

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

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SPECIAL SESSION

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AUGUSTA, MAINE

## SENATE

Wednesday, November 29, 1961

Senate called to order by the President.

Prayer by Rev. Alton E. Maxell of Augusta.

On motion by Mr. Boisvert of Androscoggin, Journal of yesterday read and approved.

The PRESIDENT: We have in the Senate Chamber a very distinguished visitor, one whom we are all proud of, our Congressman from the Third District. It gives me great pleasure to ask the Senator from Aroostook, Senator Christie, to escort Congressman Clifford McIntyre to the rostrum.

Congressman McIntyre was thereupon escorted to the rostrum by the Senator from Aroostook, Senator Christie, amid the applause of the Senate, the members rising.

The PRESIDENT: I am sure we would like to have a word from our Congressman.

CONGRESSMAN CLIFFORD MCINTYRE: May I express to the president of the Senate and each and every member of the Senate my deepest appreciation of your kind courtesy this morning. (Applause)

### Senate Committee Reports Leave to Withdraw

Mr. Cyr from the Committee on Welfare on Bill, "An Act to Provide Funds to Carry Out the Law Which Created Liens on Real Property of Beneficiaries of Public Assistance." (S. P. 612) (L. D. 1683) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

### Ought to Pass

Mr. Brooks from the Committee on Education on Bill, "An Act to Provide Funds to Establish a School of Practical Nursing to be Located in Southern Maine." (L. D. 610) (L. D. 1681) reported that the same Ought to pass.

Mrs. Lord from the Committee on Health and Institutional Services on Resolve Providing for Emergency Renovation of Existing Facilities at the Maine State Prison. (S. P. 606) (L. D. 1677) reported that the same Ought to pass.

Mr. Farris from the Committee on Legal Affairs on Bill, "An Act to Amend the Charter of the City of Saco." (S. P. 620) (L. D. 1701) reported that the same Ought to pass.

Mr. Ferguson from the Committee on Natural Resources on Bill, "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works." (S. P. 602) (L. D. 1642) reported that the same Ought to pass.

Mr. Wyman from the Committee on Reapportionment on Resolve, Dividing the State of Maine into Councillor Districts. (S. P. 614) (L. D. 1691) reported that the same Ought to pass.

Mr. Lovell from the Committee on State Government on Bill, "An Act Increasing the Number of Justices of the Superior Court." (S. P. 616) (L. D. 1693) reported that the same Ought to pass.

Which reports were Read and Accepted, the Bills and Resolve Read Once and on motion by Mr. Noyes of Franklin, under suspension of the rules, were this afternoon assigned for second reading.

### Ought to Pass - As Amended

Mr. Brewster from the Committee on Claims on Resolve to Reimburse Ernest Herrick of New Gloucester for Damage to House and Interior. (S. P. 618) (L. D. 1699) reported that the same Ought to Pass as Amended by Committee Amendment "A" (Filing No. S-305)

Mrs. Lord from the Committee on Legal Affairs on Bill, "An Act Increasing Power to Hold and Purchase Property by City of Waterville." (S. P. 607) (L. D. 1678) reported that the same Ought to Pass as Amended by Committee Amendment "A" (Filing No. S-306)

Which reports were Read and Accepted, Committee Amendments "A" Read and Adopted and the Bill and

Resolve, as amended, Read Once and on motion by Mr. Noyes of Franklin, under suspension of the rules, were this afternoon assigned for second reading.

**Majority — Ought to Pass**  
**Minority — Ought to Pass - As Amended**

The Majority of the Committee on Education on Bill, "An Act Relating to Educational Foundation Program Allowance." (S. P. 600) (L. D. 1644) reported that the same Ought to Pass

(Signed)

Senators:

BROOKS of Cumberland  
 SAMPSON of Somerset

Representatives:

HANSON of Lebanon  
 ESTEY of Portland  
 CURTIS of Bowdoinham  
 DURGIN of Raymond  
 HICHBORN of Medford

The Minority of the same committee on the same subject matter reported that the same Ought To Pass As Amended by Committee Amendment "A" (Filing S-307)

(Signed)

Representatives:

LEVESQUE of Madawaska  
 SIROIS of Rumford

On motion by Mr. Brooks of Cumberland, the Majority Ought to Pass report was accepted, the bill was read once and, under suspension of the rules was this afternoon assigned for second reading.

**Majority — Ought to Pass**  
**Minority — Ought Not to Pass**

The Majority of the Committee on Highways on Bill, "An Act Providing for Demolition of Morse Bridge in the City of Bangor." (S. P. 605) (L. D. 1645) reported that the same Ought to Pass.

(Signed)

Senators:

COLE of Waldo  
 FERGUSON of Oxford  
 BROWN of Hancock

Representatives:

TURNER of Auburn  
 CROCKETT of Freeport  
 DENNISON  
 of East Machias

PRUE of Ashland  
 NADEAU of Biddeford

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(Signed)

Representatives:

PHILBRICK of Bangor  
 CARTER of Etna

On motion by Mr. Cole of Waldo, the Majority Ought to Pass report was accepted, the bill read once, and under suspension of the rules, was this afternoon assigned for second reading.

On motion by Mr. Noyes of Franklin,

Recessed to the sound of the gong.

**After Recess**

The Senate was called to order by the President.

The PRESIDENT: We have in the Senate Chambers the 7th grade pupils of the Bristol School accompanied by Miss Florence Hope. I understand the Bristol School is in the district of our Senator from Lincoln, Senator Chase. We are certainly pleased to have this group with us, but I would like to have Senator Chase welcome this group to these chambers. I would like to have the Senator from Lincoln, Senator Chase, make a little speech if he would, please.

Mr. CHASE of Lincoln: I am awfully glad to have you folks come up here to this special session, the way the traveling was today. I am sure that the time has not arrived yet for real debate but we hope you will come again.

The PRESIDENT: Thank you, Senator Chase. It is too bad that the young folks could not witness debate. There probably will be some this afternoon and we know there will be some tomorrow, but we are just getting started on our program.

Mr. PORTEOUS of Cumberland: Mr. President, in the gallery have just come a group of students from the 8th grade of Waynflete School in Portland. They have just completed a study in Maine History and they have been guests in the

State House, they have been to the Governor's office, the House of Representatives, the Secretary of State's office. I just wanted to get in a word before we recess. They are all from the 8th grade. I have three children in that school myself, and they are a fine group of young people. The President of the class, "Chippie" Payson, sat in the Governor's chair. I am sure that when he grows up he will make a fine Governor. (Applause)

The PRESIDENT: It is certainly a pleasure to have this fine group with us. We hope you will come back again and we hope that some day you will be taking your place in one of the chairs in this chamber representing the county in which you live. For your information, you probably know your Senators from Cumberland County: Senators Davis, Brooks, Porteous and Senator Lord, the one lady Senator from Cumberland.

On motion by Mr. Noyes of Franklin,

Recessed until 1:00 p.m.

**After Recess**

The Senate was called to order by the President.

The Committee on Bills in the Second Reading, under suspension of the rules, reported the following Bills and Resolves:

Bill, "An Act to Provide Funds to Establish a School of Practical Nursing to be Located in Southern Maine." (S. P. 610) (L. D. 1681)

Resolve Providing for Emergency Renovation of Existing Facilities at the Maine State Prison. (S. P. 606) (L. D. 1677)

Bill, "An Act to Amend the Charter of the City of Saco." (S. P. 620) (L. D. 1701)

Bill, "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works." (S. P. 602) (L. D. 1642)

Resolve, Dividing the State of Maine into Councillor Districts. (S. P. 614) (L. D. 1691)

Bill, "An Act Increasing the Number of Justices of the Superior Court." (S. P. 616) (L. D. 1693)

Resolve to Reimburse Ernest Her- rick of New Gloucester for Damage

to House and Interior. (S. P. 618) (L. D. 1699)

Bill, "An Act Increasing Power to Hold and Purchase Property by City of Waterville." (S. P. 607) (L. D. 1678)

Bill, "An Act Relating to Educational Foundation Program Allowance." (S. P. 600) (L. D. 1640)

Bill, "An Act Providing for Demolition of Morse Bridge in the City of Bangor." (S. P. 605) (L. D. 1645)

Which Bills and Resolves were read a second time and passed to be Engrossed.

On motion by Mr. Noyes of Franklin, sent down forthwith for concurrence.

**Communication**

November 29, 1961

To the Honorable Senate and House of Representatives of the 100th Legislature

There is returned herewith, without my approval, Senate Paper 565, Legislative Document 1618, entitled "An Act Exempting Certain Machinery from Sales and Use Tax."

The bill proposes to defer for a period of not over three (3) years, payment of use tax on machinery and equipment purchased by certain new manufacturing or processing plants, and in connection with expansion of certain existing plants. The deferment would apply only to tax liability duly reported by the taxpayer under the law, and it would apply only where the taxpayer furnished bonds to secure ultimate payment. Interest would be charged at the rate of six per cent (6%) on such refunded sales tax, pending repayment to the state on a deferred basis.

In view of the bonding and interest requirements, it would seem that the bill would provide extremely limited relief to an industry of any substance. It would appear that an industry could obtain private financing under less burdensome conditions and at a lower rate of interest than would be provided by the bill.

