

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, May 5, 1949.

The Senate was called to order by the President.

Prayer by the Reverend Victor M. Regan of Augusta.

Journal of yesterday read and approved.

From the House

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Inspection of Motor Vehicles," (H. P. 1516) (L. D. 889) reported that they are unable to agree.

Comes from the House, the report accepted.

In the Senate, the report was accepted in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve Providing for a Men's Dormitory at Gorham State Teachers' College," (S. P. 602) (L. D. 1293) reported that the same ought not to pass.

(In Senate, on May 3rd, the bill was substituted for the report, and the bill passed to be engrossed.)

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

In the Senate, on motion by Mr. Leavitt of Cumberland, the bill and accompanying papers were laid upon the table pending consideration.

"Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons." (S. P. 683) (L. D. 1582)

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

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

In the Senate, on motion by Mr. Haskell of Penobscot, the rules were suspended and the Senate voted to recede from its former action whereby the resolve was passed to

be engrossed; House Amendment "A" was read, and on motion by Mr. Slocum of Cumberland, the bill and accompanying papers were laid upon the table pending consideration of House Amendment "A".

The Committee on Taxation on Bill "An Act to Enable Certain Cities to Impose a General Business and Occupation Tax," (H. P. 1805) (L. D. 1131) reported the same in a new draft (H. P. 2088) (L. D. 1559) under the same title and that the same ought to pass.

Comes from the House, the report indefinitely postponed.

In the Senate, on motion by Mr. Allen of Cumberland, the "Ought to Pass" report was accepted, the bill read once and under suspension of the rules, the bill was read a second time and passed to be engrossed in non-concurrence.

On motion by Mr. Allen of Cumberland, sent forthwith to the House.

Joint Order re. study of Need for Minimum Wage Legislation by Legislative Research Committee. (H. P. 2117)

Comes from the House, read and passed.

In the Senate, the Order was read and passed in concurrence.

Joint Order re. study the Utilization of Wood Waste etc. by Legislative Research Committee. (H. P. 2118)

Comes from the House, read and passed.

In the Senate, the Order was read and passed in concurrence.

The Committee on Welfare on Bill "An Act Relating to Aid to Dependent Children," (H. P. 1326) (L. D. 691) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

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

In the Senate, the report was accepted in concurrence and the bill

read once; House Amendment "A" to Committee Amendment "A" was read and adopted in concurrence; Committee Amendment "A" as amended by House Amendment "A" was read and adopted in concurrence; and under suspension of the rules, the bill as amended by Committee Amendment "A" as amended by House Amendment "A" thereto, was given its second reading and passed to be engrossed in concurrence.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Accident and Health Insurance," (H. P. 1963) (L. D. 1348) reported the same in a new draft, (H. P. 2101) (L. D. 1587) under the same title and that it ought to pass.

Comes from the House, the bill in new draft passed to be engrossed as amended by House Amendments "A" and "B".

In the Senate, the report was read and accepted in concurrence, House Amendments "A" and "B" were read and adopted in concurrence, and under suspension of the rules, the bill in new draft, as amended by House Amendments "A" and "B" was given its two readings and was passed to be engrossed in concurrence.

The Committee on Agriculture on Bill "An Act Relative to Licensing Dealers in Livestock," (H. P. 971) (L. D. 413) reported the same in a new draft (H. P. 2106) (L. D. 1598) under the same title, and that the same ought to pass.

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

In the Senate the report was read and accepted in concurrence and the bill was read once; House Amendment "A" was read and adopted in concurrence; and under suspension of the rules, the bill as amended by House Amendment "A" was given its second reading and passed to be engrossed in concurrence.

The Committee on Claims on "Resolve in Favor of the City of Biddeford," (H. P. 1445) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Sanford for Fire Equipment Used During the Emergency Fires of 1947," (H. P. 895) (L. D. 366) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of the Town of Machias," (H. P. 896) (L. D. 367) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Strong," (H. P. 122) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the Town of Acton," (H. P. 897) (L. D. 368) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Bridgewater," (H. P. 1115) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act to Create the Maine Highway District and Maine School District," (H. P. 1917) (L. D. 1279) reported that the same ought not to pass.

The Committee on Temperance on Bill "An Act Relating to Appeal from Decisions of the State Liquor Commission," (H. P. 1856) (L. D. 1193) reported that the same ought not to pass, as it is covered by other legislation.

The same Committee on Bill "An Act Relating to the Sale of Intoxicating Liquor to Minors," (H. P. 1751) (L. D. 1043) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and accepted in concurrence.

The Committee on Interior Waters on Bill "An Act Relating to Technical Secretary of Sanitary Water Board," (H. P. 1300) (L. D. 632) reported the same in a new draft (H. P. 2112) (L. D. 1602) under the same title and that it ought to pass.

Which report was read and accepted in concurrence, and under

suspension of the rules, the bill was given its two readings and passed to be engrossed in concurrence.

The Committee on Sea and Shore Fisheries on Bill "An Act Regulating and Defining Fish Weirs," (H. P. 1737) (L. D. 1091) reported the same in a new draft (H. P. 2114) (L. D. 1604) under a new title, Bill "An Act Creating a Board of Arbitration for Weir Fishing," and that the same ought to pass.

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

The Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Saco," (H. P. 1988) (L. D. 1373) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, Committee Amendment "A" indefinitely postponed, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Batchelder of York, tabled pending consideration of the report.

The Committee on Claims on "Resolve in Favor of O. E. Weymouth, of Lincoln," (H. P. 445) (L. D. 1606) reported that the same ought to pass as amended by Committee Amendment "A" attached herein.

The same Committee on "Resolve in Favor of Joseph M. Martin, of Van Buren," (H. P. 732) (L. D. 1607) reported that the same ought to pass as amended by Committee Amendment "A" attached within.

The same Committee on "Resolve, in Favor of Hatches, Inc., of Belgrade," (H. P. 822) (L. D. 1608) reported that the same ought to pass as amended by Committee Amendment "A" attached herein.

The same Committee to which was recommitted "Resolve in Favor of George V. Jordan, of North Wal-

doboro," (H. P. 1029) (L. D. 1609) reported that the same ought to pass as amended by Committee Amendment "A" attached herein.

The Committee on Legal Affairs on Bill "An Act to Grant a Council-Manager Form of Government to the City of Saco," (H. P. 1648) (L. D. 996) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Temperance on Bill "An Act Relating to Licenses for Consumption Sale of Liquor and Appeals," (H. P. 1810) (L. D. 1134) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence and the bills and resolves read once; Committee Amendments A were severally read and adopted in concurrence; and under suspension of the rules, the bills and resolves were read a second time and passed to be engrossed in concurrence.

The Committee on Education to which was recommitted Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School Funds," (H. P. 1131) (L. D. 539) reported that the same ought to pass as amended by Committee Amendment "B" submitted herewith.

Which report was read and accepted in concurrence and the bill read once; Committee Amendment "B" was read and adopted in concurrence, and under suspension of the rules, the bill as amended by Committee Amendment B, was given its second reading and passed to be engrossed in concurrence.

The Majority of the Committee on Taxation on Bill "An Act for the Assessment of a State Tax for the Year 1949 and for the Year 1950," (H. P. 250) (L. D. 79) reported that the same ought to pass.

(signed)

Senators: NOYES of Hancock
ALLEN of Cumberland

Representatives:

CARTER of Bethel
LONGSTAFF
of Island Falls
DOW of Falmouth
CHASE of Cape Elizabeth
DUQUETTE of Biddeford
WIGHT of Bangor
DORSEY of Fort Fairfield

The Minority of the same Committee on the same subject matter reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senator: HASKELL of Penobscot

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

In the Senate the reports were read and on motion by Mr. Haskell of Portland, the bill and accompanying papers were laid upon the table pending consideration of the reports, and especially assigned for later in today's session.

Majority Report, "Ought Not to Pass", — Minority Report, "Ought to Pass" from the Committee on Appropriations and Financial Affairs on "Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College," (S. P. 603) (L. D. 1294)

(In Senate, on May 3rd, the Minority Report was accepted, and the bill passed to be engrossed.)

Comes from the House, the Majority Report, "Ought Not to Pass" read and accepted in non-concurrence.

In the Senate, on motion by Mr. Crosby of Franklin, the bill and accompanying papers were laid upon the table pending consideration.

Bill "An Act to Effect Certain Changes in Procedure Under the Unemployment Compensation Law." (S. P. 515) (L. D. 1046)

(In Senate, on April 25th passed to be engrossed as amended by Committee Amendment "A".

Comes from the House, passage to be enacted reconsidered, engross-

ing reconsidered, House Amendment "A" adopted, and the bill as amended by Committee Amendment "A" and by House Amendment "A" passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Slocum of Cumberland, the bill and accompanying papers were laid upon the table pending consideration, and especially assigned for later in today's session.

The Committee on Claims on the following Resolves:

S. P. 33. Resolve in Favor of Arlo E. Adams, of Gardiner.

S. P. 41. Resolve in Favor of Earl Swett of Brewer.

S. P. 43. Resolve in Favor of Dr. Walter G. Dixon, of Norway.

S. P. 44. Resolve in Favor of Alfred G. Snow of Norway.

S. P. 32. Resolve in Favor of Dr. Harold Libby of Gardiner.

S. P. 42. Resolve in Favor of Francis Millett, of Norway.

S. P. 53. Resolve in Favor of Mrs. Susan S. Wood of Gouldsboro.

S. P. 55. Resolve in Favor of Richard Wing, of North Anson.

S. P. 67. Resolve in Favor of Clarence Earl Osgood, of Fryeburg.

S. P. 68. Resolve in Favor of Alfred Whitehouse, of Hollis Center.

S. P. 81. Resolve in Favor of C. E. Fogg, of Yarmouth.

S. P. 99. Resolve in Favor of Dana M. Bragdon of Franklin.

S. P. 113. Resolve in Favor of Ernest Brown of Bath.

S. P. 128. Resolve in Favor of Ernest Libby of Portland.

S. P. 129. Resolve in Favor of Rosaire Cliche, of Lewiston.

S. P. 161. Resolve in Favor of Arnold L. Foster, of Machias.

S. P. 162. Resolve in Favor of David Grant, of Addison.

S. P. 164. Resolve in Favor of New England Metal Culvert Company, of Portland.

S. P. 165. Resolve in Favor of Hugh C. Leighton of Blue Hill.

S. P. 166. Resolve in Favor of Alanson B. Thomas, of Surry.

S. P. 167. Resolve in Favor of E. Robert Jordan, of Ellsworth.

- S. P. 168. Resolve in Favor of Donald McCrum, of Presque Isle.
- S. P. 185. Resolve in Favor of Gilbert S. Floyd of Columbia Falls.
- S. P. 186. Resolve in Favor of Everett L. Seavey, of Steuben.
- S. P. 188. Resolve in Favor of Forrest A. Dow, of Ellsworth.
- S. P. 197. Resolve in Favor of Carroll B. Johnson, of Brewer.
- S. P. 198. Resolve in Favor of Roy Wright, of East Holden.
- S. P. 199. Resolve in Favor of Herbert D. Page, of Portland.
- S. P. 245. Resolve in Favor of William F. Rokes of Belfast.
- S. P. 246. Resolve in Favor of Domenic Cuccinello of Rockland.
- S. P. 256. Resolve in Favor of Carlton Rollins, of Sanford.
- S. P. 257. Resolve in Favor of Donat J. Fortin, of Lewiston.
- S. P. 288. Resolve in Favor of Delmar C. Ellingwood, of North Windham.
- S. P. 292. Resolve in Favor of Merlin Hammond of Houlton.
- S. P. 293. Resolve in Favor of Robert E. Cleaves, Portland.
- S. P. 338. Resolve in Favor of Eva Eaton, of North Ellsworth.
- S. P. 340. Resolve in Favor of Morton Whitcomb, of Ellsworth.
- S. P. 341. Resolve in Favor of J. Philip Jacobs, of Caribou.
- S. P. 343. Resolve in Favor of James F. Cox, of Caribou.
- S. P. 390. Resolve in Favor of Samuel Dorrance, of Augusta.
- S. P. 420. Resolve in Favor of Nolan C. Gibbs, of Monroe.
- S. P. 593. Resolve in Favor of Wallace McQuarrie, of Millinocket.
- H. P. 1. Resolve in Favor of Tingley's Bakery, of Houlton.
- H. P. 2. Resolve in Favor of Alfred Adler, of Houlton.
- H. P. 8. Resolve in Favor of Sumner O. Berry, of Bath.
- H. P. 9. Resolve in Favor of Mrs. Melvin D. Whittman, of Bath.
- H. P. 10. Resolve in Favor of Marcia M. Stinson, of Woolwich.
- H. P. 19. Resolve in Favor of Donald Grant, of Bangor.
- H. P. 20. Resolve in Favor of George B. Luce, of Gray.
- H. P. 21. Resolve in Favor of Ralph H. Draper, of New Gloucester.
- H. P. 23. Resolve in Favor of Earle W. Vickery, of Greenville Junction.
- H. P. 24. Resolve in Favor of Vera O. Sawyer, of Greenville.
- H. P. 26. Resolve in Favor of Mrs. Tomye C. Davino, of Sargentville.
- H. P. 27. Resolve in Favor of Philip I. Bartlett, of No. Brooklin.
- H. P. 28. Resolve in Favor of George L. Bent, of Brooklin.
- H. P. 29. Resolve in Favor of Harold J. Stinson, of Stonington.
- H. P. 30. Resolve in Favor of Thelma Grindle, of Blue Hill.
- H. P. 31. Resolve in Favor of Thomas Johnston, of Ellsworth.
- H. P. 32. Resolve in Favor of Colie Jordan, of Ellsworth.
- H. P. 33. Resolve in Favor of Norman W. MacDonald, of Presque Isle.
- H. P. 34. Resolve in Favor of Howard W. Loring, of Avon.
- H. P. 35. Resolve in Favor of Raymond Joy, of Addison.
- H. P. 36. Resolve in Favor of Maynard Grant, of Columbia Falls.
- H. P. 37. Resolve in Favor of Warren L. Corliss, of Cherryfield.
- H. P. 38. Resolve in Favor of A. J. Perrault, of Skowhegan.
- H. P. 39. Resolve in Favor of Clifton Bean, of Skowhegan.
- H. P. 40. Resolve in Favor of Leslie Washburn, of Skowhegan.
- H. P. 41. Resolve in Favor of Emile J. Thibault, of Skowhegan.
- H. P. 42. Resolve in Favor of Norman Pratt, of Kennebunkport.
- H. P. 43. Resolve in Favor of Mary E. Turner, of Mapleton.
- H. P. 44. Resolve in Favor of Harvey Thomas, of Mapleton.
- H. P. 45. Resolve in Favor of Soly Caruso, of Southwest Harbor.
- H. P. 46. Resolve in Favor of Arthur Pickard, of Gardiner.
- H. P. 110. Resolve in Favor of Nelson Sennett, of Pembroke.
- H. P. 111. Resolve in Favor of Louis Gardner, of Dennysville.
- H. P. 112. Resolve in Favor of Philip King, of Stratton.

