

# 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**

Saturday, May 7, 1949

The Senate was called to order by the President.

Prayer by the Rev. Benjamin C. Bubar, Sr., of Blaine.

Journal of yesterday read and approved.

**From the House**

Bill "An Act Relating to Road Equipment on Private Ways." (S. P. 660) (L. D. 1480)

(In Senate, on April 18th passed to be engrossed.)

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

In the Senate, on motion by Mr. Slocum of Cumberland, the Senate voted to recede from its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted in concurrence and the bill was passed to be engrossed in concurrence.

Bill "An Act Relating to Sale of Malt Liquor and Vinous Liquor in Restaurants." (H. P. 1547) (L. D. 824)

(In Senate on April 20, passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered, and the bill indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Baker of Kennebec, the Senate voted to recede and concur.

Bill "An Act to Create the Waterville Sewerage District." (S. P. 584) (L. D. 1258)

(In Senate, on April 15th passed to be engrossed as amended by Committee Amendment "A")

Comes from the House engrossing reconsidered under suspension of the rules, and the bill passed to be engrossed as amended by Committee Amendment "A", and as amended by House Amendment "A" as amended by House Amendment "A" thereto, in non-concurrence.

In the Senate, on motion by Mr. Hopkins of Kennebec, the rules were suspended and the Senate voted to reconsider its action whereby the bill was passed to be engrossed; House Amendment A. to House Amendment A was read and adopted in concurrence; House Amendment A as amended read and adopted in concurrence; and the bill as amended by Committee Amendment A and by House Amendment A with House Amendment A thereto, was passed to be engrossed in concurrence.

The Majority of the Committee on State Lands and Forest Preservation on Bill "An Act Creating Greater Utilization of Wood Waste and Development of New Products," (H. P. 2001) (L. D. 1384) reported that the same ought not to pass.

(signed)

Senators:

WILLIAMS of Penobscot  
CROSBY of Franklin

Representatives:

WILLIAMS of Topsham  
HAYWARD of Machias  
WEBBER of Bangor  
BENN of Smyrna  
SHARPE of Anson

The Minority of the same Committee on the same subject matter reported the same in a new draft, (H. P. 2080) (L. D. 1536) under the same title, and that it ought to pass.

(signed)

Senator: COBB of Oxford

Representatives:

BROWN of Wayne  
LEAVITT of Parsonsfield

Comes from the House, referred to the 95th Legislature.

In the Senate, on motion by Mr. Williams of Penobscot, the bill was referred in concurrence.

The Majority of the Committee on Inland Fisheries and Game on Bill "An Act Relative to Fishing Contests," (H. P. 984) (L. D. 415) reported the same in a new draft, (H. P. 2058) (L. D. 1487) under a new title, Bill "An Act Relating to

Fishing Contests on Inland Waters," and that it ought to pass.

(signed)

Senators:

BOWKER of Cumberland  
SMART of Hancock

Representatives:

WIGHT of Bangor  
BEARCE of Caribou  
CAMPBELL of Guilford  
HILL of Bingham  
HAYWARD of Machias  
PLUMMER of Lisbon  
CARVILLE of Eustis

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

(signed)

Senator: ELA of Somerset

Comes from the House, the Majority Report accepted, and the bill passed to be engrossed as amended by House Amendments "A", "B", "C", and "D".

In the Senate:

Mr. BOWKER of Cumberland: Mr. President, I move the acceptance of the Majority Report.

Mr. ELA of Somerset: Mr. President and Members of the Senate, I won't impose on your indulgence too long. As you notice, I am on the minority alone. This is the fishing derby bill which states that nobody can conduct a fishing derby where entry fees are charged, or prizes given. You may note the way it comes to us with amendments "A" "B" "C" and "D". It is such a bill that nobody can agree on what is good, or what they want.

We grant people a license to fish, and then we tell them they can't do it in an organized way. They have a lot of enjoyment and fun with these fishing derbies. The state also receives a great deal of free publicity which we could well pay thousands of dollars for. We have tuna tournaments, and they are something which give us an equal amount of free publicity and public sentiment will ban all of the excesses which may occur. I can see no harm in these fishing derbies. The money which the fish and game clubs get

from these tournaments is well spent. They use it almost entirely for conservation. They build streams and use it for other similar useful purposes. No more fish is taken in one of these derbies than you take in any good weekend.

I think this act is entirely unnecessary. If there have been any excesses, public sentiment will take care of them. In many cases there is a research element to it. In many ponds they wonder what fish are in them and why we don't catch them. Many clubs have conducted these derbies just to see what conditions are. In other cases, they conduct the derbies to catch out undesirable fish.

For those reasons, I went on the minority report, and I hope that the motion of the gentleman from Cumberland does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Bowker that the Senate accept the Majority Report of the Committee.

A viva voce vote being doubted

A division of the Senate was had.

Eight having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, the Minority report "Ought Not to Pass" was accepted in non-concurrence.

Sent down for concurrence.

The Majority of the Committee on Labor on Bill "An Act to Extend Occupational Disease Coverage Under the Workmen's Compensation Act," (H. P. 1785) (L. D. 1124) reported that the same ought not to pass.

(signed)

Senators:

HOPKINS of Kennebec  
HASKELL of Penobscot  
COLLINS of Aroostook

Representatives:

SHARPE of Anson  
CHAPLES of Hudson  
LARRABEE of Westbrook

The Minority of the same Committee on the same subject matter,

reported that the same ought to pass.

(signed)

Representatives:

BROWN of Baileyville  
 CASTONGUAY of Water-  
 ville  
 DOSTIE of Lewiston  
 LARRABEE of Bath

Comes from the House, the Majority Report read and accepted.

In the Senate, on motion by Mr. Hopkins of Kennebec, the Majority Report "Ought Not to Pass" was accepted in concurrence.

Mr. Allen of Cumberland presented the following Order and moved its passage:

ORDERED the House concurring that H. P. 1766, L. D. 1108, Resolve in Favor of Portland Junior College be recalled from the files for further consideration by the Senate.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I fail to see that our action in recalling the Portland Junior College bill can in good consistency accomplish much. I think all of us have been reasonably considerate with the educational capital bills, but as each member of the Senate knows, with two exceptions, those being to area high schools, the other educational capital requests have been denied. I am extremely regretful that Portland Junior College had to be in that group, but at this stage of the proceedings, it doesn't seem to me that we ought to recall that, or any of the others that have had prior rejections if our prior action is going to be consistent. For those reasons, I oppose the order.

A viva voce vote being had, the Order failed of passage.

#### Orders of the Day

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey (S. P. 235) (L. D. 349) tabled by the Senator from Somerset, Senator

Savage on April 27 pending passage to be enacted.

Thereupon, on motion by Mr. Noyes of Hancock, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to further reconsider its action whereby it adopted Committee Amendment A; and on further motion by the same Senator, Committee Amendment A was indefinitely postponed and that Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to S. P. 235, L. D. 349, Bill 'An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey.'

Amend said Bill by striking out the figure and words "\$50,000 annually" in the 5th line of that part designated "Sec. 1." thereof and inserting in place thereof the following: '\$10,000 annually from the unappropriated surplus of the general fund'

Further amend said Bill by striking out the figure '\$5,000' in the 2nd line of that part designated 'Sec. 2.' thereof and inserting in place thereof the figure and words: '\$10,000 from the unappropriated surplus of the general fund'

Mr. NOYES of Hancock: Mr. President, this amendment offered, reduces the amount that we would appropriate for this purpose from \$25,000 as was provided for to \$10,000 per year to come from the unappropriated surplus. The reason that we offer that today and feel that it should be adopted is that in your general highway fund bill there is set up the amount of ten thousand dollars a year for the same purpose, and the Highway Department were willing to put that money into the fund from the general highway money for the purpose of accomplishing the needed work throughout the state. In all fairness to the Highway Department, it seemed that we should take some general fund money, at least this amount of ten thousand dollars, and I hope that the amendment is adopted.

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

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, bill, An Act Creating the State Board of Education (S. P. 294) (L. D. 488) tabled by that Senator on May 6 pending passage to be enacted; and on motion by Mr. Leavitt of Cumberland, the bill was passed to be enacted.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table House Report from the Committee on Sea and Shore Fisheries on bill, An Act Relating to Taking Clams in Town of Cushing (H. P. 1668) (L. D. 976) "Ought to Pass in New Draft, under New Title: An Act Relating to Taking of Clams, Quahogs, Mussels, Clam-worms and Blood-worms in the Towns of Cushing and Friendship (H. P. 2055) (L. D. 1484) tabled by that Senator on May 6 pending consideration of the report; and on further motion by the same Senator, the bill was indefinitely postponed.

On motion by Mr. Hopkins of Kennebec, the Senate voted to take from the table bill, An Act to Provide Financial Assistance to Cities and Towns in the Construction of School Buildings (S. P. 648) (L. D. 1431) tabled by that Senator on April 12 pending passage to be engrossed.

The PRESIDENT: At this time, the Chair will recognize the Minority Floor Leader, Senator Boucher of Androscoggin, and designate that Senator as President pro tem of the Senate. The Chair will request the Sergeant-at-Arms to escort the Senator to the rostrum.

This was done amidst the applause of the Senate.

Thereupon, Mr. Leavitt of Cumberland presented Senate Amendment A to L. D. 1431 and moved its adoption:

"Senate Amendment 'A' to S. P. 648, L. D. 1431, Bill 'An Act to Provide Financial Assistance to Cities and Towns in the Construction of School Buildings.'

Amend said Bill by striking out the emergency preamble.

Further amend said Bill by striking out "Sec. 1." at the beginning of section 1.

Further amend said Bill by striking out, in the 2nd line of that part designated "Sec. 211-G", the figures and letter '211-E' and inserting in place thereof of the underlined figures and letter '211-F'."

Further amend said Bill by striking out the word 'generally' in the 3rd line of that part designated 'Sec. 211-I'.

Further amend said Bill by striking out the word "generally" in the 2nd line of the 2nd paragraph of that part designated "Sec. 211-I".

Further amend said Bill by striking out the words "as provided in section 1" in the 4th line of the 3rd paragraph of that part designated "Sec. 211-I".

Further amend said Bill by striking out all of section 2 of said Bill.

Further amend said Bill by striking out the emergency clause at the end thereof.

Mr. LEAVITT of Cumberland: Mr. President, this corrects two or three technical points in the bill. It also strikes out the appropriation. Because of the fact that there is no appropriation, there is no great emergency, and therefore we struck out the emergency clause. About all that is left is the skeleton which sets up an authority which if the federal government poured money in here for the construction of schools, would give a board to handle the same.

As you may have read in the paper, yesterday the United States Senate passed a bill with three hundred million dollars attached to it which can be used for schools, not necessarily for construction. There are other bills before Congress which will have money definitely for construction. Whether any of these bills pass, of course we are

powerless here to tell, but I do think that we ought to have this board set up. I believe that the method of distributing this money as set up by this board is correct. In that, I am in hearty opposition to others of the Senate who believe it should be done entirely on an equalization basis.

I believe we could argue this thing for the many hours as we have been told we should argue several bills. But considering we are not going to have any of our money attached to it, I think that in the event we should have federal money, we can practice with this bill for the next two years and find out the mistakes there are in it, and come back two years from now and perhaps correct.

The board, as all boards, will depend entirely upon personnel which is appointed. This bill, to my mind, is absolutely perfect if the men who are appointed to the board are themselves perfect. On the other hand, I don't believe you can write a bill that anybody here will agree with that can be what we want if the personnel happens to be bad, but I think this is as good a bill as we can have. I do hope that you gentlemen will go along with me and allow this board to be created, in the hope that the federal government will give us some money, and that we can try the board out.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, in the matter of these boards in the education department which we are creating, or offering for creation here this morning, I think we are dealing with a matter which is very important, and one in which we are not going to arrive at a decision which will last over any great period of time. We have enacted the Board of Education Bill which, in effect, puts into effect a board of directors for the Board of Education, and I think that has met with the approval of the Legislature that the functions of that department are so very extensive that there is a need for a board to assist the Department.

Education is a living thing. No one can say that the Board of Education which we have just created will be a board which will last for a great many years. Most of the states have got boards of education, and as the Senator from Cumberland points out to you, they are as good as the people who serve on them and no better. This board which is governed by this bill would handle the allocation of money for school equalization which has attracted so much attention because of the work which the federal congress is doing in that field at the present time.

When I tabled the bill, I tabled it because I wasn't in accordance with the method of allocation, and I said at that time I would like to test the sentiment of the Senate by submitting some amendments. It is at the request of the Senator from Cumberland that the bill has been held on the table until we found that there would be no money on the state level. But that does not necessarily mean that this board will have a substantial amount of money to allocate before the next regular session of the Legislature. I think you are all aware that the pending legislation in Washington, if it is enacted, and they took a step yesterday, I believe would provide very close to a million dollars in the first year that the law was in effect, and something over three million dollars for the State of Maine in the second year. As to the amount of money, no one could say at this time what restrictions the federal government will place on that money. We can't know definitely that the provisions of this bill will be such that it will be entirely in accordance with those federal restrictions, but I still think we ought to have some board of this sort. This is pioneering in the field of what I think is collectivism. Federal control of education is a thing which I disapprove of, but at the same time here is a case where we can't resist.

We are going to pay substantially more for this federal education pro-

gram than we'll ever get back. We are also going to have some restrictions placed on us which may or may not be in the interest of education in the State of Maine. Personally, I don't believe that any centralized government will do as good a job for education as people at home can do. I wish that the situation on the federal level were not as it is. At the same time, I place myself solidly in the group with the Senator from Washington, Senator Varney, and with the Senator from Cumberland, Senator Leavitt, in having a great interest in education, and in wanting to get the very best program for education that we can develop.

I hope the amendment which the Senator has presented will be adopted, because it simply corrects the mechanical defects of the bill as written. It does not in any way raise the issues which I would have raised if I had presented a series of amendments, and I see no reason to do that at this late stage in the Legislature.

I hope that the bill will have a passage as amended.

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

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, 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 by that Senator on May 6 pending motion by Senator Haskell that the bill be indefinitely postponed.

Mr. COLLINS: Mr. President, I move the pending question. I had thought that this had been taken care of last night. This is the matter relating to the law library that Senator Slocum was interested in and I think it is straightened out to the effect that we did not feel any legislation was needed.

The motion prevailed and the resolve was indefinitely postponed.

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

Mr. HASKELL: Mr. President and members of the Senate, I make this general comment that wherever there is a breath of life in any of the bills that any of us have on the table, it would be helpful to take them from the table for action, particularly if they have to be amended or if they are still in the Committee Report stage, so that if they are to live, they can go to the engrossing department this morning if possible.

On motion by Mr. Cobb of Oxford, the Senate voted to take from the table bill, An Act Relating to Hairdressers and Beauty Culture (H. P. 1954) (L. D. 1327) tabled by that Senator on May 6 pending motion by Senator Bowker that the bill be indefinitely postponed.

Mr. COBB of Oxford: Mr. President, I rise with some embarrassment at this point. I sincerely hoped that this act relating to hairdressing and beauty culture had gone safely on its way to enactment. It came from the unmentionable bit of femininity and pulchritude from the unmentionable branch of this legislature.

In committee it received a report about eight to two that the bill should pass, two of the majority members being two of the ladies from the unmentionable body down the hall. I must confess complete ignorance of hairdressing and beauty culture.

From the questions which came out in the committee, the reasons for a minority report seemed to center around the question of whether we wanted to consider the apprentice system which has been in use in the state for some time and also whether we wanted to raise the license fee to \$25. This not only had the backing of the two lady members of the committee but it also had the backing of the Hairdressers Association of the State. It seemed to the majority of us a good bill. It presents the same picture which has happened once before in this session



and which I recognize easily and on which I rise in opposition to Senator Ela. He has the uncanny faculty of backing up a measure which has a minority report with one or two signers, and putting it right over my head. That I cannot object to because he is able and a man we all respect and I admire him. I do have this feeling that unless someone in this Senate is thoroughly familiar with this phase of feminine existence, we should grant this courtesy to the young ladies on the committee. I would suggest that they know more about it than we, and we should grant them the courtesy of passing the bill.

I congratulate Senator Bowker for his temerity in moving the indefinite postponement. I have the great suspicion that he did not do what I advised him to do and that was to go home and tell his wife the stand that he took on the bill. I certainly hope that whatever happens to the bill that his wife will be duly and properly informed.

Mr. ELA of Somerset: Mr. President, there is quite a lot of femininity been injected into this bill at a late date. I might even mention that there was some of it injected into the committee report. This bill is entirely a bill to eliminate the apprenticeship whereby girls can learn this trade in their own home town, or in some town without having to go to school. This has been the procedure up to now. It has worked well. The big majority of all the operators now are the product of the apprenticeship system. Many girls, and some of the best type of girls, will be denied the privilege of learning this trade if you pass this bill—wives of men who need their wives at home, widows with children. In fact, some of the very best of the ladies who wish to learn this profession will be denied that privilege if they must leave home for nearly a year to attend one of these schools.

This bill stems from two sources—1. The schools, themselves, who want paid students. 2. The beauty parlor owners who would like to

close the door and keep the thing as exclusive as possible.

I can imagine, perhaps, that Senator Sleeper might have a flock of bills in, such as we voted on yesterday if this passes, with people who can't get a permit from this hair dressers' board. Practically all of the trades are permitted to learn their trade by the apprenticeship method. The barbers do it, and that is similar to this. They must all pass the same examination. They must be carefully prepared in order to be licensed to practice. This simply means that they must go to school, and that they can't learn it in another shop.

I hope that the motion to indefinitely postpone prevails. I would have preferred to have had the bill pass on Report "B", but I would much prefer to see the bill killed if it must pass in its present form.

Mr. LEAVITT of Cumberland: Mr. President, I do not profess to be an expert on beauty culture. I know very little about it. I do know this, that we did have before us the Committee Report "A" and the Committee Report "B". We debated it very extensively, and I am very sorry at this time that Senator Ela's motion did not carry, and that he didn't get his Amendment "B". But after debating, you people decided here in favor of the committee report that this bill should pass.

Senator Bowker who has made the motion for indefinite postponement has a particular antipathy against a certain person in the City of Portland who is interested in this bill. Because he knows he is interested in it, he wants to kill it. You people have already voted for this bill, and here is a man who knows nothing about it whatever, who did not attend the hearing, didn't know anything about it, because he doesn't care for one particular individual, he wants to kill this bill.

The argument has been used here that we have always had the apprentice system, and therefore we should continue the apprentice sys-

tem. It is the same argument that has been used regarding lawyers. Individuals used to go into different lawyers' offices and sit around and sweep up the office and listen, sometimes talk to some of the more unimportant clients, read Blackstone, discuss things around, and then they were declared that they were lawyers after so many years. The funny part of it was that some of the best lawyers we ever had in the country came out of that system. We don't do it any more. The same thing was true in the case of doctors. The first doctors we know about were these beauty culturists. They were barbers. When you felt sick, you went down to the barber, and he laid you on a slab and bled you. But we don't do that any longer. We think we need to educate our doctors. In fact, we kind of insist upon educating doctors, and when we are looking for lawyers, we like to see lawyers that have graduated from pretty good law schools.

Now, I grant this is no profession. They call it a profession, but it may be just a trade. But even in the trades, we have got to the point where we like to educate our people pretty much. They put up a very good argument before that committee. I have listened to it. This is not the first year I have listened to it, and I am convinced that although some people will not be able to live at home and go down and work for three years for somebody for almost nothing as an apprentice, and they will have to go where there is a school and study for nine months, they will then be able to go and earn a living. I think perhaps it is a step in the right direction. I don't know what else can be said, and I know you people are tired of listening to anybody say anything. You have voted for this bill once, and I hope that now you won't reverse yourselves and just kill this off because somebody has some antipathy towards somebody who represents the industry.

Mr. ELA of Somerset: Mr. President, in order to put myself in the clear here, I think I will make a slight change in my position. If you people will grant me the privilege of seeing that I am recognized after this vote is taken, I think I will oppose the motion of the Senator from Cumberland, Senator Bowker, and then I will try to move that by the various procedures Report "B" be accepted.

Mr. HOPKINS of Kennebec: Mr. President and Members of the Senate, I could accept most of the statements made by the Senator from Cumberland, Senator Leavitt, but there is one which he leaves out which affects the whole situation. He said, we don't do it that way now. If he put in, don't usually do it now, I could go along with him. But we still do, in most of the professions, qualify men without the benefit of formal institutional education. I have been connected with the qualifications of the registration in my own profession since it went into effect in the State of Maine in 1935 and have had quite extensive experience with the qualifications of engineer registrations over the country. We place no such restrictions on engineers as far as registration is concerned. Only a very small per cent, to be sure, are coming as a result of self-education and the apprenticeship experience. But we still do accept people in the engineering profession that way. I think that is probably still true with the law. I believe it is. Of course, in medicine, I suppose it is absolutely necessary to have institutional training in order to be competent to practice medicine. But in most other professions that is not so. It is certainly not so in the architectural field, and it is not so in engineering.

Now, if the professions still can qualify people as a result of apprenticeship and self-education, I would think that a trade such as hairdressing ought to be allowed to permit qualification under that same system. It seems to me that if we are setting up some restric-

tions here which eventually are going to result in the resistance and reaction on the part of the people, they will eventually throw the thing out. People wouldn't allow a system to continue indefinitely whereby small groups of people organize themselves and control the whole faction of that activity in our society and bar everybody out. That is a closed ship restriction which would be so objectionable that it couldn't exist over a long period of time.

Mr. SAVAGE of Somerset: Mr. President, I hate to inject myself into this argument, but I must confess that I was lobbied by one of the very beautiful young ladies on this committee this morning. It seems only fair to me that if we are going to deny the good Senator from Knox, Senator Sleeper, and his friends the right to work on our dead without some kind of a college degree that we should extend that same right to living and beautiful young ladies. Therefore, I hope that the motion does not prevail.