More important, it seems to me the bill would be most likely to result in a great deal of misunder-

standing, and in allegations of bad faith. First, the title is of course most misleading. I realize the title is not a part of the law. Nevertheless, I think that this was an exemption measure rather than a deferment measure.

The more serious source of misunderstanding, however, lies in the fact that such relief would not be available unless the taxpayer had reported the tax liability for which deferment is claimed at the time such liability accrued under the provisions of the sales and use tax law. I can foresee that taxpayers who would otherwise be eligible for such deferment might easily forego reporting such liability on the theory that they had up to three years in which to report and pay it. Under those circumstances, when the Bureau of Taxation conducted a routine audit and developed the unreported liability, and was forced to explain that no deferment was possible, I believe the taxpayer would feel that he had been unfairly treated.

There is another factor which I think should also be considered. We are concerned not only with the development of new industries and the expansion of existing industries in Maine, but also with the maintenance of existing industries on a sound basis. The bill in operation would, it seems to me, discriminate against the existing industry which was considering, not expansion, but replacement of existing machinery and equipment in order to remain on a competitive basis. I think it might be difficult to explain to such an existing industry why a new industry, which may in fact be competitive should be permitted a tax consideration which is not available to the established industry.

For the foregoing reasons I am returning this bill without signature.

Respectfully submitted,

John H. Reed  
Governor of Maine

The PRESIDENT: The question before the Senate is: Shall this bill become law notwithstanding the objections of the Governor? According to the Constitution, the

vote will be taken by the yeas and nays. A vote of "Yes" will be in favor of the bill and a vote of "No" will be in favor of sustaining the veto of the Governor.

Mr. LOVELL of York: Mr. President and members of the Senate: Before this vote is taken I would just like to state that the Governor is right in the fact that there is a misnomer in the title of the bill. However, this bill came out of the Taxation Committee unanimously "Ought to pass" and also from the Committee on Industrial and Recreational Development. It was surveyed by twenty representatives and senators, and in their opinion it would be helpful to industry as sort of an incentive or gimmick to get that industry settled in Maine.

Now New Hampshire, our bordering state, and Massachusetts, as you well know, have no sales tax or no use tax, and we are competing with them for industry at all times, they being our closest states. You have seen the industry that has grown up on Route 128.

I do not say that this bill is going to get a great deal of industry into Maine, but on the other hand this incentive that they can pay this sales or use tax over a period of three years is certainly going to be helpful in the Department of Economic Development getting new industry into Maine. I know we had one company that came to Sanford, and after they had got set up they had to pay a use tax of some twenty thousand dollars in thirty days. They did not realize it when they came in. They said if they realized it they would have probably settled in a textile town in Massachusetts where they had no sales or use tax.

This actually is not going to save the industry any money, but, on the other hand, it could well be an incentive to get that industry to settle in Maine or to expand industry that we already have to expand in Maine. Certainly with Maine being the forty-ninth state percentagewise in the number of people unemployed, we need to try every possible device that we can

use to get more industry to put our people to work. We are the highest state in the United States in loss of people leaving our state. One percent of our population is leaving each year because they cannot get jobs in Maine. In my opinion and in the opinion of nineteen others on the committee, this bill would be a slight incentive to help new industry come to Maine. When it was passed in the closing hours of the session, Friday night, I believe or one o'clock in the morning, the vote was some two to one that the bill was a good bill and it went onto the Governor's desk, and I hope that those good senators who voted that way on June 17th or whatever day it was will go along with it now.

The PRESIDENT: I will repeat that the question now before the Senate is: Shall this bill become a law notwithstanding the objections of the Governor? According to the Constitution, the vote will be taken by the yeas and nays. A vote of "Yes" will favor the bill; a vote of "No" is in favor of sustaining the veto of the Governor. It requires a two-thirds vote to override the veto. Is the Senate ready for the question?

The Secretary will call the roll.

YEA: Senators: Boisvert, Couture, Jacques, Lovell, Porteous — 5.

NAY: Senators: Boardman, Brewster, Brooks, Brown, Carpenter, Chase, Christie, Cole, Cyr, Davis, Edmunds, Ellis, Erwin, Farris, Ferguson, Gilbert, Lord, Marden, Mayo, Noyes, Pike, Stanley, Stilphen, Wyman — 24.

ABSENT: Senators: Bates, Parker, Sampson — 3.

Five Senators having answered in the affirmative and twenty-four opposed, the veto of the Governor was sustained and the Bill did not become a law.

On motion by Mr. Stilphen of Knox, out of order and under suspension of the rules:

ORDERED, The House concurring, that it is the intent of the Legislature that departments deriving appropriations from the General Fund shall take the necessary steps, within currently available

line category appropriations, to effectuate that portion of the new salary plan that relates to personnel who had achieved the 6th step level of the previous salary plan and upon the installation of the present pay plan became entitled to an increase.

In order to accomplish this objective during the balance of the current biennium, it is the intent of the Legislature that all departments take the following action where necessary.

1. The use of current allotment or unallotted reserves;

2. Exercise reasonable curtailment in filling newly authorized positions;

3. Avoid recruiting and filling positions now vacant or which become vacant unless a definite hardship will result;

4. That no new or expanded activities be authorized;

5. Making no commitments for services that you can possibly do without during this period;

6. The accomplishment of all reasonable economies in order that this objective may be realized.

With respect to unclassified employees whose wage rates are not subject to determination by the Governor and Council, the authority responsible for determining the wage rate of such employees are requested to consider such similar and equitable treatment as they may conclude to be appropriate.

Wages of employees in other funds, i. e., those supported by the General Highway Fund, special revenue funds or others shall be adjusted from moneys available to such funds. Adjustments applicable to these funds shall not be derived from General Fund moneys.

In the event that some departments, after exploring all other avenues, may not be able to accomplish this objective, it is our intent that the Governor and Executive Council may, within their discretion, utilize the Contingent Account.

This Joint Order shall become effective January 1, 1962.

Which order received a passage, and on motion by Mr. Stilphen of Knox was ordered sent forthwith to the House.

Mr. COUTURE of Androscoggin: Mr. President, I ask unanimous consent to address the Senate out of order and under suspension of the rules.

The PRESIDENT: The question of time, Senator Couture? For how long?

Mr. COUTURE: Oh, I would say a couple of minutes.

The PRESIDENT: The Senator from Androscoggin, Senator Couture, has asked unanimous consent to address the Senate out of order, the time limit being two minutes. Does the Chair hear objection? You may proceed, Senator Couture.

Mr. COUTURE: Mr. President and members of the Senate: This morning before I left the City of Lewiston, and which made me late in arriving here, I was called to a house to take up the matter of a suspension under the unemployment compensation laws that we now have, and I was asked to bring this to the attention of the Senate to see if they could possibly make some arrangement to relieve the burden.

If you wish to know the name I will give it to you afterwards. This report is from the Office of Unemployment Compensation in the City of Lewiston:

The claimant had been employed by the Belmoc Shoe Company, Lewiston, Maine; she failed to show up for work and after three days her employer felt that she had voluntarily quit her job. The claimant stated that her absence was due to the fact that she had to have her tooth extracted. They had had somebody else call the employer earlier in the morning and she has proof that the telephone was used on the second floor to make this call to her employer. It was claimed that she left her job without good cause attributable to the employer. The report states: Disqualification from 1161 until claimant has earned fifteen times the amount qualified under the unemployment compensation, which was twenty dollars a week, a total of \$300. Down below it states: full disqualification indefinitely, and it is signed by Deputy Rogers.

I was asked to bring this out here in order to possibly have this

session of the legislature correct some of these items. The person involved found herself out of a job after having had twenty teeth extracted in one day when she reported for work on the third day but the boss let her go and disqualified her for unemployment benefits completely. This is one of possibly hundreds of cases we are faced with in the area that I represent.

Mr. President, under suspension of the rules I would like to introduce a bill and move its passage.

The PRESIDENT: The Chair would inform the Senator from Androscoggin, Senator Couture, that under our rules, this will take unanimous consent.

Mr. COUTURE: I know that, Mr. President. May we have the title of the bill read?

The SECRETARY: Bill, An Act to Amend the Employment Security Law.

The PRESIDENT: The Chair will inform the Senate that under our cloture rule, any bill presented, must be accepted by unanimous consent. Is there objection to the reception of this bill?

There being objection, the Bill was not received.

The PRESIDENT: We have as our guests in the Senate today, the Class in Government from Bristol High School escorted by Mr. Vernal Fenimore. Bristol High School is in Lincoln County, and I think the Senator from Lincoln, Senator Chase has had a number of visiting groups here today and it would please me and I am sure it would please our guests if we had a few words of welcome from Senator Chase.

Mr. CHASE of Lincoln: Mr. President, Mr. Fenimore and students of the class in state government, it makes me very proud to have you come up here today and visit the Senate. I am sorry that it was not a little later in the session when there might be some debate for you to listen to. However, I am awfully glad that you came, and I hope that some of you can some day fill this seat from Lincoln County. I wish you a good trip home. (Applause)



The PRESIDENT: It certainly is a pleasure to have you with us.