- H. P. 113. Resolve in Favor of Adam D. Ustie, of South Windham.
- H. P. 114. Resolve in Favor of Arthur McDonald, of South Windham.
- H. P. 115. Resolve in Favor of Lester H. Penley, of So. Paris.
- H. P. 116. Resolve in Favor of Ray A. Douglas, of So. Paris.
- H. P. 117. Resolve in Favor of Alton Ames, of So. Paris.
- H. P. 118. Resolve in Favor of Edna S. Fitch, of East Sebago.
- H. P. 119. Resolve in Favor of Merritt D. Furman, of Steep Falls.
- H. P. 120. Resolve in Favor of Ada McKenney, of North Baldwin.
- H. P. 121. Resolve in Favor of Lucien R. Chamberlain, of Hartford.
- H. P. 124. Resolve in Favor of Gordon E. Kimball, of Togus.
- H. P. 125. Resolve in Favor of Bruce S. Billings, of Milo.
- H. P. 126. Resolve in Favor of Kenneth C. Phoda, of Milo.
- H. P. 127. Resolve in Favor of Philip G. Hines, of Milo.
- H. P. 129. Resolve in Favor of Edwin C. Sturtevant, of Milo.
- H. P. 130. Resolve in Favor of Doris P. Sang, of Ellsworth.
- H. P. 131. Resolve in Favor of Frank V. Wright, Jr., of Topsham.
- H. P. 166. Resolve in Favor of Maurice Parlin, of Coopers Mills.
- H. P. 167. Resolve in Favor of Austin D. Winchenbaugh, of Waldoboro.
- H. P. 168. Resolve in Favor of Robert L. Madden, of North Whitefield.
- H. P. 169. Resolve in Favor of Harold C. Ralph, of Waldoboro.
- H. P. 170. Resolve in Favor of Joseph LeClair, of Westbrook.
- H. P. 172. Resolve in Favor of Mrs. Eugenia Robbins, of Westbrook.
- H. P. 174. Resolve in Favor of Stuart M. Woodard, of Hampden.
- H. P. 175. Resolve in Favor of Harold Martin, of Hampden Highlands.
- H. P. 252. Resolve in Favor of Luther Snell, of Hammond Plantation.
- H. P. 253. Resolve in Favor of Keith L. Grass, of Oxbow.
- H. P. 254. Resolve in Favor of Harold Lane, of Sherman Mills.
- H. P. 255. Resolve in Favor of Helbert Noyes, of Patten.
- H. P. 256. Resolve in Favor of Patrick Landry, of Millinocket.
- H. P. 257. Resolve in Favor of Floyd Pratt, of Troy.
- H. P. 258. Resolve in Favor of Lemuel Morrell, of Limestone.
- H. P. 259. Resolve in Favor of Bangor Hydro-Electric Company, Bar Harbor.
- H. P. 260. Resolve in Favor of Howe C. Smith, of Salisbury Cove.
- H. P. 261. Resolve in Favor of Basil Clements, of Winterport.
- H. P. 264. Resolve in Favor of Henery Cormier, of Lewiston.
- H. P. 265. Resolve in Favor of Edward Faulkner, of Lincoln.
- H. P. 266. Resolve in Favor of Leo Tinkham of Passadumkeag.
- H. P. 267. Resolve in Favor of Thomas Mushero, of Lincoln.
- H. P. 268. Resolve in Favor of Dr. G. M. Dorman, of Lincoln.
- H. P. 269. Resolve in Favor of Roscoe Moore of Saponac.
- H. P. 270. Resolve in Favor of William C. Brehaut, of Lincoln Center.
- H. P. 271. Resolve in Favor of Herbert Lyons of Burlington.
- H. P. 272. Resolve in Favor of Jane M. and Cora B. Little, of Richmond.
- H. P. 274. Resolve in Favor of Joseph F. Morin of Augusta.
- H. P. 275. Resolve in Favor of C. B. Mitchell, of Wilton.
- H. P. 276. Resolve in Favor of Walter C. Miele, of North Edgecomb.
- H. P. 277. Resolve in Favor of Harriet Dennison of Freeport.
- H. P. 278. Resolve in Favor of Sherman Simmons, of Warren.
- H. P. 279. Resolve in Favor of Ernest C. Ober, of Northeast Harbor.
- H. P. 280. Resolve in Favor of Ernest C. Ober of Northeast Harbor.
- H. P. 281. Resolve in Favor of Mrs. Frank Pierce of Portland.
- H. P. 282. Resolve in Favor of Gordon Winslow of Southport.

H. P. 283. Resolve in Favor of Clinton L. Brackett, of Boothbay Harbor.

H. P. 325. Resolve in Favor of George Witham, of Old Town.

H. P. 326. Resolve in Favor of Clinton S. Stewart, of Windham.

H. P. 328. Resolve in Favor of Walter L. Heald, of Livermore Falls.

H. P. 329. Resolve in Favor of Dwight W. Lamb, of Livermore Falls.

H. P. 330. Resolve in Favor of Robert McNally, of Patten.

H. P. 331. Resolve in Favor of Robert V. Blaney, of Woodland.

H. P. 333. Resolve in Favor of Clyde T. Hall, of Mt. Vernon.

H. P. 335. Resolve in Favor of Florin Spaulding, of Lee.

H. P. 336. Resolve in Favor of Alton Coffin, of Lee.

H. P. 337. Resolve in Favor of Claude R. Boyington, of Prentiss.

H. P. 338. Resolve in Favor of Laura Wooster, of Blue Hill.

H. P. 339. Resolve in Favor of Elias Gagnon, of Millinocket.

H. P. 340. Resolve in Favor of Dalton Lund, of East Machias.

H. P. 341. Resolve in Favor of Garnett M. Bubar, of Harmony.

H. P. 343. Resolve in Favor of Harold Ryder, of Pownal.

H. P. 344. Resolve in Favor of Floyd Clements, of Farmington Falls.

H. P. 345. Resolve in Favor of Nathan P. Lord, of Bangor.

H. P. 346. Resolve in Favor of Manley Bemis, of Bangor.

H. P. 347. Resolve in Favor of Perley Brooks, of Bangor.

H. P. 348. Resolve in Favor of H. E. Peabody, of Bangor.

H. P. 349. Resolve in Favor of Stanley A. Miller, of Thomaston.

H. P. 419. Resolve in Favor of Stanley Paul, of Brooks.

H. P. 420. Resolve in Favor of Donald A. Pooler, of Augusta.

H. P. 422. Resolve in Favor of William L. Graves, of Brownville Junction.

H. P. 423. Resolve in Favor of Philip H. Cummings, of Lockes Mills.

H. P. 424. Resolve in Favor of Richard S. Waldron, of Bethel.

H. P. 425. Resolve in Favor of Henry Hastings, of Bethel.

H. P. 426. Resolve in Favor of Clayton Sweatt, of Bethel.

H. P. 427. Resolve in Favor of Rodney Eames, of Bethel.

H. P. 428. Resolve in Favor of Samuel T. Smith, of North Newry.

H. P. 429. Resolve in Favor of Mrs. Bertha Holman, of Kingfield.

H. P. 430. Resolve in Favor of Milford Goodwin, of Hudson.

H. P. 431. Resolve in Favor of William A. Swett, Jr., of Howland.

H. P. 432. Resolve in Favor of Spencer M. Benner, of Belfast.

H. P. 433. Resolve in Favor of Charles Clements, of Belfast.

H. P. 434. Resolve in Favor of Edward H. Beale, of Belfast.

H. P. 435. Resolve in Favor of Raymond Ryan, Jr., of Belfast.

H. P. 436. Resolve in Favor of Francois D. Roy, of Belfast.

H. P. 437. Resolve in Favor of Maurice E. Gray, of Belfast.

H. P. 438. Resolve in Favor of Stephany Hughes, of Rumford.

H. P. 439. Resolve in Favor of Thomas Kelly, of Rumford.

H. P. 440. Resolve in Favor of Leon E. Wilbur, of Rumford.

H. P. 441. Resolve in Favor of Norman A. Young, of Rumford.

H. P. 442. Resolve in Favor of Nellie R. Gibbons, of Dover-Foxcroft.

H. P. 443. Resolve in Favor of Cecil P. Chase, of Dover-Foxcroft.

H. P. 446. Resolve in Favor of Richard Radcliffe, of Manchester.

H. P. 447. Resolve in Favor of Harlow E. Powers, of St. Albans.

H. P. 448. Resolve in Favor of Ray W. Gieberson, of Hartland.

H. P. 449. Resolve in Favor of Rex St. Ledger, of Winthrop.

H. P. 450. Resolve in Favor of Leonard Ford, of Winthrop.

H. P. 451. Resolve in Favor of Bradford F. Rand, of Portland.

H. P. 452. Resolve in Favor of Frank E. Little, of Waterville.

H. P. 455. Resolve in Favor of Merle Bowden, of Orland.

H. P. 456. Resolve in Favor of Howard O. Treadwell, of Bucksport.

- H. P. 457. Resolve in Favor of Aaron La Bree, of Bucksport.
- H. P. 458. Resolve in favor of Arthur Tempesta, of Norridgewock.
- H. P. 459. Resolve in Favor of Walter J. Hayes, of Augusta.
- H. P. 460. Resolve in Favor of Kenneth H. Bunker, of Norridgewock.
- H. P. 461. Resolve in Favor of Winfred A. Kelley of Fairfield.
- H. P. 462. Resolve in Favor of Theresa Arnold, of Fairfield.
- H. P. 475. Resolve in Favor of William B. Forsyth, of Ellsworth.
- H. P. 543. Resolve in Favor of Andrew Champeon, of Dexter.
- H. P. 545. Resolve in Favor of Asa Ogden, of Kingman.
- H. P. 546. Resolve in Favor of Brooks Terry of Dover-Foxcroft.
- H. P. 547. Resolve in Favor of Evan Leavitt, of Flagstaff.
- H. P. 548. Resolve in Favor of Harold Young, of Manchester.
- H. P. 549. Resolve in Favor of Clifton E. Taylor, of Brunswick.
- H. P. 551. Resolve in Favor of Winfield Jordan, of Old Town.
- H. P. 552. Resolve in Favor of Donald Beane, of Skowhegan.
- H. P. 553. Resolve in Favor of Laura Doyle, of Winthrop.
- H. P. 554. Resolve in Favor of Michael Markowski, of Winthrop.
- H. P. 555. Resolve in Favor of Joseph E. Keith, of Winthrop.
- H. P. 556. Resolve in Favor of Philip Warren, of Kenduskeag.
- H. P. 557. Resolve in Favor of Doria T. Nadeau, of Biddeford.
- H. P. 558. Resolve in Favor of Donald E. Robbins, of Cedar Grove.
- H. P. 559. Resolve in Favor of Irene Hemond, of Mechanic Falls.
- H. P. 560. Resolve in Favor of Robert J. Fisher, of Turner.
- H. P. 561. Resolve in Favor of Mrs. Olive Gradford, of Turner.
- H. P. 563. Resolve in Favor of Maynard F. Marsh, of Westbrook.
- H. P. 565. Resolve in Favor of George N. Sferes, of South Windham.
- H. P. 567. Resolve in Favor of Paul E. Fortin, of Lewiston.
- H. P. 568. Resolve in Favor of Wilfred Racicot, of North Berwick.
- H. P. 634. Resolve in Favor of Oscar L. Wyman, of Orono.
- H. P. 635. Resolve in Favor of Paul F. Goodchild, of Madison.
- H. P. 638. Resolve in Favor of Earl Ettinger, of Sebago Lake.
- H. P. 639. Resolve in Favor of Vernard I. Pierce, of Bingham.
- H. P. 640. Resolve in Favor of Doris L. Young, of Palermo.
- H. P. 641. Resolve in Favor of Henry Beaudoin, of Limerick.
- H. P. 642. Resolve in Favor of Daniel B. Lord, of Kezar Falls.
- H. P. 643. Resolve in Favor of Mrs. William Kirk, of Eagle Lake.
- H. P. 644. Resolve in Favor of Paul Wadsworth, of Hiram.
- H. P. 645. Resolve in Favor of Harry J. Welch, of Gorham.
- H. P. 646. Resolve in Favor of Kenneth E. Stoddard, of Boothbay.
- H. P. 647. Resolve in Favor of Philip N. Whittaker, of Bangor.
- H. P. 700. Resolve in Favor of George Stairs, of Searsport.
- H. P. 701. Resolve in Favor of Theron McBrierty, of Allagash.
- H. P. 702. Resolve in Favor of A. V. Higgins, of Mt. Desert.
- H. P. 730. Resolve in Favor of Oscar Walker, of Bangor.
- H. P. 731. Resolve in Favor of Benjamin H. Jones, of Woodland.
- H. P. 734. Resolve in Favor of Stanley Crawford, of Albion.
- H. P. 735. Resolve in Favor of Leslie W. Wildes, of No. Kennebunkport.
- H. P. 736. Resolve in Favor of Katherine E. Marshall, of York Village.
- H. P. 740. Resolve in Favor of Lawrence L. Felt, of Whitefield.
- H. P. 742. Resolve in Favor of Ralph A. Gallagher, of Damariscotta.
- H. P. 814. Resolve in Favor of Arthur L. Hitchcock, Jr., of Rangeley.
- H. P. 818. Resolve in Favor of Keene Morrison, of Wilton.
- H. P. 819. Resolve in Favor of Darrell F. Ireland, of Pittsfield.
- H. P. 820. Resolve in Favor of Grevis F. Payson, of Union.
- H. P. 821. Resolve in Favor of Donald Grinnell, of Washington.

H. P. 823. Resolve in Favor of Albert D. Bartlett, of Bucksport.

H. P. 900. Resolve in Favor of Alice P. Gillespie, of Meddybemps.

H. P. 901. Resolve in Favor of Daniel W. Munroe, of Waterville.

H. P. 902. Resolve in Favor of Webber's Dairy, Inc., of Waterville.

H. P. 905. Resolve in Favor of American Oil Company, of Portland.

H. P. 906. Resolve in Favor of Ronald D. Grant, of Sanford.

H. P. 907. Resolve in Favor of Dr. Melvin Bacon, of Sanford.

H. P. 908. Resolve in Favor of Aloyse Zbink, of Monmouth.

H. P. 909. Resolve in Favor of John M. Schwerin, of Portland.

H. P. 910. Resolve in Favor of Harold M. Weed, of Portland.

H. P. 913. Resolve in Favor of P. E. Severance, of Hampden Highlands.

H. P. 973. Resolve in Favor of Paul Erickson, of Monson.

H. P. 975. Resolve in Favor of Clyde French, of Lincoln.

H. P. 976. Resolve in Favor of Horace Newcombe, of Addison.

H. P. 977. Resolve in Favor of Alcide M. Pelletier, Jr., of Addison.

H. P. 978. Resolve in Favor of Ernest Theis, of Westbrook.

H. P. 980. Resolve in Favor of Charles R. Ginn, of Brewer.

H. P. 981. Resolve in Favor of Arnold E. Adams, of Brewer.

H. P. 982. Resolve in Favor of Lester Stubbs, of Hampden Highlands.

H. P. 983. Resolve in Favor of Polly F. Pierce Leavitt, of Bangor.

H. P. 1030. Resolve in Favor of Clarence R. Eaton, of Bath.

H. P. 1031. Resolve in Favor of Maxime Dionne, of Stockholm.

H. P. 1032. Resolve in Favor of Walter Bliss Cronkite, of Newport.

H. P. 1033. Resolve in Favor of Ralph E. Bowdoin, of Milo.

H. P. 1113. Resolve in Favor of Cecil C. Woodard, of Bangor.

H. P. 1114. Resolve in Favor of Ralph G. Plaisted, of Livermore Falls.

H. P. 1116. Resolve in Favor of Mary Williams, of Charleston.

H. P. 1120. Resolve in Favor of Dolard Foster, of Bingham.

H. P. 1123. Resolve in Favor of Carl Houston Dow, of Brunswick.

H. P. 1124. Resolve in Favor of Wallace Cook, Jr., of Winthrop.

H. P. 1127. Resolve in Favor of Frank L. Coffin, of Harpswell.

H. P. 1128. Resolve in Favor of Marguerite W. Goodall, of Mechanic Falls.

H. P. 1130. Resolve in Favor of Stanley Robash, of Farmington.

H. P. 1274. Resolve in Favor of Chester Roberts, of Augusta.

H. P. 1278. Resolve in Favor of Carl T. Moran, of Winterport.

H. P. 1279. Resolve in Favor of Myrtle A. Hammond, of Limerick.

H. P. 1280. Resolve in Favor of B. E. Blanchard, of East Corinth.

H. P. 1283. Resolve in Favor of Luther Snell, of Houlton.

H. P. 1340. Resolve in Favor of John Manchester, of Northeast Harbor.

H. P. 1368. Resolve in Favor of Gene P. Woodworth, of Houlton.

H. P. 1372. Resolve in Favor of Howard E. Fuller, of Rangeley.

H. P. 1373. Resolve in Favor of Donald Veilleux, of Waterville.

H. P. 1374. Resolve in Favor of Ralph B. Gillam, of Bar Harbor.

H. P. 1378. Resolve in Favor of Donald E. C. McKay, of Waterville.

H. P. 1379. Resolve in Favor of Clinton A. Clauson, of Waterville.

H. P. 1380. Resolve in Favor of Maurice Davis, of Warren.

H. P. 1385. Resolve in Favor of Raymond F. Tassinari, of Auburn.

H. P. 1384. Resolve in Favor of John D. Clifford, Jr., of Lewiston.

H. P. 1385. Resolve in Favor of Royal Amusement Company, of Auburn.

H. P. 1447. Resolve in Favor of Wilfred Simonau, of Livermore Falls.

H. P. 1448. Resolve in Favor of Clyde W. Lingley, of Dennysville.

H. P. 1450. Resolve in Favor of John C. Libby, of Chester.

H. P. 1451. Resolve in Favor of Lawrence H. Osgood, of Kingman.

H. P. 1452. Resolve in Favor of John Richards, of Rumford.

H. P. 1456. Resolve in Favor of Ernest J. Bryant, of Dover-Foxcroft.

H. P. 1457. Resolve in Favor of Emery McIntyre, of Bingham.

H. P. 1459. Resolve in Favor of Knowlton Stuart, of Coopers Mills.

H. P. 1461. Resolve in Favor of Richard Black, of East Limington.

H. P. 1462. Resolve in Favor of Albert F. Lessard, of Springvale.

H. P. 1468. Resolve in Favor of Eric A. Chlson, of New Sharon.

H. P. 1593. Resolve in Favor of Truman Sleeper, of Sherman Mills.

H. P. 1595. Resolve in Favor of Pearl Heath, of Sherman Mills.

H. P. 1680. Resolve in Favor of Corporal Elmer S. Pelletier, of Dow Field, Bangor.

H. P. 1682. Resolve in Favor of Harold L. Gammon, of East Sumner.

H. P. 1684. Resolve in Favor of Margaret Belleau, of Sanford.

H. P. 1686. Resolve in Favor of Peter Christensen, of Calais.

H. P. 1687. Resolve in Favor of Fred McKay, of Calais.

H. P. 1688. Resolve in Favor of Balfour Glidden, of Red Beach.

H. P. 1767. Resolve in Favor of Curtis H. Patterson, of Bangor.

H. P. 1769. Resolve in Favor of William J. Bowes, of Waterville.

H. P. 1822. Resolve in Favor of Herbert Vaillancourt, of Van Buren.

H. P. 1866. Resolve in Favor of Wilfred Moors, of Bradley.

H. P. 1867. Resolve in Favor of Kenneth Laughlin, of East Eddington.

H. P. 1868. Resolve in Favor of John Stults, of Lewiston.

H. P. 1869. Resolve in Favor of Vaughn Walker, of Island Falls.

H. P. 1906. Resolve in Favor of Violet Dysart, of Augusta.

H. P. 1907. Resolve in Favor of John Graves, of Etna.

H. P. 1932. Resolve in Favor of Kenneth H. Adams, of Yarmouth.

H. P. 2003. Resolve in Favor of Laurence Jenkins, of Topsfield. reported the same in a Consolidated Resolve, (H. P. 2115) (L. D. 1610) under title of "Resolve, Providing for the Payment of Certain Damages Caused by Protected Wild

Animals," and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once, and under suspension of the rules, read a second time and passed to be engrossed in concurrence.