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

A viva voce vote being doubted  
A division of the Senate was had.

Four having voted in the affirmative and twenty opposed, the motion did not prevail.

Thereupon, on motion by Mr. Ela of Somerset, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to further reconsider its action whereby the Majority Report was adopted.

Mr. ELA of Somerset: Mr. President, I now move the adoption of Report B.

Mr. LEAVITT of Cumberland: Mr. President, I have told Senator Ela that I will not oppose this Report B, which will allow the apprentice system to be used. The only thing I want to inject into this discussion is that this is Saturday morning, the sixth, seventh or

eighth of May or something like that, and we are about through here and I have a very strong suspicion that if we adopt this report B that it will not stand up in the other—well, somewhere else, and we will have it dropped back on to us later on. I don't think anyone wants to kill the bill except three or four, and I am just wondering if we turn the clock back and accept Report B and send it somewhere else and it floats around there for a while and then comes back to us—well, I am just thinking of the mechanics of the things.

The PRESIDENT: The Chair will inform the Senators that there is no Report A or B. There is a Majority Report and a Minority Report.

Senator Ela has moved the adoption of the Minority Report.

Mr. ELA of Somerset: Mr. President, I will state that the Minority Report puts into effect practically all the changes in the form of the law that the Hairdressers Association asks for except the abolishment of the apprenticeship system. I think the bill will live. I see no reason why anybody should kill the entire bill in the other branch and believe that if we accept the Minority report the bill will be enacted.

Thereupon, the Minority Report was accepted, the bill was given its first reading, Committee Amendment B was read and adopted, and under suspension of the rules, the bill was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mr. HASKELL: Mr. President, I move that all matters when ready for House action be sent forthwith to the House during the remainder of the session.

The motion prevailed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act Relating to Salaries of State De-

partment Heads Set by Statute (S.P. 665) (L.D. 1496) tabled by that Senator on May 6 pending passage to be enacted.

Mr. HASKELL of Penobscot: Mr. President, this is what remains of the general salary bill which came before us with very many department head salary increases. After going through the screening of the committee and having passed the screening of both branches of the legislature, the bill now retains two salary increases, an increase of \$500 per year for the Maine Unemployment Compensation Commission, increasing the Chairman from \$5500 to \$6,000 a year and increasing the other two members from \$5000 to \$5500. With respect to that \$1500 the cost to the general fund is zero in that the federal government through the contributions made by Maine employers pay all the administration costs of administering all Unemployment Compensation laws, and in that respect L.D. 1496 does not affect the general fund.

The other item still remaining in the bill is the increase for the State Treasurer from \$3000 to \$4000. In the last session as a member of the Salaries and Fees Committee, I tried to justify that increase and the majority of the Senate denied the increase two years ago. In taking the bill off the table now and having tried to explain just what these items are, I am going to offer Senate Amendment A which will take out of the bill, the State Treasurer's increase. My reasons for doing it are not that I want to pick on any one office and say it should not have a salary increase, but I do believe that having denied all of the others wherein general funds are involved, the Senate should consider whether or not it wants to put one of these through. You must remember that you still have facing you the problem of state employees. At the same time remember that out of the Forestry District funds we have increased in Forestry Commissioner.

I don't know whether the public will understand our action but that increase did not come from general fund. The Boxing Commission was increased, but that is a revenue raising commission in that they take in from fees, more money than their cost of operation. We equalized the boxing commission at a cost of \$550 for the three of them. We cut one by \$650 a year and increased the other two by \$400 per year. In order that there may be a clear understanding of what we are going to do, I offer Senate Amendment A and if it is adopted, it will leave this bill with only the Maine Unemployment Compensation Commission in it.

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

"Senate Amendment A to S. P. 665, L. D. 1496, Bill 'An Act Relating to Salaries of State Department Heads Set by Statute.'

Amend said Bill by striking out all of Section 1 thereof.

Further amend said Bill by striking out the designation "Sec. 2." therein.

Further amend said Bill by striking out the title thereof and inserting in place thereof the following Title:

'An Act Relating to Salaries of Members of the Unemployment Compensation Commission.'

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, as one of the members of the Salaries and Fees Committee, I would say that the report of the Committee represented the thinking of the committee at that time. Now, in regard to this Senate Amendment which would leave the members of the Maine Unemployment Compensation Commission in the picture and take out the Treasurer of State. I fail to see the real value of doing this. I would not fail to see the value if the Treasurer of the State of Maine were on the same salary scale that other department heads are on, but if you will remember back in 1945, the

man who is now State Treasurer was a member of the legislature.

At that time he was opposed to certain salary increases. Two years later when he became Treasurer he was not so much opposed to salary increases and at that time I think one of the things that reacted against his increase was the fact that previously he had been opposed to practically all salary increases. However, time has passed on, the Treasurer of the State I feel is doing a good job. The job is one which under the Constitution says that he cannot perform any other duties and the amount of the increase brings it to the level of \$4,000 which is still far below the level of all other department heads and while it does take a thousand dollars from the general fund, I believe that the report of the committee should stand, and that Senate Amendment A should not be adopted.

Mr. SLEEPER of Knox: Mr. President, as a member of the Salaries and Fees Committee and the original sponsor of this bill, I would like to register my opposition to Senate Amendment A. You have heard the courteous side of the question from the Chairman of Salaries and Fees. I will try to give you the real side. As you all know, the salary—and I will have to talk figures and bluntly—of the State Treasurer is \$3,000. Every other department head in a like position is getting at least \$6,000 and in some cases \$8,000 or \$8,500. Up to about two or three terms ago this small pay to the State Treasurer was justified by the fact that it was a political plum. As you all know, back in the days of Governor Gardiner, when they adopted the code, those who adopted that code tried to abolish the office of State Treasurer and they claimed that they would divide the duties of the State Treasurer between the Controller and the Budget Officer and do without the Office of State Treasurer.

Since all states do have a state treasurer, they decided to keep the office, and had a State Treasurer for

Maine in title only. He was given small pay in return for the honor of being called the State Treasurer.

As you all know the treasurer is elected by the legislature and it used to be a political plum and generally it was offered to some particular man who had connections in the legislature, or in the Council and who was granted two or three terms as State Treasurer. And the only duty he performed was to come up here every other Thursday and collect his pay.

In the case of the present Treasurer, the demands of the department have grown so that back in 1931 at the time the code was established, I think the State Treasurer handled around twenty odd million dollars a year and now this man who is not as some say, entitled to a thousand dollar increase is handling some eighty odd million dollars of state money. The present treasurer is trying, and he is doing a good job. He is giving it full time. He doesn't come up here every other Thursday, he comes up every morning and finds as much to do as nine out of ten of the other Department heads. He has been prompt, he has been courteous and he has been efficient. He handles several important trust funds and serves on several important Boards. He is entitled to this increase.

When I presented the bill I tried to put him up in the same pay bracket with the other department heads who are elected by the legislature and whose salaries are set by statute.

I think it is absurd to keep this man working at half pay and ask of him full time. The job requires a full time performance now. There are certain things he must do and will have to do and certain responsibilities that he cannot dodge.

I will never forget the time of the Runnels scandal and they tried to blame the whole thing on poor Belmont Smith. They even tried to impeach him for the things Runnels did and he was stripped of his powers. Runnels was the financial boss of the state and here they tried to

make the treasurer take the blame and take the responsibility for Runnells defalcation or whatever you might call it.

Since then the State Treasurers have found it pretty good policy to be on their toes and know just what is going on in the financial channels of the state. Furthermore the job is entitled to more than half pay and I certainly hope the motion does not prevail and I will inform you, Mr. Floor Leader, that we are just temporarily at a parting of the way. I will be back under your guidance after this bill is decided.

Mr. HASKELL of Penobscot: Mr. President, it was not my intention and is not my intention now to argue against the increase for the State Treasurer. My only intent was to point out to the Senate that this is a general fund item. I shall vote against the amendment myself but I do think that as we go through this list killing the various bills that we should carefully consider all expenditure bills. I certainly do not intend to sabotage the State Treasurer's increase, I only wished to bring the matter to the attention of the Senate. When the vote is taken, Mr. President, I ask for a division.

A division of the Senate was had.

One having voted in the affirmative and eighteen opposed, the Amendment was not adopted.

Thereupon, the bill was passed to be engrossed and under suspension of the rules was passed to be enacted.

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

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table bill, An Act Relating to Interstate Shipment of Shellfish (S. P. 510) (L. D. 1008) tabled by that Senator on May 6 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Greeley of Waldo, the Senate voted to take from

the table bill, An Act Relating to Bounty on Porcupines (H. P. 352) (L. D. 148) tabled by that Senator on May 3 pending motion by Senator Haskell that the bill be indefinitely postponed, and moved the pending question.

Mr. SLEEPER of Knox: Mr. President, I have been approached by several persons in the rural sections of Knox County. In fact, that would almost include the whole County, the rural section, except for that small strip of land down on the shore where Rockland is. Down there, they all seem to think that they would like to have this porcupine bounty continued. I believe they have cut it down from fifty cents to twenty-five cents. These animals can do quite a lot of damage to a field of corn, and I know that when you add the ear worms and other things to that, skunks, and so forth, it is pretty hard to raise a good field of corn in my County at this time. With these infestations of insects, and having these hedgehogs crawling around, the farmer has got quite a lot on his hands.

There have been several men approach me in the State House from other sections of the state that felt the same way and hoped that the Senate would endeavor to pass this bill. I know from personal experience that Knox County is infested with hedgehogs and porcupines. So, I imagine that the people up in that section would still like to continue that bounty. The reason for the bounty on hedgehogs is that the animal has no commercial value, and it is not any too much sport to shoot them. In fact, the average person doesn't like to just go out and kill animals. So, the only way that you can cut down the hedgehog population is to put this bounty on them. They are not fit to eat, and they are not fit to sell. So, there is not much object in killing these animals just as a time killer. Young growing boys like to go out and kill a few for this small bounty, twenty-five cents, I think it is really for the best interest of the

agricultural districts to try to keep this bounty on and cut this population which, as far as I know doesn't add too much to the attractive qualities of the state.

Through the Chair, I would like to ask the financial wizard just how much this twenty-five-cent bounty is going to cost.

Mr. HASKELL of Penobscot: Mr. President, in answer to the Senator from Knox, Senator Sleeper, might I state that I was invited to be the dinner speaker at the annual convention of porcupines held last December up in Township 6 Range 7, and it was at that convention that I first learned that this Legislature was very unlikely to pass any new tax measure. They indicated that they would support that position in both branches of the Legislature in the hope that there wouldn't be any money available with which to put this bill into effect. Obviously, their position has been maintained, because even though the bill calls for a maximum of \$7,000 per year, they estimated the more ignorant among their population would get killed to the tune of \$20,000 a year. They pointed out how much we could do with \$20,000 for elderly teachers, and aid to dependent children, and the University of Maine, and all with that amount of money. And it being a figure somewhere between \$7,000 and \$20,000, the first seven obviously to come out of the state, the last thirteen obviously to become non-paid accounts receivable by the towns, it doesn't seem to me that we can oppose the desires of the porcupines, and their real sincere desire—and I have heard from all of them—is that the pending question have acceptance.

Mr. VARNEY of Washington: Mr. President, I would like to add just a word to what the Senator from Knox has already said. The porcupine is a very destructive animal. We find that he is not only destructive to our pine growth, but he is also very destructive in the blueberry fields. He not only sits on the blueberries, but when the

blueberries are ripe and ready to pick, by his slow method of motivation and moving around through the blueberries, he knocks off a great many of the berries, and he causes a great deal of damage to the blueberry fields.

I would like to see the porcupine exterminated. If this bill is put on the statute books, I would like to see it continued, because it has been a law and has been repealed several times. I think about the time the porcupines becomes exterminated, then they repeal the law and they begin to increase in numbers. Now we have so many porcupines that you can hardly drive through the rural sections without running over these animals. They are causing a great deal of destruction in the blueberry lands and in the gardens, and I sincerely hope that the bill will have a passage.

Mr. SLOCUM of Cumberland: Mr. President, when I was down here in 1929 or 1931, a bill was brought in for a bounty on porcupines. I don't know whether it was the first one ever introduced in the Legislature, but there was no bounty and had been no bounty for a number of years. The bill was introduced by friends of the farmers. It was to try and preserve the various products of the farms. Most interesting at the hearing, the lumbermen were the ones that howled the loudest for it, although when they came to the hearing they said that had not thought of there being any way to stop the destruction to the growing timber from the porcupines, and they were very pleased that this bill had been introduced. The bill passed at that time.

It was interesting to me that the only objector was a representative who said that a hunter might get lost in the woods and lose his gun, and that he could get something to eat by knocking over a quill pig with a stick or a rock and keep from starving to death. That was the only objector to the passage of the bill at that time. It has been helpful to

both the forestry people and to the farmers, and I hope it will be possible to, even with this reduced amount of bounty, keep this bounty on porcupines in existence.

Mr. BREWER of Aroostook: Mr. President, as Chairman of the Agricultural Committee to which this bill was referred, I will say to you that in our decisions on this bill, thinking it over and talking it over, the House Chairman comes from Aroostook, and we felt that there was no porcupine problem in Aroostook County. We did have thoughts of amending the bill to exclude certain counties that did not feel porcupine damage existed.

However, as time went along, we did feel that it was not important enough to make too much of an issue out of it, and we told those who are proponents of the bill that we would sign, and they would have to take their own chances when it came out on the floors of the House and Senate, and that they might be surprised to find out how many friends the porcupines had that didn't want to pay a bounty. I did call to their attention two years ago that there was a porcupine bill introduced. The way the thing was set up, we estimated that it could go as high as eighty thousand dollars.

I am not especially talking against this bill, because as I say, I happen to be in a section that does not have this problem. I don't think a bounty of twenty-five cents would make a difference in half a dozen porcupines in that County being killed, because we all like to kill them wherever and whenever we can.

This particular bill calls for \$7,000. True, the bill was amended from fifty cents to twenty-five cents. As I say, I am not violently opposed to the bill. I realize these people do have a problem, and I will leave it in the judgment of this branch as to how they feel about it.

Mr. McKUSICK of Piscataquis: Mr. President, I don't know of any animal that has so much wrongdoing that can rightly be laid at his door as a porcupine. The great mistake that was made here in the state

was the taking off the bounty. The bounty had considerably reduced their numbers. But since the bounty has been taken off, they have multiplied remarkably in our section.

You have heard of the damage that it does to the blueberries. In our section we have sweet corn fields. I have heard one of the managers of one of those fields say that they have had as high as thirty per cent damage on a piece of sweet corn, which is a very considerable loss. The livestock growers are also very much interested in this. Porcupines are so numerous that it is a very common thing for them to be moving slowly through the pasture, and it is the most natural thing for a heifer or cow or colt to go along and smell of him with the result that the cow or heifer comes up at night with her nose full of quills. If those animals happen to be turned away in a back pasture and you see them only at salting time once a week, it creates a very serious problem. I don't know how many of you are well acquainted with the porcupines, but I suppose you know that the quills have spines pointed backward, and they work in of their own accord making them very difficult to pull out.

I don't know how many of you have had the experience of extracting quills from the nose of an animal such as a dog. There are people in the state that have some very valuable hunting dogs, and if you go out in the woods, it is the most logical thing to get their nose full of quills. I had a friend of mine tell me several years ago that he was hunting out late at night far out in the woods with a very valuable bird dog which came in contact with a porcupine. The result was he had to shoot the dog as he was too far away to get the aid of a veterinary. Those are just a few of the things.

There is still another thing which should be of interest to our summer people. If the porcupines find any wood such as a paddle or anything that has been filled with salt from the sweat of hands, it is the most natural thing for them to gnaw it,



and they do a great deal of damage around your camps in the woods, and perhaps on boats. So, take it all in all, there are many crimes that can be laid to this criminal, and anything that can be done to reduce his numbers and decrease his damage is a move in the direction of conservation.

Mr. COBB of Oxford: Mr. President and members of the Senate, daily I am more embarrassed with the extreme modesty of our floor leader, the Senator from Penobscot, Senator Haskell. The meeting which he attended was actually a meeting held for the successful propagation of the porcupines in the State of Maine. Now, I think we would be interested in finding out exactly what the Floor Leader said in his speech to that group. It might be helpful for raising other herds of this or that. In the County of Oxford we are favored with hundreds of these animals. These animals are not only a concern to the people who raise fields of corn for the factories, but they are also of some concern to the Forestry Department. The porcupine loves hemlock, and in the winter when they can get no other food to subsist on, these animals ruin some of the best timber in our section of the country. When I went home, as I did a week ago, and walked through our groves, we could see the porcupine droppings, and probably half of the hemlocks have been killed in that particular growth. When they get through with the hemlocks, they will even go onto a pine.

I see no useful purpose served by this animal in the state unless the Floor Leader can so inform me. I hope that the bounty stays on.

Mr. LEAVITT of Cumberland: Mr. President, I don't know of any debate I have heard since I have been in the Senate which I have enjoyed as much as this. I always like to get into a nice, good scrap. It is apparent that these porcupines really do raise havoc in the state. But if they do raise so much havoc, why don't you go out and shoot them? Why do you have to be paid twenty-

five cents to go and do it? I have to mow my lawns, but I can't ask the state to work and pay somebody to come and mow it for me.

If porcupines are so thick, why not pay a boy fifty cents to go out and kill a hundred of them? Why not kill them off, yourself? Why ask the state to pay twenty-five cents. I met some of these porcupines the other day and had a talk with them. They had been to this convention, and they said that they were a little bit insulted about this—that they didn't raise enough havoc to make people willing to pay any more than twenty-five cents to get rid of them. They thought if somebody would pay \$1.50 to get rid of them, then they would be of some importance. Now, it is too bad to insult them by thinking that they only do twenty-five cents worth of damage. Why not either pay for them, yourselves, or pay a good price on them.

Mr. NOYES of Hancock: Mr. President, I was a member of this Legislature when the bounty on porcupines was discontinued back in 1939. It was discontinued by a group of members of the Legislature know as the economy bloc. At that time, if my memory serves me right, it cost around eight or nine thousand dollars to pay the porcupine bounty. Now, in the ten years that this state paid no bounty, one way of figuring, the State of Maine has saved seventy-five or eighty thousand dollars. And at the same time, there is no question in my mind but what the porcupine has done a million dollars or more in damage. I wonder if the economy was penny wise and pound foolish. I think, as a whole this bounty on porcupines when the bill comes in is treated more or less as a joke, but seriously, Senators, it is not a joke. They do considerable damage to the farmers and other taxpayers. The owners of woodlands and sawmills have to pay taxes to the state, and they believe the bounty on porcupine is a good thing. From any standpoint I can see, the bounty on porcupines certainly isn't wrong.

Now, actually, in killing these porcupines, it is not the men who hunt to kill them as the Senator from Cumberland would indicate. It is these boys from the ages of twelve to fifteen or sixteen years that take their .22's and go out and hunt porcupines. They really have a good time. We are interested in boys and girls—I don't know as the girls hunt them so much—but I can't see how the Senator from Cumberland can be consistent in defeating this porcupine bill. I know that these boys are going to have a lot of fun killing the porcupines. They will pick up a little spending money, and at the same time they will do the State of Maine some good by getting rid of the porcupines.

These animals really do considerable damage, and I hope this motion to indefinitely postpone does not prevail. I believe the State of Maine has got money enough to pay this porcupine bounty.

Mr. DENNY of Lincoln: Mr. President, just to justify my position as the signer of the ought to pass report of this, I think most of us who might not have known too much about the damage of porcupines learned a lot about them at the hearing, and have learned a lot about the damage which they do, since then. I believe some canning companies on their own initiative are paying a small bounty on them.

However, in view of the financial, the very incidental financial obligation which this arrangement entails, at this time I will have to go along with the motion which is on the floor.

Mr. WILLIAMS of Penobscot: Mr. President, I believe I am the only Senator that hasn't spoken on this bill. I don't want to be left out, because I almost feel like the grandfather of this bill. My good friend from my County introduced this bill and a hearing was held. Last night, he came to me to still keep up the fight, and I assured him that the Senate would never go along on such a measure at this time.

Now I see very frankly from the debate that the porcupine has very few friends here except for these very few conventionites. I think I should say right here that I am very interested in this bill. The porcupines down in my section had their convention, and I will remind you where the convention was held. I was trying to pick a few apples last fall, and you know, the porcupines came up to me, and they told me that they were having their convention in my apple orchard. Of course, I had the orchard fenced, but they went over it, under it and through it and held their convention right there. The conclusion which they came to at this convention was this. Regardless of state finances—of course, with me they didn't go into this tax measure the same as they did my fellow Senator. But they said in order to protect themselves, they were getting so numerous, that they must have a bounty. That was the only thing for the State of Maine, and that is actually what they would like to have here today, I am sure, to just protect their population. The state is certainly getting overpopulated with them, and to protect them from themselves, we should pass this bill.

Mr. ELA of Somerset: Mr. President, I have no particular interest in this bill one way or the other. I had an invitation to this convention, but I wanted to be perfectly free, clear and under no obligation, so I turned the invitation down. This bounty was in effect some years ago, and it was a tremendously hard thing to administer. Every town treasurer in the state was driven nearly crazy with these porcupine remains. They threw them out back of the sheds, and the kids picked them up and lugged them in again. I notice some of the amounts which it cost in various years at fifteen cents—\$15,000, \$9,000, \$16,000, \$11,000, \$15,000. So you can easily see it would be in the nature of at least twenty thousand dollars. Now, if you only appropriate \$7,000, the towns will be holding the rest of it. If they have to

keep those remains until the money is available, there might be a slight odor.