Mr. NOYES: Mr. President, may I inquire if the Governor's Veto and accompanying papers were ordered sent forthwith to the House?

The PRESIDENT: The Secretary informs me that the Secretary of the Senate informs the House by letter.

On motion by Mr. Noyes of Franklin,

Recessed for one half hour.

#### After Recess

The Senate was called to order by the President.

The PRESIDENT: The Chair notes in the Senate Chamber a former member of this body, and it is certainly a pleasure for the presiding officer to ask the Sergeant - at - Arms or one of the pages to escort Senator Farley to the rostrum.

Ex-Senator Peter Farley was thereupon escorted to the rostrum by Senate Page Ruth Foster, amid the applause of the Senate, the members rising.

The PRESIDENT: Perhaps Senator Farley will make a speech.

Mr. PETER FARLEY: Mr. President and members of the Senate: It is very nice that you asked me, but I never thought I did make a speech here in this great hall; I always thought that I was debating with the barristers and taking the part of the little fellow. It is a pleasure to say to you that as we left we left you a fine home where you can have plenty of time to sit in those fine chairs at those fine desks, rather than the chairs that we sat in when Lincoln was here. I thank you. (Applause)

The PRESIDENT: It is indeed a pleasure to have you with us, Pete.

#### From The House Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Moneys for Office of Director of Legislative Research." (H. P. 1194) (L. D. 1647) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Provide Funds for the Support of Cardiac and Related Services." (H. P. 1197) (L. D. 1650) reported that the same Ought to Pass.

The Committee on Constitutional State Reapportionment and Congressional Redistricting on Resolve to Correct Inconsistencies in the Apportionment of Representatives to the Legislature. (H. P. 1193) (L. D. 1646) reported that the same Ought to Pass.

The Committee on Education on Bill, "An Act to Authorize the Municipalities of Patten, Sherman, Stacyville and Mt. Chase to Form a School Administrative District." (H. P. 1202) (L. D. 1655) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Authorize the Municipalities of Carmel and Levant to Form a School Administrative District." (H. P. 1201) (L. D. 1654)

The same Committee on Bill, "An Act to Authorize the Towns of Greenville and Shirley to Form a School Administrative District." (H. P. 1217) (L. D. 1670)

The same Committee on Bill, "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Administrative District." (H. P. 1203) (L. D. 1656) reported that the same Ought to Pass.

The Committee on Highways on Bill, "An Act to Repeal the Law Establishing Ferry Service Between Vinalhaven and North Haven." (H. P. 1208) (L. D. 1661) reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act Amending the Charter of the City of Brewer High School District." (H. P. 1204) (L. D. 1657) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Amend the Charter of York Beach Village Corporation." (H. P. 1224) (L. D. 1684) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Town of Bucksport School District." (H. P. 1205) (L. D. 1658) reported that the same Ought to Pass.

The Committee on Public Utilities on Bill, "An Act Relating to Capital Stock of Fort Kent Water

Company." (H. P. 1218) (L. D. 1671) reported that the same Ought to Pass.

The Committee on Retirements and Pensions on Bill, "An Act Relating to State Retirement Benefits for Certain Teachers." (H. P. 1212) (L. D. 1665) reported that the same Ought to Pass.

The same Committee on Resolve in favor of Martha Morey of Shirley Mills. (H. P. 1220) (L. D. 1673) reported that the same Ought to Pass.

The Committee on State Government on Bill, "An Act Repealing Emergency Interim Judicial Succession." (H. P. 1232) (L. D. 1697) reported that the same Ought to Pass.

Which reports were read and accepted in concurrence; and under suspension of the rules, the bills were given their two several readings and passed to be engrossed in concurrence.

The Committee on Towns and Counties on Bill, "An Act Relating to Salary of Register of Deeds of Franklin County." (H. P. 1225) (L. D. 1685) reported that the same Ought to Pass.

Which report was read and accepted and the bill was given its two several readings.

Mr. Edmunds of Aroostook then presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read by the Secretary.

Mr. EDMUNDS: Mr. President, since this amendment has been reproduced and distributed I move that further reading of the amendment be dispensed with and I would like to speak very briefly on the intent of the amendment.

Very briefly, Mr. President, this amendment is presented to correct certain injustices as a result of legislation passed at the regular session concluded in June with respect to the salary of the Clerk of Courts in Aroostook County and the Registrar of Deeds in the Southern District of Aroostook County. The salary recommended at the regular session was \$5,500, the County Commissioners had recommended \$6,500, and we have come up with a compromise

figure which we present in this amendment of \$6,000.

The reason we feel that his salary should be increased to this level is that his court, for the purposes at least of the Clerk, is the fourth busiest court of the various counties that comprise our State, due primarily to the air bases in the area and the tremendous amount of naturalization work due to our proximity to Canada. So we feel that this gentleman who has served in this office for a number of years—and he has done a very fine job, I might say, and is highly respected all over the State and especially in the county—is entitled to this salary figure of \$6,000.

With respect to the Register of Probate in the Southern District of Aroostook County, the Legislature at the last regular session granted equal raises to the Registers in the northern and southern sections of Aroostook County. Now in the southern section of Aroostook County the Register must do about three times as much work as the Register does in the northern section of Aroostook County, and for that reason the County Commissioners saw fit to grant the Register in the southern district considerably more money in the way of a raise than they did so far as the Register in the northern district was concerned.

I might say that the money is included for both of these raises in the budget of the Aroostook County Commissioners which was accepted here in the last session of the legislature, so there is no question but what the funds are available, and I certainly hope that the Senate will go along with me in adopting this most worthy amendment.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I notice the absence of the Senate Chairman of the Towns and Counties Committee and I would like to ask the Senator from Aroostook, Senator Edmunds, if this has been cleared through the Chairman of that committee.

Mr. EDMUNDS: Mr. President, I will say very frankly to the

Senator from Sagadahoc, Senator Mayo, that an attempt was made before the Towns and Counties Committee yesterday to have this incorporated in this bill as a committee amendment. Unfortunately, the attempt was not successful. I did not offer the amendment myself although I did speak in support of it. Since that time, and since I note on the House calendar today that it had not been accepted, I have checked with the Senator from Washington, Senator Wyman, and he has advised me that if I wish to offer it today as a Senate amendment he has absolutely no objection to it and would support me in my position.

The PRESIDENT: Does that answer the Senator's question?

Mr. MAYO: Mr. President, it does answer my question, but I would like to address the Senate again, please.

Mr. President and members of the Senate: Just briefly, it seems to me that what is transpiring here is what happened to all of us Senators who had any pay bills before the regular session. If my memory is correct, the Towns and Counties Committee sliced all of the proposed bills that were put in for county raises. I remember my County of Sagadahoc and the requests that came from the County Commissioners and the delegations and so forth, that in the final hours of the session when the report of the Towns and Counties Committee came through it was not in line with what we thought some of our county employes should get, but we did not at that time have any success in changing the report.

Now to go a little further: it seems to me also that had I known that the door was going to be open for raises for various county officials I might very well have liked to have had an amendment prepared and ready; but there again I thought it was more or less the idea to speed up this session by not cluttering up too many of these bills with amendments. Now I may be going way off first base somewhere and I am not going to make the motion at this time un-

til the Senator from Aroostook has a chance to acquaint me a little further in regard to just why this must be brought in under the emergency status. I understand that in the original bill there was a mistake somewhere along the line in the printing and I can understand why that was an emergency in Franklin County, but I cannot understand the emergency part of this amendment which is now being introduced, and before the final vote is taken I will have a motion, Mr. President.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question through the Chair to the Senator from Aroostook, Senator Edmunds, who may answer if he wishes.

Mr. EDMUNDS: Mr. President, I have discussed this, let me say, with the Chairman of the Towns and Counties Committee, and he agrees with me since he has been more apprised of the facts that he feels that an injustice was done at the regular session in these two instances.

The emergency, as I see it, Mr. President and members of the Senate, is in that these two very capable, very competent and efficient county officials who have been in their respective offices for about twenty or twenty-five years and who are universally respected in the capacities in which they perform, have said that unless they get these pay raises they will resign. It is the opinion of the County Commissioners in Aroostook County that should they resign the machinery for operating these two particular county offices will be in very sad shape indeed. It is not just that they are capable but they are extremely capable people, they have lost certain fees as a result of certain legislation passed along over the years, and these pay raises had been agreed upon between them and the County Commissioners and the budget provided for these pay raises. I think if the Chairman were here, and I wish he was in the chamber at this time, that he would agree with me that in these particular instances certain injustices were done. In Aroostook County we feel

that it is an emergency and I certainly hope that the Senate will support me in moving its adoption.

Mr. COUTURE of Androscoggin: Mr. President, I cannot very well follow this procedure either, in regard to the door being open, because I remember at the last regular session I brought out the facts also in regard to some county office holders that were underpaid compared with other counties; but we went along with the fact that the committee had worked on this and went along with the same basis of pay for all, and that defeated the amendment that I wanted to put in at that time.