Communication

SUPREME JUDICIAL COURT State of Maine

May 4, 1949

Hon. Chester T. Winslow,
Secretary of the Senate
Augusta, Maine

Dear Sir:

This will acknowledge receipt of the several copies of the Senate Order Passed April 28, 1949, submitting three Questions to the Justices of the Supreme Judicial Court relative to Senate Paper No. 584, Legislative Document No. 1258, entitled "An Act to Create the Waterville Sewerage District," and transmit the answers thereon.

Very truly yours,

HAROLD H. MURCHIE.

To the Honorable Senate of the
State of Maine:

Complying with the provisions of Section 3 of Article VI of the Constitution, the undersigned Justices of the Supreme Judicial Court, having considered the questions submitted to them by the foregoing Senate Order, and the pending legislation to which they relate, incorporated by reference in said Order, respectfully advise that they are individually, and unanimously, of opinion that:

The only question that can be definitely answered is the second. The provisions of Section 7 providing that the board of five commissioners shall be appointed by the mayor of the City of Waterville with the approval of the majority of the city council, rather than a provision for their election by the inhabitants of the district, standing alone, does not affect the constitutionality of the proposed act.

It is not possible to answer the other questions specifically. The constitutionality of a legislative enactment depends not only upon whether the same violates some limitation on legislative power imposed by the constitution, but also whether or not its application to existing rights would violate the constitutional guaranties of those possessing the same. Within the limitations set forth in Kelley et als vs. Brunswick School District et als, 134 Maine, 414, the legislature may create distinct and separate bodies politic and corporate with identical inhabitants and territory. The identity of inhabitancy and territory existing between the proposed Sewer District and the City of Waterville does not affect the constitutionality of the proposed act; nor is the purpose of the act such that in and of itself it would prevent the creating of the proposed body politic and corporate.

On the other hand the determination of questions dependent upon the application of the provisions of the proposed act to existing vested rights can only be made with full knowledge of all pertinent facts. For example we have no knowledge of the history and development of the present sewer system in the City of Waterville.

Our statutes relative to sewers are of such ancient origin and the duties of cities and towns with respect thereto are of such nature, that there may be vested rights, which if infringed upon might render action taken under some provisions of the proposed act unconstitutional. Conclusive determination of these question can only be had upon proper proceedings in the courts where all parties are heard, all facts presented, and judgment pronounced after full hearing.

The constitutionality of the proposed act, and the validity of such notes and bonds as might be issued under authority of Section 8 thereof, depend to such an extent upon the existence of facts beyond

our knowledge that further definite answers respecting the same cannot be given.

Dated this 4th day of May, 1949.

Harold H. Murchie
Sidney St. F. Thaxter
Raymond Fellows
Edward F. Merrill
William B. Nulty

Which communication and report were read and ordered placed on file.

First Reading of a Printed Bill
Bill "An Act to Control and Eradicate Bang's Disease." (S. P. 693) (L. D. 1605)

Which bill was read once, and under suspension of the rules was read a second time and passed to be engrossed.

Sent down for concurrence.

Senate Committee Reports

Mr. Ela from the Committee on Judiciary to which was recommitted Bill "An Act Relating to Assistant County Attorneys for Cumberland County," (S. P. 206) (L. D. 269) reported that leave be granted to withdraw.

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

Mr. Savage from the Committee on Appropriations and Financial Affairs to which was recommitted "Resolve Providing for Completion of Dairy Barn at Augusta State Hospital," (S. P. 159) (L. D. 227) reported that the same ought to pass as amended by Committee Amendment "B" only.

Which report was read and accepted, and the bill read once; Committee Amendment "B" was read and adopted. Under suspension of the rules, the Senate voted to reconsider its action whereby Committee Amendment "A" was read and adopted, and the Senate further voted to indefinitely postpone Committee Amendment "A".

Thereupon, the rules were suspended and the resolve as amend-

ed by Committee Amendment "B" was read a second time and passed to be engrossed.

Sent down for concurrence.

The Majority of the Committee on Temperance on Bill "An Act Relating to Liquor Licenses in Unincorporated Places," (S. P. 511) (L. D. 1010) reported that the same ought to pass as amended by Committee Amendment "A".

(Signed)

Senators:

BAKER of Kennebec
BOUCHER of Androscoggin
SMART of Hancock

Representatives:

ATHERTON of Bangor
DeSANCTIS of Madison
JALBERT of Lewiston

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

(Signed)

Representatives:

BIRD of Rockland
MAXELL of Orient
BROWN of Robbinston
SANDERSON of Greene

On motion by Mr. Boucher of Androscoggin, the Majority "Ought to Pass" report was accepted and the bill read once; Committee Amendment "A" was read and adopted under suspension of the rules, the bill was read a second time and passed to be engrossed.

Sent down for concurrence.

Passed to be Engrossed

Bill "An Act Providing for the Issue of Paid-up Life Insurance Policies to Maine Veterans of World War II." (H. P. 2110) (L. D. 1600)

Which was read a second time and on motion by Mr. Leavitt of Cumberland, the bill was laid upon the table pending passage to be engrossed.

Bill "An Act Relating to the Shipping of Clams, Quahogs and Mussels." (S. P. 410) (L. D. 747)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

Enactors

Bill "An Act Relating to Amount of Aid to Dependents of Veterans." (H. P. 698) (L. D. 223)

Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls." (H. P. 1014) (L. D. 441)

Bill "An Act to Incorporate the Town of Dexter School District." (H. P. 1052) (L. D. 468)

Bill "An Act to Create the Town of South Berwick School District." (H. P. 1172) (L. D. 628)

Bill "An Act to Control the Payment of Benefits During Vacation Periods Under the Unemployment Compensation Law." (H. P. 1575) (L. D. 898)

Bill "An Act to Authorize the Construction of a Wharf in Maranacook Lake at Winthrop." (H. P. 1629) (L. D. 982)

Bill "An Act Creating the South Berwick Sewer District." (H. P. 1659) (L. D. 967)

Bill "An Act to Incorporate the North Kennebunkport School District." (H. P. 1838) (L. D. 1162)

Bill "An Act Relating to the Tax on Commercial Fertilizer." (H. P. 1903) (L. D. 1268)

Bill "An Act to Incorporate the Town of Sebago School District." (H. P. 1946) (L. D. 1318)

Bill "An Act Relating to Illegal Importation and Transportation of Malt Liquor." (H. P. 2015) (L. D. 1397)

Bill "An Act Relative to Trapping Season on Fur-Bearing Animals." (H. P. 2043) (L. D. 1468)

Bill "An Act Relating to Installation in State or State Aid Highways." (H. P. 2052) (L. D. 1478)

"Resolve, in Favor of George L. Varney, of New Gloucester." (H. P. 22) (L. D. 10)

"Resolve, in Favor of Beatrice Noonan, of Boston, Massachusetts." (H. P. 128) (L. D. 1578)

"Resolve, Regulating Fishing in Long and Square Lakes in the County of Aroostook." (H. P. 571) (L. D. 1401)

"Resolve, Regulating Fishing in Webb Lake, in the County of Franklin." (H. P. 917) (L. D. 369)

"Resolve, Providing for a Dam and Fish Screen at Chain-of-Ponds, in the County of Franklin." (H. P. 2093) (L. D. 1565)

Bill "An Act Relating to Katahdin Wild Life Sanctuary." (S. P. 621) (L. D. 1337)

Bill "An Act Providing for a Standard of Electrical Installations." (S. P. 652) (L. D. 1451)

Bill "An Act Relating to Elevators." (S. P. 664) (L. D. 1495)

Bill "An Act to Incorporate the Skowhegan School District." (S. P. 672) (L. D. 1533)

"Resolve, Providing for a Fish Screen at Outlet of Donnell's Pond in the Town of Franklin in the County of Hancock." (S. P. 677) (L. D. 1551)

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

Emergency Measures

Bill "An Act Relating to Aid to the Blind." (H. P. 1550) (L. D. 868)

Which bill being an emergency measure, and having received the affirmative vote of 27 members of the Senate, and none opposed, was passed to be enacted.

"Resolve, Appropriating Moneys for Certain Construction, Repairs and Equipment at Certain State Institutions." (S. P. 679) (L. D. 1560)

Which resolve being an emergency measure, and having received the affirmative vote of 26 members of the Senate, and none opposed, was finally passed.

Mr. BOWKER of Cumberland: Mr. President, I move that we recess for ten minutes. We are going to have a long session here today and I think it would be well to give the Secretary and the reporters a rest.

After Recess

The Senate was called to order by the President.

Orders of the Day

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table bill, An Act to Effect Certain Changes in Procedure under the Unemployment Compensation Law (S. P. 515) (L. D. 1046) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted in concurrence, and the bill as amended by House Amendment A and by Committee Amendment A was passed to be engrossed in concurrence.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (S. P. 683) (L. D. 1582) tabled by that Senator earlier in today's session pending consideration of House Amendment A; and on further motion by the same Senator, House Amendment A was adopted in concurrence, and the bill as amended by Senate Amendment A and House Amendment A was passed to be engrossed in concurrence.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to inquire if L. D. 1610 is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator that the bill is still in the possession of the Senate.

Thereupon, on motion by Mr. Boucher of Androscoggin, the Senate voted to reconsider its former action whereby Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals (H. P. 2115) (L. D. 1610) was passed to be engrossed, and the same Senator presented Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to H. P. 2115, L. D. 1610, 'Resolve Providing

for the Payment of Certain Damages Caused by Protected Wild Animals.'

Amend said Resolve by striking out the figure '\$21,545.27' in the 1st paragraph thereof and inserting in place thereof the figure '\$21,551.62'.

Further amend said Resolve by striking out the figures '24.10' which appears after the following words "Rosaire Cliche of Lewiston, for damage to car by deer' and inserting in place thereof the figure '30.45'."

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, in order to explain the change in this resolve I will say I am not trying to get \$21,000 but I think it includes two different claims for the same man who had two different accidents in 1947. Apparently there was some error somewhere along the line and one claim was forgotten because, I suppose, we thought it was a duplication of the other claim and we only reported the larger claim.

There was a second claim of \$635 which I understand the committee was willing to pay but apparently it was on the wrong list. So that in order to correct that I have had to do some hunting and go back finally to the Claim Department down stairs and get the original resolves and the original bill.

I finally got these and I now offer this amendment in order to correct this whole situation so that this man will be reimbursed for the full amount of his claims.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate adopt Senate Amendment "A".

The motion prevailed, Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mr. SLEEPER of Knox: Mr. President, in order to expedite legislation and to avoid a log jam on controversial matters I move that Bill An Act Relating to the Ship-

ment of Clams, Quahogs and Mussels (S. P. 410) (L. D. 747) which was passed to be engrossed this morning be sent forthwith to the House.

The motion prevailed and the bill was sent forthwith to the House.

Mr. SAVAGE of Somerset: Mr. President, I would like to make a motion that the Majority Floor Leader be permitted to take from the table any and all bills that pertain to unexpended surplus. To support that motion, I would say that I will support a motion of any member of the Senate who wishes to retable any bill at any time.

Mr. HASKELL of Penobscot: Mr. President, I realize this is a difficult motion for me to speak on, but if that is the wish of the majority of the Senate, I will assure you that I will take them off in fairness, and I, too, will join in the support of a motion by any Senator to retable. But at some point in the session I think we have got to first tackle these bills and resolves which are purely related to the unappropriated surplus.

That unappropriated surplus that now stands at roughly \$3,300,000, will, if the Senate goes along on a substantial number of these capital expenditures, be reduced to somewhere in the order of \$2,000,000. The motion does not contemplate consideration in the sequence of events of those bills which may well be debated and may well come out of unappropriated surplus if a majority of the Senate want them, such as elderly teachers' pensions or University of Maine or the three, four, five, or whatever those other things are. But it seems to me a little bit logical that we take off in a reasonably logical order these items that are to come out of unappropriated surplus and have further debate. And I will again insist if given that privilege that I will lean over backwards with reference to retabling them if I am taking them off in order that disagrees with anyone.

Mr. BARNES: Mr. President, I will support the motion, provided the Senator from Penobscot will furnish the Senate a figure that will show us at all times the condition of the unexpended surplus.

Mr. HASKELL of Penobscot: Mr. President, that the Floor Leader will do at all times.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Savage, that the Majority Floor Leader be permitted to take from the table, any and all bills pertaining to unappropriated surplus.

The motion prevailed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Senate Report "Ought to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds to Provide for a Reclassification and Compensation Survey (S. P. 562) (L. D. 1227) tabled by the Senator from Aroostook, Senator Brewer on March 16 pending consideration of the report.

Mr. HASKELL of Penobscot: Mr. President, as the members of the Senate know, there has been a great deal of criticism, and a great deal of it justifiable criticism, of the operation of the Personnel Board. They operate on a budget of roughly \$30,000 a year, and are in effect the personnel control board for our entire classified service group. The purpose of this resolve which takes \$35,000 from unappropriated surplus is to employ experienced, outside assistance to make a complete study and determine whether or not inequities exist within departments, and between one department and another.

I think that until we do make some sort of a reclassification and compensation survey, we are going to continue the inequities, and in continuing the inequities, build up new inequities. It is a bill that has been sponsored and supported by the Employees' Association on the one side, and urged on the other side by the Personnel Board itself. I think in this and other comments

I will have on these various items, I should be free to state that that is one of the items that your Governor is very hopeful that he may have. It provides that the Governor and Council are the ones to have the final veto on the thing.

I think this will make a better satisfied employee group, and I think the results of that survey will duplicate the results of similar surveys in other states. Until we do it, we are going to continue to have complaints that are now existing. So the pending question is the acceptance of the ought to pass report of the committee, and the motion I now make, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the "Ought to Pass report be accepted.

The motion prevailed, the report was accepted and under suspension of the rules, the resolve was given its two readings and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of State Military Defense Commission (H. P. 812) (L. D. 309) tabled by the Senator from Somerset, Senator Savage on May 3 pending final passage.

Mr. HASKELL of Penobscot: Mr. President, I have no desire to speak on each of these bills, because I know there are Senators better acquainted with almost all of them than I am. But I have been advised that this resolve relates almost entirely to our armory construction program, that if passed, substantial matching funds will be available. I think I can also state on the record that events that we may not know too much about, publicly at least, seem to make our Governor think that we ought to support our National Guard, and ought to do the things that can be done by the Defense Commission with this \$200,000 surplus item.

I would be very pleased if those who probably know much more about it than I do would speak on the matter. I think it is one of the most deserving of those resolves taking money from the unappropriated surplus, and I move that the bill be given its final passage.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to oppose the motion of the Senator from Penobscot, knowing very well that I won't succeed, but at least I feel that somebody's voice should be raised in opposition to this measure for the good and simple reason that the State of Maine is not now paying a fair rental for the present armories that it is using, and for the good and simple reason that I had a similar bill requesting that the state build an armory in the City of Lewiston which would take care of all of the district of Androscoggin in war we have several companies down there.

That bill has been reported ought not to pass, apparently because there are no funds available. If there are no funds available to pay a fair rental for the present armory existing in Lewiston, then I feel that no money should be dispensed to pay for other armories until the State of Maine can raise enough money to take care of its present armories.

Mr. LEAVITT of Cumberland: I neither rise in opposition nor support of this bill. This money, \$200,000, according to the statements is for the construction of armories now under way and with the cooperation of various cities and towns in the construction of new armories, and to support the work of the National Guard.

I just ask in voting for this appropriation that you say in your mind whether it is more important to build schools, or is it more important to build armories. We have a great many armories around the state at the present time which are used part of the time. Granted we may have a war. Granted we may need these armories badly. But

we know we are going to have children. And we know we have got to educate them.