The corn growers convinced us in the Fish and Game Committee that the large percentage of the damage to corn was by raccoons. We recognized that and took off the protection on raccoons in the vicinity of corn patches, and we haven't been lobbied by the raccoons since. Probably if they had known it was coming up, we would have been. There is nobody to administer this thing if you have it in effect. I think we can't protect everybody in this state against all the ills which may befall upon them. The porcupine is a rather slow animal, and I think if he is bothering your possessions too much, that you can run him down. You can kill him. Sometimes it takes quite a lot of cartridges, but it can be done. You don't call for a bounty on spraying your potatoes and one thing and another.

I think this is one thing which the individual can take care of, himself and should take care of himself. Furthermore, there is not money enough in the bill and there is not money enough in the treasury.

Mr. ALLEN of Cumberland: Mr. President and Senators, Senator Williams said everybody in the Senate had spoken. Of course, I know he just regards me as a city fellow who doesn't know much about hedgehogs. I believe this is really a serious problem. I would be glad to go out next year and kill a few and send them by air express to Senator Haskell if he wants porcupine pie.

Seriously speaking, I certainly will oppose the motion of the Senator from Penobscot.

Mr. LEAVITT of Cumberland: Mr. President, I am very interested in the meeting that Senator Williams tells about. The porcupines say that the only way that they can preserve themselves and have enough apples to eat is to have this bounty put on so that there won't be so many of them. Perhaps this would be the solution. Perhaps we

might solve our educational problems in this manner. The children might get together and decide what kind of bounty to put on themselves so we won't have so many in our schools. You have really given us some food for thought.

Mr. GREELEY of Waldo: Mr. President, the reason that I made the motion that I did was because I thought I would take the easy way out. I didn't suppose the bill had so much support. I have been lobbying around here for two weeks, and I couldn't find half a dozen people to support the bill. Therefore, I will go against my motion.

Mr. BARNES of Aroostook: Mr. President, I can see that my education was neglected. I should have learned the porcupine language. Back in the summer of 1946 at our summer camp at Nickerson Lake, I noticed that there was a hole gnawed up through the floor of the boathouse, and immediately went to work as the Senator from Somerset suggests. During the course of the next six-week period we killed seventeen porcupines. In the meanwhile about half of the boathouse floor disappeared. They have also killed several hemlocks. They do that in the winter when the boathouse isn't interesting. I didn't know what was happening up there, but apparently there was a convention there on the shores of Nickerson Lake.

Really, I think that perhaps if we had a porcupine bounty there might be some young farm lads in that vicinity that might have done this work for us and saved the boathouse floor. I think the great damage these vile animals do must run into at least a million dollars a year around the State of Maine. I believe it is so great that we might be able to expend \$7,000 from some source or other to re-enact this bounty.

Mr. SLEEPER of Knox: Mr. President, I would like to just add one word to this discussion. We have talked so long on this that I can't remember whether I have talked on it or not. Senator Leavitt

put in a good thought, if these things cause so much damage, why don't they go out and take care of it the same as he mows his lawn. I know I have often thought of that, myself when I saw the damage that they caused at my grandfather's and father-in-law's places. As the man that suffers it knows, the most of the damage is done during the harvesting of his corn and blueberries and other produce.

I imagine the most of you Senators know that the Maine farmer isn't yet on a five-day week or an eight-hour day. The average small farmer gets up at daylight and works until dark in the summertime haying, and harvesting his crops, and he doesn't have quite enough energy, or he doesn't get enough thrill to go out shooting these animals. This even applies to his hired men or even his boys. So you will have to have that supplied incentive in there to get these fifteen and sixteen-year-old boys to go out and shoot them. There is not too much sport in it. I think just that small recompense will make it attractive enough so that they will shoot them. But the average farmer, the man that suffers the most damage, doesn't have the strength or time at the time they do the most damage, to do much against them.

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

A viva voce vote being doubted,

A division of the Senate was had.

Fourteen having voted in the affirmative and thirteen opposed, the motion to indefinitely postpone prevailed.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Creating A State Commission of Nursing Attendant Education (S. P. 269) (L. D. 442) tabled by that Senator on April 21 pending passage to be enacted.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this is a bill on which I would like to move the pending question of enactment. However, it does involve some funds, and I realize that it may not be possible to do so at this time. I think that a word concerning the bill might be in order, because it is one of those bills that has been an acceptance bill all the way through. Outside of the discussion that was held at the time of the hearing, I have heard very little comment about it, except favorable comment. The question of creating a State Commission of Nursing Attendant Education is a very practical idea. It would allow girls to attend a normal school for a period of about three months and then go into these hospitals, especially the small hospitals of the state, and take a training course for a nine-months' period, after which they would be given a certificate which would allow them to do certain phases of nursing that would be very helpful in the community in which they live. It would be very helpful to the hospitals and would be very helpful to all of the people of the state. The sponsor of the bill, Dr. Clyde I. Swett of Island Falls, put in a lot of time in making up the proposition for creating this commission for attendant nurses. He contacted the nurses of the state, and he contacted the hospitals of the state. He contacted the members of the Medical Association and received an endorsement from all three of these groups of people.

The situation of the hospitals, as we all know, is a serious one. Many of the smaller hospitals that formerly had a training course for students have been unable to continue them, so that many of them now have to use only the graduate nurses.

This would allow these nurses to take their training in the hospitals and would help out those hospitals in all of the rural areas of the state where they do not have the chance to be affiliated with other

hospitals, so that the nurses who train there can become a graduate nurse. The fact that the graduate nurses association endorsed the proposition was an indication that they realized that something needed to be done. The Department of Education was willing to go along with the proposition. However, I do know that the Commissioner of Education feels that perhaps this was not the most important bill in his educational program. He would like to have had it, but of course, he doesn't believe he would like to have it at the expense of some of the other features that have been lost during the session of the Legislature. But I would want to call it to your attention, because as I say, I don't believe there has been any debate in either branch of the Legislature. I think it was a most worthy bill. I think it would have helped the hospitals. It didn't have a high price tag on it. The figure that was set up in the budget was \$13,000 a year. It is a recurring item, and it should come from General Funds of the state.

In making that explanation, I do want you to know that I have deep regrets that the bill can not receive passage, and I would move indefinite postponement at this time.

The motion prevailed and the bill was indefinitely postponed.

On motion by Mr. Batchelder of Aroostook, the Senate voted to take from the table bill, An Act Relating to the Right of Eminent Domain for Municipalities for Recreational Purposes (H. P. 1510) (L. D. 808) tabled by that Senator on April 21 pending consideration.

Mr. BATCHELDER: Mr. President, I might say that this bill permits any city or town on the presentation of 30 citizens petition to call a town meeting for the purpose of taking land for recreational purposes or playgrounds or for any other recreational purposes, and allows them to take it by right of eminent domain. I think we are going a long way when we permit

any town to take any property from the citizens to use for recreational purposes. At the present time we have in the law the right to take it for playgrounds and I don't think there is any necessity for this law at this time. Therefore, I move the indefinite postponement of this bill.

Mr. COLLINS of Aroostook: Mr. President, the bill in question, as the Senator has said, would allow the right of eminent domain to the municipalities for recreational purposes. I fail to see the difference between allowing eminent domain for playgrounds and for a recreational center. I think that the bill has a house amendment attached to it. I haven't a copy of that House amendment in my possession at the present time. I think that the House amendment would have the effect of nullifying the bill. I would like to ask the Chair at just what point the bill is at this time. Has the Report been accepted?

The PRESIDENT: The Chair will state that Senate Amendment A was adopted in the Senate and Committee Amendment A indefinitely postponed. In the House, Senate Amendment A was indefinitely postponed and the bill now comes from the House without amendment in non-concurrence.

Mr. COLLINS of Aroostook: Mr. President, I hope the motion to indefinitely postpone will not prevail because I do not share the views of the Senator from York that this would give to the municipalities much more additional authority and I think the purpose of the bill was well conceived and that it would be all right to have it on the statutes and for that reason I oppose the motion of Senator Batchelder to indefinitely postpone.

Mr. WARD of Penobscot: Mr. President, I would like to rise in support of the motion for an indefinite postponement. My understanding is that this bill originally came out of the Committee on Legal Affairs with Committee Amendment "A" and that Committee Amendment "A" has now been indefinitely postponed in both

branches so that the bill is before us with no amendment. Committee Amendment "A" proposed to put on to the bill, parking facilities. Of course, so far as parking facilities are concerned, Chapter 84 of the Revised Statutes, Section 38, already provides for the taking of land by eminent domain for parking facilities. Senate Amendment "A" also had the provision in it that the taking by eminent domain shall not extend to the taking of any property or facilities of any public service corporation, or district used or required for use by the owners thereof in the performance of such duty, unless expressly authorized by subsequent act of the Legislature, and of course, that was indefinitely postponed when the amendment went off.

This bill now boils down to the provision, as a recreation center or centers as playgrounds, or for any other recreational purposes as provided in section 109-A of chapter 80. As the Senator from York has pointed out, we already have in that particular section the right to take land by eminent domain for playgrounds. Now, playground of course, encompasses any outdoor recreational activity which a city or town might like to participate in.

On the second page of the bill you will see under Section 2 reference to Section 109-A of our present laws, and under Section 109-A of our law as it now exists, a municipality has the right to take land by eminent domain for playgrounds. And under this particular section, after they have taken the land by eminent domain for playgrounds, then they have the right to construct a building or buildings for said recreational purposes on the land. So, you can see under the present law that any municipality has the right to take land by eminent domain for recreational purposes, and after they acquire it, they have the right to construct any buildings which they see fit. So that means that this present law, this present proposed law boils down to apparently just one objective. That

objective is the taking by eminent domain of buildings for recreational purposes.

The section in connection with eminent domain which it proposes to amend provides that no dwelling house can be taken by eminent domain without the consent of the owner. It would seem, therefore, that this particular bill has one objective only, and that objective is to take buildings which are commercially used, or buildings which may be used by some fraternal organization, or organizations of that character for recreational purposes.

In my opinion, I think when we extend this right of eminent domain for such purposes, that we are carrying this law a long way. Eminent domain was intended originally to enable the town to acquire property which is necessary in the administration of government. Of course, we can readily appreciate why eminent domain is needed to take land for public buildings for school houses, for playgrounds and that sort of thing. But when you extend the right of eminent domain to take commercially owned buildings, or privately owned buildings which are perhaps used for recreational purposes — when you extend that right to a municipality, it seems to me that you are carrying it a long way.

Every township is approximately six miles square, and if I remember the information correctly, the Senator from Hancock has given us the information that of the four hundred ninety odd municipalities in the state, approximately four hundred sixty of them are under five thousand in population. With the township six miles square containing 22,000 acres, it doesn't seem to me that it is necessary in spite of these recreational purposes to extend the right of eminent domain. Surely, in most of those municipalities there must be ample land which can be purchased. I don't go along with the idea that we should extend the right of eminent domain to take the buildings of business blocks and

commercially owned buildings, buildings of districts, or any other building that may be in a municipality, with the exception of the dwelling house and land by eminent domain for recreational purposes.

I think that the town can very well, either acquire land, or if they can't acquire it, take the land, itself by eminent domain, and then go ahead and construct whatever buildings they want on the land after they buy it.

Mr. SLOCUM of Cumberland: Mr. President, I have been asked by the sponsor of this bill to speak on the merits thereof, and I will tell you very frankly that I cannot quite understand what new power the municipalities need. He, however, is of the opinion that the city of South Portland and some of our other cities need this right in order to further recreation and in that way to reduce juvenile delinquency. Anything that will tend to reduce juvenile delinquency, I am sure we are all in favor of. Whether this is the method, I am frank to say I cannot understand, but the sponsor of the measure is particularly anxious to see this pass. He has had legal advice, and I presume he feels that the bill has merit.

I hope the motion will not prevail and that we will insist on our former action and ask for a Committee of Conference which may be able to convince both branches of the legislature which is the correct action to take on this matter. If we can do anything toward reducing juvenile delinquency by having recreational centers, I know we all want to go along with it. I hope the motion does not prevail and if it doesn't, I will suggest that the Senate insist and ask for a Committee of Conference.

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

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Recessed until one o'clock Eastern Standard Time.

### After Recess

The Senate was called to order by the President.

### From the House

Joint Order, re. study of Tax Structure of State, by Legislative Research Committee. (H. P. 2124)

On motion by Mr. Ela of Somerset, the Order was laid upon the table pending adoption, and especially assigned for later today.

The Committee on Claims on "Resolve in Favor of Sisters Hospital, of Waterville," (H. P. 1591) reported that leave be granted to withdraw the same.

The same Committee on "Resolve in Favor of Augusta General Hospital," (H. P. 1590) reported that leave be granted to withdraw the same.

The same Committee on "Resolve in Favor of F. Errol Littlefield, of Hampden," (H. P. 728) (L. D. 284) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

Joint Order, re. study feasibility of including silicosis as an Occupational Disease, by Legislative Research Committee (H. P. 2123)

Mr. HOPKINS of Kennebec: Mr. President, I am interested, and I suppose the rest of the Senators are interested in the matters that are being thrown up to the legislative research committee by these different orders. Some of them might very well be matters for study by the Research Committee but I don't agree that this is one of them.

As far as I know the Research Committee could only bring out facts already available to anyone interested in them. I move the indefinite postponement of the Order.

Mr. HASKELL of Penobscot: Mr. President, I am not sure that I do thoroughly oppose the motion of the Senator from Kennebec, Senator Hopkins, but we did have a bill before us from the labor committee, and it was very obvious that that bill could not have legislative

acceptance. But I think that all of us on the committee on labor recognized that with reference to silicosis there was a problem. I don't recall any prior research committee action, but it seems to me that of all the things that a research committee might study and assemble into one brief report pointing out the advantages and disadvantages of including silicosis, that might be one of the things that a research committee could do.

I agree with the Senator from Kennebec, Senator Hopkins, that any member of the Legislature could acquaint himself with the basic facts with relation to silicosis. I also agree that very rarely does the Legislature accept with seriousness any of the studies of the research committee. I stood here this morning and opposed an order which would provide for the study of something that I thought should better be considered by Legislative deliberation. But the assembling of the basic facts in relationship to silicosis it seems to me could be done harmlessly by a research committee.

I certainly leave it to the good judgment of the Senators as to whether or not there should be a report. I would visualize that report would indicate the areas in the state that would be affected, the industries in the state that would be affected, the increase in operating expenses to the granite industry, and other things relating to silicosis. Those are all matter of factual determination.

It doesn't seem to me that it is unreasonable for one of your interim committees to assemble in brief form that type of information. However, if the judgment of the Senate is that you do not want those facts assembled in orderly form and presented in brief summary, certainly his motion should prevail. It is my own opinion that it is that type of thing that one of your recess committees could assemble for the Legislature for whatever value it might have.

Mr. HOPKINS of Kennebec: Mr. President, when I made the motion, I had no idea that the Senator from Penobscot was a member of the Research Committee. I think it would be perfectly proper for the Research Committee to ask the Health and Welfare Department to summarize the facts on silicosis. I think the most of us who know anything at all about silicosis, and about the economy of the State of Maine, know that there is silicosis in some areas of the state in some of the industries. You also know that when these bills providing for silicosis payments as a result of occupational hazards comes before us they are always unsupported by sufficient evidence to show exactly what the situation is, and the problem is so complex that you can't write legislation to cover it without intensive study.

The provision has to have wide precautions made around it in order to make it proper as an administrative thing, and I would think that perhaps it might be proper for the Research Committee to study the laws on silicosis over the country and see how they might fit into the picture for proper handling of this matter in our own state. The matter of silicosis, itself, in relation to industry, that is a matter of library research. I have no feeling one way or the other, but it seems to me we are passing so many things to the Research Committee that they can't do a good job on all of them. I would think this could be one that might be very well passed up.

Mr. HASKELL of Cumberland: Mr. President, for the purpose of completely studying the mechanics of the order, I would now move that the order be laid upon the table. If that motion prevails, I will then discuss the problem with the Senator from Kennebec and see if we can't agree on a satisfactory order.

The motion prevailed and the Order was laid upon the table and especially assigned for later in the day.



**Communication:**

State of Maine  
House of Representatives  
Office of the Clerk  
Augusta

May 7, 1949

Honorable Chester T. Winslow  
Secretary of the Senate  
94th Legislature

Dear Sir:

The Speaker today appointed the following conferees on the part of the House on the disagreeing actions of the two Branches of the Legislature on the following bills:

On Bill "An Act Relating to Liquor Licenses in Unincorporated Places." (S. P. 511) (L. D. 1010)

Messrs. MAXELL of Orient  
BROWN of Robbinston  
Miss. LONGSTAFF of Crystal

Respectfully

HARVEY R PEASE  
Clerk of the House

Which communication was read and ordered placed on file.

**From the House**

The Committee on Legal Affairs on Bill "An Act Permitting Basketball on Sunday" (H. P. 1507) (L. D. 817) reported that the same ought to pass.

(On motion by Mr. Batchelder of York, tabled pending consideration of the reports.)

The same Committee on Bill "An Act Permitting Theatrical Productions on Sunday," (H. P. 1725) (L. D. 1034) reported that the same ought to be passed as amended by Committee Amendment "A'.

(On motion by Mr. Batchelder of York, tabled pending consideration of the reports.)

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Weir Fishing in Certain Waters," (H. P. 1736) (L. D. 1090) reported that they are unable to agree.

Which report was read and accepted in concurrence.

The Majority of the Committee on Judiciary on "Resolve,

Proposing an Amendment to the Constitution to Apportion the Number of Members of the House of Representatives to the Several Towns," (H. P. 1567) (L. D. 882) reported that the same ought to pass.  
(signed)

Senators: BARNES of Aroostook  
WARD of Penobscot  
ELA of Somerset

Representatives:

WILLIAMS of Auburn  
McGLAUFLIN

of Portland  
SILSBY of Aurora  
MUSKIE of Waterville

The Minority, Report "A" from the same Committee on the same subject matter reported the same in a new draft (H. P. 2086) (L. D.) 1556) under a new title, "Resolve Proposing an Amendment to the Constitution to Apportion the Number of Members of the House of Representatives, and Fixing the Number of Senators," and that it ought to pass.

(signed)

Representatives:

PAYSON of Union  
BURGESS of Rockland

The Minority, Report "B" from the same Committee on the same subject matter reported that the same ought not to pass.

(signed)

Representative:

WOODWORTH  
of Fairfield

Comes from the House, the Majority Report accepted, and the bill passed to be engrossed as amended by House Amendment "B".

In the Senate, on motion by Mr. Barnes of Aroostook, the Majority Report was accepted in concurrence and the resolve was given its first reading; House Amendment B was read and adopted in concurrence, and under suspension of the rules, the resolve was given its second reading and passed to be engrossed in concurrence.

The PRESIDENT: The Chair will state with relation to the Committee of Conference on the dis-

agreeing action of the two branches relating to Resolve Changing the Opening Date of Fishing in Streams in Cumberland and York Counties, that in the absence of the Senator from York, Senator Boodwin, the Chair will replace that Senator with the Senator from York, Senator Batchelder and the Chair will urge that these different Conference Committees will get together at the earliest opportunity.

On motion by Mr. Slocum of Cumberland the Senate voted to take from the table bill, An Act Relating to Maine Soldiers and Sailors in the War with Spain (H. P. 1655) (L. D. 963) tabled by that Senator on May 6 pending consideration of the reports.

Mr. SLOCUM of Cumberland: Mr. President and members of the Senate, I think most of the members of the Senate understand what this completion of the payment of a bonus to the Spanish War veterans is all about. So I am going to be as brief as possible. L. D. 963 comes to us amended by House Amendment A which would complete the payment of this bonus only to those living at the time the act becomes effective. If the Senate sees fit to accept the majority report ought to pass,—which I believe technically I should move, and then my remarks would be in order—I will offer an amendment which would amend Section 3 to change the wording so that the appropriation shall come from the unappropriated surplus of general fund and will also reduce the amount from forty thousand dollars to thirty thousand dollars, which is without question, more than will be necessary to carry out the provisions of the act.

You all know we had a fighting group of Maine citizens who served in the War with Spain, all volunteers. They had a larger proportion of them disabled by sickness than by wounds but a majority of those who were in the service became casualties. When they went to war, they were promised by the Governor that they would receive

the same bonus that was paid to the Civil War veterans. Before they left, they were paid \$22 of the \$100 promised. When they came back, the legislature cried poverty as it has for years and years and failed to appropriate the other \$78 which had been promised them. It is a matter of record that they received the \$22. Today I believe there are only 308 Spanish War veterans left alive. When this bill was introduced on February 23, 1949 there were 30 more of them who had died. They die very rapidly and there may not be many left to apply for the \$78. If my figures are correct it would amount to somewhere in the neighborhood of \$24,000. It does seem that we should at least show those who are left that we appreciate their services.

I am not going to make an extended speech like I did last night, but I do hope that the majority report "Ought to Pass" will prevail and if it does, I will offer the amendment as I suggested.

Mr. BATCHELDER of York: Mr. President, I am somewhat reluctant to speak on this particular issue at this time, due to the fact that I was a veteran in World War I and received a bonus of \$100. Now, this bill was before the Legal Affairs Committee several years ago. At that time, we had a great many veterans appear before the committee, and many other prominent parties, but nobody appeared in opposition to this particular measure. At that time, the bill called for a straight bonus to all of the veterans then living, their widows and dependents the same as the World War I bonus.

Now, at the present time, this bill calls for the payment of a bonus to 308 veterans that are now living. It has been said that a promise was made, possibly, by the Governor at that particular time to these veterans and that the state would do something for them.

Now, I understand from things that have been stated in the past and presented to our committee about eight years ago, that a prom-

ise was made, possibly, by the Governor that something would be done for them. At that particular time when these veterans returned, our Governor paid from his own pocket an item of twenty-two dollars to each of these veterans. The next Legislature reimbursed him for that payment. Now, I do not understand that it was said at that particular time that they were promised any one hundred dollars in the form of a bonus. If they had been, I think without doubt a bonus would have been paid for that particular amount.

