and be it further

**RESOLVED:** That the Secretary of State is hereby directed to prepare and send to the Commander, Department of Maine, The American Legion, a copy of this Resolution as an indication of the appreciation of the 96th Legislature for its efforts in behalf of the State of Maine and all of its inhabitants.

Which Resolution was adopted. Sent down for concurrence.

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

**ORDERED,** the House concurring, that there be prepared after adjournment of the present session under the direction of the Clerk of the House, a register of all bills, and resolves considered by both branches of the legislature, showing the history and final disposition of each bill and resolve; and that there be printed 600 copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such register.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Order relating to corrupt practices in elections, tabled by him earlier in today's session pending passage; and on further motion by the same Senator, the Order was indefinitely postponed.

Mr. CHAPMAN of Cumberland: Mr. President, I now offer an Order which is identical in purpose, but more properly and simply worded and I move its passage.

Thereupon, out of order and under suspension of the rules, it was

**ORDERED,** the House concurring, that the Legislative Research Committee be, and hereby is, directed to study corrupt practice laws re-

lating to elections and political campaigns; and be it further

**ORDERED,** that the results of such study together with any recommendations be reported to the 97th legislature.

At this time the President appointed as Senate members of the Committee of Conference with respect to the disagreeing action of the two branches on Resolve in Favor of the Town of Liberty, Senators Collins of Aroostook, Sinclair of Somerset and Ward of Penobscot.

The President appointed as Senate members of the Committee of Conference with respect to the disagreeing action of the two branches on bill, An Act Relating to Members of the Executive Council, and Manner of Selection thereof, Senators Haskell of Penobscot, Chase of Cumberland and Broggi of York.

On motion by Mr. Haskell of Penobscot

Recessed until this afternoon at one-thirty, eastern standard time.

#### After Recess

Senate called to order by the President.

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

The Committee on Inland Fisheries and Game to which was re-committed Bill "An Act Relating to Bounty on Bears," (H. P. 808) (L. D. 892) reported that the same ought not to pass as it is covered by other legislation.

Which was read and accepted in concurrence.

#### Order

**ORDERED,** the Senate concurring, that on the completion of the revision of the statutes as authorized by this Legislature, the State Librarian shall furnish to each member and officer of the 96th Legislature 1 set of the new Revised Statutes. (H. P. 1307)

Which was read and passed in concurrence.

Additional Senate Paper, 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 (S. P. 26) (L. D. 14) Bill, "An Act Relating to Real Estate Brokers and Salesmen," reported that they were unable to agree.

On motion by Mrs. Kavanagh of Androscoggin, the Committee of Conference report was rejected, and the Senate voted to insist on its former action and ask for another Committee of Conference.

Sent down for concurrence.

### Enactors

Bill "An Act to Provide for a Civil Service Commission for the Town of Old Orchard Beach." (H. P. 273) (L. D. 301)

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

Bill "An Act Relating to the Administration of the Liquor Law." (H. P. 538) (L. D. 554)

Bill "An Act Relating to Membership of State Harness Racing Commission." (H. P. 663) (L. D. 706)

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 to Amend and Clarify the Exemption of Fuel from the Sales and Use Tax." (H. P. 1271) (L. D. 1467)

Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes." (H. P. 1284) (L. D. 1530)

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

Bill "An Act Authorizing Towns to Issue Revenue Bonds for Public Improvement." (S. P. 85) (L. D. 192)

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

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

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

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

Bill "An Act Removing Violations by Liquor Law Licensees from Operation of the Criminal Law." (S. P. 221) (L. D. 587)

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

Bill "An Act Relating to Evidence of Offenses Before Grand Jury." (S. P. 407) (L. D. 1112)

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

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

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

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

"Resolve, Relating to Appropriation for Recess Committee to Study Maine State Retirement System and Titles of Social Security Act." (S. P. 602) (L. D. 1547)

"Resolve, Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute." (S. P. 609) (L. D. 1553)

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

"Resolve, Providing for State Pension for Clyde Spaulding of Hartland." (H. P. 128)

"Resolve, Appropriating Money for the Purchase of 'The Length and Breadth of Maine.'" (H. P. 313) (L. D. 385)

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

"Resolve, in Favor of Sadie M. D. Jewell of Orono." (H. P. 927) (L. D. 1024)

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

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

### Emergency Measure

Bill "An Act to Control Vesicular Diseases." (S. P. 465) (L. D. 1296)

Which bill being an emergency measure, and having received the affirmative vote of 29 members

of the Senate, and none opposed was passed to be enacted.

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

Bill "An Act Relating to Bounty on Bears." (H. P. 1043) (L. D. 1185)

Mr. BOUCHER: Mr. President I move that this be tabled.

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

One having voted in the affirmative and twenty-seven opposed, the motion to table did not prevail.

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

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

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

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

Joint Order, re study of corrupt practice laws by Legislative Research Committee, to report to 97th Legislature. (S. P. 617)

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

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Maine Soldiers and Sailors in the War with Spain," (H. P. 398) (L. D. 452) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed as amended by House Amendment "A". (Amendment Filing 629)

In the Senate, on motion by Mr. Haskell of Penobscot, the ought not to pass report was accepted in non-concurrence.

Sent down for concurrence.

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

(In the Senate, on May 7, indefinitely postponed.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed as amended by House 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. JACOBS of Auburn

COLE of Liberty

CAMPBELL of Guilford

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

Mr. HASKELL of Penobscot: Mr. President, without any insistence that the Chair read the title of the bill, may I ask if L. D. 697 is in possession of the Senate?

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

Mr. HASKELL: Mr. President, I move that the Senate reconsider its action where it indefinitely postponed L. D. 697.

The motion prevailed.

Mr. REID of Kennebec: Mr. President, without mentioning the title, I would move that the bill be finally enacted.

Mr. HASKELL: Mr. President, I appreciate the kind courtesy of the Chair, but since the bill must be amended, I think I can no longer expect the presiding officer to protect me in the matter under consideration. Thinking as I did on another bill yesterday when I was on solid and sound ground, and having found out that the ground upon which I stood was not so sound and solid, I make full and complete confession that my actions this morning in speaking to the act relating to the State Personnel Board, came from some pretty poor advice. The motion to reconsider having prevailed, I would now move that the Senate reconsider its action whereby the bill was engrossed, and in support of that I would state that if the Senate does support that motion, an amendment will be offered that will get the money down to size, and I hope without further confession of my sins relating to this or other measures, that the

bill may be amended and quietly go on its way.

Thereupon, under suspension of the rules, the Senate voted to reconsider its former action whereby it passed to be engrossed, bill, An Act Relating to the State Personnel Board (H. P. 654) (L. D. 697) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator Senate Amendment B was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

At this time, the President appointed as Senate members of the Committee of Conference with respect to the disagreeing action of the two branches on bill, An Act Relating to Officers and Employees of the Legislature, Senators Collins of Aroostook, Haskell of Penobscot and Sinclair of Somerset.

The President appointed as Senate members of the Committee with reference to the Revision of the Statutes, Senators Reid of Kennebec and Ward of Penobscot.

On motion by Mr. Haskell of Penobscot recessed for one half hour.

#### After Recess

The Senate was called to order by the President.