Yesterday the point was brought up in relation to another bill that these people, through the decision of a judge, had to live in certain places such as our prisons, institutions and reformatories, but when a child becomes six years old, he also has to go to school whether he wants to, or not. We have got to provide schools for them.

Now, Gentlemen, do we want to spend \$200,000 for armories, or do we want to spend it for schools and education? It is up to you.

Mr. BREWER of Aroostook: Mr. President, I speak in support of the motion of the Senator from Penobscot, Senator Haskell. I would like to inform the Legislature, whether they are aware of the fact or not, due to previous legislation we have accepted a National Guard of around 5,600 men and officers. To date, it is up to a little less than 4,000. This is part of our plans, and I believe it is very essential to the commitment that we have already made to the National Guard. For that reason, I support the motion of the Senator from Penobscot.

Mr. HOPKINS: Mr. President and members of the Senate. I want to speak in support of the motion that was made by the Majority Floor Leader on this measure. If you will look in the record, you will note that the original bill calls for \$350,000 a year, and under the statement of facts reference is made to an additional appropriation of \$40,000,000 which would be cut to the states on a matching, equal basis. By quick figuring, I believe this would give us approximately the matching on a per capita basis, so that reducing this measure \$200,000, we are not able to match a like amount which might be allocated to the State of Maine.

Now, you can't be entirely consistent when you deal with this allocation of federal money to the state. The Senator from Cumberland mentions the matter of education. Here is an activity where

the federal government might very well make the full contribution to the states and not require matching funds. Military establishments in the state are used very little by the states and for state protection. They are used almost entirely for national emergencies, or emergencies which would be connected with the enforcement of the law on the federal level. So, to my way of thinking, it would not be inconsistent for the Federal Government to pay for all of the armories in the country. It is not done. It is not even on a state level. Under the existing laws, the municipalities are responsible for supplying the armories under the original law, as you remember.

Now, the armories in the State of Maine are in pretty sad condition in some instances, and it seems to me if the original compensation for contribution of funds to armories is going to be abided by, that the state must make small amounts of money available to them to improve the armory situation. This allocation is a small allocation, and I think it is needed to a point where even in this critical time in the financing of state services we ought to go along for that small amount.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell that the resolve be finally passed.

Mr. BOUCHER of Androscoggin: Mr. President, I ask for a division.

A division of the Senate was had.

Twenty-four having voted in the affirmative and six opposed, the resolve received a final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of the University of Maine for Buildings. (H. P. 1027) (L. D. 459) tabled by the Senator from Somerset, Senator Savage on May 3 pending final passage.

Mr. HASKELL: Mr. President and Senators, I move that this resolve have final passage. This is a bill that had unanimous committee support and is much better understood

by those interested in the agricultural problems of the state. It is not a bill that will increase the operating expenses of the University of Maine because the poultry industry, as I understand, have agreed to pay substantially all of the operating costs of the building, and in answer to the Senator from Aroostook, Senator Barnes, I will make the comment that prior to this motion \$3,050,500 was in the surplus fund and this requires another \$135,000 so this will reduce the surplus to \$2,915,500.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the resolve be finally passed.

The motion prevailed and the resolve received final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital (H. P. 630) (L. D. 1443) tabled by the Senator from Somerset, Senator Savage, on May 3 pending final passage.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I have said so much about this resolve that I am reluctant to speak further on it. You have all heard the debate. I believe there is substantial expenditure required on the Bangor State Hospital in order to make it a safe institution. I do not consider it a safe institution now. At the time of the hearing before the Appropriations Committee they very courteously invited me to go to Portland and talk with them about the details of the needs of the Bangor hospital, which I did. They suggested making a reduction in the amount and it was at my suggestion that the full amount was left in the resolve and the resolve was amended so that any ensuing amount would go back into the unappropriated surplus of the state.

I do not believe that the legislature should take a chance on allowing this institution to go with

less than available funds in the amount of \$200,000 although, like the rest of you undoubtedly, I hope that less than that amount will be expended.

There is also another resolve asking for \$20,000. I talked with the superintendent of the institution, the resolve was discussed in the Senate yesterday and I told you I thought that resolve should have passage. If this resolve in its present form meets with the approval of the Senate I shall ask the privilege of tabling it and amending it so that if \$200,000 will do the substantial repair work and there are sufficient funds left so that the superintendent's home could be built from the same fund, if that can be done without the superintendent's home resolve, I shall ask that it be indefinitely postponed. I think that might be a fair way to handle the Bangor Hospital situation under existing conditions.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, I would like to comment on this as a matter of record. It has been said that the amount provided for construction of the superintendent's home resolve be taken out of L. D. 1350. I think it can well be taken care of without amendment due to the fact that it is up to the governor and council. I would like to read into the record what it says in the Statement of Facts on L. D. 1350: "By construction of a separate home for the superintendent, the present large superintendent's apartment can be converted to two apartments adequate for housing two professional staff members and families or for such other employee housing as appears in the best interest of the hospital at the time."

Thereupon, the resolve received final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve for the Development and Improvement of Baxter State Park (H. P. 840) (L. D. 322) tabled by the Senator from

Somerset, Senator Savage, on May 3, pending final passage.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this resolve calls for \$25,000 from unappropriated surplus of the general fund and is a start, I hope, toward the development of this grant area given to the state through the generosity of former governor Percival C. Baxter. It is an immense area with little or no development in so far as utilization of facilities is concerned and which will be a splendid attraction to out of state visitors if developments are made in the park that will make the entire area available to more and more of our own people and more and more of our summer visitors. This is certainly one of the very desirable projects that should be taken from unappropriated surplus and I hope it has passage.

Thereupon, the resolve received a final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table House Report from the Committee on Appropriations and Financial Affairs on bill, An Act Providing for the Establishment of a State of Maine Information Center (H. P. 1621) (L. D. 932) Majority Report "Ought not to Pass," Minority Report "Ought to Pass," tabled by the Senator from Cumberland, Senator Bowker on May 4 pending consideration of the reports.

Mr. DENNY of Lincoln: Mr. President, a few days ago we heard it stated here in the Senate that there are two industries in the State of Maine which had the opportunity of tremendous development. One of them was the fishing industry, and it was stated that the resources were unlimited. The other one was the summer business, and I think you will realize that the resources and the facilities we have to offer for summer business is also unlimited. This bill provides an information bureau at the entrance to the State of Maine,

and it is truly the front door of the State of Maine.

Those of you, and probably you have all come into Maine across on Route No. 1, and you will recall the triangle between Route No. 1 and the toll road. There is no possible location in the State of Maine more desirable than that particular point for an information bureau. This is not only to be an information bureau, but it is also to be an exhibition building for products of the industries of the State of Maine. Over that road entering the State of Maine, it is estimated that 90 per cent of our summer business comes into the State of Maine. This is an appropriate expenditure from the unappropriated surplus. It is non-recurring. There will be no charges for continuing the bureau. This is the one and only cost to the State of Maine.

I think it is only fair to say, and you probably well recognize the fact that our Governor is very much interested in this, as well as in all other types of construction of a program to bring more people into the State of Maine. This is a capital outlay, and an investment in a business which is important to us, which brings in at the present time an estimated \$110,000,000 a year. If developed, and if we are to keep our competitive position with other states, we have just got to keep on and do our advertising and have our front door at least acceptable and serviceable to these people.

Mr. LEAVITT of Cumberland: Mr. President, I still wonder if this is more important than paying the bills for education which are so badly needed. This information center will not bring a solitary person to the State of Maine. They will already be in the State of Maine before they see this building. They will have been coming to the State of Maine and planning to come to the State of Maine for a long time. The people who come into that triangle will have come over the new inter-state bridge on those new roads that we have there.

They will be going 50 or 60 miles an hour when they go by there, and they are not going to stop. Oh, of course, a few people from curiosity may stop there.

This won't give the State of Maine one nickel. It may dress up the front door. But can we afford to dress up the front door at the present time, when we are not even taking care of the things that are inside of the house. We don't want to lock the door. We want it wide open, and I think that those roads at that triangle are just about as wide open as they can be. People will come into the State of Maine just as fast as they can when they are able to get there. I don't think we want to stop them there. They might find out we don't educate our children.

Mr. DENNY of Lincoln: Mr. President, I move the acceptance of the ought to pass report.

Mr. BOUCHER of Androscoggin: Mr. President, being in the construction business, I appreciate a very beautiful front door, and if the State of Maine could afford a front door, I would like to see a golden front door wide open. It would be nice to have a golden door with two panels wide open and with a welcome sign over it.

For once, I am in accord with Senator Leavitt from Cumberland when he says that by the time they see the front door, they will already be in the State of Maine. I don't believe they are going to turn back, whether that door is made of gold, oak, or just plain, old hemlock. Once they are there, they are going to come through the door, because they are coming into the State of Maine.

I feel, Mr. President and members of the Senate, that we are doing something here this morning that we may be sorry for. We are going ahead and spending a lot of money, apparently for the pleasure of spending it. I don't believe that any of these things that we have passed this morning are emergencies. If they are, then we have done the right thing. But I don't believe

they are, and I know that this project here is not an emergency.

I am not against advertising the State of Maine, and I am all for bringing in more business to the State of Maine. But I question the wisdom of spending \$100,000 to put up a building at the entrance to the State of Maine, or one of the entrances of the State of Maine. This may be the front door, but I think there are a lot of other portals of entry into the State of Maine, such as from our sister state of New Hampshire, from the Province of Quebec, from New Brunswick, and from the ocean which are very important.

The main question in my mind, Gentlemen, is this. Shall we take out of the pay envelopes of the employees of the State of Maine three, four and five dollars a week to pay to build a beautiful front door for the State of Maine? I ask you in all sincerity whether that is the proper thing to do, whether that is building up the State of Maine or tearing it down? I don't believe that in conscience we can vote these things which are not emergencies and say we are going to reduce the salaries of the employees of the State of Maine three, four, and five dollars in order that we might build some beautiful monuments to the 94th Legislature of Maine, and say, "we did that." I had much rather go home and say, we did not build any monuments. We did not put on any extra taxes on the citizens of Maine. But we maintained the present salaries of the employees of the State of Maine. I think we should do that and call it a day.

Mr. SLOCUM of Cumberland: Mr. President, I am very much interested in, and in favor of this. I also stand with my colleague, Senator Leavitt, on the necessity of certain other measures. I understand that the Committee on Appropriations has looked over these various construction projects and education and other needed and worthy projects.

I feel that we all could, in good conscience, vote for many of these

worthy projects if we appreciated that they have in the overall picture taken care of certain of these needs for education, and taken care of the pay to the employees of the State.

I would like to ask through the Chair of the Senator from Penobscot, Senator Haskell, if at this time we all could be enlightened as to the overall picture before we take up these various items.

Mr. HASKELL of Penobscot: I apologize for having done a poor job in my introductory remarks. I should have been more specific, probably, in stating that these items which come from unappropriated surplus, and those that have had the greatest support before the Committee and in both branches of the Legislature, add up to roughly \$1,300,000. If you continue to accept these items that the Appropriations Committee think are the most worthy, that surplus will be down roughly to two millions of dollars.

Whether the Legislature goes beyond that and approves these, and I refer now to the three, four, five, to the University of Maine, to your elderly teachers' pensions, to your private hospitals, and what is done in relation to the entire budget that had to be cut for lack of revenues, is certainly within the power of both branches of the Legislature to do.

In orderly procedure, it seemed best to ask the Senate to consider these items that are purely surplus items, and then whatever may be your pleasure from there in seemed to me to be a second problem. I certainly can't express anyone's opinion, other than my own, on any one of these items, or on the recurring expenditure items. If there has been a program drawn, it is a program to consider these non-recurring things which I assure you, as far as my own vote is concerned, will not pull the surplus below \$2,000,000. Have I been as explicit as you have expected I would be?

Mr. SLOCUM: Mr. President, I believe a number of us who are at-

tempting to do what is right to further the worthy projects—and every one of these are worthy without question—are not too well informed, or have not been. We are equally desirous to vote correctly and apportion the money to the most deserving items, and I believe some of us are slightly befogged by appreciating that all of these projects that are being considered at this time are on surplus, while many of the projects we consider worthy are under General Fund appropriations. I believe it might also be helpful to the members of the Senate if we had a list of those that are going to be considered en toto as recommendations of the Appropriations Committee, just the list, and then we take them up. I appreciate that there will still be two million, approximately, unexpended surplus. However, it might influence our vote on these various matters if we knew just what other ones were coming, and admitting that I am sure every one of us are anxious to vote for every one of these worthy projects.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I think every Senator, including the minority floor leader, can assume that each of us as individuals have very carefully considered these items which we have before us on which we must act and we have considered them in the light of what bills are necessary if we are to continue the three, four, five pay raises to the state employees. I think we all know that if that adjustment in wages is to continue we have got to be just as careful in our allocations of money as possible and even then it may not be possible to continue with that wage allocation.

I assume that all of the Senators have gone through the list and carefully considered the more important items and have marked the items they think should be cut. I studied the list very carefully last night and marked those I thought should be cut. Some of them have

already gone by without reduction, which is only natural because my judgment is only one out of thirty-two.

This matter that we have before us seems to be important. Last night when I was alone and didn't have the benefit of the assistance of the other thirty-one of you I thought that perhaps with some ingenuity and Yankee ability and some of our good-looking young ladies in Maine we might make a front door down on the highway that would serve us another year or two until we know just how the financial picture is going to clarify a couple of years hence.

I was hoping someone would discuss it on that basis and that perhaps we could cut back this item a little because it seemed to me we could make some reduction in it and use the money and some ingenuity and get by in a way that would be satisfactory. Although I have been told that it has a very high priority in the Governor's office, I should like to see this item cut back somewhat.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, as signer of the majority report of the committee, "Ought Not to Pass," I think at this time I might make my position clear. I did not sign the minority "Ought to Pass" report for this reason: I believe that the plan for this particular building is somewhat more elaborate than necessary for the State of Maine. The desire was to have a good looking front door for the State. I am at this time going along with this motion and later, upon second reading, I hope to offer an amendment to cut this appropriation in half and I hope at that time I will have some support.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I wonder if it is feasible to get from someone the actual figures of the three, four, five proposed cut in the employees' wages. I have been reading about them in the newspapers because I thought it might help me in some

way in voting on some of these measures. I readily admit that every one of these proposed measures is a good measure. There is only one thought in my mind, however. We definitely know that we have only some three million dollars to spend and I have never heard yet, even of Yankee ingenuity, that they can make three million dollars come to ten million dollars in any way shape or manner.

They do say that liars figure but I have always known that figures do not lie. I never could make even three dollars do the work of ten. I might be able to stretch it somewhat by getting a little rebate here and there, perhaps, but I couldn't stretch three million dollars to ten million or even three dollars, to ten. Now if it is possible to enlighten me—I may be the only one who doesn't know—how much money that cut in wages represents I would like to know how much that means in the next two fiscal years. If it means every dollar we have left in the fund—some are pleased to call it the unexpended fund but I don't care what you call it, to me it is still state money and it isn't sacred in any way, shape or manner—although it is said that at this time in the legislature that money can't be used for anything except non-recurring matters, I won't agree to that. I can't agree with that. I say that this legislature has the power to spend any money in the state funds the way it sees fit except the money that is specially ear-marked for certain purposes, and that surplus of unexpended funds has not been ear-marked except the \$2,000,000 that apparently the majority party fears the Democrats might steal and have hidden the money in a closet and thrown the key into the Kennebec River.

I would now like to know, Mr. President, before we go any further in the proceedings, what this three, four, five dollar cutback in the state employees' pay means in dollars during the next two years.

Mr. HASKELL of Penobscot: Mr. President, I am very pleased to attempt to explain to the Senator from Androscoggin, Senator Boucher, exactly what this three, four, five problem is.

As he knows, it was a pay increase made effective October 4th of last year in a perfectly satisfactory year financially, to be carried out of the contingency fund until the first of the year. And it was continued out of the contingency fund until the 4th of March and was again continued from the 4th of March until June 30th by an emergency measure passed by this legislature and taken from the general fund income. To continue that wage increase for each of the next two years will require either \$350,000 per year or \$450,000 per year, depending on whether you continue the \$7.20 at \$7.20 or cut the \$7.20 to \$7.00 as was provided for in the bill.

So in summary, the top amount asked for in the legislative document amounted to \$350,000 out of general fund. That does not include the costs in the highway fund or the costs in the other departments such as the Fish and Game Department where they do not require a general fund appropriation, and in round figures, taking the general fund, the earmarked sources on the highway, the amount is roughly \$700,000 a year.

Mr. LEAVITT of Cumberland: Mr. President, may I ask another question through the Chair of the Majority Floor Leader.

The PRESIDENT: The Senator may make his question.

Mr. LEAVITT of Cumberland: Mr. President, is it contemplated that we will spend or earmark from the unappropriated surplus funds to help run the recurring expenses of the state: In other words, as I understood it last year, or two years ago, not a nickel of surplus could be used for an expense that recurred for the running of the state, such as salaries and things of that sort. Does it mean here now

that we can't even consider doing that?