Now, what have we been doing for these veterans in the past? I believe that since approximately the year 1930 we have been granting real estate exemptions to these veterans, or property taxes in the various towns, which is an item far in excess of this particular bonus that they are asking at this particular time. They are also receiving from the federal government a pension of approximately one hundred dollars which they have been receiving for a great many years.

Without doubt, we probably could pay this item which calls for an appropriation of approximately \$24,000. But it is my belief that if this is done at this particular time, we will be faced at the Legislature with a bill asking for the payment to those that are now deceased, and the widows, as well. As there was approximately 4,000 veterans in the service, I see no reason why the state should not reimburse those that are deceased by paying to their widows and relatives whatever funds they would be entitled to if still alive.

I can't understand why they come in here with this bill approximately fifty years late, or forty years we will say, as this bill was presented to us about ten years ago, which would be about forty years late, aside from the fact that a bonus was paid to World War I veterans.

We have before us at the present time a bill calling for a bonus to World War II veterans. It is my

belief that this bill will actually fail of passage through both branches of this Legislature, and I do not believe that it would be for the benefit of the state if we did actually pay this bonus to these particular ones that are now living. I believe if the Legislature wishes, we can make a grant to the veterans such as is provided under this particular act, but I also believe we recognize the fact that we have need for a great deal of money at this particular time. We are letting many worthwhile projects go by the board, and I don't see how we can actually go along on this measure at this particular time. I hope that the motion does not prevail.

Mr. SLOCUM of Cumberland: Mr. President, I will agree with my colleague, Senator Batchelder, that all the veterans families of the four thousand that served should be paid instead of just those now living.

However, we haven't the money. I believe a bill should be put in to the next Legislature when there is money available, to do it, that the estates of those who served be reimbursed \$78. I can assure the members of the Senate that there were other bills put in between the time of the Civil War and the present time for veterans bonus, because in 1927, 1929 and 1931, I was the sponsor of those bills. I can also inform the Senate that practically every veterans organization has endorsed this and the members of the legislature who are veterans are interested and feel that this bill should pass at this time. They don't all favor it, because, as Senator Batchelder said, it should be for all, that is, the estates of those who have passed along.

But there isn't sufficient money left but at least at this late date, we could show the few left that we haven't forgotten the service they gave to their country.

A viva voce vote being doubted

A division of the Senate was had

Five having voted in the affirmative and nineteen opposed, the

motion to accept the majority report did not prevail.

Thereupon, on motion by Mr. Batchelder of York, the Minority Report was accepted.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Judiciary on bill, "An Act Establishing a Statewide Probation System (S. P. 533) (L. D. 1100) tabled by that Senator on April 13 pending consideration of the report.

Mr. SLOCUM of Cumberland: Mr. President, it is with a great deal of disappointment not only to myself but to those people that sent me down here to try to do something to correct the ills that exist today in delinquency and who felt that this bill would at least have been one step forward toward that end, to move the acceptance of the "Ought Not to Pass" report.

I would take considerable of your time in battling for this if I believe we could find the wherewithall to put this act into effect. I was assured that as an economy measure this bill should pass because every state that has such a statewide probation system has saved more than two dollars for every dollar invested, in fact the bill that is before us is patterned on the law in existence in the State of New Hampshire where they are spending fifty thousand dollars a year and saving over \$370,000 a year. I feel that if we can find any way that we expend state money that will bring even a dollar and ten cents for every dollar invested, that that is true economy. I know of no place where in any of our expenditures we can save seven dollars for every dollar. I note we have to spend \$125,000 to add more cells to Thomaston and I am informed by a man who is interested in the institution and has been following it carefully that if we can't find some way to cut down our present cost of operation we will have to build new wings at Thomaston approximately every ten years at a cost of a quarter or a third of a million dollars.

I hope that the next legislature will have this measure before them and I hope it will receive passage. I believe it is a very necessary bit of legislation for the good people of our state. A majority of our jurists have asked for it and at the committee hearing, the only opposition came from a few men who felt that the present system "if it was good enough for Dad, it was good enough for me."

Well, I hope we can find enough men to come down here two years from now to institute this statewide probation system. I am not going to bore you any longer with a speech. I do feel that this is one economy measure that should go into effect. It was asked for by the Chief Executive in his inaugural address and I know he is interested in something of this sort going into effect as soon as we have the wherewithall to pay for it.

Thereupon, the ought not to pass report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table Joint Order Relative to Study of Tax Structure by Research Committee (H. P. 2124) tabled by that Senator earlier in today's session pending adoption.

Mr. ELA: Mr. President, I think that if there is any one thing which should have commendation it is the action of previous research committees with relation to their tax studies that have been very helpful, very thorough and have been of great assistance. I am sure that any other pertinent tax information will be studied by future research committees. However, to burden the research committees with these various orders, this great multitude of orders may, and I believe is getting to the ridiculous stage. If they followed through on all of these orders they would not have time for anything of their own making. I think there is nothing in the prospective order that won't be done anyway,

and I move the indefinite postponement of the order.

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

Sent down for concurrence.

On motion by Mr. Batchelder of York the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act Relating to Itinerant Vendors (H. P. 1652) (L. D. 960) tabled by that Senator on April 30 pending motion by Senator Collins of Aroostook, that the bill be substituted for the report.

Mr. BATCHELDER of York: Mr. President, this bill came before us as the result of complaint by some Chamber of Commerce that out of state people came in here and sold from house to house various items, it might be by samples or otherwise, and they collected money therefore, and also taking photographs and receiving payment and later not producing the photographs they had taken.

The bill as it was presented to us was far from being in proper form and since then we have had presented a House Amendment which removes some of the objections to the bill. It defines the status between salesmen selling by samples and takes out those selling from cars, wagons and so forth. It also defines itinerant vendor. It is copied somewhat after the Vermont law. I don't know whether the bill will accomplish anything but after all it is more or less a matter of education on the part of the people not to patronize people who are strangers and solicit orders. I understand that certain Chambers of Commerce are very much in favor of this particular measure and I therefore move the previous question on the bill.

The PRESIDENT: The pending question is on the motion of the Senator from Aroostook, that the bill be substituted for the report.

The motion prevailed, the bill was substituted for the report and given

its first reading; House Amendment A was adopted without reading and under suspension of the rules, the bill as amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table Resolve Authorizing the Board of Commissioners of Pharmacy to Issue Certificate of Registration to Edward Laurence of Rockland (S. P. 485) (L. D. 949) tabled by that Senator on April 30 pending consideration of the reports.

Mr. BATCHELDER of York: Mr. President, I move that the Senate accept the Majority "Ought Not to Pass" report.

Mr. SLEEPER of Knox: Mr. President and Members of the Senate, I don't know why I am the victim of all of these bills to come before the Legal Affairs Committee, and the one who has to try to solve these problems in the quarrels between these different boards, or licensing boards of these vocations. But in this particular case the young man who wishes to get this license is a registered pharmacist, and he is just as deserving if not more so than in the case of the recently embalmed embalmer.

You will note, I hope that in this case I had a divided report and not a unanimous ought not to pass report. So, I will move at the finish of my short talk that we do not accept the ought not to pass report, but move that we accept the minority ought to pass report. However, I have better, more substantial, and more legal and technical reasons to argue on my side of the case in this particular matter. This Edward Laurence of Rockland is a young man who as a school boy worked in his uncle's drug store as a clerk in the soda fountain, and then he worked back studying to be a pharmacist. He worked in that drug store for almost eight years. As you all know, except for the dangerous and complicated

formulas, why even the clerks, the fountain clerks can mix up half of the prescriptions. He served his apprenticeship. I don't know just what the amount of time was. That was back before the days of these closed corporations and before the guild system was revived and all of these barriers were put up. In those days when he first went to work in this drug store, you could work — I won't say exactly how long, but it was around four or five years as an assistant to the pharmacist, and then you were entitled to take the examination just on the strength of your having served as an apprentice pharmacist. I will admit that at that time, he was quite young, he took one examination as his time came up and did not quite pass it. He wasn't at the bottom of the list. He did fairly well, but he did not pass the examination. He still stayed in the drug store, however, intending to take the examination at a later time after putting in time on it and working harder. But just about that time — I should have all of these things down in black and white, but not being an attorney, I don't know enough to keep my facts and figures in the order I should keep them — I don't know the exact date, but anyway right in the middle of this transition period, this Legislature saw fit to pass a law that said from that time on that you would not have to go to school for six months or a year, but you would have to go to a college of pharmacy for two years, and a few years later it changed this two years to four years. Of course, as I mentioned in the case of the embalming college, there is no college or school of pharmacy in the State of Maine, the closest one being in Boston.

About that time, young Laurence was married, and then as his family grew in size, why he was forced to go into the post office to get better employment in order to earn more money. However, he never lost his love for pharmacy and was always interested in drug stores.

Very recently, I think about two years ago through the death in the family, I believe of his grandfather—I hate to bore the Senate with all of these details, but I want to prove my case as much as I can—he was put in a position to buy a drug store which he had. And he and his father now own this pharmacy, a prosperous and one of the best drug stores in Rockland. So now we find him the proprietor of a drug store, but he doesn't have a pharmacist's license. He isn't a registered pharmacist. In the meantime, he had acquired enough knowledge to take the examination again and could have passed it, but then he had been caught in between by the law which said that you have to go four years to an approved college of pharmacy.

On top of all of this complicated theory that this board runs on, they also say that if you cannot go to college, and if you have the necessary practical experience, that you can become an assistant registered pharmacist, and you are entitled to make up prescriptions, whether that registered pharmacist is in the store or not if you pass an examination. So Edward Laurence immediately applied for the assistant pharmacist's license which was all he could apply for on account of this rule which had been passed by the Legislature. He passed it easily and was made an assistant registered pharmacist.

The law still says, however, that each drug store must have a registered pharmacist. So, we now find him in the position of being the half owner of a nice drug store with an assistant pharmacist's license. Naturally, to protect himself, he should be a registered pharmacist. He is now thirty-five or thirty-six years old with three children, and he can't very well start to Boston now and go to a college of pharmacy. The resolves reads, Authorizing the Board of Commissioners of Pharmacy to Issue Certificate of Registration to Edward Laurence of Rockland. This does not mean that the Legislature will

issue him a certificate. This is authority for the Board to issue a certificate. He is perfectly willing to take any sort of an examination that they wish to give him.

They claim that they can't under the present setup give him this examination, unless he complies with the four-year college of pharmacy course which of course he can not very well do. Perhaps the board would rather that the Legislature would authorize them to allow them to issue this certificate without his going four years to Boston. At the hearing, there were no opponents to the bill which was quite different than the hearing we had on our friend the embalmer. At that hearing, every embalmer in Maine was there in opposition to the bill. But at this hearing, there was no objection, although I would state there was several letters sent after the hearing, as they were concerned that they couldn't have someone appear, instead of just writing these letters. In fact, I have got a letter from Phidalem Demers from Sanford whom I know quite well. He is on the Board, and he wanted to know what the story was on this Edward Laurence wanting this certificate. In my usual careful manner here, I can't find the message. Apparently I didn't file it in the right filing cabinet. I didn't answer Mr. Demers' letter as I should have done, because I expected to see him at the hearing and explain to him, personally, what the situation was.

I did, however, get a minority report from the Committee that the pharmacist board could issue a certificate to this Edward Laurence. I would like to remind the Senate, also, that there is a great scarcity of registered pharmacists in the State of Maine. In fact, many drug stores, especially in Portland and the larger cities that should have four or five registered pharmacists have only one, and they operate on the theory of having one registered pharmacist with several younger men with the assistant pharmacist

license which Edward Laurence already has.

The State of New Jersey in this very last session of the Legislature on March 5th or 6th passed an act in that Legislature which said that any holder of the assistant pharmacist's license was qualified without further education in a college of any sort to become a registered pharmacist on account of the great shortage of registered pharmacists in that state. They certainly can't be any scarcer or shorter than they are in Maine, because we have no college of pharmacy in this state, and it is becoming harder and harder for a young man to become a pharmacist in Maine.

An assistant pharmacist can put up prescriptions of any kind and issue them, and he does not have to consult with the registered pharmacist. He can do it in the absence of the registered pharmacist. We are now asking that this board be allowed to vote on his case and issue him a license if they see fit, or grant him the privilege of taking an examination so that he can become a registered pharmacist, because that will be his lifelong business from now. Naturally, at his time in life he can't go to Boston and take any four-year course in pharmacy. I imagine that he probably has been working in drug stores now for about twelve years and been an assistant pharmacist for almost three, and he probably would be qualified almost as well as any one of those instructors that he might have up there.

I do hope that the Senate will help us on this matter and try to grant one little request and give this fellow a chance to run his own business in his own way. I think I have tried to prove to you that it is not a matter of life and death. I pondered it, myself, at the time when he said that, because it seems to me that the making of prescriptions and drugs is rather a serious business and does concern the life, health and welfare of our citizens. But since he is already qualified to do the very same thing for which he is making request here, as he

has qualified as an assistant pharmacist, I can't see what harm it would do to allow him to become a full registered pharmacist.

I hope that the majority ought not to pass report does not prevail.

Mr. BATCHELDER of York: Mr. President, I listened with a great deal of interest to the remarks that have just been made by the Senator from Knox in relation to this party who seeks to attain a license as a registered pharmacist. Now, I believe that we have had several bills along this particular line asking for licenses for various parties and they have failed of passage. With the thought we should be consistent with what we have done in the past, I believe we should accept the majority ought not to pass in this case.

It might be interesting to know what some of the requirements are in order to become a registered pharmacist in Maine. A person must first be graduated from a recognized college of pharmacy and then pass a certain examination before the Commission of Pharmacy. Apparently, Mr. Laurence hasn't these qualifications. Otherwise, he wouldn't be seeking this special privilege from this Legislature. As I understand, last June an examination for pharmacists and qualified assistants was held before the board, at which Mr. Laurence then appeared as a candidate at that time. He did pass an examination for a qualified assistant and was issued a license as such. I took this matter up with a member of the Commission of Pharmacy. As I understand from his examination on the subject of materia medica, the record shows that Mr. Laurence's paper was not among the best, because out of the nineteen candidates who passed, he was in the 16th place. Only three candidates had lower rank.

It may be that it doesn't affect the public welfare in any respect, possibly, where they grant these licenses so they can pass out drugs to the public. Possibly the good Senator from Rockland may be willing for this particular party to

deal in drugs and work in a store of this type. But I am wondering whether or not we might not need the services of the embalmer, as well as the druggist if we allowed this bill to go along. I think in view of all that has taken place that there is really no necessity of my saying more on this subject. I will leave it to the body here.

Mr. SLEEPER of Knox: Mr. President, I would like to explain to the Senate and apologize to the Legal Affairs Committee for bringing all of these various bills before them. I was glad to do this, and I am sincerely convinced in this case that I am right. I would like to say for the information of the Senate that on the third bill that I introduced, the bill that asked for the Board of Medicine to issue a license to practice medicine to Dr. Beckerman, that the licensing board granted him the license, because they knew that he was entitled to it. There was one little technicality in there, but they granted him the license. That was the reason that bill was withdrawn.

I haven't attempted to introduce any crackpot persons. I feel that they have all been entitled in every way to these things for which they have asked. I don't think that I have picked upon the Legal Affairs Committee in bringing these things before them. I think there is a lot of reason and justification to each of these particular cases.

I still say if he can practice and make up prescriptions as an assistant pharmacist without supervision, he certainly ought to be allowed to take the examination to become a registered pharmacist and run his own business. Undoubtedly he will have other registered pharmacists there, because the size of the business is such that they would have two or three men able to make prescriptions, and at all times. I have also mentioned the fact which can't be denied that the State of New Jersey has passed an act in this very last session of the Legislature which made every assistant into a registered pharmacist in that state. I hope that Mr. Laur-



ence will be able to become a full, registered pharmacist.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Batchelder that the Senate accept the Majority "Ought Not to Pass" report.

A division of the Senate was had.

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

Thereupon, on motion by Mr. Sleeper of Knox, the Minority Report "Ought to Pass" was accepted and under suspension of the rules, the bill was given its two readings and passed to be engrossed.

Sent down for concurrence.

Mr. WILLIAMS of Penobscot: Mr. President, I note on our printed calendar, that the 19th item lists me as being the one that tabled it, but I didn't table it and I now have the authority from the man who did table it, to take it from the table.

The PRESIDENT: The pending question is on the adoption of Senate Amendment A. The Secretary will read Senate Amendment A:

"Senate Amendment A to L. D. 813, bill, An Act Relating to Entertainment and Recreation on Sunday. Amend said bill by striking out Section 1 at the beginning of Section 1 of said bill. Further amend said bill by striking out all of Sections 2 and 3 thereof.

Mr. BATCHELDER of York: Mr. President, this is the bill that came before us for the purpose of making some changes in various activities that could be carried on on Sundays. One of these was holding musical concerts. At the present time we have moving pictures on Sunday and we felt there was not much difference and we felt we might just as well have high class music on Sundays. I understand this amendment does not affect that. The bill also provides for the holding of recreational and competitive sports and games.

Whereas our law previously only allowed outdoor amateur games

which were to be held only between the hours of one and seven P. M. it is now amended so they can be held any time after one o'clock. It also allows for the charge of admission for such particular sports or games. At the present time there are some places in our state where they have baseball games on Sunday afternoon which are attended by a large majority of our citizens especially in Portland where they have largely attended ball games and where I understand an admission charge is made.

At the present time this law is not being really enforced and I see no reason why we should continue to hold it on our statute books. Also in some places they have played basketball on Sunday. We have two bills now pending before the legislature. One is pertaining to musical concerts and the other is relative to the playing of basketball on Sunday.

I see there is really no conflict with churches and I don't see any harm in allowing these particular games to be carried on. The bill also carries a local option provision so that any town or city that desires to do so may vote and designate wherein these sports can be held. I see no harm in the bill and I trust the amendment will not be adopted.

Mr. WILLIAMS of Penobscot: Mr. President, I am glad that Senator Batchelder gave such a good description of this bill and I am sure you can see from his description, the reasons I oppose this bill, because it is a complete breakdown of any control over what goes on on Sunday. I suppose I might as well, at the beginning, admit that I know something about what goes on in the world and I know that sports go on on Sunday that are not legalized and I would also agree with anyone who may suggest it later that other things go on on Sunday too.

I haven't seen yet in this legislature bills to legalize everything of that type. I might say that this bill has been on the table a long

time, and I think you realize the reason. I think maybe I am at fault in not going to the Legal Affairs Committee to find out what they were doing. They were holding the bills to see what I would do and I was holding my bill to see what they were going to do on the others.

Probably if we had got together, we wouldn't have had them facing us this afternoon and maybe it is a good thing, but I think they should be taken up at one time. In holding this on the table I had two things that people seemed to be interested in and one was the matter of concerts on Sunday and the charge of admission. Certainly with moving pictures operating on Sunday, and a lot of other things, I could not see any reason why concerts should not be conducted on Sunday afternoon or evening either.

The other thing was the matter of summer theatre productions. It has been pointed out to me that in some resort areas they would like to be able to operate these theaters on Sunday. There again if we have legalized moving pictures on Sunday, I could see no reason why they shouldn't be added and for that reason I prepared this amendment which has been so ably explained to you by the Senator and which would strike out all of the bill but those two things.

I would ask you to consider a moment if maybe that is not as far as we should go in this legislature to legalize further the use of the Sabbath for that type of entertainment. I know there are sports going on on Sunday, including baseball, but again it might be well not to allow everything in the law, and I have one very particular objection why I am against it.

I feel that the day is going to come, if we keep letting down these restrictions, where no doubt our schoolboy games are going to be played on Sunday. I don't know how you Senators feel about that. You may think it is a good idea but I think you are all aware how interested young people are in sports, how well we like to see

sports ourselves, and it might happen that a child of yours or mine might have a religious turn of mind and might want to spend Sunday in worship, — and again, I think the Senate will agree that is a good way to spend the Sabbath, whether you or I do it or not — and there would be this direct competition. That is the big objection that I have to dropping the bars on the observance of sports on Sunday.

Apparently no one is being harmed today as the law is, except in the matter of summer theaters and the musical concerts. It seems to me my amendment is a good one and that maybe that is as far as we should go in this particular field at this time.

Mr. McKUSICK of Piscataquis: Mr. President, I am in favor of the amendment introduced by Senator Williams. I am also interested in the angle that he has brought out in regard to the possibility that if we legalize Sunday sports it will not be very long before there will be a demand for Sunday sports in our schools. As you know, there might be a great difference in the opinions of different communities about this matter and if a school is in the league it might be placed in a very embarrassing position if the community behind that school demanded Sunday observance. Other schools in the league might come from communities where Sunday observance was somewhat lax.

I believe we are going altogether too far in letting down the bars on Sunday observance, even though our bringing up may not have been too puritanical, there are some of us that still believe that Sunday should be kept in a somewhat different manner than it is at the present time and I am heartily in favor of the amendment.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A.

A viva voce vote being doubted,

A division of the Senate was had.

Seventeen having voted in the affirmative and ten opposed, the motion did not prevail.

Thereupon, the bill, having previously had its two readings, was passed to be engrossed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Joint Order re study of feasibility of including silicosis as an Occupational Disease by Legislative Research Committee (H. P. 2123).

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, the Majority Floor Leader has brought this Order to my desk suggesting that it might be amended to be more to my liking. The Order gave broad authorization to the Research Committee, and I can see no good to come out of taking the time to amend it in any way. I think the Research Committee and Senator Haskell wish the order in its present form, and if he is a member of that committee will do the work the order calls for and I will withdraw my motion to indefinitely postpone although I shall vote against the order because I think the Research Committee can handle the work under this order if they think it is necessary to do so.