Now I feel it is pretty hard to get unanimous consent to introduce a bill but I feel that bills are going in by way of amendment. It was my understanding of this bill that it was to correct a mistake in one county and I do not see why the other county should walk in there. If you open the door to the other county possibly someone from Androscoggin County, either in this body or in the other body, will want to come in. I will also say that we have the money in the budget for it, but the Chairman made it known at the regular session that was it. I see no more emergency in Aroostook County than in any other county. If the door is opened in this way I will certainly try to correct the situation so far as our Clerk of Courts is concerned and, considering the number of terms of court we have in Androscoggin County, which are a great deal more than in other counties where they receive the same salary.

Mr. MAYO: Mr. President and members of the Senate: I too down in my county have long-service personnel, very capable, very dedicated. They felt there was an injustice at the time they could not get the raises to which our County Commissioners had agreed. I haven't heard they are going to resign or anything of that sort. At the time they ran for office they knew what the salary was; they knew they were elected for a term of two years or four years or whatever the term happens to be. I feel really sorry for the people up in Aroostook County where they must raise the pay of

these officials in order to keep them, but I am quite sure there are other people around who would love to have those jobs in case these officials should resign before the next legislative session. Therefore, Mr. President, I am going to move the indefinite postponement of this amendment and I would ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Mayo, that Senate Amendment "A" be indefinitely postponed. A division has been requested. All those in favor of the motion of the Senator from Sagadahoc, Senator Mayo, will rise and stand in their places until counted.

A division was had.

Nine having voted in the affirmative and nineteen in the negative, the motion to indefinitely postpone did not prevail.

Mr. BOARDMAN of Washington: Mr. President, I do not want to be technical, but as a matter of correction in case this bill actually is passed by the Senate with this amendment, should not also the title be changed? I did not notice a provision with regard to this.

The PRESIDENT: Do you pose that question to any member?

Mr. BOARDMAN: To Senator Edmunds of Aroostook.

The PRESIDENT: The Senator from Washington, Senator Boardman, poses a question through the Chair to the Senator from Aroostook, Senator Edmunds, who may answer if he wishes.

Mr. EDMUNDS: Mr. President, I thank the Senator from Washington, Senator Boardman. It is my impression that the title would not have to be changed. However, I would ask our Secretary if he could give us an opinion on it, or perhaps our President would.

The PRESIDENT: The Secretary informs me that in bills like this we do not change the title.

Mr. EDMUNDS: Since the Senator from Washington proposed his question I have had a conference with the Senator from York, Senator Erwin, whom we all recognize as being a legal expert, and he informs me that the title does not become a part of the law; it is

incorporated in the statutes without the title, so the title would not have to be changed.

The PRESIDENT: The same interpretation came from the Honorable Secretary of the Senate.

Mr. ERWIN of York: Mr. President, I would like to go on record as saying that the value of the advice I just gave the Senator from Aroostook, is worth what he just paid for it. (Laughter)

THEREUPON, on motion by Mr. Noyes of Franklin the bill was laid upon the table pending motion by Mr. Edmunds of Aroostook to adopt Senate Amendment A; and the bill was assigned for later in the day.

The Committee on Welfare on Bill "An Act Relating to the Control of Sources of Ionizing Radiation." (H. P. 1228) (L. D. 1688) reported that the same Ought to Pass.

Which report was read and accepted, and under suspension of the rules, the bill was given its two several readings and passed to be engrossed in concurrence.

The same Committee on Bill, "An Act Repealing Law Creating a Lien on Real Property of Beneficiaries of Public Assistance." (H. P. 1210) (L. D. 1663)

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this law which is proposed to be repealed is a law which we enacted at the regular session, and known as a lien law. There is nothing unique or unusual about it. It is a type of law which is used in many instances both by the state of Maine and by the federal government to have security for moneys which are expended on the part of the particular governmental agency.

Many of you may recall that there was quite a bit of discussion during the regular session and that the law was worked over on several occasions so that it would be a fair and just law to all the people in the State of Maine. There was another bill on our Senate Calendar this morning on which Leave to Withdraw was granted, and that particular bill was an appropriation measure carrying a price tag for the biennium of \$47,000 in order to administer the so-called lien

law. I have discussed this matter with the Chairman of the Welfare Committee and do not feel that I am in any way trying to debate the stand that his committee took in reporting out that this particular bill to repeal the lien law should be acted upon at this time.

The appropriation measure of \$47,000 called for employing seven to ten new individuals to fill different jobs to administer the law and at this time I would merely like to explain, before I offer an amendment which is Filing No. 312, that there is not in the present law the fee which should be paid for recording a lien. The amendment proposes that we establish a fee of one dollar which I know would be satisfactory to the counties and to the registers of deeds in the various counties.

The only other amendment would be to provide a sum of money to administer this law and that sum of money rather than being \$47,000 for the remainder of the biennium would be \$6,000. Now people in the Health and Welfare Department spoke in behalf of this particular measure before the committee at the regular session and I am certain that it was the intent of this legislature that this be administered with a minimum of effort because we merely stated that the Commissioner may place a lien against the property of people who may be recipients of old age assistance, aid for the blind, etc. We did not make it mandatory and say that he shall do it. We left it open for his discretion and for him to implement it as best he could with available funds.

Now the present case load in the department is around 45,000 and it is estimated that between four and eight thousand would have real estate; that is, people presently receiving benefits. In the course of a year, there are approximately 2,000 cases processed and it is doubtful that there would be over \$1500 necessary for filing liens against people who are beneficiaries who do have real estate. So the appropriation of \$2000 for the rest of this fiscal year and \$4,000 for the second half of the biennium would provide ample funds for re-

ording the liens in the registry of deeds.

Now within the Department of Health and Welfare, its legal staff gave a memorandum to the Commissioner in which they stated certain things which should be done to administer this law. Actually what is suggested could be done but certainly is not necessary. All that is necessary to be done in order to establish a lien is to have the lien forwarded to the Registry of Deeds and recorded. In other words, you send the dollar. Now, what is the advantage of that as compared to the present operation in the Department of Health and Welfare? When a recipient passes away today, it is essential that within six months after the appointment of an administrator, or executor as the case may be, the state must file a proof of claim in the probate court and then come in and prove its claim. Under the lien law where the real estate would be encumbered, the administrator would be under obligation to come to the state and remove the encumbrance before the property could be sold and that would also even be true in situations where there is no probate of the estate. And that was the intent of this legislature I am certain when we enacted the lien law during the regular session, and I cannot see that it will work any hardship. I feel that we should give this law an opportunity to work and not repeal what is basically a good law before we have had any experience whatsoever with it.

In addition to the amount of money, maybe \$100,000 that is what the department estimates would be recovered if we have this lien law — but more important than that, I feel that it is a moral principle that is involved and that we should take steps to prevent recipients from transferring their real estate to their child or children and that deed not being recorded, and then as soon as the recipient passes on, that child files the deed in the Registry of Deeds and there is not a thing that the state can do as far as having any encumbrance against that property is concerned.

Under this lien law, once the lien was placed on file and there was an unrecorded deed outstanding, the

lien would take precedence over the unrecorded deed, and the recipient would not be evading a legal responsibility as well as a great moral responsibility, that he or she not be receiving aid from the State of Maine, which could not be reimbursed when there are ample funds for, if not full reimbursement, at least partial reimbursement. I trust I have explained this fairly.

THEREUPON, the Ought to Pass report was accepted in concurrence and the bill read once.

Mr. Farris of Kennebec presented Senate Amendment "A" and moved its adoption.

THEREUPON, on motion by Mr. Noyes of Franklin, the Bill was laid upon the table pending motion by Senator Farris of Kennebec to adopt Senate Amendment "A"; and the Bill was assigned for later in the day.

#### Ought to Pass — As Amended

The Committee on Education on Bill, "An Act to Authorize the Towns of Oakland and Sidney to Form a School Administrative District." (H. P. 1213) (L. D. 1666) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-415)

The Committee on Legal Affairs on Bill, "An Act Amending the Charter of the Calais School District." (H. P. 1222) (L. D. 1675) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-413)

The Committee on Public Utilities on Bill, "An Act to Increase the Borrowing Capacity of East Boothbay Water District." (H. P. 1206) (L. D. 1659) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-414)

THE PRESIDENT: In the Senate Chambers we have two distinguished guests, Mrs. Ellen Thomas, Vice Chairman of the Republican State Committee, and Hon. Harold I. Goss, former Secretary of State who served with distinction for many years. Will our two guests please rise so that the Senate may recognize them. (Applause)

The Committee on Sea and Shore Fisheries on Bill, "An Act

to Extend the Sardine Canning Season." (H. P. 1195) (L. D. 1648) reported that the same Ought to pass as amended by House Amendment "A".

Which report was read and accepted in concurrence. House Amendment "A" was read and adopted in concurrence and the Bill, as amended under suspension of the rules was given its second reading and Passed to be engrossed in concurrence.

**Majority—Ought to Pass**  
**Minority—Ought not to Pass**

The majority of the Committee on Taxation on Bill, "An Act to Exempt Fallout Shelters from Taxation." (H. P. 1196) (L. D. 1649) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-412)

Signed:  
 Senators:

- WYMAN of Washington
  - PORTEOUS  
 of Cumberland
  - ELLS of Hancock
- Representatives:
- MAXWELL of Jay
  - LETOURNEAU  
 of Sanford
  - BAXTER of Pittsfield
  - WHEATON of Princeton
  - BRADEN of Waterboro
  - ALBAIR of Caribou

The minority of the same Committee on the same subject matter reported that the same Ought not to pass.