#### Additional House Papers (Out of order and under suspension of the rules)

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

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

Comes from the House, that body having insisted on the former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and by House Amendments "B" and "C" in non-concurrence, 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: ALBERT of Augusta

DUMAIS of Lewiston  
LEGARD of Bath

In the Senate:

Mr. HASKELL of Penobscot: Mr. President, I move that the Senate do adhere in its action whereby the bill was indefinitely postponed.

Mr. BOUCHER of Androscoggin: Mr. President, I want to oppose that motion. I think we should join the Committee of Conference. I believe this is a very serious matter. It has been debated for four times at least. I have introduced similar bills. I really feel, honestly, that we should send this to the people and let them decide on whether or not they want to pay a bonus to our soldiers. If we turn this down, as sure as this is Friday, May 8, you will have a new bonus bill at the next session of the legislature.

The only bonus bill we have sent to the people is one with a sales tax attached to it. I don't want to be childish. I realize if the bonus is voted for then it must be paid for but at least we will have satisfied a just debt that we owe to our boys and girls.

I repeat, I oppose the motion of the Majority Floor leader that we adhere, and when the vote is taken I ask for a division.

A division of the Senate was had.

Nineteen having voted in the affirmative and twelve opposed, the motion to adhere prevailed.

Sent down for concurrence.

Additional Senate 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 Powers of Attorney General." (S. P. 172) (L. D. 438) reported that they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Monies for Capital Improvements and Construction of State Government for the Fiscal Years Ending June 30, 1954 and June 30, 1955," (S. P. 75) (L. D. 172) reported that the same ought not to

pass as it is covered by other legislation.

Which report was read and accepted.

Sent down for concurrence.

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 "Resolve in Favor of the Town of Freeport," (H. P. 500) (L. D. 1177) reported that the Senate recede from its action whereby it accepted the Majority "Ought not to Pass" Report of the Committee and concur with the House in accepting the Minority "Ought to Pass" Report, and pass the Resolve to be engrossed.

On motion by Mr. Haskell of Penobscot, the Senate voted to accept the Conference Committee report and further voted to recede and concur with the House.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve in Favor of the Town of Medway" (H. P. 63) (L. D. 1176) reported that they are unable to agree.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve in Favor of Eastern Maine General Hospital of Bangor," (H. P. 634) (L. D. 656) reported that they are unable to agree.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve to Reimburse the Town of Jefferson for Conveyance of School Children," (H. P. 719) (L. D. 1368) reported that they are unable to agree.

Which reports were severally read and accepted in concurrence.

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

MR. HASKELL of Penobscot: Mr. President and members of the Senate, as the Senate is well aware, the closing in of the appropriations measure against estimated revenues did leave many deserving items in a position where state finances could not be financed with a bal-

anced budget. The comments that I will make relating to the source of new revenue, are as reported to me by the executive that might be called the chief conferee and the general proposition as I understand it, is that the Scarboroughs and the Gorhams have agreed on such action related to raising bills before this legislature as will accrue to the general fund.

An extra income of one half of one percent on the monies bet at both the running race tracks and the harness tracks. And while it must necessarily be an estimate, I am sure it is as reasonably close as estimates of this nature can be, and the income resulting from the imposition of a one-half of one percent tax on the amount wagered at both types of racing amount to approximately \$75,000 a year.

If the action of the interested parties via our action on collateral measures now before the legislature has legislative acceptance, and it is the hope of those who participated in the conference that both sides to the argument will agree that the conference compromise so reached should have unanimous acceptance from both viewpoints so as to pass it as an emergency act, then next question relates to where will justice and equity and fair play best be served in the matter of allocating this new income source in the matter of appropriation.

I think it fair to say that when the matter was first discussed, which was before most of you had breakfast this morning, that member of the Senate who has talked much too much about money matters said that he hoped the Governor would not be offended by such an assertive statement as this and the assertive statement was "I would be quite insistent that you as Chief executive give to the legislature your own recommendations as to where these dollars should be spent so as to avoid, I hope, another scramble as to what should get under the tent and what items must stay out."

As Majority Floor Leader, I am going to present his recommendations to you and I hope that you accept them in the same spirit that I know you would accept a budget message. He is starting fresh again

with a small amount of money. I don't think we have the time, and I hope we do not have the desire to go through another long scramble to determine which items must be supported and which must face the guillotine.

To me, we should express on the side of the Hatfields and the side of the McCoy's confidence that the person who has helped bring about this compromise of positions has at the same time considered the items that are not now taken care of and I plead with you to accept his recommendations in the same spirit you did accept his budget recommendations. It is his recommendation that if these compromise bills which will go through here in orderly fashion under the careful eyes of the Senator from Cumberland, Senator Weeks, and the careful eyes of the Senator from Somerset, Senator Sinclair, it is his recommendation that this Senate, that we do use \$5,000 per year to make good his recommendation with relation to salaries of Public Utilities Commission. I would not indicate that he has made any commitment whatsoever to any person relative to this item, but in his effort to find an appointee to that Body, he did ask the Appropriations Committee to bring out a bill, and it was brought out and in accordance with his recommendation I had that L. D. included.

The second item he recommended was the increase in legislative salaries from \$850 to \$1000. That will require an appropriation of \$13,800 per year.

His next recommendation related to the nursing service and he recommended that \$39,500 be appropriated each year for that worthwhile service that each of us voted to indefinitely postpone. The other item—and I don't list these in order of priority or importance—relates to the bookmobile service and his recommendation would be that we do appropriate the amended bill's sum of \$12,000 the first year, and \$8,000 the second year. In round figures that all amounts to \$70,000 and should, I think, close the door and I hope close this legislative procedure down, so far as money matters are concerned. To accomplish this requires the cooperation

of all members in both branches of this legislature.

I assure you it has been worked out carefully, has been approved by the interested parties and I commend the Governor in his selection of the items that should be financed by this new revenue. I have not been a participant in the racing bill and would plead complete ignorance. With respect to the income side, the Senator from Aroostook and myself have been participants and we would be very pleased to try to answer any questions relating to the financial conclusions in the Hatfield-McCoy armistice.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Officers of the Legislature," (S. P. 583) (L. D. 1523) reported that the House recede from its action whereby it passed the Bill to be engrossed as amended by House Amendment "A" and its action whereby House Amendment "A" was adopted; adopt Conference Amendment "A" to House Amendment "A", adopt House Amendment "A" as amended and pass the Bill to be engrossed as so amended; and

That the Senate recede from its action whereby it indefinitely postponed the Bill, adopt House Amendment "A" as amended by Conference Amendment "A" thereto, and pass the Bill to be engrossed as so amended.

Which report was read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Certain Department Heads," (H. P. 1035) (L. D. 1179) reported that the same ought not to pass as it is covered by other legislation.

Which report was read and accepted in concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Bill:

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

Which bill was passed to be enacted.

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

ORDERED, the House concurring, that the legislative research committee be and hereby is requested to study such problems as may exist in relation to the economic life of that group of towns faced with the question of continuing their corporate organization as towns, or requesting legislative action that will give them a status of de-organization; without indicating any restrictive area to study, the committee may study such statutory revisions as may be desirable relating to state subsidy advantages that may or may not accrue to a community seeking de-organization.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Recessed to the sound of the gavel.