Mr. HASKELL: I certainly have no idea as to what the majority of both branches of the Legislature would do when faced with the question. As I have indicated, I think this is the third time, it certainly is within the power of the two branches of the Legislature to do exactly what the Senator from Androscoggin, Senator Boucher, has said. The Legislature is the last word. There is no constitutional provision prohibiting this Legislature from doing that.

I hope that nothing I have said this morning has indicted that anyone has set up any hard-and-fast program that indicates what is or what is not. The effort of this morning is one to dispose of the items calling for appropriations from the unappropriated surplus of the General Fund. Someone, sometime in this branch, if we are going to adjourn here, must face up the issue and start on one end or the other. And by our procedures this morning, we are trying to determine whether or not the majority want certain of these items that will be taken up in orderly fashion to have passage and acceptance from the unappropriated surplus. Certainly it is not the intent to say that closes the door to whatever action you may want beyond that.

We are dealing, as the motion of the Senator from Somerset, Senator Savage, indicated, only with these unappropriated surplus items. Beyond that, the judgment is up to the majority of the Senate and House.

Mr. BOUCHER of Androscoggin: Mr. President, I want to thank the Majority Leader for explaining exactly what I understood, that this unappropriated fund of surplus money is not sacred in any way, shape or manner, but could be spent whichever way this Legislature saw fit.

Now, in previous discussions, the attempt was made, in this Senate at least, to make me believe, and

make members of my party believe that this was untouchable money except for non-recurring items. I imagine that opinion was based on the fact that the good Governor of our state had made the statement in one of his addresses that this money should be spent for non-recurring expenses. That being his wishes and his thinking, I respect them. But I don't believe that in an emergency, such as the one that faces us of having to decrease the salaries of our employees, that we should hesitate to dip into this unexpended surplus fund.

I don't think that we should hesitate for one minute to go in there and appropriate whatever money we need to carry on for the next two years to pay our employees their present salaries.

Mr. COBB of Oxford: Mr. President and members of the Senate, I would like to bring our discussion, if we can at this point, back to the bill in question. It seems to me that there are two ways of looking at this business of a new entrance building at the Turnpike. As a business man, and as a man interested in people coming in from outside of the state and spending their money in this state to help the prosperity of the state, it seems to me that one point of view is to perhaps admit—call it a limited point of view—we should pull in as times seemed to get a little harder and not make these expenditures telling the world about the State of Maine and come back to a so-called self-sufficient, low limited existence. The other point of view is the point of view that I have to take as a business man. When things slow down, I am concerned about what I earn, and what I have to sell, and so it becomes necessary to go out and advertise my products and work harder to keep things going. I feel that I have to put my emphasis on telling the world more and more and working harder and harder to get the word out about what we are doing in this State of Maine.

I can't subscribe to the cutting down of funds which I honestly believe bring tourists to the State of Maine and money that helps us meet the needs which have been described by the Senators speaking this morning.

I am as heartily in accord with the three, four and five as is any member of the Senate. I am heartily in accord with the needs of education. But I think the way for us to meet those needs is to put every possible emphasis on the development of the state, bringing the interest of the outside world into the State of Maine.

The Senator from Androscoggin comes from an industrial city where I understand people have been laid off from mills. I would like to see an entrance building down there in which we could have a display of everything that is produced in the State of Maine. My type of business brings some very wealthy people into the state. I can assure the members of the Senate that they are not going to run by that building, particularly when there is a gate directly ahead of them where they stop to get a toll ticket. They are going to stop, because I will see, as other people will see, that they are informed of the opportunity of seeing what the State of Maine has to offer right there at the entrance point to the state. I will admit the other things which we are considering are very worthy, and it may seem hard in view of these other worthy bills to do this particular thing. On the other hand, I believe it is something that is sincerely for the best interests of the state that will help permit and bring in the money that we need for these other services.

I hope this measure will receive acceptance.

Mr. VARNEY of Washington: Mr. President and members of the Senate, this morning I was very much interested in favor of this proposition but as one who is interested in the education of our youth I do object to closing the door of education to our young

people in the State of Maine and then spending thousands of dollars in building a door to the state for the benefit of the tourists who if they don't find that building there, it is said, would turn around and go back.

I do not believe the erection of that building will bring a single tourist into the state and I do not believe it is necessary to appropriate so much money as has been advocated here to build a front door to the State of Maine especially when it is going to jeopardize continuing the pay of the employees of the state who are now working for the state at barely living wages. If the expenditure of this money is in any way going to close the door to our state employees receiving a continuance of the increases in their wages, then certainly I am against it.

I believe it is time we retracted a little bit and instead of thinking in terms of the people who are coming in here for fun that we try to do something for the youth of the State of Maine, instead of thinking about the fellow who has a roadside stand somewhere and the little bit of business he is going to pick up. It doesn't make sense to me, and I believe that if we do this we are going home to face an indignant public because of the way we have treated the youth of Maine.

Furthermore, if we are going to expend money for the development of a state park, the money which goes into that comes from the tax payers of the State of Maine who will never, never, never see that park, nor will most of them know that such a park exists.

I think there must be something the matter with this legislature when we start spending the money of the tax payers of the State of Maine for these unnecessary things. I think it is time we began to give a little serious thought to what we are doing and to be thinking about the youth of Maine and the aged people and the people who are now working for the State of Maine on just a bare living wage.

Mr. COBB of Oxford: Mr. President and members of the Senate, I do not like to speak a second time on this matter but this does bother me. After listening to the comments of the Senator from Washington, Senator Varney, I would like to break down some of the suggestions he has made into the actual situation which exists in my small town.

We have one business in our town that happens to be a business I am connected with. I believe I pay more taxes in the town of Denmark, Maine, than any other citizen in the town. I provide more money to the schools and for the help of the school children than any other citizen in the town. I provide work for the people of Denmark who otherwise would have little opportunity to earn any money, at the present state of our industrial operations. And I think there are many people, perhaps many Senators in this room, who are in exactly the same position I am.

I am thinking of the interests of the State of Maine. I want to help support the people of my town. If I had the opportunity to become incorporated and could make more money personally that way I would not do it because I am helping the people of that town through the taxes I pay. When somebody gets up and says, "Don't do these things; take care of the children in the state and their needs for schools, I say that is just exactly what the business people of this state are doing. What happens, for instance, when they want help for a church? Whom do they go to? They seek out the biggest tax payers in the town and city and they are the largest contributors for everything that comes up in that community which is for the benefit of its people or of the State of Maine. And then some body gets up and say, "You people who are making money or running a roadside stand, or what not, shouldn't talk." We are contributing to the vital life of this state and contributing to the education of every citizen of it.

We have come to the place where we have got to stop and consider what the industries of the state are doing. The erection of that building will help the industry of the state, it will help the mills and other large producers, it will help individual enterprises all over the state, by bringing in more money for the things we need in the State of Maine. I certainly hope that this matter receives serious consideration.

Mr. VARNEY: Mr. President, I have just one comment to make. I believe if we want a front door to the State of Maine we might go down to the Department of Education and select one of the school buildings that is being propped up to keep it from falling over, that is under the jurisdiction of the State of Maine. Those are the kinds of school buildings that the State of Maine is supporting today. If we could move one of those school buildings down there and make a front door to the State of Maine it would attract more attention and it would stop more visitors, I think, than any \$200,000 door or any \$100,000 building you might erect.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Lincoln, that the Senate accept the Minority Report "Ought to Pass".

Mr. BOUCHER of Androscoggin: Mr. President, I ask for a division.

A division of the Senate was had. Twenty having voted in the affirmative and twelve opposed, the "Ought to Pass" report was accepted in concurrence and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve Providing for certain Construction at the Northern Maine Sanatorium (S. P. 285) (L. D. 486) tabled on April 6 by the Senator from Somerset, Senator Savage, pending final passage.

Mr. BARNES of Aroostook: Mr. President and members of the Senate, this is a resolve presented by

me. It came from the department and it asks \$40,000—the original resolve did—for the purpose of constructing a house at the Northern Maine Sanatorium at Presque Isle, a two family house, for the purpose of living accommodations for married people at that institution.

The Appropriations Committee had a public hearing on it, listened to the arguments and decided that a building made of wood would be sufficient for the purpose and therefore you now have this resolve before you calling for only \$20,000 instead of the original \$40,000

With that, and in the spirit of economy that prevails in this legislature, I agree. This seems to be one of those items that would come out of unappropriated surplus. It is badly needed there in order to maintain the staff and the help they need in that institution. I hope this resolve will receive passage.

Thereupon, the resolve received a final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of the University of Maine for Law School (S. P. 337) (L. D. 568) tabled on April 14 by the Senator from Penobscot, Senator Williams pending passage to be engrossed.

Mr. HASKELL: This is not a resolve coming from unappropriated surplus. It would require operating money. That money does not exist, and I therefore move the indefinite postponement of the resolve.

Mr. SLOCUM of Cumberland: I appreciate that this law school can not be put into effect at this time. However, I understand they have a very fine library which is not being used at this time, and the suggestion was brought to my attention that it might be possible that this be loaned to the Portland University Law School if the trustees of the University saw fit to do so.

I would like to move that this lie upon the table to see if some amendment striking this out as the

resolve to start a law school might be worked out where the use of these books could be put to some practical purpose until such time as a law school might be established at the University of Maine.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Slocum, that the resolve be laid upon the table.

The motion prevailed and the resolve was laid upon the table pending motion by the Senator from Penobscot, Senator Haskell, that the resolve be indefinitely postponed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act to Construct a Bridge Between Old Town and Indian Island (S. P. 638) (L. D. 1409) tabled by the Senator from Somerset, Senator Savage, on April 13 pending passage to be enacted.

Mr. HASKELL of Penobscot: Mr. President, I am hesitant in speaking for this bill, because it was a bill which I introduced. But I thought then, and I continue to think that it represents a real need. We have about six hundred Indians on Indian Island, and the ferry that operates between Indian Island and the mainland is difficult during many seasons of the year. This is from General Fund, because the Indians are basically a problem of General Fund and not highway fund.

I am hopeful that there will be complete debate on this. I am embarrassed by having to support under this program a bill that I introduced. But I think it is deserving of debate and consideration, and I honestly hope that the act does have final passage.

Mr. LEAVITT of Cumberland: Mr. President, I suppose in the interest of having this bill killed, I ought to support it. But I still am at a loss to find out what we are thinking about here. We have just killed a \$25,000 bill to create the University of Maine Law School. That is out, so we kill it. We spend \$100,000 to build a new portal of

entry for the state which most probably will be of no use. We spend \$200,000 to help the military in building armories which we hope we will never have to use. And we have spent some other money which I can't see any sense to.

The Indians naturally want a bridge there. The Indians have been here since—well nobody knows how long—several thousand years, anyway. And they have been paddling across this brook for that length of time. I don't see why now, when we are short of funds; and when we all admit that we can't meet even the budget items; and we are not going to be able to pay our state employees; and we are not going to pay the teachers what the law has already set up—yet the floor leader wants \$165,000 so the Indians won't have to paddle across this stream any more. So, I suppose we will have to go along with it.

Mr. HASKELL of Penobscot: I appreciate the good words of my friend the Senator from Cumberland, Senator Leavitt. But really, Senator, the Indians haven't been paddling across there for two thousand years. As a matter of fact, it wasn't too many centuries ago that they had the whole country all to themselves and weren't pushed off on the corner of an island so that we can occupy the mainland with our own property and our own schools. We are responsible for putting those people over onto Indian Island, and I think that we have got a little bit of responsibility to connect them up again with the land that once was theirs. I think that is a basic responsibility, and I think we ought to acknowledge it by giving them this bridge that they have been down here and pled for session after session after session.

It certainly is not an unappropriated surplus item, and certainly acknowledges one of the most basic debts that the white people in the State of Maine have. We took their country from them. We took their lands from them and appropriated those lands unto ourselves, and to

say that we can't at least connect them up with the rest of the State of Maine seems to me to be just a little bit unfair.

Mr. SLOCUM of Cumberland: Mr. President, when I was down here twenty years ago, a similar measure was before the Senate, and we were very sympathetic. We wanted to help the poor Indians. We were all for a bridge, but it was never built. I believe I can relieve the mind of my colleague from Cumberland County in his interest in educating and getting support for this measure, if he appreciates that the children of Indian Island have to cross that river in the wintertime on the ice to go to high school in Old Town, and therefore there is an educational feature in the building of this bridge.

Incidentally, I am informed, and I believe reliably, that since I was down here 20 years ago, twenty-two children have been drowned trying to cross the ice to get to and from school. I do feel that this is one project that certainly should have priority over some of the other worthy projects.

Mr. BOUCHER of Androscoggin: Mr. President, being one of the individuals that the Indians have scalped, having been on the Indian Affairs Committee for fourteen years, I feel it is my duty to raise my voice in their defense. There is no question in the mind of anybody that has been to Indian Island that there is a great need of a bridge there in the fall season and the spring season. In the summer, it is true they can cross by boat or canoe, and in the wintertime they can cross on ice. But those changes of the seasons do come when it is a miracle that more people do not drown. After all, even the white people like to go over to Indian Island to visit them, and I have feared for my own safety going in there with a committee crossing that ice by automobile, especially late in the wintertime where the ice was starting to break up. It has been well stated by the Senator from Penobscot, Senator Has-

kell, that after all, if some of us pride ourselves in being the first people to occupy the face of the State of Maine, those people were here much before any white man ever tread the State of Maine. All these lands, rivers and islands were their property at one time. It is through our doings and actions that they have been pushed back onto this Island. It would seem that the least we could do is to give them the facility to cross over from the confinement that we have put them in from the island onto the mainland so that they may do their business and trading and go to school as has been well pointed out by the Senator from Cumberland. There is no high school on the island. There is just a grade school, and there is a great demand for those school children to go to high school at Old Town across the River.

Some of the able-bodied Indians are also working on the shores of Old Town. Some of them are in factories there, and it is quite an effort for them to travel back and forth from their work to their homes and from their homes to their work. Some of the most painful experiences of the Indians have been at times when there is sickness in their family, and it is impossible for them to get a doctor from the mainland over to the Island. Now, they have told me and retold me of those instances time and time again in the spring and the fall of the year when no medical man will attempt to cross the River on account of the condition of the River at that time, through ice floes of open water. So, if I have opposed most of the measures so far, I feel that in all conscience and sincerity I can endorse this one. This is one of the measures that I can well endorse, because it has been a measure that has been deferred for a long, long time.

Ever since I have been in these legislative halls in 1935, the Indians have requested their bridge at that point, and we have always told them, well the next Legisla-

ture will give you one. If you keep telling them that, some of us won't be able to tell it much longer. I think it is about time we came through with out political promises and fulfilled them. The Indians were here this winter, and they left here very much elated, believing that they were to get a bridge. Both the Indian Affairs Committee and the Appropriations Committee have told them that money would be made available for their bridge. I don't feel it is a proper thing at this time to let them down and say, no, we were just fooling. We didn't mean it. You will get it at the next session of the Legislature.

Mr. LEAVITT: Mr. President, I hope that nothing I have said in my brief speech will in any way make one think that I am treating the Indians with levity. I know we have a debt to them. I know that they were here before we were, that they owned the land and we stole it away from them. On the other hand, I can't get terribly excited over the fact that these people have been driven onto an island. Down in Portland, we don't call them Indians, we call them Peaks Islanders. They live on the island down there, and they have no high school. They have to go by boat to high school. We have Chebeague Island and people come back and forth from those islands. I don't know how many have been drowned. I have never heard of any getting drowned. I suppose it is because they don't try to swim it. They go by boat.

Since Senator Slocum of Cumberland, my colleague, was here, this state has spent over \$20,000,000 worth of surplus money. Some years we have been pretty hard up trying to find out where to spend it. This year, I don't think we are hard up. We can spend it very easily. Yet, I think all the Indians were down here then and have been every year trying to get this money. When we have had plenty, we haven't seen any great necessity to do it, but here now when everybody is faced with the shortage of

money and we don't know what we are going to do, or how we are going to pay certain bills, all of a sudden it becomes very necessary to build a bridge from Indian Island over to Old Town. I think next I am going to come down and get the money to build a bridge over from Peaks Island so the people can walk over to their work and to their high schools. I just can't see the matter of \$165,000 in this instance.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, if my judgment as to the value of Indian Island is correct, the \$165,000 proposed in this resolve will equal approximately that of the Island and the buildings on it. It might be 50 per cent up and down one side or the other. But this resolve calls for \$165,000, and apparently the principal need is for the people to get on and off the Island. It is a small island. There is certainly no reason for building a highway there to them.

I assume this resolve calls for a highway. I have heard it said that it does, and I have also heard it said that a foot bridge could be built for but a fraction of the cost of the bridge proposed in this resolve. I think the Senate should consider that.