Signed: Representative:  
 WATERMAN of Auburn

On motion by Mr. Porteous of Cumberland the majority Ought to pass as amended report was read and accepted in concurrence, Committee Amendment "A" was read and adopted in concurrence, and under suspension of the rules, the Bill was given its second reading and Passed to be engrossed in concurrence.

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

**Committee Reports**  
**Ought to Pass**

Mr. Parker from the Committee on Agriculture on Bill, "An Act Repealing Powers of State Humane

Agents to Issue Warrants in Dog Licensing Law." (S. P. 603) (L. D. 1643) reported that the same Ought to Pass.

Mr. Stanley from The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for Repairs to Foundations, Columns and Walls in the North Wing of the Capitol Building. (S. P. 604) (L. D. 1644) reported that the same Ought to Pass.

Mr. Sampson from the same Committee on Bill, "An Act to Provide for the Support of Cancer Clinic Services." (S. P. 613) (L. D. 1690) reported that the same Ought to Pass.

Mr. Erwin from the Committee on Judiciary on Bill, "An Act Ceding Concurrent Jurisdiction to the United States of America over Certain Lands in the Town of Cutler." (S. P. 608) (L. D. 1679) reported that the same Ought to Pass.

Which reports were Read and Accepted, and the Bills and Resolve under suspension of the rules, were given their two several readings and passed to be engrossed.

**Ought to Pass — As Amended**

Mr. Boardman from the Committee on Election Laws on Bill, "An Act to Clarify the Election Laws." (S. P. 617) (L. D. 1694) reported that the same Ought to pass as amended by Committee Amendment "A"

Mr. Erwin from the Committee on Judiciary on Bill, "An Act to Revise the Laws Relating to Commitment of the Mentally Ill." (S. P. 609) (L. D. 1680) reported that the same Ought to pass as amended by Committee Amendment "A".

Which reports were read and accepted, the Committee Amendments were read and adopted, and the Bills under suspension of the rules were given their two several readings and passed to be engrossed.

**Majority — Ought To Pass**  
**Minority — Ought Not To Pass**

The Majority of the Committee on Industrial and Recreational Development on Bill "An Act to Provide Aid to Maine Industries to Obtain Government Contracts. (S. P. 601)

(L. D. 1641) reported that the same Ought To Pass.

Signed:

Senators:

LOVELL of York  
NOYES of Franklin  
JACQUES of Androscoggin

Representatives:

KILROY of Portland  
HARDY of Hope  
JOBIN of Rumford  
KIMBALL of Mt. Desert  
MINSKY of Bangor  
MORRILL of Harrison

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representative:

TWEEDIE of Mars Hill

On motion by Mr. Lovell of York the majority, Ought to pass Report was Read and Accepted, the Bill Read Once and under suspension of the rules, the bill was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Noyes of Franklin

Recessed until tonight at 7:30 p.m.

#### After Recess

The Senate was called to order by the President.

#### Additional Papers from the House Non-concurrent matters

Bill, "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works." (S. P. 602) (L. D. 1642)

In Senate, Passed to be Engrossed.

Comes from the House Passed to be Engrossed, As Amended by House Amendment "A" (Filing H-422) in non-concurrence.

In the Senate, the Secretary read House Amendment A, and on motion by Mr. Ferguson of Oxford, the Senate voted to recede and concur.

Bill, "An Act Providing for Demolition of Morse Bridge in the City of Bangor." (S. P. 605) (L. D. 1645)

In Senate, Passed to be Engrossed.

Comes from the House, Reports and Bill Indefinitely Postponed.

In the Senate, on motion by Mr. Cole of Waldo, the Senate voted to insist on its former action and ask for a Committee of Conference; the President appointed as Senate members of such committee, Senators: Cole of Waldo, Ferguson of Oxford and Brown of Hancock.

Joint Order (S. P. 622) Relative to Printing of Legislative Record.

In Senate, Read and Passed.

Comes from the House Read and Passed as Amended by House Amendment "A" in non-concurrence.

In the Senate, the Secretary read House Amendment A, and the Senate voted to recede and concur.

#### Committee Reports

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington." (H. P. 1219) (L. D. 1672) reported that the same be granted Leave to Withdraw.

The same Committee on Resolve, in Favor of School Administrative District No. 14, Danforth-Weston, for School Construction Aid. (H. P. 1231) (L. D. 1696) reported that the same be granted Leave to Withdraw.

The Committee on Claims on Resolve in Favor of Ross Sinclair of New Gloucester. (H. P. 1199) (L. D. 1652) reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act to Create the Biddeford Parking District." (H. P. 1214) (L. D. 1667) reported that the same be granted Leave to Withdraw.

The Committee on Sea and Shore Fisheries on Bill, "An Act Extending the Sardine Canning Season for Two Years." (H. P. 1227) (L. D. 1687) reported that the same be granted Leave to Withdraw.

The Committee on Taxation on Bill, "An Act Exempting Fallout



Shelters from Real Estate Taxation." (H. P. 1216) (L. D. 1669) reported that the same be granted Leave to Withdraw.

The Committee on Towns and Counties on Bill, "An Act Relating to Advertising and Promotion in Aroostook County." (H. P. 1200) (L. D. 1653) reported that the same be granted Leave to Withdraw. Which reports were Read and Accepted in concurrence.

**Report "A" — Ought to Pass with Committee Amendment "A"**

**Report "B" — Ought Not to Pass**

Five members of the Committee on Taxation on Bill, "An Act to Provide a Reporting System for Payment of Malt Liquor Excise Taxes." (H. P. 1230) (L. D. 1695) reported in Report "A" that the same Ought to Pass As Amended by Committee Amendment "A." (Signed)

Senators:

PORTEOUS of Cumberland  
WYMAN of Washington  
ELLS of Hancock

Representatives:

MAXWELL of Jay  
WATERMAN of Auburn

Five members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass (Signed)

Representatives:

BAXTER of Pittsfield  
WHEATON of Princeton  
BRADEEN of Waterboro  
ALBAIR of Caribou  
LETOURNEAU of Sanford

Comes from the House, Report "B", Ought Not to Pass Read and Accepted.

In the Senate:

Mr. WYMAN of Washington: Mr. President —

Mr. PARKER of Piscataquis: Mr. President, I believe that I was standing some time before the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President, I am sure that I addressed the Chair before the Senator from Piscataquis, Senator Parker. However, I shall be glad to yield to that Senator.

Mr. PARKER: Mr. President, I may be making the same motion that Senator Wyman would. I move that we concur with the House and accept Report B, Ought Not to Pass.

Mr. WYMAN: Mr. President, I would like to oppose that motion. This bill merely provides giving the same treatment to the beer distributors as to other people who pay sales taxes to the state. The people who pay the sales tax, the cigarette tax and other taxes don't have to pay the tax until after they have the merchandise. This does not provide for any loss in revenue and therefore I oppose the motion to accept Report B.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I rise in opposition to the motion now before the Senate. It is my understanding that if this law is defeated and then possibly we accept Report A, which Mr. Wyman, as Chairman, will probably make, that if this does then go back to the other body a different report would probably come from there. They were misinformed on several points and I believe they would report differently now. And so, to keep this bill alive, I move that we have a division on the motion now before the Senate.

Mr. ERWIN of York: Mr. President, I would like to ask a question of the Senator from Washington, Senator Wyman.

The PRESIDENT: The Senator from York, Senator Erwin, wishes to ask a question through the Chair of the Senator from Washington, Senator Wyman who may answer if he chooses.

Mr. ERWIN: Mr. President, it was reported to me that although Senator Wyman is correct in stating that there is no ultimate loss of revenue in the adoption of Committee Report A and allowing the purveyors of malt liquor to have a credit system whereby they pay the taxes, that there would be a lag which would cost this particular legislature in this particular time and place, a quarter million dollars. I would like to know whether or not that is true.

Mr. WYMAN: Mr. President, it is a pleasure to answer that because the bill is written to take effect July 1, 1963, beginning the next

biennium. There will be no loss of revenue in this biennium. There will be no loss of revenue over all. There will be a deferment of revenue in the next biennium.

The PRESIDENT: Does that answer your question, Senator Erwin?

Mr. ERWIN: Mr. President, I defer to the Senator from Aroostook, Senator Christie.

Mrs. CHRISTIE: Mr. President, I see nothing in the original bill to indicate that it would be effective in July 1963. There is something in an amendment to the bill which does say that this shall become effective July 1, 1963 but I don't see it in the bill. Perhaps I have overlooked it.

Mr. WYMAN: Mr. President, that was in the committee amendment and I think it is there. If it isn't, it certainly is an error.

The Secretary read the Committee Amendment.

Mrs. CHRISTIE: Mr. President, may I ask another question of anyone who can answer it. Has it not been the custom in the past to require these malt beverage people to pay the tax when they buy the goods? Has that not been the custom?

The PRESIDENT: The Senator from Aroostook, Senator Christie poses a question to anyone who cares to answer.