#### After Recess

The Senate was called to order by the President.

#### Joint Order

WHEREAS, the increased speed and volume of vehicular traffic demands that safety be recognized as the State's primary responsibility in the design and maintenance of public highways:

AND WHEREAS, the design and maintenance of a safe highway system is of primary concern to members of both the 96th and future Legislatures:

BE IT ORDERED, the Senate concurring, that the Legislative Research Committee examine and report to the 97th Legislature possible improvements in State Highway and State Police Department policy as it affects all aspects of highway safety with special emphasis on the following:

1. Improvement and elimination, wherever possible, of historically dangerous sections of highway.
2. Posting of maximum speed limits, as authorized by the 95th Legislature, to reflect realistically capacities of new road construction.
3. Advisability of using "demerit system" as presently employed by the State of Connecticut in affecting an outstanding record of highway safety.

(H. P. 1308)

Which was read and passed in concurrence.

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

Mr. Collins from the Committee on Appropriations and Financial Affairs pursuant to Joint Order (S. P. 599) reported "Resolve, Reimbursing the General Fund for the Payment of Certain Claims," (S. P. 619) reported that the same ought to pass.

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

Sent down for concurrence.

At this time, the President announced the appointment of the members on the part of the Senate, to the Legislative Research Committee, as follows: Senators Chase of Cumberland, Tabb of Kennebec, and Collins of Aroostook.

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

Bill "An Act Relating to Pari Mutuel Pool Contributions to Stipend Fund." (S. P. 274) (L. D. 763)

(In Senate, on May 7th, passed to be engrossed.)

Comes from the House, and the bill passed to be engrossed, as amended by House Amendment "A", thereto (Amendment Filing No. 634), in non-concurrence.

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

"Resolve Providing Funds for Nursing Attendant Education." (H. P. 480) (L. D. 499)

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

Comes from the House, engrossing reconsidered, House Amendment "A" (Amendment Filing No. 632) adopted, and the resolve as so amended, passed to be engrossed in non-concurrence.

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

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



(In Senate on May 8th, passed to be engrossed as amended by Senate Amendments "A" and "B" in non-concurrence.

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

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

On motion by Mr. Boucher of Androscoggin,

Recessed until 8:30 o'clock to-night, Eastern Standard Time.

#### After Recess

Senate called to order by the President.

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

(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 by Senate Amendment "A".

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

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H. P. 1038) (L. D. 1182) "Resolve in Favor of the Town of Garland," reported that they are unable to agree.

Which report was read and accepted in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Creating a State Crime Commission," (S. P. 521) (L. D. 1422) reported that they are unable to agree.

On motion by Mr. Chapman of Cumberland, tabled pending consideration.

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. 129) 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, having been one of those in 1947 who refused to the other members of this Body in passing the tobacco tax as an emergency measure, it is not an easy thing to stand and debate the motion that the bill be now indefinitely postponed. Being something of a realist, however, I believe that motion should prevail.

I will first speak as fairly as I can against the motion. I will agree thoroughly that a 20% tax on tobacco products created a hardship on Maine tobacco merchants. I will agree thoroughly that it creates an opportunity of tax evasion, and in general principle I will agree with what I think was the unanimous report of the Committee on Taxation that the repealer ought to pass.

However, what the action of the Senate would be in passing this bill to be enacted, would be to impose upon the next legislature the problem of finding additional revenue to replace this or by a simple majority of both branches repealing the act. As a matter of principle, I think one legislature ought to compliment a succeeding legislature by leaving a decision of this nature to them. The bill has been amended so that it no longer requires a two-thirds vote of the next legislature to effect the real of it because the effective date of the bill as now amended is September, 1955 rather than July, 1955.

In that respect the supporters of the proposition have been very fair but I would like to propose to you the problem that would be presented for the next budget committee and the next appropriations committee and particularly the Governor when he next makes up a budget message. As our budget statute is written the Governor has no other choice as I see it, than to pre-suppose revenues as they exist under the then existing statutes and he would have no other choice than to budget out of income roughly a half million dollars a year which is probably the net loss by the passage of this bill on a 12 month basis.

I realize that there are arguments to support the proposition that this issue must be forced upon some Executive and some legislature for a decision, but on the other hand succeeding legislatures do have that opportunity by a simple majority vote of repealing it out of the statutes. Speaking simply to the proposition that each legislature with respect to such major problems as this, ought to be left alone, and speaking to the proposition that a Chief Executive should not be forced into this situation prior to developing his own budget and his own budget message to a succeeding legislature, I think that the more fair proposition is to indefinitely postpone the measure letting it go as an indication of the unanimous conclusions of an excellent taxation committee, the affirmative action and the passage to be engrossed by both Bodies, serve upon both the Chief Executive and the succeeding legislature a further indication of the inaccuracy that I thought existed in this measure when 22 members of this Body did pass it in 1947.

I believe that is the fair thing to do but without indicating any veiled indication of the ultimate fate of the bill, I am very hopeful that it can be disposed of in this manner and I think by so doing we are treating more fairly the position of the next legislature by not forcing the issue upon them. I think, Mr. President, that I have made the motion that the bill be indefinitely postponed.

Mr. WARD of Penobscot: Mr. President and members of the Senate, I oppose the motion to indefinitely postpone this bill. I am sure I do not wish and I am sure the members of the Senate do not wish to embarrass the Governor or the Budget Committee two years hence.

I happen also to have been a member of the legislature which enacted this particular tax. Every Taxation Committee since then has recognized the inequities of it and has unanimously reported that the tax ought to be repealed, and yet every session finds the members somewhat in the same predicament that we find ourselves in today in that we are short of money and it

is impossible to repeal the tax at this session.

We actually repealed this tax two years ago, it is my understanding, and I am not an expert on the financial picture of the state, but it is my understanding that over the past two years period we will have a net gain of approximately three million dollars over and above the estimates and had we two years ago repealed the tax which brings in approximately \$650,000 a year, we would still have had a gain of somewhat over a million and a half dollars. It would seem about the only way that we can ever remove this tax from the statute books and start over again would be somehow to get it out of the budget so that the budget of the next legislature will not be figuring on the estimated amount of that tax.

I do not believe it is necessary to go into the merits of the proposition. It is my understanding that there are only eleven states who have this tax, only two of those eleven are north of the Mason Dixon line and they happen to be Nebraska and the State of Maine.

If you see fit to pass this bill and it becomes a law, as has already been pointed out, it will be a simple matter to reenact it as a succeeding session of the legislature if it is deemed necessary by a majority vote only but by taking this method a new bill would then have to be introduced and the people would then be given a fair opportunity to be heard.

We have no way of knowing what will take place two years hence. In view of the fact that we saw fit this year to pass a bill which has put the tax on motor vehicles on the net cash price it is rather safe to assume that two years hence you will find lobbyists here seeking to have the sales tax enacted on other items of personal items in the same manner and it would be then a question whether the tobacco tax would once again wind up in the position that the bill finds itself in today. Consequently I hope that the motion does not prevail.