I am not impressed with the statement that has been made as to the need for numbers of people and cars to get on and off of Indian Island and do it safely. The Senator from Cumberland has a comparison which has no validity when he compares the situation of crossing the bay from Peaks Island or cross the Penobscot River in the icy season. There is no comparison at all.

We are obligated, and we should find a way to build a foot bridge so these people can get on and off of Indian Island every day in the year.

Now, if this bill receives passage, I shall ask for the privilege of tabling it until we can go back to the highway group to determine

what would be the cost of a foot bridge which I think we need.

Mr. HASKELL of Penobscot: Mr. President, the act being at the enactment state, I think we possibly should debate the issue as to whether or not it should be a foot bridge or a highway bridge. As originally introduced, it provided for a two-way highway bridge between Milford and Indian Island. As it was amended, or brought out in new draft, I think it provides for a single lane highway bridge between Old Town and Indian Island.

We who are interested in the thing discussed at great length the merits of a foot bridge. One of their major difficulties is in getting their supplies over there, particularly their coal, oil and what have you. Another difficulty of considering just a foot bridge is the fact that surprisingly enough those people have some ambitions to develop a little industry on Indian Island. They are expert in handicraft work. They are hopeful that when a highway and bridge is put over there, it will be such that they can take raw materials in, and finished products out, that they could develop themselves economically and be less of a burden to the taxpayers in the State of Maine. I had something of the impression that many of you had previous to my work with them this winter. I was surprised to see the apparent ambition and desire that a great number of those people have upon that island to want to do something with themselves and their people.

For that reason, giving them a foot bridge and telling them, no, we don't want you to have the advantage of commerce seems to me a little bit harsh. I think they have demonstrated a desire to be self-supporting, and I think this is the one thing that will give them the courage to go ahead and be self-supporting. This bill is up for enactment, and if the Senator from Kennebec wishes it, of course it should be tabled. I think that is the issue, Senators, and I do hope that the bill will be enacted as a

highway bridge, a single-lane highway bridge.

Mr. McKUSICK of Piscataquis: Mr. President, as the Chairman of the Indian Affairs Committee, I feel it is my duty to express myself on the matter of this bridge. I would ask you to put yourselves in the Indians place. I don't feel we should compare the cost of this bridge with the value of the property there. I think we should compare the cost of the bridge with the value of 600 human beings. There is a community of 600 people. The matter has been brought out that this is an educational problem. There is a large school population there. A portion of them go across the River to Old Town to school. They are dependent for medical services in crossing the river. Most of you here in Maine have seen our Maine rivers when the ice is going out, and can you imagine the situation that would exist when a child is stricken with sickness which requires an emergency operation. Perhaps you will consider the feelings of those parents. They have a serious situation. Then, as has been brought out, all their supplies must cross the River. And if you stop and realize, the supplies for 600 people is a considerable amount.

When we visited the Island this year, owing to the fact that the winter had been mild, we found that they had been obliged to haul the wood they had cut on the shores of Old Town over to the Island, because that was the only safe way. If you could put yourselves in the place of those people and consider that the hope of a bridge has been held out to them for years, and now here is the opportunity.

This is not a recurring expenditure. We have the surplus which we do not feel like expending for recurring expenditures, and I feel it is our duty to give those people a bridge simply as a fair deal.

Mr. NOYES of Hancock: Mr. President, I move that the Senate recess until 1:30 Eastern Standard Time.

The motion to recess prevailed.

After Recess

The Senate was called to order by the President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate pass to be enacted, bill, An Act to Construct a Bridge Between Old Town and Indian Island.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I think we were making adequate progress in getting information before us, before we recessed, but I do not think we have quite got all the facts. You will remember that there is a part of the year that automobiles and teams can be driven on to the island when the river is frozen so there is always an opportunity to move heavy objects on to the island. That, I think is another reason why one might consider that a footbridge could do the job. There may be other points worth mentioning.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be passed to be enacted.

Mr. HOPKINS of Kennebec: Mr. President, I move that this bill lie on the table.

A viva voce vote being had, the motion to table did not prevail.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill was passed to be enacted.

The PRESIDENT: At this time the Chair will appoint the Senator from Penobscot, Senator Ward as President pro tem of the Senate, and will request the Sergeant-at-Arms to escort that Senator to the Chair.

This was done amidst the applause of the Senate, President Cross retiring.

The President pro tem laid before the Senate, Senate Report "Leave to Withdraw" from the

Committee on Judiciary bill, An Act Relating to Assistant County Attorneys for Cumberland County (S. P. 206) (L. D. 269) tabled by the Senator from Cumberland, Senator Allen, earlier in today's session, pending acceptance of the "Leave to Withdraw" report of the committee, and on motion by Mr. Allen of Cumberland, the "Leave to Withdraw" report of the Committee was accepted.

Sent down for concurrence.

The President pro tem laid before the Senate, House Report from the Committee on Taxation on bill, An Act for the Assessment of a State Tax for the Year 1949 and for the year 1950 (H. P. 250) (L. D. 79) Majority Report "Ought to Pass", Minority Report "Ought to Pass as amended by Committee Amendment A, tabled by the Senator from Penobscot, Senator Haskell earlier in today's session pending consideration of the reports.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, this is the act that refers to the local real estate taxes for the next biennium, commonly called the State property tax.

As you know, the state property tax has been $7\frac{1}{4}$ mills since 1933. You also know there have been insistent requests that the rate be reduced or that the state retire from that field.

In signing the Minority report, the amendment suggests that instead of a decrease the state property tax be increased by half a mill, and at the same time, on the same amendment, that the University of Maine mill tax, so-called, be increased from one mill to one and a half mills. I thought it was reasonable to do that, and my reason was this, that during the last twenty years, when the University of Maine had received that one mill tax as their income, we have certainly seen all other educational appropriations at both the local and state levels increase very substantially. At the University of

Maine, we have seen enrollments go from 1200 to four thousand at least and probably their operating costs are going to continue at somewhere near the level that they now exist because even with a substantial reduction in student enrollment, there will be a corresponding reduction in tuition fees and not a corresponding decrease in operating expenses.

It seems to me that the State of Maine should acknowledge in some basic way that the University of Maine does need more money to operate on. It seems to me that to get this additional money the University should not be forced to come to this legislature every two years and fight for supplementary appropriations. We have seen this year that the lack of general funds income available appears to have stopped, at least for the time being, the continuation of the University of Maine supplemental appropriation of \$325,000.

I realize that I would stand alone undoubtedly in a motion to accept the minority report, but for those who believe that education is fundamental, I will at least try to indicate that I share that view and I am willing to support the proposition of increasing one of the most unpopular taxes in the state to accomplish that, so, Mr. President, I move the acceptance of the Minority Report, that the bill should pass as amended by Committee Amendment A.

Mr. NOYES of Hancock: Mr. President, if the Senator from Penobscot were consistent, he certainly would never have put in this amendment that he has put into this bill. For what he is actually doing, is to increase the mill tax for the University of Maine by one half mill, and if it had been his intention, or his desire that the mill tax should be increased, it is my contention that the bill should have been introduced into this legislature, given a proper hearing and then my vote might have been different than it is on this report. I oppose his motion for that reason.

I also oppose this amendment, because it is a dangerous precedent to establish that you can go through the weeks of this legislature as we have and find at the end of the session that certain deserving measures are not to be passed due to insufficient revenue and find yourselves in a position whereby, only by adding a half mill or one mill or two mills to a mill tax could you raise the necessary revenue to carry into effect these bills which would be deserving.

The state tax of $7\frac{1}{4}$ mills has remained at $7\frac{1}{4}$ mills since 1931 or 1933. Previous to that time it varied and every session of the legislature tried to keep that mill tax down. If they could reduce it by a quarter mill they thought that they had accomplished a great feat, but we have stayed with a $7\frac{1}{4}$ mill tax now for almost twenty years and it is generally accepted that that mill tax should not be increased.

I therefore hope that the motion to accept the Minority Report does not prevail.

Mr. COLLINS of Aroostook: Mr. President, I certainly want to thank the Majority Floor Leader and I appreciate his effort in behalf of the University of Maine. I feel it is his sincere desire to do everything for the University that he possibly can. For that reason I am willing to support his motion to accept the Minority Report, with the amendment, although I realize as I think he does, it would be a futile gesture.

I might say in answer to some of the remarks of the Senator from Hancock, Senator Noyes, that the trustees of the University did consider putting such a bill into the Legislature at the beginning of the session. I think, however, that it was decided by the Board of Trustees that in view of the fact that there was a possible change in the tax structure of the State, and that possibly the property tax might be eliminated, that they did not want to put anything before the Legislature at that time that

would embarrass any tax bill that had that provision in it.

So for that reason there was not any motion made asking for an increase from the mill to the mill and a half which is about the amount required and probably will be required for a number of years to come.

At the same time, I feel that while this increase does represent a change from the policy that we have been carrying on for a number of years, that with the amendment that it would serve a very useful purpose, and for that reason I will support the motion of Senator Haskell.

Mr. LEAVITT of Cumberland: Mr. President, I rise with pleasure to support the motion of the floor leader, Senator Haskell of Penobscot. I think he is doing a very logical thing. The University of Maine years ago put in this bill, arranging to have one mill of the seven mill tax, so that the school would be kept out of politics for the years to come. The school has grown and it now takes more money than that one mill can provide and as long as we have the mill tax, as long as we have decided not to repeal it, and probably it will stay on the books for another twenty years as Senator Noyes has said. It has been on there for twenty years and probably will be another twenty.

It seems perfectly logical to add for the University one half mill to that tax so they won't have to come back here every two years and fight for the money they need to keep the school going. I know. I have tried to run a school myself and every time we came down here we have had to fight to get the money we needed to keep going. The University of Maine has been going on long enough so that everybody should know it is worth keeping and it will take a mill and a half extra to do it.

We know that some of the opponents of the two tax measures that we tried to pass, the sales tax and the income tax, say that once we get it on the books, that one

percent or two percent, it only means that the next Legislature will increase the tax to two percent or four percent. They say that is the way of legislatures.

The way we stopped from increasing the mill tax in years past was by passing the nuisance taxes and where we have killed all the other bills, unless we do something else very shortly, I predict that the mill tax will be up to twelve or fourteen percent. It has got to be in order to run the State the way we want it run.

In fact, I think we should amend and increase this tax to take care of the employees' salaries and make it possible that the Education Department has the money it needs. I am not going into that at this time but I hope that the motion to increase the mill tax by one half percent will carry.

Mr. BARNES of Aroostook: Mr. President, I am very violently opposed to the motion that is now before the Senate. I am one of those who believe that we should do away with the seven and a quarter mill tax, and here we are considering a measure to increase it. I have said before, I think, in this Senate. I can remember one year back in the 30's, the middle 30's, when in one Superior Court session there were 3,500 tax actions entered in the County of Aroostook alone. Then we passed the lien law so that we could carry them through court. But I can easily conceive of the time if it were left at the present rate when there might be that number of tax liens go on again in Aroostook County, and I have seen property go back to the town and be lost because of inability to pay taxes.

I realize quite fully that the seven and a quarter mills that is the state's share of those taxes wouldn't probably make the whole difference. But it is the last straw that has broken the camel's back in a great many instances. I also am quite a firm believer in consistency. I had the honor when I was speaker of the other branch of appointing the Senator from Penobscot, Sentaor

Haskell, and the Senator from Aroostook, Senator Collins to the Legislative Research Committee. And in two separate reports, at least since that time, their Committee has come out very strongly for the withdrawal of the state from the seven and a quarter mill tax.

As a matter of fact, at this present session, the Legislative Research Committee came out with an additional report which I have understood was compiled by the Senator from Penobscot, Senator Haskell, setting for the tax situation in all of the 48 states of the Union, the purpose of which was to show how out of balance the State of Maine was and how archaic its tax system was in depending heavily on the taxation of property. And now we have this move which is inconsistency to the 'nth degree, as I see it. Lets face up to this problem. We had a proposition the other day by another one of the Senators who has argued for this bill, which was a brand new proposition to the State of Maine, which reduced to its simplest terms was the allocation of surplus that might accrue over the next two years in order to support an appropriation for the Maine Maritime Academy. I don't know whether I would be guessing or wildly stabbing in the dark, but I think this may be true. It may be the reason why the Senator from Penobscot, Senator Haskell, and the Senator from Aroostook, Senator Collins, are supporting this measure is because of their own need. They don't want to drown. I can't go along with inconsistencies like that, and I know and believe the rest of you senators know that deep down in their hearts they couldn't go along with the Research Committee reports condemning the real property tax and still get up her in this Senate with a proposition to increase it.

I certainly hope that the Members of this Senate when they come to vote won't be taken in on this one.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I am not too worried about

this motion. To me, I think it is a joker and a little short relief in the tension of the last days of this Legislature. It certainly is not consistent with the action we have taken throughout the last three or four months we have been in session here to raise the mill tax at this time.

I, for one, certainly will not vote for it, because I don't think I would dare to go back in the county of Androscoggin, and especially the city of Lewiston with an increase in the mill tax. I read in the newspapers of Lewiston that the county tax, to the great surprise of the City of Lewiston, had been raised to some eight or nine thousand dollars more than had been anticipated, so that the City of Lewiston is now facing a deficit in its budget of some \$5,000 for its county tax. If it had to face a new deficit for a state tax, I don't know what the next move would be. I offered, if my recollection is right, an amendment sometime during the proceedings in the last few months whereby we would remove at least part of the state tax, reducing it by two and a quarter mills. I can't believe that this is a serious attempt at this time to raise this tax.

Therefore, I am not going to waste any more of your time, or my time, on the matter. I can assure you that I shall surely vote against it.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, I have some figures here which I happened to be discussing with the Finance Commissioner since this debate started which I think are interesting. The mill tax for the University of Maine in 1931-1932 produced \$757,289 annually. The amount spent from the mill tax for research, extension, and so forth in 1931 and 1932 was \$123,000 annually. That left for education and operation of the plant \$634,000. There were then 1,700 students. That gave a per capita state grant of \$370. In 1949 and 1951 the mill tax will produce \$762,175 annually. The amount budgeted for research, and extension from this mill tax

in 1949 and 1951 is \$260,000. That leaves for education and operation of the plant \$502,000 annually. In 1949 and 1950 there are 4,000 students which per capita is \$125 of state grant per student, whereas in 1931 and 1932 it was \$370. The estimated number of students in 1950 and 1951 is 3,200. That will give a per capita state grant of \$157.

Mr. SLOCUM of Cumberland: Mr. President, I think this is mighty serious. We have got to give more money to the University of Maine. We weren't giving them too much back in 1929 when we first passed the mill tax of one mill, and we had one-hundred-cent dollars. Today, charitably speaking, they may be fifty-cent dollars, and we are trying to run the University of Maine on the same number of fifty-cent dollars, or approximately the same as in 1931 and 1932 when we had one-hundred-cent dollars. We are kidding ourselves, or are we? When we continue on the one mill and then take out of another pocket a substantial amount of money and add to the mill tax, we are taking that money one way or another. Now, let's man fashion take that right out and let the people realize what they are giving that money for. I know they want it. It should be done, and I believe that this is not inconsistency on the part of anyone that they might have voted to do away with the mill tax, a property tax for running the state. And now, where we can not do away with it, and we have to have the mill tax, we should raise enough to pay the legitimate expenses of running our state and our state institutions.

In our town we first appropriate the necessary moneys to run the various departments, and then the tax rate is assessed upon the amount that we have had to raise to run the town. It would seem the same thing is indicated here in the state. We have certain necessary expenditures to meet. You can't run the University of Maine on a few dollars and a lot of love and kind words. You have got to have

enough dollars to run it, or else close it up. If we are going to have a supplemental appropriation of \$300,000, it is just taking the money out of another pocket. Let's man fashion have sufficient mill tax to run the University of Maine, and then if necessary, as long as we do have to have a mill tax to run the state and its various departments, let's raise sufficient revenue under the mill tax to run it and run it right, or close down those departments we can not afford to have.

Mr. NOYES of Hancock: Mr. President, I still contend that this is rather a late hour to bring in a new tax bill, and what we are doing here today, or talking of doing, is the same thing that was done in the 93rd Legislature when they passed the tobacco tax and cigar tax. You have all heard and are quite familiar with the adoption of that.

Now, it doesn't seem as though it is going to require too much debate to determine the policy of this Legislature if we are going to bother to even consider such an amendment. When the Senator from Penobscot indicated to me that he was going to put in this amendment, I thought he was joking, and I said, "Yes, I will put in one to raise it a mill and a half to take care of school construction." I couldn't see any reason why we couldn't put in a mill and a half for equalization and another mill and a half for teachers' pensions, and another half mill for fire control. The Senator from Penobscot, Senator Williams, points out that this mill tax only produces now slightly more than it did in 1931 or 1929, and the only reason for that is this, your mill rate in the State of Maine is so high that your valuations have not gone up as they should have. The trouble is with your valuations and your rate taken together. Normally, a mill rate will give increased revenue. But when you have got a tax situation in the State of Maine where the average tax rate in this state in

the municipalities is almost 75 mills, you have got a condition there that almost prohibits increased valuation through which you could increase revenue with a fixed tax rate. Now, with this fixed mill rate that we have at the University of Maine, if our tax structure were sound, and we had an increase in valuation which we should have, the University of Maine would have more revenue. Therefore, I hope this motion does not prevail.