Mr. PORTEOUS of Cumberland: Mr. President, I will try to answer that in that they have been required under the present regulations to pay when they submit to the Liquor Commission, the order for the malt beverage, which will then entitle them to have this delivered into the state. One of the reasons for this legislation is that due to certain distribution practices by the brewers, there is from time to time, a lag of several weeks to a couple of months between the time they pay the tax on this and when it is delivered to the state. They are paying the tax way in advance of the delivery of the goods and this only seeks to correct that unfair repayment of tax on merchandise delivered at a later date.

The PRESIDENT: Does that answer the Senator's question?

Mrs. CHRISTIE: Yes, Mr. President and I thank Senator Porteous. Since it has been the custom in the

past, and for that reason this does not seem to be an emergency, I should suggest that we leave this and let it be handled by the 101st legislature.

Mr. PORTEOUS: Mr. President, ordinarily I would support the Senator from Aroostook, Senator Christie in her remarks about this except that the emergency is felt to be that the increase that this legislature voted in the tax on the importation of malt beverages was an increase of about 55 percent. We increased it last spring and whereas it was unfair to tax this purchase well in advance of delivery at that time, it is still unfair. The fact that it has been increased as much as it has, makes it that much more difficult for the people who are importing the beer. That is the reason that it is an emergency.

Now this goes all the way through to the end of June 1963 so that there will be no upset of our estimated revenue.

Mr. PARKER of Piscataquis: Mr. President, I have heard many interpretations of what constitutes an emergency. I think this one is the head of the list! There isn't any question but what the malt beverage importers, dealers and companies, have been and are at the present time doing business in such a way that they are making a good profit. Furthermore why should this session of the legislature, especially a special session, attempt to pass a bill that will and can be handled as well or better in the next regular session. I certainly hope — I believe there is a request for a division and if there is not I make that motion — that we accept report B, and the next session of the legislature, the regular session of the legislature will have the time to go into this and if it has merit, they will be in a position to act on it. If it does not have merit, let's leave it up to them.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I think that the argument here as to what is an emergency and what is not an emergency could have been questioned many times in the last few days. This bill was introduced, and passed the screening committee. It must have

had some merit and I want also to bring out the fact that according to what I have read, revenues at the present time are somewhere around ninety odd thousand dollars less than the previous years in revenues for malt beverage.

As I said earlier this evening, what I would like to see done to keep this bill alive is to defeat the motion now before the Senate and in so doing, we will keep the bill alive. It will go back to the other body in non-concurrence and then we will see what will happen. I certainly hope that the motion to accept report B does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Piscataquis, Senator Parker, that the Senate accept Report B in concurrence; a division has been requested by the Senator from Sagadahoc, Senator Mayo.

A division of the Senate was had.

Six having voted in the affirmative and nineteen in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Wyman of Washington, Report A, Ought to Pass as Amended by Committee Amendment "A" was accepted, the bill read once, Committee Amendment A read and adopted, and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended in non-concurrence.

Sent down for concurrence.

#### Joint Order

ORDERED, the Senate concurring, that the Joint Rules be amended by adding thereto a new Rule No. 2-A, to read as follows: "2-A. The Senate Chairman of the Committee on Appropriations and Financial Affairs shall appoint from said committee such sub-committees as the said committee shall direct, such sub-committees to consist of not less than 3 members. Such sub-committees shall report their findings and recommendations to the full committee. (H. P. 1235)

Mr. EDMUNDS of Aroostook: Mr. President, I would like to make an inquiry at this point. Are these Joint Orders — we have three of them — to be incorporated into the Joint Rules of both bodies?

The PRESIDENT: The Chair would inform the Senator from Aroostook, Senator Edmunds, that this is the recommendation of the Research Committee, a change in the rules. It was debated at great length.

Mr. EDMUNDS: Mr. President, I recall that, but it seems to me that at a special session of the legislature it would be a very poor time to change the Joint Rules which govern the two bodies.

The PRESIDENT: The Chair will inform the Senator from Aroostook, Senator Edmunds that this will only take effect at the next legislative session. Any change in the rules, to be effective at that time, would have to be done at the special session.

Mr. EDMUNDS: Mr. President, you mean that these will not be incorporated into the Joint Rules of both bodies and printed?

The PRESIDENT: Not for the special session; only for the 101st legislature coming along.

Mr. EDMUNDS: Mr. President, will the 101st legislature have to abide by these?

The PRESIDENT: They will, Senator, if they adopt them.

Mr. EDMUNDS: Mr. President, if I may ask another question, will they be incorporated into the great body of stuff that nobody ever reads?

The PRESIDENT: You should read them. People do and I presume that you do. We operate under them continuously.

Mr. EDMUNDS: Mr. President, I assure you that I do.

The PRESIDENT: Senator, I do not want to be facetious. I didn't intend to be. I just wanted to say to you that if we do change the rules to be operative during the 101st legislature, we would have to take action at this special session.

Mr. EDMUNDS: Mr. President, as far as I am concerned, as an individual in this Senate, I think that the next legislature, the 101st should act upon these rule changes. It does not seem appropriate to me that this special session should impose its will upon the 101st legislature.

The PRESIDENT: Senator, let me say, to make it perhaps a little

more plain, that the last special session adopted the rule changes that we have been working under during this 100th legislature.

Mr. EDMUNDS: Mr. President, I would say that I don't agree with some of those either.

The PRESIDENT: Do I hear a motion in regard to this order?

Mr. ERWIN of York: Mr. President, before I make the motion, as Chairman of the sub-committee of the Legislative Research Committee which adopted these rules, I would like to say this. Very simply it is that there is no intent to compromise or to limit the 101st legislature from doing just exactly as they please. I think the Senator from Aroostook, Senator Edmunds realizes that the 101st legislature will have the opportunity to adopt what rules it sees fit.

The fact that these will become a part of the printed body of rules upon which the 101st legislature will vote is not sufficient reason in my opinion to refuse to adopt these rules which are before you. These rules have been the subject, not just of debate by the legislative research committee at this particular time, but, if you will check the reports that were made earlier and the proposed rule changes which were suggested earlier and which were not adopted, I think you will find some if not all of these will be found in those proposed rule changes.

Now, no one on the sub-committee and no one on the Legislative Research Committee in general is so naive as to believe we ever will get away in any sudden or dramatic way from the fiasco which occurs in the last 72 hours of any regular session of the legislature. But the feeling of the Legislative Research Committee is that we as adults and presumably intelligent people in the State of Maine, have the duty upon us to try to bring about, into the procedure of the House and Senate of the State of Maine, those rules which will help to expedite the business of the legislature. If you will look, please, at the rule which is in front of you. It says simply that it empowers the Appropriations Committee to appoint sub-committees as the Committee shall direct, and these

sub-committees shall report their findings and recommendations to the full Committee. Now this is designed for one specific purpose.

The Appropriations Committee all of you know, has a tough time, and long after everyone else is through, the Appropriations Committee is still grinding through the dull, dry, debilitating work of trying to find out what is going on in the State of Maine finances. This simply says that the entire Appropriations Committee does not have to sit through every single departmental hearing, but that by the creation of sub-committees, they can hear two or three departments at a time, the sub-committees can report to the entire Appropriations Committee with their recommendations and findings, and the entire Appropriations Committee can adopt the findings of the sub-committee or they can order another hearing if they need more information. The whole point of the thing is simply to streamline and expedite the process of legislation.

I can understand my brother's feelings, the Senator from Aroostook, Senator Edmunds when he feels that we should perhaps not compromise the 101st legislature, but we are not compromising the 101st legislature. We are simply trying to point the way for them a little bit better, to get the job done a little bit sooner, and to get this legislature out of here before it dies of exhaustion and therefore, Mr. President, I move that this particular order, if you are going to take them one at a time, be adopted.

Mr. STILPHEN of Knox: Mr. President, I would just like to make a few comments relative to the change in the Joint Rules. It sounds very good, particularly coming from one who is eloquent like our Senator from York, Senator Erwin who has had so much praise heaped upon him today as being very efficient in the judicial line, to say that they are going to streamline the legislature by setting up sub-committees.

Now I have been here through a few sessions, and I have watched attempts to streamline the legislature. I can remember back when we had an Appropriations Commit-

tee and the big idea came up at one time to have pre-legislative hearings and that, they said, was going to speed up the legislature, and the poor appropriations committee along with the financial department of the state came down here weeks ahead of time and spent hours upon hours listening to all of these proposals and so forth, and each term that I have been here, the legislative sessions have been getting longer. I think that if you divide the legislative appropriations committee up, in the next session of the legislature, into sub-committees, and the sub-committees have to have hearings and report to the full committee, and the full committee in turn has to order hearings of the full committee, I think you are just going to complicate the thing that much more.

I am not in favor of setting up any new rules and regulations for the 101st legislature. I think we have stuck by our guns pretty well in the special session prior to the 100th legislature and if we now start in putting in new rules and regulations for the 101st, I think that whoever may be able to get back here in the 101st, may be here much longer than we were in the 100th.