Mr. DENNETT of York: Mr. President, I did not think in this present legislature that I would be again speaking. I rise neither to

oppose the motion nor to support it. I too would like to make just a few observations for the benefit of the members in the Senate on what is meant by this tax and with the condition that this industry finds itself in today.

I was not a member of the 93rd legislature that passed this but I do understand that it passed in the last moments and was rather rushed through. I do recall that it was written in the next budget message by the Governor, that the tax should be repealed. I believe that it has always been promised to the industry that the tax would be repealed, and that has never come to pass.

There are several small cigar manufacturing industries in the state of Maine have been virtually driven out of business in the state because of this tax, particularly with products being brought in from Massachusetts where there is no such tax.

Due to the fact that the industry has been promised over a number of years that this would be repealed, I think it might only be fair to go along with this. I will not urge anything but just say, "Let your conscience be your guide."

Mr. BROGGI of York: Mr. President when the vote is taken I ask for a division.

Mr. BOUCHER of Androscoggin; Mr. President and members of the Senate, I think it is time to wind up this session. I have been accused of voting against taxes. I have been accused of being a spendthrift.

I can't understand the Republicans of Maine asking for the abolishment of a tax when we know very well that two years hence we will have to get additional tax revenue and I for one don't want to see a sales tax on food or other necessities of life. I love cigars. I don't smoke cigarettes and I think it is only fair that cigars and tobacco smokers pay their just share of things, just like the cigarette smokers. Let us be honest with ourselves. If we want to abolish the tax, let us do it now and not burden the next legislature with the problems that have been described to you. If we don't want to abolish it let's leave it alone.

Mr. DUNHAM of Hancock: Mr. President, I have been very hopeful that we might do away with some of these nuisance taxes and this one falls within that category. I am not too concerned, I am not too disturbed or excited about whether or not we are going to have money enough. I think we will have and I think we can do away with this tax, and put this thing on an equitable basis. Let's get rid of this nuisance tax.

Mr. BUTLER of Franklin: Mr. President, when we do away with the tobacco tax it may assist a reduction of taxes for those who smoke cigars but we are fundamentally, as legislators I believe, I felt so at the time, I do now, kidding ourselves and the general public that we have reduced a tax. We have not had the courage of our belief in taking and reducing taxes until after we are out of office and then we say that the law which we have passed may be put back on, as it will not go into effect until after the next legislature.

We are already short of money owing to circumstances which do not need to be further outlined, and new sources of revenue have been derived before the battle has been over today and we are only making fun of ourselves; making fun of the principles of the state, to pass on to another that which we cannot afford to do ourselves.

It is not right for us to go home thinking we have reduced taxes, when in fact we have not reduced them. We have only made it more complicated two years from now. We have taken on an additional load in our obligations. We are going to take on an additional load in our obligations if we continue as we have begun. I hope that we can realize the folly of what we have done before it is too late.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the bill be indefinitely postponed; and the Senator from York, Senator Broggi has requested a division.

A division of the Senate was had.

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

Thereupon, the bill was passed to be enacted.

Mr. COLLINS of Aroostook: Mr. President, I move that we reconsider our action whereby we insisted on a Committee of Conference, on L. D. 2.

Thereupon, the Senate voted to reconsider its former action whereby it insisted on its previous action and asked for a Committee of Conference on bill, An Act Relating to Bookmobile Service (H. P. 2) (L. D. 2) and further voted under suspension of the rules, to reconsider its former action whereby the bill was indefinitely postponed; and on further motion by the same Senator, the bill was passed to be enacted.

Mr. HASKELL of Penobscot: Mr. President, I would ask if there is in the Senate, An Act Relating to Salaries of Public Utilities Commission.

The PRESIDENT: The Chair would state in answer to the inquiry, that bill, An Act Relating to Salaries of Public Utilities Commission (H. P. 1211) (L. D. 1382) is in the possession of the Senate.

Mr. HASKELL: Mr. President, I move that the Senate reconsider its former action where the bill was indefinitely postponed.

The motion to reconsider prevailed.

Mr. HASKELL: Mr. President, I now move enactment.

Mr. HARDING of Knox: Mr. President, I move that the bill lie upon the table.

Mr. COLLINS of Aroostook: Mr. President, I request a division.

A division of the Senate was had. Seven having voted in the affirmative and twenty-seven opposed, the motion to table did not prevail.

Thereupon, the bill was passed to be enacted.

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

Mr. REID: Mr. President and members of the Senate, the reason for my tabling this bill was that

I was hopeful that an amendment which destroyed the raise in the salary of court reporters would be one of the things that could be considered after the race question had been settled.

I simply would like to say that in my opinion our court reporters are grossly underpaid. They are a small group of people who work as hard as any group I know of and who must work on the most technical matters. In other sections of the country, instead of a salary of \$5,000 they receive between \$10,000 and \$20,000 a year. We have all had our pet bills. This was one of mine. But we have all had to recede and concur on account of the delicate financial situation. This bill, as you all know, in addition to carrying an increased appropriation, also carries with it a clarification of the law. When I move for final enactment, I move it without the increased appropriation.

And so, Mr. President, most reluctantly I move that this bill pass to be enacted.

The motion to enact the bill prevailed.

On motion by Mr. Squire of Kennebec, the Senate voted to take from the table bill, An Act Authorizing Towns to Issue Revenue Bonds for Public Improvement (S. P. 85) (L. D. 192) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. SQUIRE of Kennebec: Mr. President, I think I am talking about the right bill. This bill has been in committee and out of committee. There has been a re-draft and then it went back to committee and now, we have it back here. It has been through the mill and I have been on the roller coaster with it.

Some part of the bill I agree with and some parts I don't. I think in issuing revenue bonds such as this bill proposes, we perhaps create a situation where a town or city might go hog-wild issuing revenue bonds. They don't require the backing of the property in the city. The only lien on the bond is on the property of whatever services they are going to be issued for and the receipts for that service.

I can remember very definitely when it was necessary for the state to put a debt limit on the cities. So far as I can see there is no limit to the amount of these bonds that could be issued other than the fact that it might be stated in the referendum, the amount of bonds that would be issued. But there is no limit.

I do believe, in the case of cities particularly issuing large bonds in a million or two million dollar amount, that they would have to be very minutely scrutinized and for the best financial interest of the city, to get the bonds at lowest interest, they should get them on a national market.

It seems to me that in the issuance of bonds like this without the most minute scrutiny, they could be duped. It is not only a matter of money that I am concerned with but in large issues relative to using the money for sewers or the creation of water systems, it seems to me that the operation of the system will still be under the control of the city or the town and with all deference to our municipalities I don't think that the management is as economical and I do not think the service is as good as under a separate entity.

I am firm in my conviction that if it is run as a separate business it can be run more efficiently and give better service.

I do feel that this is rather loose legislation. I feel we might perhaps live to see the day we regretted it. I don't know how many other Senate members feel the way I do about this, but I shall move for the indefinite postponement of the bill.

Mr. HASKELL of Penobscot: Mr. President, in this debate the positions are certainly reversed. I am standing here trying to avoid the clobbering. I couldn't blame any of you if you said to yourselves, "Let's give him one good beating on this and square off on some of the motions that he has made that disappointed us."