Mr. LEAVITT of Cumberland: Mr. President, if any remarks I have made seem facetious or in a light vein, it is simply because I have talked so much and don't want to bore you by getting serious. Actually this is a way to raise money and I know that the Senator from Penobscot is not facetious when he suggest it, and I am not.

We have tried every possible means to raise new taxes, not because we want to raise taxes but because there are certain fundamental services which this state should furnish to the people and one of those is to run the University of Maine. One is to pay teachers and one is to construct schools. I know that we cannot put in four or five or six amendments and raise this up to ten or twelve mills at this time, and I would oppose any such increase in the mill tax this year, but we have had the University of Maine under the mill tax, and it is logical now, where they are three or four hundred thousand dollars short of the money to run the next two years, that we give them another half mill and if at any time the State of Maine is going bankrupt because of that, too bad.

I would like to see this whole tax of seven and a quarter mills eliminated and have either a sales or an income tax to take care of it but we have failed to do that. We are not inconsistent now. We have tried everything we can try, and here is another thing that can be tried. Let's go ahead and try it. We can't any more than have our heads bashed in as we have already, some of us. Let's go ahead. Let's not be

a bunch of quibblers. We know these services are necessary, let's keep on going ahead and try and get these services through, I for one am behind this one a hundred percent.

Mr. HASKELL of Penobscot: Mr. President, I am sure it is not important with respect to anyone making up their minds how they will vote but since the issue has been raised whether or not the Floor Leader is serious in the matter, I will make this comment.

First, I would not be serious in telling anyone that I think my motion will prevail. If I were attempting to predict that I would be facetious, but on the question as to whether or not it is the right thing to do, I would seriously say that I do think it is the right thing to do. I believe the University of Maine needs that additional support.

I think it is the most unpopular place to put the levy but it brings home in a general way, the fact that some of us are willing to vote for taxes to support the things we think our citizens want. Therefore, I am in earnest in my conclusions that it is the thing to do.

We have asked that University to take on service after service after service and we expect to continue to support them with a one mill tax, with a larger student body, with higher wage rates, higher cost of construction and higher cost of all goods, and it is not consistent, I think, to expect that of the University of Maine and expect to hold their appropriation down. Certainly I do not speak in any respect as Floor Leader. There are nine or ten of the committee who felt differently and that should be conclusive to you, but I think there is a lot of merit in acknowledging that the University of Maine needs more money from a suitable source to operate the type of university we want.

Mr. LEAVITT of Cumberland: Mr. President, I ask for a division.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that

the Senate accept the Minority Report "Ought to Pass as amended by Committee Amendment A" and the Senator from Cumberland, Senator Leavitt, has requested a division.

A division of the Senate was had.

Fourteen having voted in the affirmative and fifteen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Noyes of Hancock, the Majority Report "Ought to Pass" was accepted in concurrence, the bill was given its first reading and tomorrow assigned for second reading.

At this point President Cross resumed the Chair, Mr. Ward of Penobscot retiring amidst the applause of the Senate.

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

ORDERED, that all bills and resolves which are passed to be engrossed in concurrence in the Senate, may during the remainder of this session, be sent forthwith to the Engrossing Department.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table Resolve in Favor of the City of Bath for Loss of Taxes (H. P. 2082) (L. D. 1541) tabled by that Senator on May 4 pending final passage; and that Senator moved the pending question.

The PRESIDENT: The Senator from Franklin, Senator Crosby, moves that the resolve receive final passage.

Mr. WILLIAMS of Penobscot: Mr. President, I had this called to my attention and I haven't had time to look it up but as I recall, this is highway funds to be turned over to the city. Two years ago I tried to get a few highway funds appropriated here for Boy Scout work and they said that was unconstitutional. Now, if it was unconstitutional to give the highway funds to the Boy Scouts, I am going to say that to turn these funds over to the city is unconstitutional.

I think I will move at this time, the indefinite postponement of this resolve.

Mr. CROSBY of Franklin: Mr. President, I will try to give a little explanation of this. It seems the Highway Department took some buildings in Bath by right of eminent domain to build an overpass, then the war came along and they couldn't do any construction work, so during the war with the increased demand for rents, they rented the buildings and received some twelve or thirteen thousand dollars revenue in rentals from these buildings.

The city of Bath felt they should have taxes on those buildings while they were being rented and producing revenue for the state. That is the only explanation I have. I tabled this to find out why this should be coming from highway funds.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, I never like to dive into these county affairs but this looks to me like a departure from the general rule, this paying out highway funds for something. If they had a claim against the state, why didn't they bring it in like any other claim? It did go to the Committee on Claims I see from the bill, but it is still out of highway funds and I think that as long as we are guarding those funds as closely as we are, I think my motion should prevail.

Mr. ELA of Somerset: Mr. President, I move that the resolve be laid upon the table.

The motion prevailed, and the bill was laid upon the table pending motion by the Senator from Penobscot, Senator Williams, to indefinitely postpone.

Mr. HASKELL of Penobscot: Mr. President, we have noticed in the Senate Chamber this afternoon, the presence of very many attractive ladies, and I would like the permission of the Senate to escort that lady who, in the opinion of the members of the Senate, is the most attractive, to the rostrum so that we may all enjoy her presence.

The PRESIDENT: In behalf of the Senate, the Chair requests the Floor Leader to escort the lady to the rostrum.

Thereupon, Senator Robert Haskell escorted Mrs. Burton M. Cross to a seat at the right of the President.

Mr. BOUCHER of Androscoggin: Mr. President, I want to thank the Committee on Arrangements for giving me the honor of presenting to the very gracious and very lovely lady a bouquet of flowers in token of our esteem for her.

Mrs. BURTON M. CROSS: I have always longed to be able to express my feelings with words, and if I ever needed them I do today. Thank you sincerely for this lovely bouquet of roses. It is my first presentation bouquet and I am as thrilled with it as anyone.

On motion by Mr. Haskell of Penobscot, it was

ORDERED:

WHEREAS, the Officers of the Senate of the 94th legislature are of one mind in their desire to leave with President Cross a permanent reminder of their appreciation of his kindness, his patience, and his friendliness; and

WHEREAS, each of us has a similar desire with respect to the attractive and gracious Mrs. Cross, now, therefore,

BE IT ORDERED, that the members of the Senate here assembled give passage to this Order, directing that our dean, the Honorable Chester T. Winslow, shall now step down from his elevated station, face the President, and present to him a token intended, in a measure, to express the affection and regard of the Senate Officers for President and Mrs. Cross.

The SECRETARY: I consider it a great honor to be directed to present this gift to you both, and along with the gift, I know that the Officers of the Senate wish to express through me, their best wishes for your continued health and happiness and prosperity.

The PRESIDENT: Chester, I understand that I should open that,

but I think perhaps I had better not. In behalf of Mrs. Cross and myself, I certainly wish to thank you and all the other members of the Senate staff, each and every one of you. I certainly cannot fail to take this opportunity to say to you that I have never requested anything of the administrative staff that I have not received one hundred percent cooperation. In fact, the smallest thing I could think of was the first thing they would do. I appreciate that cooperation. You all know how essential it is and I know it has come from your hearts. I know that you feel very kindly toward Mrs. Cross and myself and we certainly appreciate it and thank you again.

Mr. HASKELL of Penobscot: Mr. President, I am certainly appreciative of the honor that is now mine in representing the members of this Senate in an effort to express to you our appreciation for the service you have rendered to us.

Mrs. Cross, your husband has been very patient with us. He has been courteous, he has been efficient; he has made some courageous moves in this Senate; he has voted when he didn't need to vote. He has not missed a prayer throughout this Senate and for that I am sure you are partly responsible. He looks fresh every morning. He has done all the things that would make you proud of him every day. He has smiled when he should have smiled, and spanked the children when they should be spanked.

I assure you we do appreciate the type of leadership he has given us. Each and every one of us hope that he will long keep this watch as a token of our appreciation and that he will know that we have had a great appreciation for your good husband, Burt Cross.

The PRESIDENT: To you, Bob, and to all my fellow members of the Senate, no words of mine can express my feeling in regard to this occasion. I cannot say it is a complete surprise as you know it is not. I have seen it happen many times in the past and I feel that it is a

wonderful thing for the members of this branch or any other legislative branch to so remember their presiding officer.

At the start of the session, I think I said to you all that I would expect and appreciate, and knew I would receive your cooperation. I want to say to you sincerely, that I have received that cooperation from each and every one of you one hundred percent and I do appreciate it. Without your help, this Senate would not have operated as smoothly and efficiently as I hope it has.

This beautiful watch will always remind me of the thirty-two good Senators that I am facing today, and I will always remember those faces and the personalities behind them. If through circumstances beyond our control, we have not seemed to achieve the ultimate in our ideals, let us each remember that as individuals, we have tried sincerely to accomplish what we felt was for the best interests of all the citizens in the State of Maine, their health, their welfare and their happiness. And I say to you that if you feel things are not as you would like to have them be, remember time accomplishes all things, and in the end, perhaps the perfect state and the perfect laws shall be had.

Again I wish to say to you all that this gift will certainly be my most prized possession, and every time I look at the engraving on the back, I think it will mean more to me than any other possession I shall ever have. Thank you again most sincerely.

Mrs. CROSS: May I say that you have also given Burt and me another very wonderful gift, and that is your friendship. You have been most generous in all ways and we sincerely thank you.

The PRESIDENT: Mrs. Cross says that I lack the eloquence and she as well, to properly thank you all.

The Chair now states, he is again at the disposal of the Senate.

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

the table Resolve in Favor of the city of Bath for Loss of Taxes (H. P. 2082) (L. D. 1541) tabled by that Senator earlier in today's session pending motion by the Senator from Penobscot, Senator Williams that the resolve be indefinitely postponed.

Mr. CROSBY of Franklin: Mr. President, Senator Ela asked the question if this had been taken up with the Attorney General's Department. I didn't ask him for a ruling on this although I went in and talked with him and he said he would think this was in the same class as a town that had a school or church building which was formerly exempt from taxation but if they commercialized the building and received revenue, then they were subject to tax. He thought this was the same. I have no objection to the indefinite postponement of this resolve. It will be just that much more money in the fund.

Mr. WILLIAMS of Penobscot: Mr. President, I don't know as I followed completely the words of Senator Crosby, but on the ruling of the constitutionality of whether these funds could be taken, it appears to me to be similar to the boy scout ruling that I mentioned a short while ago.

Mr. SLEEPER of Knox: Mr. President, I note the absence of the Senator from Sagadahoc, who is away on excused business and rather than see this bill indefinitely postponed I would say that there certainly was justification to turn this money over to Bath.

If the Highway Department took this land and buildings by right of eminent domain for highway purposes and then turned around and received money from them to the extent of thirteen or fourteen thousand dollars I think the city of Bath is entitled to the money they would have had if these properties had stayed in private hands. I am only saying this because I note the absence of the Senator from Sagadahoc, who undoubtedly would feel the same way that I feel.

Mr. VARNEY of Washington: Mr. President, it is my understanding in this matter that during the time intervening when these buildings were taken over by the State Highway Department and the time when they were razed that the State Highway Department collected the rent on the buildings and it would seem to me that under those conditions, the city of Bath would be entitled to reimbursement for the amount of taxes they lost in the intervening time.

Mr. WILLIAMS of Penobscot: Mr. President, when I started this I did not intend to get into such a lengthy discussion. But I think from the question of constitutionality, and the fact that it appears to me to be dangerous precedent to let the highway department condemn land on which taxes are paid and then not use it, we will be getting into a lot of difficulty here and a lot more work for the Claims Committee to take up in future legislatures.

I think the motion to indefinitely postponed might put an end to this for all time.

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

A viva voce vote being had, the motion did not prevail.

Thereupon, on motion by Mr. Crosby of Franklin, the resolve was finally passed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve in Favor of Atlantic Sea Run Salmon Commission (S. P. 322) (L. D. 939) tabled by the Senator from Somerset, Senator Savage on April 21 pending final passage.

Mr. SLEEPER of Knox: Mr. President and members of the Senate, in support of the motion to allow this bill to take its passage, I don't want to impose too much upon your time. You listened very graciously to the explanation that I made two or three short days

ago when I discussed this matter of the Atlantic Sea Run Salmon movement. It calls, as you can see here for \$15,000 per year from the unexpended balance, making a total of \$30,000 for the biennium. I will give just a brief history of the reasons for this resolve which I introduced.

The federal government is very interested in bringing back the Atlantic Sea Run Salmon. It might interest you sportsmen to know that the Atlantic Sea Run Salmon has great potentialities, not only as a sporting fish, but as a fish for commercial purposes. This Mr. Roundsfel, this same expert for the Department of Fish and Wild Life in Washington, is very much interested in bringing back the Atlantic Sea Run Salmon to the Atlantic coast. The only place in the world, the entire world, that this beautiful, fighting fish is still found is in the Dennys River in Washington County, and a few are still found in the St. John River in Canada. Mr. Roundsfel is quite sure that with sufficient appropriation, he can bring back that fish the same way that he brought back the fish on the other coast. I wasn't too much concerned with the bill. I put it in more or less as a favor for the Commissioner of Sea and Shore Fisheries and Commissioner of Inland Fish and Game who are the ex officio members of this Atlantic Sea Run Salmon group. Seeing the lack of dollars that the state was apparently suffering from, I introduced my original resolve calling for \$5,000 per year from the income of the general funds of the state. At the hearing, Commissioner Stobie introduced his evidence. Commissioner Reid introduced some evidence, and the Government introduced evidence. And this committee which I had thought was a hardboiled committee took me aside and said if I would just change my resolve to \$15,000 from \$5,000 out of the unexpended surplus, that they would be very willing to grant the bill an ought to

pass report. This did come out with an ought to pass report.

I might add that in addition to this \$30,000, the federal government contributes to the extent of fifteen and a half to one. I don't know why they have that sort of proportion. But if we grant this request of \$30,000, the federal government will pour into the state \$468,000. Now, there is always a catch, and as someone has said, that is our own money they are pouring back. But it is money that they have appropriated down there, and if we don't take it, some other state will. It comes out of the \$68,000,000 appropriation for the Fish and Wild Life Service, and if the State of Maine wishes to afford itself of any part of that fund, why this is an excellent opportunity to get fifteen and a half dollars for one.

The real reason that the Committee was in favor of this bill was that they considered it not a sporting appropriation, but they considered it an investment, because if by any chance this Mr. Roundsfel, who is the same expert for the Fish and Wildlife Department in Washington who had such good luck on the west coast has such good luck on the east coast, and he feels certain that he will, he will fill up these Maine rivers, including the Penobscot, the Georges, the Medomak, and several rivers in Washington County. He has the figures to prove that he can bring back those fighting fish on the Maine coast, the same as they used to be here before the white man came.

So, in the event we expend this small amount which will be used for the conversion of a fish hatchery that the Inland Fish and Game Committee are going to have, and the hiring of one technician on the part of the state and the use of the Department's facilities at the University of Maine for this small sum of \$30,000, we will have a \$500,000 investment in money which in five years' time will bring back

this fish in such quantities that we will eventually receive millions of dollars back for this original investment.

So, I now hope that the Senate will go along and accept the report on this \$30,000 from the unexpended surplus funds which I understand is a capital investment and supposed to be given the first choice. This is indeed a capital investment and an excellent one.

Mr. VARNEY of Washington: Mr. President and members of the Senate, if the Senator from Knox County will just stand up and name the Narraguagus River instead of referring to it as one of the other rivers in the County of Washington, I shall be very glad to go along in the passage of the bill. That river flows through the town of Cherryfield and is one of the best salmon fishing rivers in the state today.

Mr. SLEEPER of Knox: Mr. President, did I understand the Senator to say Narraguagus? I think I should also include the Bagaduce.

Mr. BREWER of Aroostook: Mr. President, if Senator Sleeper would also state that the Aroostook River would be included in this work, I too would be willing to go along. I would like to say that we have for years been trying to establish a salmon run in the Aroostook River. In the olden days it was one of the best salmon streams of any of the tributaries of St. John River.

Salmon have been planted in the Aroostook River, and a few years after, we have seen good results, but these commissions have not lasted long enough to continue doing the work. They might plant fish one year and it would be a good many years afterward before they planted any more, and for that reason we feel we have been losing ground. I feel that this is a capital investment because in New Brunswick it has returned a profit to the government.

It is one of the most exciting and fascinating sports today and I feel

that if the natural run of salmon could be established in some of these streams where they formerly abounded, that we will have gone a long way, and I hope that the Senate will go along with this appropriation.

Mr. LEAVITT of Cumberland: Mr. President, just to be consistent, I want to say that some people must prefer fish to children.