Mr. EDMUNDS: Mr. President, I would merely say this, that a good part of the time I have spent here, and that is two and a half sessions I believe, has been to attempt to upset appropriations committee reports which I didn't happen to agree with personally. I appreciate the expression of opinion by the Senator from York, Senator Erwin, with respect to this order. I am not overly concerned with the first Joint Order. I am not overly concerned with the second Joint Order but I think I am somewhat concerned with the 3rd Joint Order. I know that when the composition of the 101st legislature is made up there will probably be 50, 60, 75 freshmen Senators and Representatives that frankly will not be familiar with the rules, and anything that is passed to them they will vote for. I think we should leave it to them, to vote on this and that is the reason that I opposed rule changes at the start of the past session.

Mr. ERWIN of York: Mr. President, I respectfully point out an inconsistency in what the Senator from Aroostook has just said. He doesn't want this session to compromise the next one but he could understand why the last one wouldn't pass any rule changes either. If we aren't going to pass any rule changes and if the incoming freshman Senators and Representatives who have no experience aren't going to make any rule changes, and if they have no understanding as to what is going on, it seems sort of a stagnant situation is going to exist.

Now we are talking about — well perhaps we have been talking at cross purposes. Let's talk about this: The merits of the particular rule changes here. If there is a feeling that something sneaky is being done or that something is being attempted to put it over on the State of Maine, let's bring that out. The purport of the Joint Order in the middle of the page, which I believe is the only one that has been read, is simply this, to expedite the business of the Appropriations Committee. We felt it was a good idea, a simple idea with merit in it. If it has no merit in it, I would enjoy thoroughly hearing where the merit is lacking and what the particular lack of merit is. I don't think we have to concern ourselves with sneaking anything over the next legislature. They are well able to take care of themselves. This is a good rule in my opinion and until somebody tells me it isn't a good rule and shows me why it isn't a good rule, I am going to have to support it.

The PRESIDENT: The Chair wants to take this opportunity to apologize to the members of the Senate for attempting to answer the Senator from Aroostook, Senator Edmunds. I did not intend to enter into verbal debate in any way, shape or manner. It was only a matter of clarifying the existing question. This was brought up before the Research Committee. I happened to sit in on it and the sub-committee's discussion of it. I failed to realize that Senator Erwin was the Chairman of that sub-committee. I am sorry and I apologize.

Mr. DAVIS of Cumberland: Mr. President, I have not discussed this Joint Order or any of them with any member of the Research Committee but from my own experience — I served three terms on the Appropriations Committee — I think this is a good amendment and I think it will help expedite the session. I would call to the attention of the members that previously when we had our election in September, three members of the incoming appropriations committee had an opportunity to sit in on budget hearings with the Governor before the legislative session. Since the election date has been changed, you can't do that. You don't have the benefit of this advice to begin with. Another thing, practically every legislature has a certain number of new legislators. We had a lot at this session, and judging from my own experience at the first session I served in, these rules didn't mean too much and I think I was glad at that time and new members would be glad in the future to be advised by the previous one. I hope this order will receive passage.

Mr. BROWN of Hancock: Mr. President, as a member of the Appropriations Committee I want to go on record as being in support of this Joint Order. This Joint Rule merely makes it possible for the Appropriations Committee to have a subcommittee to speed up committee work if needed and by adopting this rule, I think we can speed up legislation.

Mr. EDMUNDS: Mr. President, I would merely like to remind the Senator from York County, that he and I spent the supper hour for approximately two hours discussing the fact that we felt that the one million dollar surplus which is currently available had been spent by the leaders in the selection of the acts which they permitted to be entered. In my opinion, this joint order to amend Rule 2-A, does substantially the same thing.

I frankly have no quarrel with this amendment. I have no quarrel with the second amendment. I very definitely do have a quarrel with the third amendment.

Thereupon, the Order received a passage in concurrence.

ORDERED, the Senate concurring, that the Joint Rules be amended by adding thereto a New Rule No. 19-D, to read as follows:

"19-D. Every bill or resolve effecting loss of revenue or requiring an appropriation shall be accompanied by a written statement as to the amount involved." (H. P. 1234)

Mr. ERWIN of York: Mr. President, I do not want to argue all night any more than anyone else does, but I would like to state that the purpose of this particular joint order and its primary purpose is to prevent the sort of situation which we find ourselves facing in this joint session, and that is where a bill was passed where everybody in the legislature had a chance to review it and yet somehow mysteriously we are back here to make an appropriation because the appropriation never appeared on the bill. The Senator from Aroostook has said he has no quarrel with this and I can concur: I do not see how we can quarrel about it. The simple point of it is to have every bill state specifically what is involved so far as finances are concerned. Therefore I move the adoption of this order.

Mr. MAYO of Sagadahoc: Mr. President, may I pose a question through the Chair to the Senator from York, Senator Erwin?

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, may pose a question through the Chair to the Senator from York, Senator Erwin and that Senator may answer if he wishes.

Mr. MAYO: Mr. President, the question would be: In reading this order regarding bills and resolves, would it have the same effect on an amendment attached to a bill that has money involved in the amendment? I wonder if somebody could put an amendment in that would not have to have a written statement with it.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Erwin.

Mr. ERWIN: Mr. President, I will try to answer it as simply as I can, and my answer is this: that a bill or a resolve in its final passage is a completed document and presumably at the point of en-

actment when a bill or resolve becomes law it includes all of the amendments which may or may not have been made to it in the legislative process, and I would assume, and I think reasonably, that when you speak of a bill or a resolve you are talking about a bill or a resolve at the point at which it becomes law, and at that point, according to this new rule, it shall have a written statement as to the amount of money involved.

The PRESIDENT: Does that answer the question of the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO: Mr. President, it does not answer my question because the way the order is written — I am not against this order, I am for anything that will help to speed up our legislative process in any way — but offhand I can think of many things that would happen to a bill that is introduced. I can see a bill or a resolve being introduced which would have a written statement as to the amount and the whys and wherefores and so forth; it would be similar to a statement of fact; but I can see where on a bill before the enactment stage an amendment could be presented which would have a price tag attached to it and which would change the entire aspect of the bill; it might increase the appropriation. I am wondering if this order should not read: "Every bill, resolve or amendment." I am wondering if the word "amendment" should not be in there? That is my main question.

The PRESIDENT: Does the Senator from York, Senator Erwin, wish to answer the question?

Mr. ERWIN of York: Mr. President, I do not know as I can answer a question which is posed in wonderment. I do not know any more than the good Senator from Sagadahoc does whether this is a better idea or not. I stated how I feel about it. I frankly do not think it is necessary, but I certainly would not object to an amendment, but a bill or resolve has no legal effect whatsoever until it becomes enacted, and the whole intent of this is that through the steps of the legislative process the House and the Senate shall have before them in writing the amount of money in-

involved in the particular piece of legislation. If it makes anyone more content or happier to add "amendment" I have no objection to it, because the whole point is to inform the Legislature as to what is going on.

Mr. STILPHEN of Knox: Mr. President, under our present system at the moment, I would like to ask Senator Erwin, in the final analysis all money bills, whether they are for lost revenues or appropriations of new revenues, do they not in the final analysis end up on the Appropriations Table and are we not in the last days of the session given an itemized amount by the Appropriations Committee as to what amount each bill calls for? Has not that been the practice for many years?

The PRESIDENT: Will the Senator defer his question for the moment? I would like to have the Senator from Cumberland, Senator Davis please approach the rostrum.

(At ease)

Called to order by the President.

The PRESIDENT: Would the Senator from Knox, Senator Stilphen, please defer his question? I will ask the Senator from Cumberland, Senator Davis, to make an explanation.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: As I understand this joint order it means that each committee, after they hold an executive session on a bill, shall present a memorandum to the Appropriations Committee stating the cost. Amendments thereto that come on afterwards or before, I would expect the budget officer would have to make some record of that. I may be wrong, but that is the way I understand it.

The PRESIDENT: Does that answer the question of the Senator from Knox, Senator Stilphen?

Mr. STILPHEN: No, Mr. President. I merely wanted to point out that we are going to do just what we have been doing in the past: that the budget officer is going to catch up with all these bills that come out of these committees. Down in my committee, for example, if we pass a bill where there may be a little loss of revenue I cannot

figure out and I do not think we have enough experts attached to our committees to anticipate what the particular amount of loss of revenue is going to be. I think it has got to be picked up by the budget officer and I think it has got to be picked up by the appropriations committee in the final analysis just as it has been done for many years. I do not think that you can specify any particular time that you are going to spell out what your loss of revenue is going to be or what your anticipated income is going to be.

Mr. ERWIN of York: Mr. President, I am a little puzzled, because the intent of this order seems to me to be quite clear, and I can assure the gentlemen who are questioning this that there is no subliminal attempt to conceal or to confuse. It is simply the fact that we had the educational subsidy bill pass with the scrutiny of the entire legislature, presumably with that of the budget officer, with them all looking at it, but somehow somewhere along the line in the legislative process the appropriation disappeared. Now the point of this is to see that that does not happen again, and it adds to that particular situation that where a loss of revenue is effected by a bill that some statement accompany it. Now obviously a good many of these statements are going to have to be estimates; nobody can pinpoint, for instance, an estimated loss of revenue, nobody can pinpoint, for instance, an estimated increase in revenue in a tax source to the last dollars and cents. But I am at a loss to understand why this is under fire when all we are trying to do is to prevent a repetition of what occurred which has brought us here, and I cannot see yet where anyone has told us where we are erring in that endeavor.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Erwin, that this order receive passage.