There is no opportunity at this stage of the legislature to make any legislative amendments. The history of this document certainly has not been smooth. The bill

was brought into Judiciary along with a Constitutional Resolve. It was determined by the sponsors of the bill that probably the Constitutional Resolve was not necessary and probably the courts of the state would rule, as the courts of other states have, that revenue bonds are not within the intent of constitutional legislation related to debt of cities and towns. The Resolve was therefore, indefinitely postponed.

The bill did finally come back to the original document which seeks to legalize the proposition that revenue bonds in the State of Maine can be used as a vehicle by the cities and towns where there are revenue producing facilities desired by the cities and towns and where the proposition can be financed by private capital, with the private capital secured only by the revenue producing ability of that facility.

Speaking to one city in eastern Maine, that city would encourage sufficient private capital to acquire for itself a new water supply, the debt to be secured only by the revenues, based on a revenue contract wherein that city would buy its water and put it into its water main and that city would certainly need a new water supply.

There are other public improvements that can be financed I am quite sure, by revenue bonds and where the service itself with its earning capacity will offer good and sufficient credit base to attract private capital and I think the best example of this in the state of Maine, of a revenue bond, is the Maine Turnpike Authority. The credit is based only on the earning capacity of the facility. We have bought that as a general proposition in the state of Maine, and I acknowledge that we as a legislature did buy the theory of revenue bonds with respect to the Turnpike. I do believe that this is reasonable legislation and I don't believe that any difficult financial situations will be created. You must first settle the question of whether this is outside the limitations of the constitution and frankly I don't know of any other way to get this before our courts than a vehicle such as this.

The Senator from Kennebec, and myself, did have good-natured conversation on this matter, and we did agree that it should be debated. I think that he views with alarm something that is not serious, and I hope that his motion will not prevail.

Mr. SQUIRE of Kennebec: Mr. President, I ask for a division.

A division of the Senate was had.

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

Thereupon, the bill was passed to be enacted.

Mr. Reid of Kennebec was granted unanimous consent to address the Senate.

Mr. REID: Mr. President, I yield the floor to the Senator from Cumberland, Senator Weeks.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, some sixty-one days ago, legislatively speaking, we assembled in these halls, and as we assembled there was a question in our minds as we approached the session as Senators-elect and realized that our first item of business would be the selection of a Senate President. The question, "Who has the qualifications for the office, the second office in our state government?"

At that time we think in terms of education, experience, demonstrated qualities of leadership, diplomacy, tact, courage and just plain, ordinary courtesy and consideration for colleagues. With such considerations in mind, we assembled here and we chose as our President, Nathaniel Haskell, Senator from Cumberland.

By that action we obviously indicated that we entertained great confidence in Nat. We thought that he possesses the qualities that we expect to find in our second man of the state. Now, on our last day, as we review the events of the session, we find that our judgment of you, Nat, was well warranted. During every day without deviation you, Nat, have conducted the duties of your office in an exemplary manner. In our opinion, no Senate President has excelled, and we firmly believe that no future Senate

President will excel the performance of your duty.

You have at all times provided us with leadership which has played such an essential part in the smooth but steady progress of this Senate session. Never to my knowledge has there been such a complete absence of doubt as to orderly handling of the affairs presented to us.

You have courageously assumed your part of the blame for any actions taken or programs initiated. At all time you have displayed an extremely solicitous regard for all of us. Unfailingly you have been a thousand percent fair and square especially with the lesser legislators.

On many occasions during these sessions, I have heard the Senators speak of you, Nat, and always in the highest terms. Certainly when such positive opinions prevail, what more can be said than that you as our President, have been as near perfect as any human could be.

Believe me, Nat, you may leave the state house tonight confirmed in the belief that your colleagues who placed their trust in you are saying, "Well done, good and faithful servant."

The members of the Senate have most kindly accorded to me the privilege of which I am extremely appreciative, of giving to you your just due in these few remarks, and of presenting to you this gift with our sincere wishes that it will serve you well and constantly remind you of us and of our continuing high regard in the years to come.

The PRESIDENT: Members of the Senate, I wish to thank every one of you for the very many courtesies shown to me throughout this session. Because of your cooperation, kindness and consideration, each day of this session has been for me one of rich, enjoyable and unforgettable experience. There are no words at my command by which I can adequately convey to you my deep and abiding appreciation for this symbol of remembrance of the 96th Maine Senate which you have so generously and graciously provided. Believe me so long as I shall live it will remain a constant, close and cherished reminder of friends, old and new, which I will always associate with the days of this session.

I am not only personally indebted to you and grateful for the untiring cooperation and full willingness at all times to be of assistance in facilitating the work of the Senate as has been so ably demonstrated by all of the employees of the Senate, but I am happy to be able to tell them one and all, that the respect and regard for them here expressed is unanimously shared by the Senate.

It gives me pause, however, to realize almost suddenly as I look around this Senate Chamber and in passing through the corridors of the state house that in the period of time in which I have been privileged to serve in the legislature there are to my knowledge only three members of either Body of this legislature who have served continuously with me. It is my hope, therefore, that you may understand, in part at least, why it is I find myself just as on the very first day of this session, standing before you with somewhat mixed feelings. On the one hand I am very humble and very proud to have had the opportunity to serve you and with you; to have received so generously of your cooperation and above all to have known your friendship.

On the other hand, to be honest about it, it is not particularly easy to recognize that these fast closing final hours of the 96th Legislature may for me perhaps mark an end to a happy experience of active association with the legislative procedure. I shall always, however, remember gratefully the kindness and the thoughtfulness of the Senate in permitting my two sons and my wife to be privileged to have been seated beside me on this rostrum. On their behalf, as well as my own, I thank you for this gift and especially for that which it represents to me as an outward symbol of a constant and enduring remembrance in my heart of fine and friendly, gracious and generous people, assembled here from every county of the state, who without thought of personal gain or loss have dedicated themselves to the common and worthwhile purpose of serving the best interests of the people of a great state.

I thank you, sincerely, and wish for you the best of health, happi-

ness and prosperity in the days and years to come.

The Chair awaits the pleasure of the Senate.

Mr. REID of Kennebec: Mr. President and members of the Senate, every good ship has not only a pilot, but a staff of navigators. The chief navigator here in this Body is the Honorable Chester T. Winslow.

In the year 1923, Chet served, I believe, as a member of the House of Representatives. Since then he has been attached to the legislature as Secretary of the Senate. It is very doubtful if there is a man in the State of Maine who knows more about legislative procedure than does Chet. All through this session and past sessions when I was privileged to serve in the Senate, and all during previous sessions when I happened to be around, I have always found Chet to be not only amiable and courteous, but at all times willing to be helpful to the members of the Senate and all others. We admire him for his dignity, for his voice, for his uprightness and for all the other good qualities which we all know he has.

Two years ago, knowing that he loves fishing, the members of the committee who had the privilege of bestowing a gift upon him, did bestow certain specific gifts in connection with that special form of recreation.

This year we just did not know exactly what to get him and we finally decided to present him with a sufficient amount of funds so that he could select his own fishing equipment and we hope that he will use what we have been able to afford him with, to buy something with which he may remember this session of the legislature.

Chet, it gives me a great deal of pleasure to present to you a modest gift from the members of the Senate at this time. It is modest but we hope that you will use it to buy something that you will cherish.