Thereupon, the motion to indefinitely postpone was withdrawn.

Mr. HASKELL: Just as a matter of correcting the record, Mr. President, I will indicate that the Senator from Penobscot, Senator Haskell has no idea that he will be a member of the Research Committee. That is up to the President of the Senate.

Mr. ELA: Mr. President, I move that the Order be indefinitely postponed.

The motion to indefinitely postpone prevailed.

The Majority of the Committee on Public Health on Bill "An Act Relating to Chiropractic Services Under the Workmen's Compensation Act," (H. P. 1581) (L. D. 903) reported that the same ought not to pass.

(signed)

Senators: ELA of Somerset  
LEAVITT of Cumberland  
COBB of Oxford

Representatives:

LONGSTAFF of Crystal  
BATES of Orono  
FAY of Portland

The Minority of the same Committee on the same subject matter reported the same in a new draft (H. P. 2081) (L. D. 1540) under a new title, Bill "An Act Relating to Practitioners' Services Under the Workmen's Compensation Act," and that it ought to pass.

(signed)

Representatives:

MAXWELL of Wilton  
BERRY of South Portland  
McCLURE of Bath  
WEBBER of Bangor

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

In the Senate, on motion by Mr. Leavitt of Cumberland, the Majority Report "Ought Not to Pass" was accepted.

The Majority of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Shipment of Clams," (H. P. 1535) (L. D. 810) reported that the same ought to pass.

(signed)

Senator: BROWN of Washington

Representatives:

HANSON of Machiasport  
BUCKNAM of Whiting  
STEVENS of Boothbay  
PRINCE of Harpswell  
LITTLEFIELD of Kenne-  
bunk

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

(signed)

Senators:

SLEEPER of Knox  
LARRABEE of Sagadahoc

Representatives:

AMES of Vinalhaven  
PHILLIPS of Southwest  
Harbor

Comes from the House, the Minority Report read and accepted.

In the Senate, on motion by Mr. Sleeper of Knox, the Minority Report "Ought Not to Pass" was accepted in concurrence.

**Enactors**

"Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Androscoggin River." (H. P. 2098) (L. D. 1584)

"Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Penobscot River." (H. P. 2090) (L. D. 1562)

"Resolve, in Favor of O. E. Weymouth, of Lincoln." (H. P. 445) (L. D. 1606)

"Resolve, in Favor of Joseph M. Martin of Van Buren." (H. P. 732) (L. D. 1607)

"Resolve, in Favor of Hatches, Inc., of Belgrade." (H. P. 822) (L. D. 1608)

"Resolve, in Favor of George V. Jordan, of North Waldoboro." (H. P. 1029) (L. D. 1609)

"Resolve, Authorizing Completion and Printing of a Digest of the Opinions of the Law Court." (H. P. 1497) (L. D. 853)

"Resolve, Granting a Pension to Erna G. Adams of Bridgton." (H. P. 2095) (L. D. 1580)

Bill "An Act Relating to Unclassified Importer of Cigarettes and Tobacco Products." (H. P. 577) (L. D. 175)

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)

Bill "An Act Relating to Travel for Members of the Legislature." (H. P. 1253) (L. D. 557)

Bill "An Act Relating to Aid to Dependent Children." (H. P. 1386) (L. D. 691)

Bill "An Act Relating to Automatic Signals at Railroad Crossings." (H. P. 1796) (L. D. 1138)

Bill "An Act Relating to Licenses for Consumption Sale of Liquor and Appeals." (H. P. 1810) (L. D. 1134)

Bill "An Act Relating to Reimbursement to Towns for Special Teaching Positions." (H. P. 1950) (L. D. 1323)

Bill "An Act Relating to School Unions." (H. P. 1952) (L. D. 1325)

Bill "An Act Relating to Inheri-

tance Tax Exemptions in Class A." (H. P. 2061) (L. D. 1490)

Bill "An Act Relative to Licensing Dealers in Livestock." (H. P. 2106) (L. D. 1598)

Bill "An Act Relating to the Bee Industry." (H. P. 2107) (L. D. 1597)

Bill "An Act Relating to Technical Secretary of Sanitary Water Board." (H. P. 2112) (L. D. 1602)

Bill "An Act Creating a Board of Arbitration for Weir Fishing." (H. P. 2114) (L. D. 1604)

(On motion by Mr. Sleeper of Knox, tabled pending passage to be enacted.)

Bill "An Act to Clarify and Simplify the Sea and Shore Fisheries Law." (S. P. 688) (L. D. 1594)

Bill "An Act Relating to Compensation for Specified Injuries Under the Workmen's Compensation Law." (S. P. 673) (L. D. 1544)

Bill "An Act Relating to Deer Isle-Sedgwick Bridge District." (S. P. 671) (L. D. 1523)

Bill "An Act Authorizing the City of Presque Isle to Provide for the Collection and disposal of Garbage, Refuse and Rubbish and to Assess a Charge Therefor." (S. P. 461) (L. D. 913)

Bill "An Act Relating to Fees of Clerks of Courts." (S. P. 441) (L. D. 829)

Bill "An Act Relating to an Institutional Farm Supervisor." (S. P. 215) (L. D. 333)

"Resolve Providing for a Continuous Survey of Closed Clam Areas and Mussel Control Program." (S. P. 689) (L. D. 1593)

"Resolve, Directing Commissioner of Sea and Shore Fisheries to Make Study of Herring and Means of Avoiding Their Depletion." (S. P. 687) (L. D. 1592)

"Resolve in Favor of a Bridge Across the St. John River in Allagash Plantation." (S. P. 685) (L. D. 1588)

(On motion by Mr. Williams of Penobscot tabled pending final passage.)

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

### Senate Committee Reports

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Aid Small Woodland Owners," (S. P. 542) (L. D. 1182) reported that the Senate recede from its former action and concur with the House, in the passage of the bill to be engrossed as amended by House Amendment "A".

Which Committee of Conference report was accepted.

Thereupon, on motion by Mr. Williams of Penobscot, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted and the bill as amended by House Amendment A was passed to be engrossed in concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table bill, An Act Relating to Basketball on Sunday tabled by that Senator earlier in today's session, and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Sleeper of Knox, the Senate voted to take from the table House Report from the Committee on Sea and Shore Fisheries on bill, An Act Regulating the Use of Trawls in Washington County, (H. P. 1852) (L. D. 1190) tabled by that Senator on May 6 pending consideration of the reports, and on further motion by the same Senator, the Minority Report "Ought to Pass" was accepted and under suspension of the rules, the bill was given its two readings and passed to be engrossed in concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table bill, An Act Permitting Theatrical Productions on Sunday, tabled by the Senator earlier in today's session; and on further mo-

tion by the same Senator, the bill was indefinitely postponed.

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

This was done amidst the applause of the Senate.

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

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

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table Resolve in Favor of a Bridge Across the St. John River in Allagash Plantation (S. P. 685) (L. D. 1588) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. CROSS of Kennebec: Mr. President, as Senator Cross, this Senator would request the indulgence of the Senate to allow him to speak reasonably briefly from the Chair of the Senator from Cumberland, Senator Brewer. I trust there will be no objection.

Mr. President, I am about to offer and I do offer, a motion to indefinitely postpone Resolve in Favor of a Bridge Across the Allagash River, and my only purpose in presenting this to you in this form is the facts which I shall now give you.

I think I am the only Senator here who has served in the past on the Committee on Ways and Bridges, and therefore there are certain very pertinent facts regarding this resolve which I feel it my duty to lay before this Senate. I wish you would believe me when I say I have no personal animosity against those residents of the towns of Allagash or those of Aroostook Coun-

ty, but I do feel that some of these facts should be presented to you, and my only wish is that you will weigh these facts carefully and make your own decisions.

It was my pleasure and privilege to serve on the Committee on Ways and Bridges for a period of three terms in either this branch or the other, and on those occasions we had the opportunity to hear from a great many of the residents of Maine regarding their desires on either roads, or bridges, or both.

During that period we were faced each of those sessions with a Resolve for a bridge across the Allagash or, in later days, a bridge across the St. John River.

Now to digress slightly, and I think the facts are pertinent to the question, about six years ago we did authorize a bridge across the Allagash which is a tributary to the St. John, and this bridge authorized by the Legislature was to be a wooden bridge at a cost of \$35,000. This bridge was built for the residents of Allagash Plantation and I believe the final cost was approximately \$70,000. I was very much interested in the bridge because we had a great deal of discussion on the committee and a plea was made for those people in the Allagash Plantation to allow them to get across this dangerous and swift running river to help them to get to the outside civilization and get their children to school and to church.

This bridge was built and I was interested enough to drive up there after it was built and look at the countryside to verify some of the facts which the Senator from Aroostook, at that time Senator Brown, had presented to the Committee, and I am very willing to give Senator Brown an A plus on the facts which he presented to us. He said that it would serve 35 families and their children and serve practically all of Allagash Plantation. That is true. I did count the houses and there were 35 including the school and church. This was a very worthwhile object and I felt at the time that as a

great many of the lumber operations were carried out over the Allagash River and the St. John River, that this lumber was very essential to war production at that time and that this bridge was well worthwhile from that standpoint and from the standpoint of those residents of the town of Allagash, but I do feel that this next project of a bridge across the St. John River is neither warranted nor fair and these are the facts which I think should be brought to you in all fairness to you and to the people of the State which you represent.

This Allagash River bridge has been constructed and the people in the Allagash Plantation now get into Fort Kent by using that bridge. This second bridge, across the St. John, is a much more magnificent undertaking. It would cross another swift flowing river. On the other side of the St. John River, there is what I consider to be, and as the Senators from Aroostook have told me, some of the best virgin timber in the State of Maine. I think you are all familiar with the background of the Allagash. It has been in all our folklore for years as being the last frontier, and standing on the bank of the river, looking across the St. John, I would certainly agree that it looks very much like that last frontier. There is one house visible at the end of the ferry and on this map which I will be glad to pass around if you wish to see it, it shows, according to our State Highway map, a strip of road which, according to the scale of miles, is approximately four to five miles long. It apparently goes nowhere. It is a dead end street. I have talked with the Senator from Aroostook, Senator Brewer, and he assures me that there are thirty-five people on that side of the river. I regret to state that the information I received two years ago was that year around residents number approximately six families.

It may be that they have a total of thirty-five people in those families. I understand that in Northern Aroostook they do have large families, but even so, and in all

justice to them, I do not think it is wise or fair to ask this state to appropriate \$210,000 to build this bridge across a river of that size. This four or five miles of road stands alone in the wilderness. To the North is Canada, to the east is Canada and to the west is Canada and on both sides of the border there is practically nothing but forests. I have no quarrel with the Senator from Aroostook when he tells me he would like to open up that area for settlement and in the interests of the State of Maine and to make a short cut to Canada, but I submit to you that there are other more worthy projects where this money can be spent.

To do the Senators from Aroostook complete justice, this Resolve which is before you is in the amount of \$100,000 and of that amount it says that Allagash Plantation shall pay to the State \$5,000 per year for ten successive years as their share on the bridge. That would presumably by \$50,000 to be deducted from the \$100,000 resolve which we have here.

I have talked with the Chief Engineer of the Bridge Department of the State of Maine and he tells me that their estimate of eight years ago was \$105,000 as the total cost of the bridge built of wood, which is the present plan for this bridge. His estimate as of the costs of today would at least be doubled and it might go even higher.

Now, this is supposed to be built under the so-called Bridge Act and as you are all familiar, it divides the cost between the state, the town and the county, and the approximate shares would be this. Approximately \$142,000 by the state, \$63,000 by the county of Aroostook and \$5,000 by the plantation. That would be the fair and equitable adjustment if it were built properly under the bridge act, but this bridge, if built under this, would penalize the people of Allagash Plantation and compel them to pay \$50,000 as the total cost of their share of the bridge. The total tax commitment of the Allagash Plantation to the

best of my knowledge and as received from the table in the Tax Assessor's Office is less than \$5,000. So I cannot see how the plantation could raise for ten years that much money and I don't see why they should, but that is beside the point. The main point is that this is a bridge which goes nowhere, a bridge which serves a maximum of thirty-five people on the other side of the St. John river and I submit to you in all fairness to those people in Aroostook who would like to see these people have an outlet to civilization that it is not a wise investment to the people of the State of Maine and I would move at this time, that the resolve be indefinitely postponed.

Mr. BREWER of Aroostook: Mr. President, in the first place, I want to thank the Senator from Kennebec, Senator Cross, for his fair statement of facts. In the second, place, this seems to be an irresistible force hitting an immovable object, and the outcome might be any thing. I do want to say to you that what he calls people, I call families. My understanding, depending on whether it is summer or winter, is that there are some sixteen to thirty-five families, instead of people.

Now, he tells you what the cost of the bridge is to start with. Roughly estimated, the bridge would probably cost over \$200,000. In my original bill, I asked for \$220,000. But in compromising, as you do with Senator Cross and Senator Haskell, I cut it to one hundred fifty and then to one hundred with this thought in mind. Any bridge that is built under the bridge act, the first thing being a petition of the town, they ask for a hearing. The Commission and County officials and townspeople meet on the spot where the bridge is to be desired. In the first place they decide what the bridge is to cost. Then with any combination of the three voting to build the bridge or not as they see fit, they then decide whether or not the bridge shall be built. So that is

why I point out to you that in this particular case, and under the Bridge Act, the cost was not important.

In the second place, Senator Haskell's objection was that the land owners weren't paying enough. At first it wasn't specified under the bridge act, and I amended the bill to bring the bill under the bridge act. But I felt that the landowners were contributing their share, because we were getting two cracks at them, first in the county and then the fact that the people were willing, and this is by the selectmen and written in the bill, to contribute \$5,000 a year for ten years after the bridge was built.

Now, why were they willing to do this? According to the valuation the Senator from Kennebec has given you, they don't raise that much money there, but I have a letter here that I would like to read into the record at this time.

"Money expended for the past years in running the St. John River ferry, and maintaining a winter road on the ice, including a winter bridge over open channel.

1946 expended	\$5038.53
1947 expended	5740.00
1948 expended	5963.84

"In 1948 we operated the ferry for ten months which made it very inconvenient in the ice and slush this past fall.

"Owing to the tremendous volume of traffic which uses the ferry, it is nearly impossible to continue operating the ferry in the future.

"Checking the volume of traffic in July, 1948

One week only in July	743 crossings
One week in August	686 crossings
One week in Sept.	622 crossings
One week in Oct.	593 crossings
One week in Nov.	453 crossings

60% of these crossings were made by lumber trucks.

"Considering the amount of traffic in these present times, the plantation can not afford the expense of operating the ferry which is very inadequate any longer."

I would like to tell the Senators here that the mode of lumber op-

erations have changed considerably in the past years. Years ago, it was the custom to send a crew in the woods, yard these logs and send them down the river in the spring drive, or when water was available. Today, with the smaller mills in operation, the lumbering operation has become more or less of a hand to mouth one. They go into the woods with a bulldozer, root out a road, cut the logs, put them on a truck and haul them to a mill. For this reason, I feel that this bridge is very essential.

I have talked with the county commissioners. One of them, at least, in that country told me that the county is not prepared this year to help build a bridge. But in another year, they felt that they would be qualified to pay their proportionate share. This fellow also told me that he was very anxious to see that part of the country opened up, and that he hoped a bridge could be put there in two years.

Another situation that these families and people in that region find themselves in is the fact that the crossing is so precarious that a good many of the mills on this side do not operate across the river and depend upon their source of supply from this side of the river alone. Now what happens? Your land owners sell to your Canadians. Your Canadians take them into Canada, and in that way these people, in order to be able to compete with the Canadians in wages are not assured of a livelihood out of an industry that they for years followed up. Over and above that, I have been informed that a distance of about nine miles from there into Quebec territory where good roads are available, that there will be a road put through there, and eventually I see the time when that would be one inlet or outlet for visitors coming into our State of Maine. I do feel that it would open up the country that now is inaccessible. I also the other day in the debate for the bridge on Indian Island could not help but think on every plea that was made for this particular place how well



it fitted into this picture, because conditions were exactly the same. The only thing that varied was the number of people that the Indian bridge would help out and the number in the Allagash.

In other words, I feel by denying these people a bridge, you aren't even including them in the same class as the Indians. Over and above that, the \$165,000 for the bridge from Old Town was taken out of General Funds which we seem to be short of at this time. These funds are taken out of General Highway Funds. Of course, it is probably a surprise to some of the members of the Senate that the President felt that this was serious enough so that he must leave the chair to talk on it. I don't condemn him for this. This is a friendly issue as far as I am concerned, and I have lost things that probably meant fully as much to me as this and I have lived. I want everybody to understand it will be a friendly quarrel, an insofar as I am concerned, there will be no hard feelings on my part if I don't realize my ambition. But for consistency's sake. I can not see why you can argue on one hand that the Indians need a bridge, yet deny these people, who, if a bridge isn't there, may be put in the same situation by being crowded out in competition with Canadians in the same category the Indians are now.

As I remember it, one of the arguments for the Indians was that it would make them more self-supporting than they have been in the past. These people have been self-supporting in the past, but due to the changing of conditions today, and with the situation as it exists is one they can't surmount, I visualize today with the Canadians in there cutting lumber and taking the lumber into Canada, that you will have more families on state relief rolls up there, because we can not compete with the Canadians at their scale of wages. I would also picture to you certain times of the year when that river

is impassible. Early spring and late fall are two dangerous seasons for a ferry on this river at this point. In the early fall you have your rains which make for high, swift water, and in the spring the ice floes are running.

I have known of it to happen often that those people on the other side have asked for a doctor. The doctor would come to the river, and feeling that it was in such a dangerous condition that he might lose his life in crossing, he would regretfully have to turn back. To me that is a painful thing.

I would also cite to the Senators that this was a unanimous report of the committee. I will say in all fairness that I have been offered other compromises, but in figuring them out, it seemed to me that they would dig into the highway fund much more than this particular one. And as I say, I have compromised to the point where I feel that the bill must ride or fall on its own merits.

The argument that the road goes nowhere is probably right in a way, but some families live there, and I understand there are more families in the summer than there are in the winter. Some move to the mainland so they won't have that hazard of crossing there in the winter. Many times they have to build practically a wooden bridge over the ice to hold their trucks and things up. Many times, their trucks have gone off from the ferries. At one time the school bus went off, and only by the Grace of God all of them weren't lost and drowned. They do have high school students to haul, and the fact that there isn't a bridge there causes whoever plows the roads to keep two plows, one on this side of the river and one on the other side. As to the mileage, I have never measured it. The Senator from Kennebec, Senator Cross is probably very fair. Over and above the convenience to the families that are there, it goes around what we call Big Black Rapids which our fishermen up the river go around and put their boats

in above the rapids and from there continue up on the river.

I say to you sincerely, that if you were sincere in your arguments for the people of Indian Island, that there is not one thing that you said that does not apply to these people. I think they are good citizens in that particular part of the country. They have stayed over in that particular part of the country. There have been very few in the past years on relief rolls, and that doesn't apply to other sections.

I am asking to give these people a bridge because I feel that they need it fully as badly and more so than most any place I can think of in the State of Maine today. I again tell you that these people decided upon five thousand dollars a year for ten years. The selectmen told me that they raised a little better than \$7,000 a year for roads and ferry, and of this amount \$5,000, or practically that whole amount goes to maintain the ferry. And for the sake of having this bridge, they on their own accord were willing to contribute for ten years \$5,000 a year towards this bridge, which would be \$50,000.

The landowners, due to the fact that it is built under the Bridge Act and the County contributes their proportionate share, and due to the fact that these people are willing over and above that to pay \$50,000 more, I, at least, feel that the landowners are paying more towards this bridge than any bridge that you can put your finger on that has ever been built in the state under any such setup.

I believe the people have been very generous, and as I say again, I believe this bridge is very much needed.

Mr. COLLINS: Mr. President, there is one inevitable fact in this discussion and that is that there cannot be a bridge built across the St. John River at that point unless the state contributes materially toward it. The wealth of the community and the residents of the community do not permit that. Now if the ferry system that exists

there were good, if the river was not such that conditions make ferrying impossible so much of the time, I would not oppose the continuance of the ferry system for a long, long time, because on the strength of the evidence that Senator Cross has given, we all recognize the fact that it doesn't serve a large community and yet it does serve more people than would be indicated by the fact that there are only some thirty-five families on the further side of the river.

I think Senator Cross was mistaken in his statement that there were only six families living on the further side of the river. Allagash Plantation is a large plantation. I have heard one of the gentlemen who is a member of the other Branch of the legislature say that it was the biggest town in the State of Maine and he was not so very wrong.

In area the Allagash Plantation consists of Townships formerly designated as Township 16 and Township 17 Range 10 and 11 and it does cover a considerable area.

Of course most of this area is woodland owned by private interests but they do derive considerable taxes from that source. The population of Allagash Plantation in 1949 was 644 people. This I got from the Maine Register in the library just yesterday. The population in 1930 was 438 so you can see there has been an increase of almost fifty percent in the population of the plantation in a ten year period. The valuation of the town in 1940 as shown in the Maine Register was some \$473,000. But you can see a township of that size or a plantation of that size would not have the resources to build any such bridge by themselves and I think the fact that they have indicated they are willing to pay back through a period of years, some fifty thousand dollars, is more than generous on their part.

Now there is considerable lumbering that goes on up at that point. Three years ago I had a lumber operation there and had a contrac-

tor up there who had a mill across the river. I furnished him the capital for his operation and he conducted his logging operations in the winter and he sawed out the lumber at a small mill on the further side of the St. John. It was very difficult at that time to get lumber from the place where it was sawed to my yard, in Caribou.

It took him, and he only cut about five hundred thousand feet—it took him nearly all summer to get that sawed and get it to Caribou and part of the difficulty was due to the hazardous crossing and the inability to cross at certain times. The river is subject to swift changes of up and down and you might have a time in July when the ferry could not get within a hundred feet of the shore on one side and not within fifty feet of the other side.