Thereupon, the resolve received a final passage.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve to Provide for a Pollen and Fungus Survey of Maine (S. P. 385) (L. D. 649) tabled by that Senator on May 2 pending motion by the same Senator that the bill be indefinitely postponed.

Mr. HASKELL of Penobscot: Mr. President, as a matter of parliamentary procedure, I will first ask leave to withdraw my motion to indefinitely postpone and if that prevails I will move final passage. When I made the motion that the bill be indefinitely postponed, it was at one of those stages in debate where it seemed reasonable to kill one of my own bills, and that I did, and received objections from the Appropriations Committee. They afterwards told me that I was facetious and that of all the bills I had in, that was the best and shouldn't be killed.

I think we have debated the merits of this previously. It is true that our departments at the state house do get actually hundreds of requests and I have seen them, requesting state data with relation to the area that may be free from various allergies that hay fever sufferers are up against.

It is also true that our two neighboring states have completed this survey work and have elaborate maps and booklets and they are continuing with that survey and believe it is worth while in attracting summer residents into their state. I think I said previously that if the bill must be killed, it might have some hope

from some other appropriations bill but I got very little encouragement in that from the Maine Development Commission. They pointed out to me the figures in advertising rates are such that to carry out the intent of the legislature they must use that additional money for advertising for our sea and shore, agricultural and recreational work. It does call for fifteen thousand dollars, a non-recurring affair in that once the survey is made and the maps prepared, the cost of continuing the survey is negligible and the experts say it varies very little from year to year in the type of fungus and pollen incidental to those areas. So, I beg leave to withdraw my motion that the bill be indefinitely postponed, and I will follow that with a motion for final passage.

The motion prevailed and the Senator from Penobscot, Senator Haskell was granted leave to withdraw his motion to indefinitely postpone.

Mr. ELA of Somerset: Mr. President, I will make the motion that the resolve be indefinitely postponed.

A viva voce vote being doubted

A division of the Senate was had.

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

Thereupon, on motion by Mr. Haskell of Penobscot, the Resolve received a final passage.

Mr. Varney of Washington was granted unanimous consent to address the Senate.

Mr. VARNEY of Washington: Mr. President and members of the Senate as you realize by this time, I am one of those Senators coming from a small town, and you realize too, that I have stood for every bill and every tax issue brought before us which I thought would benefit the educational system of the State of Maine, whether it be the most lowly rural school or the highest institution of learning with the state. Having voted with the majority in voting not to accept the report of the committee to in-

crease the tax mill which would benefit the University of Maine, I now move that the Senate reconsider that vote.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Varney, that the Senate reconsider its action taken earlier in today's session whereby it assigned for second reading, bill, An Act for the Assessment of a State Tax for the Year 1949 and for the Year 1950 (H. P. 250) (L. D. 79)

A viva voce vote was had.

Mr. WARD of Penobscot: Mr. President, I ask that the vote be taken by a division.

A division of the Senate was had.

Eleven having voted in the affirmative and fifteen opposed, the motion to reconsider did not prevail.

The President laid before the Senate Resolve in Favor of the Town of Fryeburg, (S. P. 343) (L. D. 569) tabled by the Senator from Oxford, Senator Cobb on May 4 pending consideration of the report, and especially assigned for today.

Thereupon, on motion by Mr. Cobb of Oxford, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Cobb of Oxford, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Federal Relations on bill, An Act Amending the Unemployment Compensation Law as to Disqualification for Benefits (H. P. 1390) (L. D. 723) tabled by that Senator on March 30 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Ward of Penobscot, it was

ORDERED:

WHEREAS, the members of the Senate of the 94th Legislature, the ly appreciate the courtesy and efficiency displayed by the Hon. Chester T. Winslow, Secretary of the Senate, toward them and in carry-

ing out the business of the Senate; now therefore be it

ORDERED, that as a token of the esteem of the members of the Senate of the 94th Legislature, the Secretary of State provide the Hon. Chester T. Winslow with a suitable marker or tag to be attached by him to his automobile or regular registration place indicating his position as Secretary of the Senate.

The SECRETARY: Thank you.

Mr. HASKELL of Penobscot: Mr. President, in complete sympathy with our efficient stenographic force, I now move that the Senate recess for ten minutes.

The motion prevailed.

After Recess

The Senate was called to order by the President.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve Providing for Completion of Medical and Surgical Building at the Augusta State Hospital (S. P. 157) (L. D. 225) tabled by the Senator from Cumberland, Senator Bowker on March 28 pending final passage.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, four years ago, there was made available for the Augusta State Hospital funds in the amount of \$350,000 for a medical center, or for construction. During the session two years ago there were bills before the Legislature for certain work, among which was a fire signal system over there, and other work. I had those bills introduced. At the adjournment of the last Legislature when we thought we were in the same position we think we are in today—in other words, when we thought we were in a situation where we thought money was going to be very short—there was an effort to cut expenditures as much as possible, and I withdrew those bills for the Augusta Hospital at that time. After checking, I found that there was \$350,000 worth of earmarked funds under broad authorization for use by the Govern-

or and Council. During the past biennium, there has been expended from those earmarked funds approximately \$65,000 for this fire alarm signal, repairs to roofs and other things in that institution necessary for it to function properly.

The resolve which we have before us at the minute provides for re-establishing that fund by appropriating \$65,000 to put it back to the original level. Of course, the need for a medical unit at the Augusta State Hospital is known to all the Senators. There is a great deal more work at the Augusta Hospital than there is at the Bangor Hospital. It has been my recommendation, and I hope it will be followed, that the Augusta Hospital be equipped with the very best medical unit that we can provide, and that all patients taken into the Bangor Hospital be routed through the Augusta institution and have access to this medical unit. That unit will have a fine staff of psychologists and medical and surgical people. As long as there is hope that these patients can be helped through treatment and facilities which this medical unit offers, they will be kept there; and when the patients have become simply patients that have to be cared for, they can be handled at either the Augusta or the Bangor institution. That seems to be the intelligent way to handle state hospital patients. There is no reason at all, as far as I can see, for duplicating these medical and surgical facilities at both institutions, or to set up duplicate staffs at both institutions. That is the procedure which I assume will be eventually worked out here in Maine, and in order to allow this procedure to be developed the full amount of the original appropriation of \$350,000 is needed for the medical center at Augusta, and this \$65,000 provided for in this resolve would put that fund back to a point where the program can be undertaken.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec,

Senator Hopkins, that the resolve receive final passage.

The motion prevailed, and the resolve received final passage.

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table Resolve Providing for a Men's Dormitory at Gorham State Teachers' College (S. P. 602) (L. D. 1293) tabled by that Senator earlier in today's session pending consideration.

Mr. LEAVITT of Cumberland: Mr. President, regretfully, I move that the Senate concur with the House.

The motion prevailed and the Senate voted to recede from its former action whereby the resolve was substituted for the report and passed to be engrossed, and the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table Senate Report from the Committee on Appropriations and Financial Affairs — Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" on Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College (S. P. 603) (L. D. 1294) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator, the Senate voted to recede from its former action whereby the resolve was passed to be engrossed; and the "Ought Not to Pass" report was accepted in concurrence.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table bill, An Act Appropriating Moneys for Child Welfare Services (S. P. 286) (L. D. 487) tabled by that Senator on March 24 pending passage to be enacted.

Mr. WILLIAMS of Penobscot: Mr. President, this particular bill is very desirable and in fact within the next few years it will save the state of Maine a lot of money because it provides for funds to take of illegi-

itimate children rather than committing them to the state which is the present policy until adoptions might be arranged or mothers might make arrangements to take care of them, and also to look out for the children's welfare with the thought of preventing commitment of so many children to the custody of the state.

However, knowing the apparent condition of the budget, I think the only motion to make at this time, is to move for indefinite postponement.

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

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report from the Committee of Conference on bill, An Act Relating to the Financial Responsibility Law (H. P. 2027) (L. D. 1416) tabled by that Senator on May 4 pending consideration of the report; and on further motion by the same Senator, the report of the Conference Committee was accepted and the bill in new draft (S. P. 695) was given its first reading; and on further motion by the same Senator, the rules were suspended, the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table House Report from the Committee on Military Affairs on bill, An Act Relating to Taxation of Amusement and Musical Devices and to Provide Funds for Payments to Veterans (H. P. 2005) (L. D. 1392) Majority Report "Ought to Pass with Committee Amendment A", Minority Report "Ought Not to Pass" tabled by that Senator on May 4 pending motion by the Senator from Cumberland, Senator Slo-

cum to accept the Majority Report.

Thereupon, the motion prevailed, the Majority Report "Ought to Pass" was accepted in non-concurrence and the bill was given its first reading.

Mr. SAVAGE: Mr. President, I move that we dispense with the reading of Committee Amendment A and I further move that the bill be indefinitely postponed.

Mr. SLOCUM of Cumberland: Mr. President, this is another nuisance tax you might say, but it is a tax on pinball machines and all amusement machines and a tax on musical devices when operated, which we know as juke boxes.

This was heard by the Committee on Military Affairs, because as originally introduced, it was a bill to provide money for veterans. It wouldn't have been enough to pay a bonus but it was a bill that would have brought in some money toward the payment of a bonus. However it was found that here was another source of revenue to the state of Maine, an untaxed industry and a few of the operators felt that this would drive them out of business. I heard someone say that if it would drive the juke boxes out of Maine it would be a good thing.

It is interesting that these men are able to drive new cars and buy pinball machines and they seem to be prosperous to the nth degree. If we are so poor, here is another source of income to the State of Maine that could find a little revenue. It seems to be legitimate, and where we have taxed other industries, nuisance taxes I admit, here is a way that we could bring a little more revenue into the state.

Mr. SAVAGE of Somerset: Mr. President, my only point in making that motion was that this bill already has an indefinite postponement on it, and not by us. It was originally planned for the veterans and the word "veterans" has been stricken out, so it is useless to carry on any further with this bill.

Mr. SLOCUM of Cumberland: Mr. President, I am interested to see a member of the Appropriations

Committee being opposed to more money to help on the expenses of the state. The bill, I understand, received unfavorable consideration in the collateral branch. However, if we need money, we might send word back by passing it in this branch, and they might recede and concur.

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

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

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act Relating to the Superintendent of the Public Works Department of the City of Lewiston (S. P. 471) (L. D. 924) tabled by that Senator on April 29 pending consideration of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Sleeper of Knox, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Legal Affairs on Resolve Authorizing Board of Examiners of Funeral Directors and Embalmers to Issue License to Arthur Andrews of Rockland (S. P. 484) (L. D. 948) tabled by that Senator on April 18 pending consideration of the report.

Mr. SLEEPER of Knox: Mr. President and members of the Senate, I am going to attempt to substitute the bill for the report and move its adoption. This case is very unique and will not come up again, probably in the annals of the history of the Senate or the House of Representatives. This Arthur Andrews is a man well past middle life who has spent his entire career as an assistant funeral director and assistant embalmer. As

you know, I don't have too much faith in the board of examiners of funeral directors and embalmers. I don't have too much faith in any one of these boards, plumbing inspectors, electrician inspectors, architect boards, barber boards and all of these things. Of course, they all have an altruistic tinge to them. They all say that these boards are created to prove the people who are issued these licenses are suitable to pursue whatever profession they may be examined for and to protect the public from charlatans and ignorant members of these different vocations. In my opinion, it makes no difference whether a man is a college graduate, or has been to an embalming school, as to his qualifications to be a licensed embalmer and funeral director. I fail to see where the patient that he works upon could suffer too much. There is no danger of injury to the client, no danger of permanent injury, or even death can not ensue again.

I can't see why a man who has spent his entire life in this profession should not be granted a license. I know that Arthur Andrews is just as good a funeral director as any one of these licensed graduate embalmers. I don't remember the dates correctly, but in 1924, I believe, or even later, this embalmer's board was authorized. At that time, a man who had spent his life at that work was entitled to go before the board and become licensed. He was given sort of more or less of an oral or verbal examination, and if he displayed suitable proficiency in that trade, he was granted a sort of a—not a conditional—but he was granted a license, and he did not have to go through the rigamarole that they have to go through now.

At this time in 1949, in order to get to be issued a license to be a licensed embalmer, you have to go out of state, because we don't have an embalming college in this state, to take a course of at least one year's training in order to qualify yourself to take the examination for this license. Now, in the case

of Arthur Andrews, I am confident that he could go down to any embalming college and probably take the dean and the president and instructors and teach them how to embalm people and how to conduct a funeral. So, the idea of his going down to an embalming college is absolutely ridiculous. He recognizes that the younger men should take a course, because he has a son who took the G.I. course in embalming and is a licensed embalmer because he graduated from an embalming school.

At the time he was given the opportunity to take this license without any trouble, he was working for a concern in Rockland that had two licensed embalmers, and they didn't want any more licensed embalmers in that concern. So, he did not dare to try to get his license at that time, because he knew if he got it he wouldn't have any job. However, he now would like to protect himself. He is in either the late 50's or early 60's, and he feels that he should become a licensed embalmer and licensed funeral director so that he can carry on the only business he knows how to do. I know he knows how to do it, because his concern has always been used by my family in the few deaths that we have had, and this same Arthur Andrews has done the embalming and funeral directing. I know he can do just as well as any licensed man.

The only recourse that this poor man has is to come before this Legislature and ask them to direct the licensing board to issue him a license. Now, this is not a new departure, because I introduced an identical bill either two, four or six years ago for a man named Alden H. Ulmer who worked for the same concern, and he was granted a license which I would like to issue to this Arthur Andrews in exactly the same manner. He, too, had worked as an apprentice and had never had any formal education in an embalming college. To add insult to injury, one of the opponents to his being granted a license was this same Alden Ulmer

who naturally wouldn't want him to jeopardize his position in this same firm.

You can't blame Arthur Andrews. At his stage in life with a lot of half grown children, he can't afford to go off to Boston, or wherever there might be an embalming college, and study. Besides, they teach things that he already knows better than anyone could teach him. As the board cannot issue these licenses to anyone who was practicing embalming prior to 1924, and he practiced long before 1924, I appeal to the fair play of all of the members of this Senate that we substitute the bill for the report and that this bill be given its first reading at this time. "Resolve Authorizing Board of Examiners of Funeral Directors and Embalmers to Issue License to Arthur Andrews of Rockland."

Thereupon, on motion by Mr. Edwards of Oxford, the resolve and accompanying papers were laid upon the table pending motion by the Senator from Knox, Senator Sleeper, that the resolve be substituted for the report and tomorrow assigned.

On motion by Mr. Savage of Somerset, the Senate voted to take from the table Resolve in Favor of Eugene Jorgensen of South Windham (H. P. 737) (L. D. 1537) tabled by that Senator on May 4 pending final passage.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve received a final passage.

On motion by Mr. Savage of Somerset, the Senate voted to take from the table Resolve in Favor of Albert L. Winship of South Windham (S. P. 1117) (L. D. 1539) tabled by that Senator on May 4 pending final passage.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve received a final passage.

On motion by Mr. Savage of Somerset, the Senate voted to take from the table bill, An Act Relating to the Salary of the Forest Com-

missioner (S. P. 215) (L. D. 277) tabled by that Senator on May 4 pending passage to be enacted.

Mr. HASKELL of Penobscot: Mr. President, this is an act to increase the salary of the Forestry Commissioner from six thousand to eighty five hundred a year. If I were to speak as an opponent to the bill, I would point out that with few exceptions, our department heads are paid six thousand dollars and some that get seven. On the other hand, speaking for the motion that the bill have final enactment, there are these facts. The Maine Forestry District was increased from 2¼ mills to 8 mills this year at the request of the Forestry people. In that request they said they wanted this self-imposed tax to get them out of debt and then to have it go back to 4½ mills, or twice what the present tax is, and in their program for spending the additional money that they sought to impose upon themselves were several requests; namely to purchase additional equipment, have more fire wardens and fire protection in the wild land areas and those same wild land owners asked that this salary be increased from \$6,000 to \$8,500 which seems reasonable.

The evidence they presented was that they now have a Commissioner whom they think is very able, and they want to keep him and show their appreciation. There is no general fund money involved in the entire amount of the increase comes from the forestry district tax. Knowing the individual involved I have no fear that because this wage increase comes from the forestry district that the Commissioner will be any more or less influenced in his decisions. Therefore I move the final enactment of the bill.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was passed to be enacted.

On motion by Mr. Savage of Somerset, the Senate voted to take from the table Resolve in Favor

of Mrs. Charles Boyce of Cumberland Mills (H. P. 165) (L. D. 53) tabled by that Senator on May 4 pending final passage.

Mr. SLOCUM of Cumberland: Mr. President, this is a little different resolve. It is money that was deducted from the pay of Mrs. Boyce as a school teacher and put into the retirement fund.

Under the change in the law she could only receive deductions from her husband's pay by this special resolve which has been

passed unanimously by the committee and it is a trust fund in effect, held by the State of Maine, and Mrs. Boyce should certainly receive the money deducted from her husband's pay.

Thereupon, on motion by Mr. Slocum of Cumberland, the resolve received a final passage.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at 8:30 Eastern Standard Time.