The SECRETARY: Mr. President and members of the Senate, I really was not expecting this. I want to thank you very much for it. Perhaps just simply thanking you would not be adequate to ex-

press my appreciation. I might say it was grand of you or it was colossal or magnificent and that is just about the way I feel about it.

Jim brings to my memory a little incident that happened in Bangor and if you don't mind I'll tell you about it. In Bangor at Boys State I had the pleasure of introducing to our Boys State Senate, the Attorney General of the State of Maine. Of course to the boys and to us all, the Attorney General does represent quite a bit of "brass" and somehow I don't know just how it happened, but I happened to find in my vocabulary a great many characteristic adjectives which ordinarily I am fanning the air for. So I introduced him to the boys and he got up and the boys gave him a great hand. When the boys had ceased applauding I said "Alec, I wish you would tell them that story about the country minister." Well, Alec got up and he said, "You know, Chet came quite a long way to come down here and in coming down here, he must have kissed a blarney stone — that's about the only way he could get those words out."

Not that I am saying Jim kissed a blarney stone. I know he meant what he said and I appreciate it very much. I do want to say that what success we have had here in the Senate offices has been a hundred percent divided up among five in the office and six or seven out here so I can only claim ten percent. The other ninety percent is divided among the employees, not only in the office and in here, but we have been very fortunate this session to have some very good committee clerks. We have been very fortunate in having Sam Slosberg. He is one of the greatest officers we have had and is always very helpful.

Thank you very much for this gift and I will certainly purchase something I shall always keep and cherish as a remembrance from this Senate. I thank you again.

Mr. REID: Mr. President and members of the Senate in addition to the pilot, to whom we have already paid tribute, and the expert navigator, there is also an assist-

ant navigator to the good Secretary and his name is Waldo H. Clark. I believe that Waldo has served in this Senate for about 26 years. He doesn't have the advantage of being able to express himself in the Senate proceedings, but he is a great help to the President of the Senate and to the expert navigator and plays an important part in this Body.

As I have observed him in my two terms in the Senate, he has always quietly but industriously carried out his duties and responsibilities, without fanfare but nevertheless with the utmost devotion to his task.

It gives me a great deal of pleasure at this time, Waldo, to express what I know is the sentiment of the entire Senate that you should receive for what we believe to be a great performance on your part in this and in past sessions, a small token of our appreciation.

The ASSISTANT SECRETARY: Mr. President and members of the Senate, of course you would expect a little more from the boss than you would from his subordinate but I would like to express my appreciation for the kindness and courtesies you have extended to me this winter and since the boss started it, I would like to tell you one little story and then I'll sit down.

Someone asked me the other day, "Which Senator do you like the best?". I told that person it was a hard thing to say and reminded me of a little story. There was a gentleman who was fortunate to find a good-looking woman, good-natured and so forth and he married her. After the service a friend said to him, "You really must love this woman." and he answered, "With all my heart." He had hardly spoken the words when she dropped dead.

He found a beautiful place near the house and he buried her. And it was just a short time after that that he married again, but she didn't live very long either and he buried her out in the yard beside his first wife. Time went on and he was getting along in years and one day a neighbor said to him, "John, when you die where do you want to be buried?" John looked at him thoughtfully and then replied,



"Up on the hill between my two wives." And the neighbor said, "Well, which of these two wives did you love more?" And John replied, "It doesn't make any difference, I loved them both alike and I want to be buried right between the two, just as near the center as you can." And then he added as an afterthought, "Tip me just a little toward Tilly."

Mr. BROGGI of York: Mr. President and members of the Senate as the third member of this committee, it is my privilege to award a couple of tokens of our esteem and our affection. However, there are two compelling reasons why I am going to defer this honor, and turn it over to the good Senator from Washington, Senator Hanson. I think the first compelling reason is that the Senate is indebted to the good doctor for keeping us physically fit this winter with his penicillin, aureomyecin and what have you and so far as I know, the only recompense the doctor has received is one spring muskrat pelt.

The second compelling reason is that although I hope that the next two recipients love all of us, I have a suspicion that the good doctor has an edge in their affections.

Mr. President, I hope that you will now recognize the Senator from Washington, Senator Hanson.

Mr. HANSON of Washington: Mr. President and members of the Senate, I am deeply appreciative of the kind remarks made by Senator Broggi. If we should travel the length and the breadth of Maine, I am sure we could not find two more willing, more cooperative, more delightful, more gracious pages than we have in our Maine Senate. They have performed their duties superbly and there it is with great pleasure, both personally, and I am sure on the part of the members of the Senate, to present to you girls a little token in appreciation of how much the Senate thinks of you, and especially how much I think of you.

Mrs. FOSTER: Mr. President and members of the Senate, I can't tell stories but I do thank you. We love all of you.

Mrs. BEAUCHAINE: Mr. President and members of the Senate, I can only say thank you very much. You have all been wonderful to us.

Mr. REID of Kennebec: Mr. President, before these little ceremonies close, I would like to say just one more word or two. The funds which were provided for the purchase of these various gifts were derived from the net profits of the dance activities this winter. We always regret that they are not sufficient to provide for all. I believe formerly in some measure at least, they were turned over to some kind of charitable cause. We have heard a lot about matters of principle at this session, and I am going to wind up my remarks by also telling the story of the elderly lady who had some valuable jewelry and she had it insured. One morning she awoke and found the jewelry missing and she wrote to the insurance company and put in a claim. The insurance company investigated and finally sent her a check for \$4,000.

Two weeks later as she was cleaning house, she found the jewelry and discovered that she had only misplaced it. Being an honest person, she wrote to the insurance company and said, "Gentlemen: I wish to do no wrong. I think it would be improper for me to keep the \$4,000 so I am writing to tell you that I have turned it over to the Red Cross."

Mr. CUMMINGS of Sagadahoc: Mr. President, last January when I had the honor to join this Body, one of my first acts was to move the election of J. Horace McClure as Councillor from our district. At that time he said to me, "Charlie I want you to keep your eyes open for some outstanding lady so that at the end of the session we may give her some appropriate token of our esteem."

So all through the session I have been a Committee of one carefully scrutinizing all the ladies that I have come in contact with in this state house. You may have noticed it. I looked in all the various counties and finally narrowed the hunt down to the councillor district of Councillor McClure, that is Sagadahoc, Androscoggin and Franklin. Investigating the ladies of those three counties, I was quickly attracted to a lady who was serving on a Claims Committee. I was attracted to this lady by the intense interest that she gave to all claims.

I was struck by the great attention, by the widening of the eyes, by the expression that played about her face, by the sagacious way she handled these claims.

And so at this time, gentlemen of the Senate, I am not going to argue with you, I am telling you that we have found a majestic lady, regal, queenly, who has most fittingly adorned the very hall in which we are now residing and have so pleasantly resided for the last four months. Without further ado, in behalf of Uncle Horace and the members of the Senate, I would like to present to our lady Senator a token of our esteem.

Mrs. KAVANAGH of Androscoggin; Mr. President and members of the Senate. Thank you very much. Speaking of women reminds me too of a story that I heard recently. Two gentlemen and a young lady were talking together and one of the young gentlemen said to her, "It is strange and I cannot help but wonder why God made women beautiful but dumb."