For that reason, among others, I discontinued operating up on the Allagash on that particular section of the St. John. Of course there were other factors involved such as being a considerable distance from the market in which I wanted to sell but that was one of the factors. At the present time I have no interest in the St. John River from a commercial angle. As I have said before, if the ferry could be used nine months or eight months with safety, I would not advocate the building of such a bridge. The Spring freshets put it out of service for a long time and again in the fall during the freeze-up period. There is no chance for these people to have a bridge unless the state wants to put in some material part and this is, as far as I know, the best arrangement. It would mean quite a heavy contribution on the part of the county but the County would do it. They would have to do it over a period of several years, but I think the citizens of Aroostook County would be willing to help out the people in that section of the county to that extent.

It is for those reasons that I ad-

vocate the building of this bridge. I realize its limitations. There is no disputing the fact that it serves a small number, but it is an instance in which I believe the bridge can be built only through some such plan, and I hope the motion of Senator Cross will not prevail.

Mr. CROSBY of Franklin: Mr. President, I think I should give my reasons for signing the ought to pass report on this. We heard the committee hearing upon the bridge bill, and substantially the same evidence that you have heard here from these two senators was presented. It seemed like a large amount of money for a bridge to accommodate so few people. But when the sponsor of the bill, after going back and talking with the County Commissioners, and coming back with the information that they would build this bridge under the bridge act and the County would assume their share of the expense, and that small town is willing to contribute \$5,000 a year for ten years leaving the state according to the figures on the bill the expense of about \$50,000, it seemed to me that there was some merit in that bridge, or those people and the people in the County wouldn't put that much more into it.

Not knowing the locality, and not knowing the situation of the bridge, we simply depend upon the evidence we hear, and it seemed to us that it was justified.

Mr. CROSS of Kennebec: Mr. President, I would pursue this just one step further, and I certainly would not impose upon the time of the Senate if I did not feel it justified. This procedure which the bill calls for is at a complete variance with the usual procedure as laid out in the statement of facts in all resolves calling for money for bridges to be built under the Bridge Act. I do not recall in the whole six years of my service upon that committee of ever granting a resolve unless three factors were in complete agreement. In fact, we have turned down more resolves because of that

lack of agreement than I can remember.

The three things which must be in agreement before the state may step into this picture, or at least before any committee has previously reported one out, have been that the state must know in dollars, and it must be in the resolve exactly the amount estimated to be contributed by the three participating types of government. There should be in the resolve the amount in dollars that the state contributes, also the amount in dollars for which the county is obligated and the amount to which the township or town is obligated. These three factors being in complete agreement, and all three participating branches of government willing to put in their share, then the legislative committee may, in its judgment, report out these resolves.

I do not recall before of any resolve ever being reported out until all of these factors were in agreement. I have every respect for the members of the committee on Ways and Bridges. I assume it was the eloquence of the representatives from the district which perhaps swayed their judgment slightly.

I do know that I had no desire, certainly, to oppose a unanimous report of the powerful Ways and Bridges Committee, unless I saw sufficient reason to lay these facts before you. I hope you will remember the importance of unanimous committee reports from committees such as Ways and Bridges, Judiciary, Appropriations, and these other powerful groups but the Legislature is too prone to consider that, because the committee has reported it out, all of the facts are before them, and that the thing has been properly weighed.

I believe the members of the Committee did not completely have the facts before them, or I can not see how they could have given it a unanimous report. However, I have no desire to debate the bill. I will only point out those things to you, and the further thing which should be considered that apparently, by

conversation with our fellow Senator from Aroostook, Senator Brewer, the traffic over this ferry at the present time consists of approximately 60 to 70 percent trucks hauling pulpwood and logs. So, it is quite evident that if the bridge is built, the primary purpose would apparently be for the people who would be operating in the woods, and not necessarily for those people living on that side. The statement that I made to you on the six families was a statement given to me by a resident of Allagash Plantation when I inquired of him two years ago how many people lived on the other side of the river. He said to his knowledge there were six families who lived there the year around, and that there were more during the season of pulp operations and sometimes in the summertime when they went across to pick berries.

These are the facts, Senators. I have absolutely no desire to sway your decision in the matter, other than to give you what facts I have before me from an analysis of it two years ago and four years ago. I think in justice and fairness to you you should have those facts, and my hope would be only that you will not consider my stepping from my august position an attempt to sway you in any way, other than by absolute facts. I hope, Mr. President, that my motion to indefinitely postpone the resolve will prevail, and I ask for a division.

Mr. BARNES of Aroostook: Mr. President, one of the reasons for my getting up was to move for a division. But I also want to state that I am in favor of this bridge. I don't believe that my position is much different than the position of the Senators here who do not live in Aroostook County. Only once in my lifetime have I ever been to the location of this particular bridge. I believe it must be at least 140 miles north of Houlton, but the reason that I shall favor it is because I have confidence in the Ways and Bridges Committee. From what I can hear about their deliberations,

they watch pretty carefully the demands from various sections of the state, and they are pretty jealous about it. I am also mindful of the fact that the Chairman of the Ways and Bridges Committee this year served with our Honorable President last year when the Augusta Bridge was passed. I have a good deal of confidence in his ability, and I have a good deal of confidence in the ability of the membership from the other branch of this body who have served on it, some of them, for a great many years. I know, roughly, the facts as outlined by Senators Brewer and Collins, and I can bear them out relative to the type of community it is.

A great many of those people up there are woods workers and use their trucks for their personal convenience around that part of the country, because they don't own both a truck and a car. So, this policy of travelling by truck over that area wouldn't be any best of that part of it.

I shall favor the bridge resolve and shall vote against the motion for indefinite postponement, because I have faith in the committee that the President appointed.

Mr. BREWER of Aroostook: Mr. President, in view of the fact that our President, and I like him a lot, has entered into the controversy, in the spirit of fair play, I think Senators have made commitments to me to vote for this bridge. I would at this time like to tell those Senators that they are not beholden under promise they have made to me in voting for that bridge. I shall ask them to use their own decisions as to which way they vote. I do want to point out to the Senate the reason that we did not have a report from the County Commissioners was that recently the Chairman of the Board, and the oldest member, passed away. And in the appointment of a new commissioner, we have not been getting together under that setup. We were not able to get their entire approval of this project, but the one member, and he is a younger member, who hap-

pened to live in that part of the country, as I told you, told me that they could not build it this year. They had not made assessment enough. But in another year, he felt that it could be done, and he would be only too glad to see that part of the country opened up. I hope that the motion of the Senator from Kennebec does not prevail.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross that the resolve be indefinitely postponed, this being L. D. 1588 Resolve in Favor of a Bridge Across the St. John River at Allagash Plantation, and the Senator has asked for a division.

A division of the Senate was had. Fourteen having voted in the affirmative and fifteen opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the Resolve received a final passage.

At this point President Cross resumed the Chair, Senator Bowker retiring amidst the applause of the Senate.

#### Senate Committee Reports

Mr. McKusick from the Committee on Pensions submitted its Final Report.

Mr. Barnes from the Committee on Judiciary submitted its Final Report.

Mr. Noyes from the Committee on Public Utilities submitted its Final Report.

Mr. Williams from the Committee on State Lands and Forest Preservation submitted its Final Report.

Mr. Brewer from the Committee on Agriculture submitted its Final Report.

Mr. Williams from the Committee on Welfare submitted its Final Report.

Mr. Sleeper from the Committee on Sea and Shore Fisheries submitted its Final Report.

Mr. Leavitt from the Committee on Education submitted its Final Report.

Mr. Baker from the Committee on Temperance submitted its Final Report.

Mr. Collins from the Committee on Salaries and Fees submitted its Final Report.

Mr. Bowker from the Committee on Mercantile Affairs and Insurance submitted its Final Report.

Mr. Allen from the Committee on Motor Vehicles submitted its Final Report.

Mr. Ela from the Committee on Inland Fisheries and Game submitted its Final Report.

The same Senator from the Committee on Public Health submitted its Final Report.

Mr. Slocum from the Committee on Manufactures submitted its Final Report.

Mr. Larrabee from the Committee on Interior Waters submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Liquor Licenses in Unincorporated Places," (S. P. 511) (L. D. 1010) reported that they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

From the House out of order and under suspension of the rules:

The Committee on Banks and Banking on Bill "An Act Providing for the Expenses of the Banking Department," (H. P. 1924) (L. D. 1284) reported that the same ought to pass.

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

In the Senate, on motion by Mr. Collins of Aroostook, the bill and accompanying papers were laid upon the table pending consideration of the report and especially assigned for later today.

The Committee on Legal Affairs on Bill "An Act Permitting Dog Racing," (H. P. 1724) (L. D. 1033) reported that leave be granted to withdraw.

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

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

The Committee on Judiciary on Bill "An Act Relating to Rules of Descent," (H. P. 1981) (L. D. 1363) reported the same in a new draft (H. P. 2120) (L. D. 1621) under the same title, and that it ought to pass.

Comes from the House, the report accepted, and 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 under suspension of the rules, the bill was given its two readings; on motion by Mr. Barnes of Aroostook, House Amendment "A" was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

Bill "An Act Relating to the Banking Department." (H. P. 1960) (L. D. 1352)

(In Senate, on May 4th passed to be engrossed as amended by Committee Amendment "A" and as amended by House Amendment "A" as amended by Senate Amendment "A" thereto, in non-concurrence.)

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

In the Senate, on motion by Mr. Collins of Aroostook, the bill was indefinitely postponed in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on (H. P. 2088) (L. D. 1559) Bill "An Act

to Enable Certain Cities to Impose a General Business and Occupation Tax," reported that they are unable to agree.

Comes from the House, the report read and accepted.

In the Senate, the report was read and accepted in concurrence.

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

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

Messrs. MERRILL of Stetson  
CHAPLES of Hudson  
CAMPBELL of Garland

In the Senate, on motion by Mr. Ela of Somerset, that Body voted to insist and join with the House in a Committee of Conference.

Bill "An Act Relating to Fishing Contests on Inland Waters." (H. P. 2058) (L. D. 1487)

(In Senate, on May 7th, the Minority Report "Ought Not to Pass" accepted in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the Majority report was accepted, and the bill passed to be engrossed, as amended by House Amendments "A", "B", "C" and "D", and now asks for a committee of conference, the Speaker having appointed the following members:

CAMPBELL of Guilford,  
WIGHT of Bangor  
BEARCE of Caribou

In the Senate, on motion by Mr. Ela of Somerset, that body voted to insist and join with the House in a Committee of Conference.

Bill "An Act Relating to Hair-dressers and Beauty Culture." (H. P. 1954) (L. D. 1327)

(In Senate, on May 7th, passed to be engrossed as amended by Committee Amendment "B" in non-concurrence.)

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

Mr. BATES of Orono  
Miss LONGSTAFF of Crystal  
Mr. McCLURE of Bath

In the Senate, on motion by Mr. Ela of Somerset, the Senate voted to insist and join with the House in a Committee of Conference.

The PRESIDENT: On the disagreeing action of the two branches in relation to bill, An Act Relating to Bounty on Porcupines, the Chair will appoint as Senate members of the Committee of Conference, Senators Ela of Somerset, Haskell of Penobscot and Knights of York.

On the disagreeing action of the two branches in relation to fishing contests on inland waters, (L. D. 1487) the Chair will appoint as Senate members of the Committee of Conference, Senators Ela of Somerset, Bowker of Cumberland and Haskell of Penobscot.

On the disagreeing action of the two branches in relation to hair-dressing and beauty culture, (L. D. 1327) the Chair will appoint as Senate members of the Committee of Conference, Senators Ela of Somerset, Haskell of Penobscot and Bowker of Cumberland.

The Chair would urge all members of Committees of Conference to meet at the earliest possible moment.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Providing for the Expenses of the Banking Department (L. D. 1284) tabled by the Senator earlier in today's session.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this legislative document 1284 was one of three bills that were introduced relating to the banking department. The first bill was brought in earlier in the session and this did not meet with the approval of some segments of the banking department. The bill was withdrawn.

Following that action there were two bills which were presented to the legislature. One was L. D. 1352 which the Senate debated the other day and was one which I felt would greatly strengthen the Banking Department. This was the bill on which both savings banks and trust companies had agreed. But the failure of passage in the other branch now necessitates a passage, in my opinion of this L. D. 1284. Now, Legislative Document 1284 provides an equalization of a tax as between the trust companies and the savings banks. As I told you the other day, the situation was very inequitable between the trust companies and the savings banks in the amount of revenue that they returned to the state.

The trust companies recognize that, and in conferences between the two segments of the banking industry, the savings banks and the trust companies, agreement was reached that in the event that Legislative Document 1352 failed of passage, that both the savings banks and the trust companies would agree to go along with this No. 1284.

I don't like the bill with respect to some of the effects that the other bill would have had upon the Banking Department.

I don't think it is such a good bill from that point of view, but it does equalize to a considerable extent the amount of tax on deposits. This bill is thirty cents per thousand dollars of deposits, and I think that the difference between deposits in savings banks and trust companies is not too much when considering the total amount of one and the other.

Now, this bill still fails a little of providing the same amount of revenue that is obtained under the present banking laws. But it is far better than the bill I proposed the other day in this respect.

I think that the Senator from Penobscot, Senator Haskell, will not oppose this bill on account of the lack of revenue. At this late stage of the game when we are playing around with this \$47,000,000 budget, and knowing that we can't figure it out to the last few thousand dollars, I think that the small lack of revenue that is less than under the present laws should not be considered too seriously. It does, as I say, provide an equal distribution of the tax on both the savings banks and the trust companies, and the trust companies have agreed to support the bill on account of that fact. So, I urge the acceptance of the majority ought to pass report.

Thereupon, the motion prevailed and the report of the committee was accepted and the bill was given and shall vote against the motion its first reading. House Amendment A was read and adopted in concurrence, and under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table bill, An Act Relating to Dog Racing L. D. 1605, tabled by that Senator earlier in today's session.

Mr. SLOCUM of Cumberland: Mr. President and members of the Senate, I am going to move to substitute the bill for the report and try to explain this matter. I was asked to do so by a Senator who inadvertently has to be absent. We have just had to reduce the amount of our income by a small amount, and this would tend to increase our income if passed. The proponents of the dog racing state that it might bring in as much as \$500,000 to the State of Maine. I don't know how much it would produce, and I don't think anyone knows how much it



would bring in. But in the more or less stringent situation we find our finances, it would seem quite worthwhile that we try to augment them if possible.

The bill is called Grayhound Racing, and it requires that anyone establishing a track must have a license, which license will bring in to the state \$1,000. It will also bring in a license to the city or town where the dog track is located. They can not establish a dog track, unless the commission which is set up under the bill grants them a license, and they then have to get permission from the local community, it being a matter of local option. The length of the meet is decided by the Commission, and any person, firm or corporation that starts such a track has to be bonded for \$50,000, or such sum as may be fixed by the commission.

No license may be granted within thirty-five miles of another track, except in Portland or Old Orchard where there is a large population. No license may be granted that conflicts with any agricultural fairs, and agricultural fairs are allowed to have dog racing. Under the provisions of this bill, pari mutuel pools are permitted which are similar to those of the horse racing. One per cent is paid into the agricultural stipend fund and five per cent to the state treasury. Records must be kept, and no minor employed or allowed in the pari mutuel enclosure.

The history of dog racing, I am informed, although I must admit I never have even been to a dog track, has had no scandals of bookies having pulled a race, because the dogs are on their own.

No, I believe I was in a little too much of a hurry in allowing the killing off of my pet bill, the bill to have a state probation system in the state of Maine because there wasn't money enough. If this passes, it would certainly have given enough money to have put that system into effect. However, this comes to us having a report that I believe is "leave to withdraw," Mr.

President. Therefore, I move, Mr. President, that we substitute the bill for the report.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, without too much reluctance I have gone for the night harness racing bill. I have gone for the running race bill, and I have gone for the liberalization of the blue laws. But this deal I can not buy. I move the indefinite postponement of the bill.

Mr. SLOCUM of Cumberland: Mr. President, I ask for a division. A division of the Senate was had.

Twenty-two having voted in the affirmative and four opposed, the motion prevailed and the bill was indefinitely postponed.

On motion by Mr. Haskell of Penobscot, it was

**ORDERED**, the House concurring, that (H. P. 1014) (L. D. 441) Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls," be recalled to the Senate from the Governor for further consideration. (S. P. 700)

Which was read and passed.  
Sent down for concurrence.

From the House out of order and under suspension of the rules:

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

Bill "An Act Relating to Excise Tax in Lieu of Personal Property on Aircraft." (H. P. 2021) (L. D. 1407)

Which bill was passed to be enacted.

#### Senate Committee Reports

Mr. Batchelder from the Committee on Federal Relations submitted its Final Report.

The same Senator from the Committee on Military Affairs submitted its Final Report.

The same Senator from the Committee on Legal Affairs submitted its Final Report.

Mr. Edwards from the Committee on Banks and Banking submitted its Final Report.

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

Mr. President and Senators:

The final hours of a session of this nature brings both feeling of joy and sadness. The joy of a return to our homes and the meetings with friends who will anxiously inquire as to what transpired here and we, realizing the great importance that attaches to our office in the eyes of our friends, will endeavor to acquaint those friends with our ideas of that same great importance and we shall tell them of what wonderful work we did in our great desire to improve the clam and mussel industry, of how we never let up in our great desire to aid the schools and teachers, of how we fought to secure more money for our towns, but were beaten through the pig-headedness of members who came from the backward and undeveloped areas of Maine. We shall show a greater degree of eloquence in portraying our great accomplishments than we exhibited when the debate was fast and furious in the Maine Senate.

But there will always remain that terrible depressment when we recall the many friendships that have been created during this session, but which now must be temporarily terminated, in some cases permanently terminated, because we may never meet again. I am sure that everyone here hopes that the parting is only for a short time and we will all meet again, and often.

To be selected as ambassador from our great counties in the loveliest State in the Union, to the Maine Senate, is an honor second only to that of the Governorship. Whatever further honors may be granted us by our constituents can be only secondary to that of a seat in this Honorable Body.

For the many courtesies that have been extended to me here, I am greatly indebted to all, for the uniform fairness and impartiality of the President of this great body,

I am personally thankful as, I am sure, every other member is.

And now, in these closing hours, with the great love and affection that I have for everyone here, Members, officers and stenographers, and even to the cat down stairs that greets me every morning, I express the greatest of hopes that: "God be with us 'till we meet again."

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Rental for the Western Somerset Municipal Court," (H. P. 1161) (L. D. 613) reported that it cannot agree.

Which report was read and accepted.

Sent down for concurrence.

From the House out of order and under suspension of the rules:

Bill "An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees." (S. P. 674) (L. D. 1546)

(In Senate, on April 25th passed to be engrossed.)

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

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

#### Senate Committee Report:

Mr. Haskell from the Committee on Taxation submitted its Final Report.

Which was read and accepted.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees (S. P. 674) (L. D. 1546) tabled by that Senator earlier in today's session pending consideration.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, the motions that I will make are certainly the most difficult mo-

tions I have ever had to make before this Senate. In general they will be to indefinitely postpone House Amendment "A" and House Amendment "C" to this bill, to bring it back to its original condition, and if by chance those motions prevail, I will offer Senate Amendment "A" which will serve to insure the continuance of the \$7.20 increase which is in the second new draft of the appropriation bill.

The action indicated by the acceptance of House Amendment "A" and House Amendment "C" is this. It would continue at \$3.00 per week the so-called 3-4-5 increase granted by the Personnel Board on October 4, 1948. The Senate is as well acquainted as I with the history of this increase. It was granted by the Governor and Council in October out of the Contingency Fund. It has been continued out of the Contingency Fund until May 4th and by act of this Legislature was continued until June 30th.

I was a member of the Salaries and Fees Committee who signed the Majority Report that the 3-4-5 increase should continue for the next two years, for the biennium, and in signing that report I realize full well that at final enactment time the \$350,000 required for that bill would have to come from new revenue measures if the Legislature agreed with the basic and sound stand taken by our Governor to the effect that he would not approve expenditure measures unless those expenditure measures were matched by revenue measures.

This Legislature has indicated that it desires to live within the income. This Legislature has left in this State House a statute that provides that the budget officer must reasonably estimate income. That the Budget Officer has done and that has been approved by your Appropriations Committee and by inference, approved by you when you accepted the second new draft of the general fund of the appropriations bill.

The effect of these two amendments is to say that we will go beyond the appropriations bill and

continue the \$3.00 of the 3-4-5 increase for the next year of the biennium and do it by legislative decree.

In other words we are saying that the Budget Officer must blow up those estimated revenues by at least \$325,000 to live within the rules statutes require of his office. Very likely there have been few members of the Legislature who have worked many more hours than I have during the session and prior to the session and during the last session and prior to it in an effort to have general fund revenues meet the requirements of this State.

I went a bit further and I am sure incurred the disgust of many when I suggested an increase in the mill tax to meet in a sound way the needs of one item on our budget. I share with many of you bitter disappointment that our towns in their educational programs, come next December, will meet a shortage check because we had in our second draft of the appropriation bill to accept something substantially less than that which was provided for by statute.

I was equally regretful that we could not provide for the funds sufficient to insure that those people who are entitled to hospital aid under the State law could have that hospital aid. All of those things are to be regretted. However, the majority has indicated that we must live within our current income. I have no bitterness. I agree that the majority should prevail.

I also agree that of all the legislative documents faced by the lack of reasonable general fund income sufficient to meet the needs, this Legislative Document 1546 is one of the most deserving. I do not believe it is more deserving than adequate hospital aid. I do not believe it is more deserving than adequate educational grants. I am not sure that it is more deserving than the welfare program, but it is one of those items that is very much desired.