The motion prevailed and the order received passage.

ORDERED, the Senate concurring, that Joint Rule No. 14 be amended by adding at the end a

new sentence to read as follows: "No measure shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of the members of both houses." (H. P. 1236)

Comes from the House, Read and Passed as Amended by House Amendment "A" (Filing H-417)

The PRESIDENT: Will the Secretary please read Houe Amendment "A"?

House Amendment "A" was read by the Secretary.

Mr. EDMUNDS of Aroostook: Mr. President, I hate to get up again, I really do, but it seems to me if I recollect that I have been in here in the last two or three years when a number of bills and resolves were recalled from the files which have prevented embarrassment to this legislature.

Now I seem to recall reading in the newspaper today — I will not quote the legislative record from another body which is not too far away — I seem to recall that somebody said this last session was "a comedy of errors." Some of these bills and resolves were recalled and possibly some more of them could have been. We have operated under the old rule for a number of years. I appreciate that the 101st Legislature can change this rule, but I think everybody will agree with me, if they want to be honest, that the 101st Legislature will not be advised of the rules change. For that reason, I would move that this order be indefinitely postponed.

Mr. ERWIN of York: Mr. President, I do not want to belabor this any more than the Senator from Aroostook does and I am not going to argue any further. The intent of this one is obvious on its face, it is offered for the same purpose and the members can do what they please with it. I oppose the motion.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I do not object to getting on my feet and I do not object to keeping us here all night long if it is going to help the 101st Legislature, but the speech of the Senator from Aroostook, Senator Edmunds, regarding this, seems to be, in my opinion, talking about things which this bill will stop, and that is the recalling of bills and resolves from



the legislative files. That is what this bill will stop: the simple way that we can now recall bills and resolves that have been put into the legislative files and have become dead issues. I think, from his speech, that is what he wants to stop. I certainly would like to see it stopped. I remember one bill that bounced around these corridors for months in the last session. I was responsible for putting it to bed several times and I breathed a sigh of relief, but the next time my back was turned there was a little political maneuvering behind the doors and I looked around and someone was on their feet recalling it from the legislative files. I think that the loose way that we can now recall dead bills from the legislative files is one of the things that does foul us up in the last few hours of the session. It also makes for much political maneuvering: you do this for me and I will do this for you. I think think this is a very fine order and I certainly hope that it receives passage.

Mr. ERWIN of York: Mr. President, when the vote is taken I request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Edmunds, that his order and accompanying papers be indefinitely postponed.

Mr. STILPHEN of Knox: Mr. President, just one question. This particular joint order mentions "two-thirds." I wonder if it is not a fact that when a bill is recalled from the files it has to be reconsidered, and am I correct that it takes a two-thirds vote to suspend the rules to reconsider it? So why would we have to have a two-thirds vote to recall it from the files if we have got to have two-thirds to reconsider it when it gets back here?

The PRESIDENT: Would the Senator inform the Chair as to whom he is addressing his question?

Mr. STILPHEN: Anybody.

The PRESIDENT: The Senator from Knox, Senator Stilphen, poses a question through the Chair to any member of the Senate who wishes to answer it.

Mr. MAYO of Sagadahoc: Mr. President, it is my opinion in regard to the question that the Sen-

ator has asked that it takes two-thirds of whatever branch the request comes from. As I read this order, it is going to take two-thirds of both branches in order for it to pass while now it would take two-thirds of the Senate if the Senate requested it. It would be automatically brought back into existence and would go back to the House. As I read this order, it would take two-thirds of those present, I gather, of both branches in order to recall from the legislative files. That to me is the difference: both branches, not just one branch.

Mr. EDMUNDS of Aroostook: Mr. President, I have just made up mind while sitting here that I am going to go out and campaign and attempt to come back to the 101st session of the Legislature, at which time I shall oppose these rule changes, and in the interim I will withdraw my motion.

The PRESIDENT: Is it the pleasure of the Senate that the Senator from Aroostook, Senator Edmunds, be allowed the privilege of withdrawing his motion?

On motion by Mr. Erwin of York, House Amendment "A" was adopted and the order was adopted as amended.

On motion by Mr. Erwin of York, the Senate voted to reconsider its action taken previously whereby it adopted Joint Order, H. P. 1234.

Mr. STANLEY of Penobscot: Mr. President, I would just like to say that the reason this was brought up primarily was because of the appropriation not being on the Education allocation bill, as the good Senator from York, Senator Erwin, has stated. However, we did set aside the funds for that. This order that we have here would do the same thing that we have always done, that is it would show us the amount of money necessary and we would set it aside. But my opinion of what this order should have done — and I thought it was to be this way — was that there would be an appropriation measure on each bill that had to had an appropriation, because without it we will go through the same thing we have always gone through: that any bill that does not have an appropriation measure on it the money

has to be appropriated in the omnibus bill at the end of the session. That is how that happened this time: there was no appropriation measure in the bill and it was left out of the omnibus bill. It could still happen with this order here. If we had an appropriation measure on each one of the bills we would be sure to pass them all with appropriations.

I would now move that this order be tabled until tomorrow morning.

The motion prevailed and the Joint Order, H. P. 1234 was tabled until tomorrow morning pending adoption.

#### Committee Report Ought to Pass - As Amended

Mr. Marden from the Committee on Judiciary on Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 615) (L. D. 1692) reported that the same Ought to Pass As Amended by Committee Amendment "A" and by Committee Amendment "B."

Which report was read and accepted, the bill read once and Committee Amendment A was read.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc Senator Mayo.

Mr. MAYO: We are moving awfully fast here again, Mr. President, with Committee amendments and so and so, and I would like to have some filings listed here as we go along so we can keep abreast of them.

The PRESIDENT: Would the Senator from Sagadahoc, Senator Mayo like to have Committee Amendment B read?

Mr. MAYO: I would like to have the filing number of Committee Amendment B, Mr. President.

The PRESIDENT: The Chair will inform the Senator from Sagadahoc, Senator Mayo, that the Senator from Hancock, Senator Brown, informed the President that this was agreed upon, so I thought he might have explained it to you.

Committee Amendment "B" was read by the Secretary.

The PRESIDENT: Would the Senator from Hancock, Senator Brown, please make a short explanatory statement?

Mr. BROWN of Hancock: This amendment, Mr. President and members of the Senate, would bring the Insurance Department under the omnibus bill, so-called, without any public hearing, and I think that the insurance industry is very much interested in it and that it should go to a regular session, so therefore, Mr. President, I move the indefinite postponement of Committee Amendment "B."

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Brown, that Committee Amendment "B" be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed and Committee Amendment "B" was indefinitely postponed.

Mr. ERWIN of York: Mr. President, may I and the Senator from Franklin and the Senator from Aroostook approach the rostrum for a moment?

The PRESIDENT: You certainly can and the Senate will be at ease.

(At ease)

Called to order by the President.

Thereupon Committee Amendment "A" was adopted and the bill as amended was tomorrow assigned for second reading.

Mr. NOYES of Franklin: Mr. President, earlier in the day I tabled two matters. The first is L. D. 1685, and I refer to it as being Item 21 on the House calendar. I would like to remove it from the table.

The PRESIDENT: The Senator from, Franklin, Senator Noyes, moves to take from the table "An Act Relating to Salary of Register of Deeds of Franklin County," (H. P. 1225, L. D. 1685) which was tabled earlier in the day by the Senator from Franklin, Senator Noyes, pending the motion of the Senator from Aroostook, Senator Edmunds, to adopt Senate Amendment "A".

Will the Senator from Aroostook, Senator Edmunds, please approach the rostrum?

The PRESIDENT: The Chair will inform the Senate that after checking and double checking and triple-checking we find that the motion before the Senate at this time is the motion of the Senator from

Aroostook, Senator Edmunds, that Senate Amendment "A" be adopted.

Mr. MAYO of Sagadahoc: Mr. President, somewhere along the way I thought I asked for indefinite postponement.

The PRESIDENT: But your motion was lost, Senator Mayo, and the pending motion is the motion which the Senator from Aroostook, Senator Edmunds, made before he spoke upon his amendment, that the Senate adopt Senate Amendment "A."

Mr. EDMUNDS of Aroostook: At this time, Mr. President, I would move that my original motion be withdrawn.

The PRESIDENT: Is it the pleasure of the Senate to allow the Senator from Aroostook, Senator Edmunds, to withdraw his motion?

Permission was granted to Senator Edmunds of Aroostook to withdraw his motion for the adoption of

Senate Amendment "A." Thereupon the "Ought to pass" report of the committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

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Mr. NOYES of Franklin: Mr. President with reference to Item 23 on this same House calendar, which is H. P. 1210, L. D. 1663, I placed this on the table for this afternoon but Senator Farris not here, so I would ask permission to retable this until tomorrow morning at eleven o'clock.

The motion prevailed and the bill was so tabled.

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On motion by Mr. Noyes of Franklin,

Adjourned until 10:00 A.M. tomorrow