The young lady was rather quick on the draw and she replied, "I'll tell you why. He made them beautiful so the men could love them. He made them dumb so that they could love the men."

I thank you again, gentlemen, and I do want to tell you how much I have enjoyed working with you this year.

On motion by Mr. Haskell of Penobscot,

Recessed for ten minutes.

#### Emergency Measure

Bill "An Act Relating to Pari Mutuel Pool Contributions to Stipend Fund" (S. P. 274) (L. D. 763)

Which bill being an emergency measure, and having received the affirmative vote of 30 members of the Senate, and none opposed, was passed to be enacted.

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

ORDERED the House concurring that bill, An Act Relating to Pari-Mutuel Pool Contributions and Night Running Racing (H. P. 976) (L. D. 1064) be recalled from the office of the Governor to the Senate.

Subsequently, the bill having been recalled to the Senate, on motion by Mr. Haskell of Penobscot, the bill was indefinitely postponed.

Sent down for concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H. P. 960) (L. D. 1050) "Resolve in Favor of the Town of New Gloucester," and reported that they are unable to agree.

Which report was read and accepted in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve in Favor of Several Academies, Institutes and Seminars," (H. P. 1244) (L. D. 1446) reported that they are unable to agree.

Which report was read and accepted in concurrence.

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

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Bills and Resolves:

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

"Resolve, Providing Funds for Nursing Attendant Education." (H. P. 480) (L. D. 499)

"Resolve, in Favor of the Town of Freeport." (H. P. 500) (L. D. 1177)

(On motion by Mr. Haskell of Penobscot, indefinitely postponed. Sent down for concurrence.)

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

"Resolve, Reimbursing the General Fund for the Payment of Certain Claims." (S. P. 619)

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

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Bill, "An Act Creating a Racing Commission" (L. D. 1337) tabled by that Senator earlier in today's session.

On further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Bill, "An Act relating to the Creation of a Crime Commission" (L. D. 1422) tabled by that Senator earlier in today's session pending consideration of the Conference Committee report.

Mr. CHAPMAN of Cumberland: Mr. President, proceeding according to the suggestion previously made by Senator Reid, I will confine my remarks to the sixty seconds suggested. I appreciate the courtesy of the members in allowing me to table this bill. I know you are all tired and anxious to get ahead with business and I will say just one or two things and then let it go.

The bill is not a facetious measure at all but put in with a deadly serious purpose. It was an enabling act pure and simple and was not aimed at any person or intended to embarrass anyone. It was aimed at a situation only and I felt that both branches should feel compelled to adopt such technique as suggested in the bill. In any event, I take heart from the fact that we have put ourselves in here at least, seriously on record as being in favor of providing any feasible means to dispose of that problem with which we all are familiar.

I have been reminded by my colleague that my sixty seconds are up and so, Mr. President, I move that the Committee of Conference non-agreement report be accepted.

The motion prevailed and the Committee of Conference report was accepted.

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 "Resolve in favor of the Town of Liberty," (H. P. 637) (L. D. 1356) reported that the Senate recede from their action whereby the Resolve was indefinitely postponed and concur with the House in passing the Resolve to be engrossed.

Which report was read and accepted in concurrence.

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

Mr. Collins from the Committee on Appropriations and Financial Affairs submitted its Final Report.

Which was read and accepted.  
Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, it was

ORDERED, that the desk, chair, and equipment in the office of the President of the Senate, together with remainder of such supplies as were required to carry out the duties of his office, be presented to the President of the Senate and delivered to his home address.

On motion by Mr. Hanson of Washington, it was

ORDERED, that the superintendent of buildings be directed to deliver to the Secretary of the Senate such equipment and supplies as the Secretary shall deem necessary for use in completing and indexing the Journal of the Senate.

On motion by Mr. Carter of Oxford, it was

ORDERED that the office of the Secretary of the Senate including the furniture and equipment therein shall remain in the custody of the Secretary.

On motion by Mr. Jamieson of Aroostook, it was

ORDERED that the superintendent of public buildings shall have custody and supervision of the Senate Chamber whenever the legislature is not in session.

On motion by Mr. Cummings of Sagadahoc, it was

ORDERED that the State Librarian be directed to forward bound copies of the legislative record to members and officers at their home addresses.

On motion by Mr. Ward of Penobscot, it was

ORDERED that the State Librarian mail to each member of the Senate and House, the balance of the legislative record beginning April 15, 1953.

On motion by Mr. Reid of Kennebec, it was

ORDERED that the State Librarian mail to each member and officer of the Senate a copy of the laws of this session when completed.

**Communication**

STATE OF MAINE  
House of Representatives  
Office of the Clerk

May 8, 1953

To Chester T. Winslow  
Secretary of the Senate  
Of the Ninety-sixth Legislature  
Sir:

The Governor of the State having returned to the House:

"An Act to Repeal the Tax on Cigars and Tobacco Products," with his objections to the same, the House proceeded to vote and the question

"Shall the Bill become law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; 14 members voted in the affirmative and 102 in the negative, and accordingly the Bill failed to become a law and the veto was sustained.

Respectfully,

HARVEY R. PEASE  
Clerk of the House

The communication was read and ordered placed on file.

**Communication**

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

May 8, 1953

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

The Governor of the State having returned to the House

"An Act Amending the Definition of an 'Employing Unit' Under the Employment Security Law"

with his objections to the same, the House proceeded to vote on the question

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; 3 members voted in the affirmative, and 111 in the negative, and accord-

ingly the Bill failed to become a law and the veto was sustained.

Respectfully,

HARVEY R. PEASE  
Clerk of the House

Which Communication was read and ordered placed on file.

Mr. Haskell of Penobscot presented the following order, out of order and under suspension of the rules:

ORDERED, that the President of the Senate be hereby authorized to approve for payment by the Comptroller, such Senate Employees' wages as the President may deem fair and equitable in consistency with such wage bonus plan as may be adopted by the House.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, at the outset I would acknowledge that two wrongs do not make a right.

Earlier in this session I think acting in good faith, both branches adopted a joint order which the committee on Appropriations and Financial Affairs was authorized to establish wage rates for legislative employees, not established by statute. That order applied to all employees of the legislature except the Secretary of the Senate, the Assistant Secretary, the Clerk of the House and the Assistant Clerk of the House. Those four named officers having salaries set by statute.

In the operation of that order the Appropriations Committee did meet with the officers of both branches and certain of their employees and did unanimously conclude that the practice of prior sessions arriving at lump sum payments for each employee, which lump sum payments in prior sessions had been increased to account for the increase in length of the legislative session, could be improved by establishing the wage rate on a weekly basis. That was accepted in both branches and understood by the employees of each branch.

The situation became a problem at least to the presiding officer whom I speak for in addressing these comments to you in that the House concluded that since certain

members of the Senate staff would be required to carry on their work during the next week and that work will be paid for at the same weekly wage rate as has prevailed through the session, then because of this fact all, or substantially all of the House employees not being required to work next week should by reason of that condition be granted a bonus of one week's pay while not working.