Let us face the issue squarely now and decide whether we can be mor-

ally right in asking our Budget Officer to blow these revenues up sufficiently to meet this particular item under consideration and let's see whether or not we can ask him to extend them still further to take care of many of the other deserving items.

I certainly have no intention of expressing to you any of the thoughts or wishes of the Governor, but I do think I can in all fairness recite to you that again and again and again he has said he will not approve measures that are not represented by income.

By your action in this Senate two days ago, you took what several of us thought was the most important item, that of the fire control bills, and we all seized upon the new income that we that day had created, and passed those Fire Control bills, but to accept this, worthy as it is, seems to me, puts an impossible task upon our Budget Officer and creates gross inequities with respect to the other very needy requirements of State government.

Please do not understand that because I may be disappointed in not having seen this legislature under the gavel of Senator Cross, enact a tax measure, that I am bitter toward anyone. I would feel the same way on any major item, be it University of Maine, Aid to Dependent Children, Hospital Aid or any of the other deserving items. But I do think Senators, that this legislature in a definite way has said, "Let's live within our income." I think we are facing a basic question as to whether or not we want to break through this thing in the interest of expediency, and I won't use the word political expediency, in order to grant the first of what will probably be a long list of continuing requests. It is regrettable that it had to be faced in this issue because certainly the state employees need that money.

I have been one who has presented to the legislature many of their bills. I am a member of the Advisory Council of the Personnel Board and I have enjoyed my work with the organization of state em-

ployees. I hope they have some faith that I am their friend, but I couldn't support a door opening bill and leave behind the door all these things that are equally deserving.

Senators, we have had a fine opportunity. We have had the opportunity to judge whether we want the income to support these things. I realize there are many arguments for each of these items but to open the door now and to let all these items come in seems to me that we are going directly opposite to the sound viewpoint that the Governor has reiterated many times and few have disputed, that we ought to live within whatever income the majority of this legislature is willing to provide.

And so as an initial motion I will move the indefinite postponement of House Amendment C. If that prevails I will move the indefinite postponement of House Amendment A. If that prevails I will table the measure and see to it that Senate Amendment A amply and fully protects the \$7.20 in its continuance through the next biennium as provided for in the appropriations committee report. I now move the indefinite postponement of House Amendment C.

Mr. NOYES of Hancock: Mr. President, I rise to oppose the motion of the Senator from Penobscot. I think in all fairness it can be stated that one reason and a major reason why we have been unable to enact a new tax measure in this Legislature is because of the existence when we came here of a surplus of some six millions of dollars. It is my contention after this Legislature took two million of those dollars and locked them up and threw the key in the Kennebec River, as Senator Boucher has said, then it would be a good policy for this Legislature to spend the balance of that unappropriated surplus and pass some of these deserving bills about which we hear so much.

In the first instance, it seems to me that this three, four, five about which we are talking was paid in the first place from surplus funds.

I challenge any man, or group of men, to stand here today and tell us whether we are operating this biennium within our revenue. No man knows what our revenue will be, and if we came back, or if the 95th Legislature came back to face a deficit, it wouldn't be the worst thing that ever happened, and it might be the best thing that ever happened, in order that the people of Maine realize the need of new and additional money.

I hope that the Senator's motion to indefinitely postpone House Amendment "C" does not prevail. I feel there is sufficient revenue in unappropriated surplus to take care of this amendment.

Mr. BARNES of Aroostook: Mr. President, if I read the amendment correctly, this money is to be taken from the General Fund. I would like to know whether it is to be taken from unappropriated surplus or not.

Mr. BOUCHER of Androscoggin: Mr. President, our group, the Democratic Party, has a dinner in about ten minutes which meets at the Augusta House. I would like to debate this question. I don't want to run out. I would like to vote, and I would like to debate this question very seriously. To me it is one of the important questions that has come before this Legislature. I was just wondering if you Republican members of this Senate are not just as hungry as we are and might not consider going to dinner and then come back and debate this question. So therefor, I would move at this time that we do adjourn until seven-thirty and talk then.

The PRESIDENT: With the indulgence of the Senate, the Chair would like to make a few observations off the record.

(Discussion off the record)

Mr. BOUCHER of Androscoggin: Mr. President, I will withdraw my motion to adjourn, and I would like to offer debate on this question.

I am of a school that believes that no fund unless it is earmarked, unless it is a fund that is kept for

some legal purpose which the people have so voted, is sacred. What I am trying to tell you members of the Senate is that this surplus of unappropriated funds, or whatever you might call it, is not sacred to me. It is money of the citizens of Maine, and I for one feel that this money can be used for any reasonable purpose of the State of Maine. I respect the opinion and the wishes of the Gentleman in the Front Room. But I maintain first that we are just as responsible to the citizens of Maine as he is. We have responsibilities that we must face. He has responsibilities that he must face, and he alone must face. I feel that although he doesn't wish to use the money from that surplus for the purpose of paying recurring expenses, that in the instant case the reasons that we have for making a demand on that surplus, the reasons of paying properly our state employees, is reason enough to ask him to sign such a document. If he refuses us, then we may have to adopt some other system. I would like to test this matter to find out if the Governor would refuse. I have heard a lot of rumors. I have read a lot of stories in the newspapers about it. But I don't know as I have heard the Governor at any time that he has ever appeared before us in convention flatly state that he would refuse to sign any such document.

That money is available. There are no "ifs" and "ands" about that. At least, if I am to believe our financial wizard who has quoted from his tabulations, we still have two million three hundred and some odd thousand dollars in the kitty, or the drawer, or somewhere in this building or banks. We could well afford to take some \$700,000 of that to carry on the salaries of our employees for the next two fiscal years.

I also believe that the budget could be raised, the anticipated revenues, because the proof of the pudding is that we have had a surplus for at least six years, a surplus that has grown continuously every year over the anticipated reve-

nues which has left us a balance of \$6,000,000. I think that we could very well raise our anticipated revenues in that budget so that it would balance for the good reason that this Senate and this Legislature saw fit to salt away \$2,000,000 for a revolving fund. So I say to you that if those revenues were larger than anticipated revenues in the next two years, or were smaller, then that \$2,000,000 which is supposed to be revolving in there should be able to take care of whatever difference might exist between the anticipated revenue and the actual revenue.

I don't believe that the budget has been anticipated to any more than \$2,000,000, and that we will receive in the next two fiscal years. I believe that our Budget Officer has been more of a pessimist than an optimist, knowing conditions, and has been very careful in anticipating revenues. I find that has been true throughout most of our municipal governments in years past. I believe it certainly has been true for the State of Maine, because the proofs are there. So, as I said before, for the last six years at least, we have had large surpluses at the end of each fiscal year. So, rather than go along and kill this three, four, five increase voted by the Governor and Council last fall, at this time I would much rather either accept one or the other way of raising this money for the purposes of paying the present salaries to the state employees—either by going into that \$2,308,000 that we have left in the unexpended balance, or by raising the anticipated revenues of the budget. The \$2,000,000 revolving fund which has been put away and salted, and which must be revolving within that bookkeeping department, or treasury, could well account for whatever might be missing at the end of the year.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I am sure the Senators agree with me that the statement of the Governor was wise when he enunciated the policy that the unappro-

priated surplus should be used for non-recurring capital expenditures. His predecessor was equally wise when he recommended that the surplus should be used for that purpose and that purpose only. But any statement of that sort which under no condition at all could be subject to amendment would to my way of thinking not be wise.

We are not simply dealing with the anticipated revenues of the state and the expenditures which we have approved. In this measure we are dealing with employer-employee relations, and those have to be taken into account in the case of public employment just as they do in the case of private employment. I think every one of the Senators in this room knows a great deal about employee-employer relations; and most of us are old enough so that we can look back and recognize the great advances which we have made, particularly during the last quarter of a century, in better employee-employer relations.

Two years ago we were just as disturbed about our financial picture as we are today, as I remember it. We thought that we had to pass an unjust tax in order to hold our revenue in balance without anticipated outgo, and even in the face of that decision on our part, we went through the biennium with a six million dollar surplus. Now, nobody at that time was wise enough to foresee the conditions which would exist and which resulted in that surplus, but all of us are wise enough to look back and see how and why it occurred. The same situation is existing today. We think we have estimated our revenues carefully. I am sure we believe a wonderful job has been done in estimating revenues. I don't suppose anybody could believe for a minute that the revenues of the State of Maine are going to run substantially above the estimated revenues during the coming biennium, but conditions could arise which would result in that. I

personally think they may under-run the estimates.

But that doesn't seem to be the problem at all as far as I see it. A corporation that has employees under working conditions, and under wage conditions, although of course the state has no wage contract with its employees, would in these days be in a most unfortunate position from the standpoint of criticism of the public if they came into a quarter where it made no profit and said, "we will not draw from our reserves to pay our employees." Now, I have said it is a wise policy, and I believe it, to use this unappropriated surplus for non-recurring capital expenditures. I don't hold to that view to a point where I am willing to take all of the financial policy of the State of Maine and cast it up and deal with this problem as an employee-employer problem. This amendment which we are attempting to get an "ought not to pass" vote on provides for a straight across-the-board of \$3.00 in place of the three-four-five, and I notice it covers both years. I think that may or may not be the type of adjustment which we, as the elected representatives of the people wish to adopt. Perhaps we want to follow the suggestion which has been laid out by the Floor Leader. Personally, I regret levelling wages, either going up or going down. I think when you have people working for you, and you don't recognize when you make adjustments in pay the difference in wage rates, that you are violating a wage relationship which is vital, and one which I think ought to be maintained.

I am not even sure that I would like to go along with Amendment "C". I would like to know down to within a few dollars how much of the unappropriated surplus is still available. I would like to see this matter settled on the basis of employer-employee relations. If we decide on the basis of fair wages to state employees that they should have this or that, they should have

the three, four, five for the next biennium, or they should have nothing, I don't think we should give consideration as to whether we take part of the money from the unappropriated surplus that is there, or if we go into the \$2,000,000 earmarked in order to supply necessary revenue to pay that cost. I think you will agree it would be unsound, to put all of our unappropriated surplus into capital non-recurring expenditures.

I think I shall oppose the Floor Leader in his motion, and I hope that after debate the Senators will express themselves on what they think ought to be done in terms of wages for the people who work for the State of Maine and not whether we have a total in unappropriated surplus, or whether we have it in income coming in.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, it is my understanding that if the motions of the Majority Floor Leader were carried out, the three, four, five would be entirely eliminated, but the \$7.20 which is in the appropriations would be continued. The other Branch has indicated a desire of continuing an increase, but for a straight three dollars across the board level. I would prefer to keep that increase on the sliding scale and the three, four, five. I believe some of the remarks of the Senator from Kennebec are true, but I would be perfectly willing to compromise to that extent on a straight three-dollar raise. But I do agree with the Senator from Kennebec and the Senator from Hancock, Senator Noyes, that that unappropriated surplus is not inviolate. If we haven't got the funds in the general fund, and I recognize it is good policy to keep this for capital investments, I still say in this Senate that while we were unable to pass a revenue measure, that those funds, if it is necessary to use them, should be used for this purpose, or for any other purpose that we deem worthy. For that reason, I think I will

oppose the motion of the Majority Floor Leader.

Mr. BREWER of Aroostook: Mr. President, I apologize to the Senator for keeping him from his supper, but if we must debate, I would like to say that I like to think of the State's business on a parallel with my own. You have put away \$2,000,000 for working capital as the Senator from Penobscot cares to call it. To my knowledge, this is the first time that we have done that in this particular instance. The fact that we have used unappropriated surplus for no items except non-recurring ones, I believe is just an old Spanish custom that has been given preference over the years. I don't feel that fund is so sacred, and I would like to say to you in my own little business that any money I have available out of my checking or savings account, that I must pay my help first and do with what I have left as I desire. I believe the same should exist in the State of Maine.

I feel that I will criticize the three, four, five that was given, because they argued it was cost of living. To my way of thinking, the cost of living was as great for one group as it was for the other. I would consider the three, four, five more on the scale of a merit increase. Now, according to the tote board, we have in unappropriated surplus \$2,188,530. From that, it is anticipated will be taken \$900,000 for the biennium for the contingent fund that at the end of the year is brought up to \$450,000, and for that reason I say \$900,000 is anticipated. It hasn't always been history that the whole four hundred thousand each year of the contingent fund has been spent. I would anticipate there would be some left from that. But I do feel that as long as we have an unappropriated surplus, that that is one of the first demands that should be made upon it, and that is to see that the employees of the State receive just compensation. For that reason, I will oppose the indefinite postponement of this amendment.

Mr. SLOCUM of Cumberland: Mr. President, I feel that I must oppose the motion before the Senate, because I feel that it will be very inefficient for us to cut the wages of the State employees. Many of them can not afford to continue in our employment if their wages are cut, and we will have to hire green help at a wage scale less than industry is paying. Therefore, I oppose the pending motion.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, I think it was about two weeks ago that I stood here trying to urge this Senate to raise some tax money. At that time, I pointed out what some of the bad effects would be if we did not produce that revenue. Tonight we have a very disagreeable duty to stay in the bed that we have made. We lacked the courage to do what we knew was right for the State of Maine. We took our choice. I have a lot of friends, as the rest of you have, that are employed by the State of Maine, and I certainly don't want to cut their wages.

We decided on a certain policy, and that was the State of Maine didn't need more money. We knew at the time we did it that we were wrong. Yet, we made that choice. Men often make choices which they know are wrong, and they hate to live by them. We have been asked to enlarge the State institutions because many men made wrong choices. They knew they were wrong, and they have to suffer the results.

I think when I see certain people squirming and backing and hitching, that they are receiving the reward for wrong choices which they not necessarily made, but which we as a group made. I recognize the fact that a lot of the folks that are talking today, did not personally make the wrong choice, but we happen to be elected to a legislative body, and the mistakes that that body makes each of us is responsible for, although it may be in politics, sometimes we duck that responsibility. Yet, there



is no real moral right that we should.

I am going to take and point out a little graph which I have here which was not given to me for this purpose by an employee of the State. It shows that in August to September 1948 the cost of living index, and this was taken from the Bureau of Labor Statistics, was 174.5. In February, I don't know the date, of this year, it was 169.7, a drop you will see of five per cent. Certainly we are not dropping employees this five per cent. As you all know, that cost of living index, and I don't have statistics on it at this moment, has dropped more from that time. But regardless of that, if we had the money in the General Funds, if I could see any safe way to blow up the revenues of the General Fund to take care of this, I would be one hundred per cent for it. And I still think that our efficient State employees, and I mean that group that is efficient, and I would say it is a large part of them, are underpaid.

However, we haven't the money. The revenues for the State of Maine have been projected on the level of 1948, and your senator that wants to argue that increase on projected revenues, wants to remember that these revenues are projected on the level of 1948. You are probably projecting them on the height, or at a point where they are ready to drop over this cliff. So, for that reason, and to clarify the issue, it seems to me that it is the duty of the Legislature to stand behind our Governor and Floor Leader in going along with this motion.

Mr. HASKELL of Penobscot: Mr. President, I would like to make just one or two very brief points, realizing that not a vote is being changed by these observations. In the first place, I think it might have been an error when the legislature took upon itself the establishment of a wage increase and fixed it at a \$3.00 wage increase. By our action, we bypassed the department heads in the finance office and orderly state procedure.

I think we continued that possible error when we boosted that to \$7.20 and I think possibly we were a bit inconsistent when we continued the 3-4-5. I make these general observations for these reasons. We have plenty of statutory provisions whereby any department head can distribute to his employees within reason and within equity all of the available dollars. Now if by chance we did continue the \$7.20 per week, and if as we all hope the economy in government can be effected, I want to point out that there is nothing at all that prevents any department from requesting those wage increases, and I point out that that is entirely consistent with our normal procedure, that these increases be continued.

I think it is also unfortunate that we have resolved the question into whether or not to take funds from unappropriated surplus of the general fund. I think the question before us, being House Amendment A, makes no reference to the unappropriated surplus and goes back to that basic statute which provides the budget officer must reasonably estimate income, and that House Amendment C has no reference to the unappropriated surplus of the general fund.

I think probably I am one of those who agree that deficits, if we must have deficits quite properly do come from whatever may be surplus when a deficit is incurred. But remember, Senators, you have general fund expenditures of about sixty million dollars for the next two years. I don't want to confuse the figure forty-seven million and the figure sixty million but the difference is in the fact that we receive roughly forty-seven million dollars in taxes and spend sixty million dollars, the difference between the two figures being what we receive from the federal government and towns for service.

When you are spending sixty million dollars and you have an unappropriated surplus of a million two hundred thousand dollars, without the contingency fund, you haven't too much leeway.

I will grant, as I have said several times, that this legislature certainly has within its power to do anything it wishes with surplus funds. I even think you have the right to appropriate five or ten million dollars that you don't have provided the credit of the state is maintained well enough so you can borrow the money to meet your obligations. But the question is whether or not we are going to make the first door opening to spend more money than we can reasonably anticipate, and having opened that door, how can we in good conscience close the door to private hospitals? How can we keep the door closed to the welfare department? How can we keep the door closed to those towns that are going to be short-changed on their checks next December when they expect under the statute to receive money for their own education?

Every single one of those questions is difficult to face but haven't we made the decision and can't we all agree that the surplus that exists today even if we go into deficits financially is pitifully inadequate to solve many of these things? Certainly many of us agree that the University of Maine supplemental appropriation has a great deal of merit and we ought to continue it. A great many of us believe the elderly teachers pension should be increased, and where do we stop? I will grant that this one has popular request.

I will grant the wisdom of any one of you who might feel I am stupid for opposing it, but it is a matter of principle to me, a matter of right, a matter of fairness, that we face the thing squarely. We are one part of the legislature that said, "Live within your income" and if our action on this one does open the door for one item, deserving as it is, how can we in good conscience close the door to the other things.

This is the most difficult one to face, I grant you, but face it we must and it seems to me that we ought to go back to the \$7.20, insure that certainly and then have some faith that economy in state

government can be effected and when economies in state government can be effected certainly I am pleased to read into the record the fact that the department heads, the finance officer, certainly have the right to grant whatever those wage increases may be. It seems to me that is exactly what we have done and, unpopular as the action is, I plead for consistency and honesty in our actions and let's live within that which the majority of this legislature has said we ought to operate on.

Mr. VARNEY of Washington: Mr. President, I can assure that I won't add to the continuance of this discussion here very long. I have been called the Benny Bubar of the Senate, not because of possessing his qualities of thinking, talking and shouting, but because probably in my gray hair which is somewhat frowsy at times.

Now then, I ain't-a-going to vote for any kind of measure that will deprive the personnel of our departments of this increase which they need, and which I believe we are obligated to give to them. We speak about living within our income. How do we expect some of these state employes to live within the income that they are receiving today? Why don't we grant them this increase out of some funds, whether it be the General Fund, or the surplus fund, and then when the fund is gone find some way of getting some more? It has been done in the past, and I wonder just what would happen to the State of Maine if it found its funds depleted and no money to go along with. What would it do? Probably they would borrow money. Every business does. Every business does, and if anybody is in business, and he can't pay his help in order to keep his help, in order to keep them happy and contented, then he would have to go out and borrow money to pay them.

I don't care if the State of Maine has to borrow the money to give these people the increases that they so rightly demand. We forget that during the war when women with-

out any qualifications whatsoever were going out to the war plants and getting from three to four times as much money, these employes stayed on faithfully day after day without any increase or any recognition of their needs. I say that we shouldn't be debating this too long. I am opposed to the motion of the leader.

Mr. BARNES of Aroostook: Mr. President, I happen to know there is an amendment prepared and if this motion of the Senator from Penobscot fails, the amendment will be introduced to take this money out of unappropriated surplus. I think we have all made up our minds pretty well and if it were possible to move the previous question in this august branch, I would do so, but I hope now that it is about twenty minutes of eight, that we can come to a vote on it before long.

Mr. ELA of Somerset: Mr. President, sound government absolutely depends on sound fiscal policy. Sometimes deficits do occur but they never should occur with studied aforethought action. Certainly we should not take current expenses out of unappropriated surplus. This temporary increase was put into effect last fall when conditions were entirely different than they would appear to become next July 1st. I am not arguing that the pay is too high, but I do say that state positions will become increasingly attractive in relation to other positions in industry. I certainly will vote with the floor leader.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that House Amendment C be indefinitely postponed, and that Senator has requested a division.

A division of the Senate was had.

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

Thereupon, Mr. Noyes of Hancock presented Senate Amendment A to House Amendment C. and moved its adoption:

"Senate Amendment 'A' to House Amendment 'C' to S. P. 674, L. D. 1546, Bill 'An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees.'

Amend said Amendment by inserting in the 2nd line of that part designated 'Sec. 2-A', after the words 'appropriated from' the words 'the unappropriated surplus of'."

Thereupon, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; Senate Amendment A to House Amendment C was adopted; House Amendment C as amended by Senate Amendment A was adopted, and the bill as amended by House Amendment A and by House Amendment C as amended by Senate Amendment A thereto, was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Barnes of Aroostook,

Recessed until eight o'clock this evening, E.S.T.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Bowker of Cumberland, the Senate voted to take from the table Resolve in Favor of the University of Maine for General Operations (S. P. 98) (L. D. 104) tabled by that Senator on March 24 pending final passage.

Thereupon, on motion by Mr. Collins of Aroostook, the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

Mr. COLLINS of Aroostook: Mr. President and Members of the Senate, I now offer Senate Amendment A and move its adoption.

"Senate Amendment 'A' to S. P. 98, L. D. 104, 'Resolve in Favor of the University of Maine for General Operations.'