The objection of the Senate members of the Appropriations Committee, the presiding officer of this Body notwithstanding, the House insists upon its right to appropriate such monies as it desires from the legislative appropriation for such purposes as I have outlined. In presenting this order and speaking for its passage, I am sure that the Senate can have complete faith in the presiding officer that he will use the deliberation that comes with the dawn and which dawn I hope brings a light across the minds of others involved in this same situation and to that end, in fairness, justice and what I think is the dignity and right of this Body shall be preserved. I would have no part in introduction of such an order except for the faith that I have in the President of the Senate to use the authority granted to him in a manner that will be right and fair and just.

Thereupon the Order received passage.

At this time the President appointed as members of the Senate on the Committee on Election Expenditures, the following Senators: Senators Robbins of Aroostook, and Reid of Kennebec.

The President appointed the Senate Member on the Recess Committee as follows: the Senator from Franklin, Senator Butler.

Mr. REID of Kennebec: Mr. President, it seems to me that we would be remiss if we did not pay tribute to one member of this Senate who I think we all feel has not only been industrious and extremely capable but we all acknowledge his keenness of mind, and although many of us have had occasion to disagree with him on many matters, he has been steadfast and loyal. I refer to our Majority Floor Leader,

Robert Haskell. I think he is well deserving of a rising vote of thanks from all of us.

(Applause, Senate members rising.)

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, that was about the nicest thing that has happened to me this session. I have worked hard and part of the fact that we have had a pretty comfortable and convenient group here, and part of the fact that we have all gone along with one another in spite of all of our debates and a little bit boastfully I take pride in having been part of the fact that so far as I know there has not been a single debate in this Senate where I see any sign of bitterness. If I have had a part in helping to maintain that spirit, then I am very proud and happy.

Mr. REID of Kennebec: Mr. President, at this time, I think in honor to a gentleman who has been in the Senate a long time and who has been steadfastly against the majority of us we ought to give a rising vote of thanks to our good friend, Senator Boucher.

(Applause, Senate members rising.)

Mr. BOUCHER of Androscoggin: Mr. President, I want to thank this Senate for the kindness that has been extended to me as Minority Leader. I have at times been severe in my remarks but I tried to be just. I felt that I had a duty to perform and I tried to do it to the best of my ability. I want at this time to pay my respect to the President of the Senate who, in all my twenty years, has been the best presiding officer of any Senate in which I have served. I also want to pay my respect to the Majority Floor Leader. I have fought him steadfastly and he has beat me more than he should have but I have been with him a few times. Bob Haskell, I want to say that you have done a wonderful job and you can be assured that the Minority party feels very kindly toward you because you have acted in fairness at all times. I can remember when you were floor leader a few years ago, my feelings were not quite so kindly, but I assure you that you certainly have been very kind this year and very fair.

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Resolve:

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

#### Communication

House of Representatives

Hon. Chester T. Winslow

Secretary of the Senate

96th Legislature.

Sir:

The Speaker of the House today appointed on the part of the House the following members to serve on the Committee on Election Expenditures:

Messrs. DICKEY of Brooks  
CAVERLY of Bath  
LATNO of Old Town

To serve on the Legislative Research Committee:

Messrs. HAND of New Limerick  
LOWE of Rockland  
ALBEE of Portland  
CAMPBELL of Guilford  
POULIN of Oakland  
BEARCE of Hebron  
JALBERT of Lewiston  
McGLAUFLIN of Portland  
BURGESS of Limestone  
FITANIDES of Saco

On motion by Mr. Collins of Aroostook, it was

ORDERED, that a message be sent to the House of Representatives, informing that body that the Senate has transacted all the business which has come before it and is ready to adjourn without day.

Which was read and passed.

The Senator from Aroostook, Mr. Collins, was appointed to convey the message and subsequently reported that he had discharged the duty assigned to him.

A message was received from the House of Representatives that that body had transacted all the business before it and was ready to adjourn without day.

On motion by Mr. HASKELL of Penobscot

ORDERED, the House concurring that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches

of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 607)

The President appointed as members of such a Committee on the part of the Senate:

Senators:

HASKELL of Penobscot

SILSBY of Hancock

BOUCHER of Androscoggin

Which was read and passed.

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

Mr. HASKELL from the Committee subsequently reported that the Committee had attended to the duties assigned to it, and that the Governor was pleased to say that he would send a message forthwith.

#### Message from the Governor

To the Honorable Senate and House of Representatives  
96th Legislature

In these closing hours of the 96th Legislature, may I herewith submit a tabulation of the results of your deliberations:

Acts Approved:	603
Resolves Approved:	204
Vetoes Presented:	2
Vetoes Sustained:	2

It has been a personal pleasure for me to be able to serve with you in consideration of legislation in behalf of the people of Maine. My many years of association with legislative matters makes me extremely conscious of the magnitude of the problems that every Legislature faces; problems that we must weigh carefully to determine how best to serve the interests of the majority of our people. Our foremost thought must be the determination of what constitutes the interest of the many, as against the interest of the few.

You have worked earnestly and conscientiously and the legislation that has been enacted reflects your careful thought and desire to serve the people of our State. You have had the courage to correct inequities in taxation and to work with me to preserve a carefully balanced

and sound budget for the coming biennium. I assure you that I shall make every effort to see that this administration lives within those figures. By careful streamlining of activities, sound principles, greater efficiency of operation, it is my hope to show substantial savings in dollars in the coming two years.

Many of you have been disappointed with respect to certain of your worthy bills and resolves. May I commend the soundness of the policies that you have followed, particularly with respect to the limitations on use of surplus funds for local building costs. We must keep closely before us the line of local-state responsibility.

May I, as your Chief Executive, officially thank you, members of this Legislature, in behalf of the people who elected you, and to say that, in my opinion, you have been worthy of their trust.

Mrs. Cross joins me in thanking you for the many courtesies extended to us, and for the gracious associations and lasting friendship that we have had throughout the winter. We shall miss you and your families. The latchstring is always out at Blaine House, and we shall hope to have many of you drop in during the coming months. We wish you all Godspeed in your return to your homes, and health and happiness in the years ahead.

Respectfully submitted,

BURTON M. CROSS

Governor of Maine

BMC:ilw

Which communication was received and placed on file.

The PRESIDENT: In accordance with a time honored practice, the Chair at this time recognizes the oldest member present in the Senate, the Senator from Penobscot, Senator Wight.

Mr. WIGHT of Penobscot: Mr. President and members of the Senate, Senator Brown of Washington County who is senior member of this Body, is unable to be present at the final adjournment of this legislature and so as next in line I will say a few words at this time.

It has been a pleasure for me and I am proud to have been a member of this Senate and to take part in the activities of the 96th legislatures. We in this Body have had our controversies but the losers have always been good sports. We can truthfully say, "We are friends."

I personally appreciate the many courtesies and considerations extended to me by my fellow Senators. Those kindnesses will be fond memories as long as I live.

Until we meet again, God be with you all.

Mr. President, I now move that this Honorable Body adjourn without day.

Thereupon, at 2:20 A. M., Eastern Standard Time on Saturday, May 9, 1953, the President of the Senate, the Honorable Nathaniel M. Haskell, declared the Senate of the Ninety-sixth legislature adjourned without day.