Amend said Resolve by inserting

before the period at the end thereof the following: ', and such moneys shall be appropriated from the unappropriated surplus of the general fund' "

Mr. COLLINS of Aroostook: Mr. President, Senate Amendment A would take the appropriations necessary for the maintenance of the University of Maine from the unappropriated surplus. I realize that this expense is not for capital purposes. On the other hand, there is an element of non recurring items about it in that the situation at the University of Maine has had this veteran problem for the past four years and the veterans problem in itself has created conditions that have made certain capital expenditures necessary, and in two more years they should be non recurring at least to the extent that the number of veterans will be greatly diminished. The fact that the number will diminish adds to the problem of less revenue because under the G. I. program the government is paying the out of state rate of tuition which is higher than the in state rate of tuition and from that angle the situation is non recurring to some degree. I emphasize that because I think it would justify taking this from the unappropriated surplus and certainly if we pass a resolve to build a building, which we did just the other day, a building for a pathological laboratory which was not requested by the University but which they are glad to endorse, I think that that in a way emphasizes the need for revenue to take care of that building.

There are one or two things that I think have not been brought up. One is the fact that capital and maintenance expenditures have been greatly increased by the war. At the time the war started, a library building was in the process of construction. \$250,000 of the cost of that library had been subscribed by the alumni of the university. Operations had to be suspended during the war. Then after the war, the rate of increase in cost of con-

struction was such that the university had to use up a lot of their reserve fund that they normally could have had for maintenance and for educational purposes. Under the old mill tax money the university planned to spend the money that they received and set aside a portion of it for capital improvement. That went very well up to the time of the increased enrollment and higher cost of operations.

Another thing that had to be done after war, due in part also to the fact that there was increased enrollment, was the rebuilding of the heating plant of the university. The estimate that has been made on fixing over that heating plant was in the neighborhood of a hundred thousand dollars and it cost nearly double that to do it. The money for buildings that has been granted to the university, with the exception of \$400,000 that was made two years ago from unappropriated surplus and the million dollars that was granted at the special session for dormitories, are the only expenditures for capital purposes that the state has made outside of the mill tax. The planned science building in addition to the grant by the state has cost an additional sum to do the grading, landscaping and other things that had to be done to complete the job.

I maintain that a lot of this expenditure has been of a capital nature and it has drawn down the reserve that the university built up prior to the war so that now they find themselves in the position that if they get only the mill tax they will have nearly \$600,000 less than they had for the last biennium.

You can't tell me that an institution the size of the University of Maine with 4700 pupils at the present time, with an anticipated registration of 4000 pupils the coming year and a possible registration of 3200 pupils the succeeding year, that they can get along with the same amount of revenue that they had prior to prior to 1947. When you cut a budget of \$600,000 in two years of any institution that size,

I believe it is unsound. They have got to do one of two things, either raise their tuition probably to the extent of \$100 per pupil or to decrease the number of students that can be admitted to the university.

They are obligated to have the number of veterans that will be coming for the next several years and I don't see how they can cut down to size for the next biennium. If at the end of the next biennium the conditions are different, the amount they request then will be in accordance with their need.

I sincerely hope that the Senate will go along with this amendment to take this money from unappropriated surplus. As I stated earlier this evening, I don't believe that fund is sacred. I admit it isn't good practice generally but we have to face the conditions so I hope you will go along with Senate Amendment A and take this from the unappropriated surplus.

Mr. ELA of Somerset: Mr. President and Members of the Senate, I hate to disagree with the Senator from Aroostook, Senator Collins. I have the kindest feeling towards the University of Maine. I have a son in attendance there. I appreciate the problems they are up against. They are doing a marvelous job. I admire them for it. However, I can't go along when you say that in State finance you will finance current expenditures out of unappropriated surplus. To me, it is just unthinkable. Deficits may occur even with our best planning, even if we plan for them not to occur. But to deliberately plan deficit financing to me should not be done. A great number of the students who go to the University of Maine are veterans. An increase in tuition will not come out of their pockets. I believe that under present conditions, as deplorable as it may be to have to do it, that an increase it would seem to me of \$75 would produce this three hundred thousand. I believe it would be the only courageous and proper thing to do under the circumstances.

Mr. COLLINS of Aroostook: Mr. President, there is just one point

that Senator Ela brought out which I believe should be clarified. We can't increase the tuition to the veteran students. That matter has been taken up with the Veterans Administration, and it is very difficult to even maintain the present rate that we have in that institution.

Now, there is going to be a large graduating class this year, and the year following there will be an even larger graduating class. So that as those classes go out, they are paying the higher tuition. But we can not raise that tuition to that group, because the Veterans Administration won't pay it.

Mr. ELA of Somerset: Mr. President, I had no suggestion of raising it to only one group. My suggestion was to the entire group.

Mr. HASKELL of Penobscot: Mr. President and Members of the Senate, I certainly couldn't be accused of inconsistency if I opposed this motion, because I did sign as the sole signer of a minority report the very unpopular amendment to increase the mill tax to take care of the University of Maine.

I must oppose the motion of the Senator from Aroostook, Senator Collins, because I, too, don't believe that this is a reasonable charge against unappropriated surplus. I believe that if the \$300,000 he seeks for a recurring expenditure is approved, that two years from now the Legislature will be asked for more than \$300,000. I believe it because when registration drops at the University of Maine, dropping with it will be the income from tuitions. Also dropping substantially will be the income from the G. I. tuition. I believe that this is just as much a recurring expenditure, just as much of an obligation to the Legislature as I believe aid to hospitals is a recurring obligation, and as I believe adequate aid to the municipalities with respect to education is a recurring expenditure.

I will recite again, as I recited earlier, the firm conviction that we ought to have the firm conviction to face these things by, in our democratic way, as a majority of the

Legislature has said, living within our current income. That, we ought to be willing to do!

Now, this can go on to the early hours of tomorrow morning. Every item which this Legislature has so far considered this session may well be gone over again if the door is once opened, including elderly teachers' pensions, additional grants for the A. D. C. program and all of the other things that we have had to cut out of the program. But, Senators, somewhere the door has to be closed.

If you pass this measure, by authority of my expert accountant, you have reduced the unappropriated surplus of the General Fund down to \$38,350 if you take into account the \$900,000 of contingent liability represented by the Contingency Fund. I can't believe that we will have further amendments, but I would be thoroughly in sympathy and in equal sympathy with the welfare program, with the elderly teachers' program, with the equalization program, with the teachers' salaries program, all below existing statutes. My plea to the Senate is exactly as it was before we recessed for our dinner. Somewhere you have got to close the door, or go into deficit financing, and I can't believe the State of Maine wants to go into deficit financing.

I realize, undoubtedly, that the motion will prevail, because there is a great deal of sympathy for the University of Maine. I have it in my own heart. I graduated from the University of Maine. I love the institution, but, Senators, where are you going to stop? You have opened the door once. You are going to open it again, I predict, and that door will be swinging until the early hours of tomorrow morning, unless somewhere along the line we close it. I take the position of the Appropriations Committee when they said that is all the money there is. So, we are going to bring out the the new-draft of the Appropriations Bill and spend that money, and once again I support the position of the Governor that the Legislature

has said, let's live within current income.

I sincerely hope, although I also share in the desire of the Senator from Aroostook, that the motion does not prevail.

Mr. COBB of Oxford: Mr. President and members of the Senate, I spent two of the happiest years of my life at the University of Maine. I would have graduated from there if I hadn't gone on hoping to be an M.D. and changed for medical training. I have the greatest affection for the institution. I am afraid I can not stay with the Senator from Aroostook, Senator Collins on this. I believe with the Senator from Penobscot, Senator Haskell, that we have started one of the most possibly vicious movements in this session that we could possibly start for unsound state financing.

I would like to ask the Senator from Aroostook, Senator Collins, a question which he may answer if he wishes. I would like to know what the alternatives were in his plan in case this door hadn't suddenly been opened, and how he hoped to finance this appropriation prior to the move that was made on the three, four, five.

Mr. COLLINS of Aroostook: Mr. President, naturally, I had hoped that this appropriation could come from General Funds. That is the logical place for it. But we have been told that in the General Fund the money does not exist. Now, I maintain that the matter is important enough to be taken from unappropriated surplus.

You will note that the Governor in his message said that all the services should be maintained at the same level. The hospitals, I think, are getting just as much as they did two years, but the University of Maine is cut from the amount that they had two years ago with a registration that is just as big. But I think I answered your question when I said that I hoped it would come from general funds. This to me was the alternative. In the event that this fails of passage, I don't see but that the

trustees of the University will have only one alternative, and that is to raise the tuition. The sad part of that is that it will automatically within a year or so reduce the number of admissions even quicker than would be the case under the natural conditions and perhaps your cost per capita will go up in a more rapid manner.

I don't know whether that answers your questions, but I haven't any magic hat to draw a rabbit out of at this time.

Mr. BARNES of Aroostook: Mr. President, I have been a little alarmed during the past three sessions that I have been here, with the growth of our state university. I realize that the trustees have had to come to the Legislature and say, "You asked us to do these things and we have to have the money to do them", and especially during the last session when it appeared there were going to be a great many G. I.'s applying for admission to the state university and I was willing to go along with them. I would, however, remind the members of the Senate that there are three other colleges in the State of Maine, Colby, Bates and Bowdoin and those colleges get from the State of Maine just what the Senator from Cumberland, Senator Slocum said the other day—love. They don't get a nickel. Those colleges are in direct competition with the University of Maine. Why? Because the University of Maine offers a liberal arts course. It isn't the fault of the trustees of the university. It is apparently because in past Legislatures and on account of recommendations of the University of Maine Committee in past Legislatures that they have demanded those things.

Now I can tell them where they can save the money that they need and are asking for in this request. State universities in my opinion should devote themselves to things like straight agricultural courses and engineering courses and they shouldn't try to compete with private colleges, that we have in Maine who are out searching in

normal times for students to keep up their enrollment.

I admit that perhaps we have made a mistake before recessing for supper, in opening the door here. I didn't anticipate that this particular request would be knocking at that door. I don't believe this is a proper place to take money from the unappropriated surplus of the general fund to carry out a running expense of our state institution and I have differed with my good friend from Aroostook County very few times this session but I shall have to differ from him on this one.

Mr. BREWER of Aroostook: Mr. President, first, I want to compliment my good friend the Senator from Somerset, Senator Ela, for the consistent course that he has followed in the Legislature. I think in 1945 in the special session that we had, at that time Senator Ela sat with me on the Appropriations Committee. And on that joint committee on military affairs, practically every bill that was presented to the Legislature came before that joint committee, because it involved those two things—we were sent here for veterans legislation and also the money to take care of it.

If I remember rightly, at that time we were struggling to find a place to take care of these returning veterans in our educational institutions. Also at that time, I think that the University of Maine seemed to be the one outlet that we had that would accommodate the greatest number. They were willing by superhuman effort—which it later proved to be—to go out and take care of these veterans and do the wonderful job that they have done. I also remember another institution in my locality that was able to do the same thing that I happened to open the door for at that time in getting an appropriation for Ricker that I haven't lived down since. Nevertheless, I do want to point out to this Legislature that through the Governor and Council, and afterwards through the Legislature, the Uni-

versity of Maine were talked into the situation that they now find themselves in, taking care of veterans who had no home for further education.

You will hear it argued that we should not touch unappropriated surplus for current expenses, that it is a sacred fund, and you should keep hands off. Of course, it is poor business in your business, or mine to go into your savings account, so to speak, to draw from that for current expenses, but we often have to do it. Often, as individuals, we have to go into deficit spending to carry on plans that we have in our own individual business. I say to you that even though it shows a good record, to my way of thinking when you take the taxpayers money and pile it up as surplus, you are giving future Legislatures something to shoot darts and arrows at and try to get it away. In other words, you put it in there, and then you say, there it is boys, come and get it. I don't think that is right.

It is nice to have a surplus, but at the same time, as far as the government is concerned, that is a different thing than our own individual businesses. Over and above that, when I came to the Legislature in 1941, if I remember rightly, we were running in the red. Up until that time, the Budget Officer and the authorities in the various departments had been over estimating their revenue. Since that time, revenue has been underestimated. Now, I just want to say this to you, I feel, and I am as guilty as anybody, that we have talked the University of Maine into this position, and I feel that it is up to us as legislators to dig and dig hard to find the money so that they may carry on.

By the way, I did not attend the University of Maine. What little time I put in college was spent at Bowdoin. But nevertheless, the idea of a state university is for those boys and girls that are unable to pay the tuition that they do in the other colleges. That is the one purpose in mind. I think

you will find that the University of Maine probably has a higher cost than any other state university in the United States. I want to repeat again that we did talk them into this situation that they are in, and I believe it is up to us to find the money for them to carry on. I again point out to you that your unappropriated surplus, so far as I am concerned, is not a sacred thing. And had we not had as big a fund as we had, I don't think that you would have had the trouble in raising tax revenue that we did in this particular Legislature. I hope the motion of the Senator from Penobscot does not prevail.

Mr. COLLINS of Aroostook: Mr. President, there is just one item that I wanted to bring up before the Senate, because some of the members may not be familiar with the special session of 1946 when the state made a grant to the University for one million dollars for dormitories. The cost for those dormitories was two million dollars. The trustees of the University had to borrow one million dollars which they are paying back at the rate of \$100,000 a year out of their board and dormitory rent. The trustees of the University are trying to do their share, and they actually did borrow this million dollars for use to get the dormitories for the veterans and for the people attending the University.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, I think you will agree with me that in view of the last statement made by the Senator from Aroostook we would be entirely consistent to appropriate the money he asks for to apply against the capital expenditure for dormitories, because that was an expenditure which had to be met by the University in order to give the services which they called for.

Before we adjourned for dinner, one of the Senators said, or I think he said, we had made a mistake and we would have to pull up our belts, take the consequences, and that we would have to do these things which were so distasteful to



us. But the Senator can not prove, and neither can any other Senator prove, that we have made a mistake in not passing tax legislation. We thought two years ago we had made that same mistake. We went out of here feeling rather discouraged. I know I did. We were the do-nothing Legislature. Most people thought that he had come down here to accomplish nothing. But it so happened that we didn't make a mistake, and that the work of the Legislature two years ago was quite commendable. It did pass a nuisance tax on a level which I didn't approve, and I assume most of you didn't approve. But at the same time, the session was not as we thought it was at that minute.

Senator Haskell has very wisely told us that we ought not to operate the state in the red. I think the Senator will agree that in carrying on any financial operation of this scope as large as the State of Maine under the rapid change in economy which is taking place at the present time, if you were to guarantee that this state never for one minute operated under conditions in which the expenditures exceed the revenue, you would have to have a substantial operating reserve to work against all of the time. It is not the custom in this country to allow any political subdivision to have the operating capital to carry on deficit operations. That is not permitted. You people who have been connected with municipal financing, or with state financing, know that that is so. So, while I think there is unanimous agreement that we ought not to draw from unappropriated surplus for anything except non-recurring capital expenditures, I also think that you will find that at times we will have to do it and we will be very fortunate that we have the surplus to draw from.

I have not carried the figures, but the Senator from Penobscot has just told us we were down to something under fifty thousand dollars. However, if we set aside the \$900,000 for the contingent fund, that is not in accordance with my figures. Earlier in the day, we had the

figures very carefully passed to us, and we knew the surplus in that account. At the minute, I don't know, my figures show something higher than that. I do know that we have set aside \$2,000,000 operating funds, and we are proposing to put \$900,000 in this fund for the contingent reserve. That is quite a substantial amount of funds. I shall be surprised if we don't have to do some deficit financing in the near future, and I am not one of those that are particularly worried about it. I think I understand what constitutes sound financing.

I shall support Senator Collins in cutting these various bills into the unappropriated surplus. We have been a little more liberal in the cutting than I would have, but I have not been much disturbed about that. I feel that the estimated revenues of the state may exceed the actual revenues. It is quite likely that we shall be back here in order to readjust the finances of the state. We may be in one of those periods when the state is not going to go through the entire biennium without meeting from time to time.

We are fortunate to have the unappropriated surplus, and I think in the light of the service that the University has given this state through the war, and since, and in the light of the service it is giving the state today, that it is not unwise to go along with it during this year on this measure which we have before us. The University is making rapid adjustments, and I suspect it has hard times ahead.

Mr. SLOCUM of Cumberland: Mr. President, I don't feel that the University of Maine is in competition with the other three colleges. They are equally good institutions. I know that at least one of the three is planning to cut down its enrollment because they have too many students there. In consequence, unless we make it possible for boys and girls to go to college at the State university, it is going to mean they will have to go outside the State of Maine because these other colleges are unable or

unwilling to increase their present enrollment.

I feel that if any other branch of our State government was in the red we would very quickly make up the deficit. The University of Maine had to borrow money and is still paying off that debt. I feel that to assist them in any way at this time if we have any surplus funds is only good judgment. I hope the motion of the Senator from Aroostook prevails.

Mr. LEAVITT of Cumberland: Mr. President, I have listened to the biggest brand of weird statements I have ever heard. We need over \$900,000 in the Department of Education alone to carry out the existing statutes without passing any new laws here. I hear people say that if we have got surplus and have all this money to spend why not spend it on the University of Maine. My good colleague from Kennebec, Senator Hopkins said there is no evidence that we are mistaken in not passing a new tax bill. The evidence of it is that we are now taking unappropriated surplus and trying to use it for current expenditures when we still need hundreds of thousands of dollars which should be spent to carry out existing law because we have not got it. I hear people say we have made no mistake in not passing new taxes. Are we all going crazy here?

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A, and the Senator from Penobscot has requested a division.

A division of the Senate was had. Thirteen having voted in the affirmative and eighteen opposed, the amendment was not adopted.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was indefinitely postponed.

On motion by Mr. Haskell of Penobscot, it was

ORDERED, the House concurring, that S. P. 671, L. D. 1523, An Act Relating to Deer Isle-Sedgewick Bridge District be recalled to the Senate from the Governor for further consideration.

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

ORDERED, the House concurring, that (S. P. 685) (L. D. 1588) Resolve in Favor of Bridge Across St. John River in Allagash Plantation be recalled to the Senate from the Governor for further consideration.

Mr. BREWER of Aroostook: Mr. President, I move the indefinite postponement of this Order. I would like to say to the Senate that if the Governor in his wisdom sees fit to veto the Allagash Bridge I will be happy to go along with him in his action. I hope the Senate will stay with me in the indefinite postponement of this Order.

Mr. HASKELL of Penobscot: Mr. President, in support of the motion that the Order have passage, I will suggest to the Senate the fact that the type of Order that is before us indicates the thought of the Chief Executive that this Body should give further consideration to the bill. I can also assure the Senate that both of these orders were presented to me by the Chief Executive with the sincere request that we do give further consideration to them.

I can assure you it is the hope of the Chief Executive that he will not have to present veto messages to this Body and the other Body and I do hope the order has passage so that we may consider again our action whereby we passed the resolve.

Mr. BARNES of Aroostook: Mr. President and members of the Senate, I want to rise also in opposition to this Joint Order. This particular matter involves the highway department, — the building of the bridge, that we listened to this afternoon — contributions from the state, the county and towns, and if our Chief Executive desires in his infinite wisdom to veto this measure I would say we had better give him the chance and stand against this order.

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

A division of the Senate was had.

Eighteen having voted in the affirmative and eleven opposed, the motion to indefinitely postpone the Order prevailed.

#### From the House

Bill "An Act to Provide for the Creation of a Liquor Research Commission." (S. P. 470) (L. D. 922)

(In Senate, on April 1, passed to be engrossed as amended by Committee Amendment "A")

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

In the Senate, on motion by Mr. Williams of Penobscot, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on motion by Mr. Ela of Somerset, the bill was laid upon the table pending motion by Senator Williams to adopt House Amendment A.

Joint Order (H. P. 2124) re study of Tax Structure by Legislative Research Committee.

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

Comes from the House, that body having insisted on its former action whereby the order was read and passed, and now asks for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Messrs. BROWN of Wayne  
CHASE of Cape Elizabeth  
DUNHAM of Ellsworth

In the Senate, on motion by Mr. Barnes of Aroostook, the Senate voted to adhere.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Motor Vehicle Registration Number Plates," (H. P. 364) (L. D. 127) reported that they are unable to agree.

Which report was read and accepted in concurrence.

Bill "An Act Relating to Secondary School Tuition." (H. P. 1951) (L. D. 1324)

(In Senate on May 6th passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto, in non-concurrence.)

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

Messrs. PALMER of Nobleboro  
MARSANS of Monmouth  
FULLER of Buckfield

In the Senate, on motion by Mr. Ela of Somerset, the Senate voted to insist and join with the House on a Committee of Conference.

Bill "An Act Relating to Maine Soldiers and Sailors in the War with Spain." (H. P. 1655) (L. D. 963)

(In Senate on May 7th, the Minority Report "Ought Not to Pass," accepted in non-concurrence.)

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

Messrs. JENNINGS of Strong  
BERRY of South Portland  
LARRABEE of Westbrook

In the Senate:  
Mr. BARNES of Aroostook: Mr. President, I move that the Senate adhere.

Mr. SLOCUM of Cumberland: Mr. President, I move that the Senate insist and join in the Committee of Conference.

Mr. BARNES of Aroostook: Mr. President, I ask for a division.

A division of the Senate was had.

Two having voted in the affirmative and twenty-four opposed, the motion to insist and join did not prevail.

Thereupon, on motion by Mr. Barnes of Aroostook, the Senate voted to adhere.

Majority Report "Ought Not to Pass," Minority Report, "Ought to Pass" from the Committee on Legal Affairs on "Resolve Authorizing the Board of Commissioners of Pharmacy to Issue Certificate of Registration to Edward Laurence of Rockland," (S. P. 485) (L. D. 949).

(In the Senate, on May 7th, the Minority Report accepted, and the bill passed to be engrossed.)

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

In the Senate, on motion by Mr. Sleeper of Knox, the Senate voted to recede from its former action, and concur with the House in the acceptance of the "Ought Not to Pass" report.

Bill "An Act Relating to the Inspection of Buildings and the Approval of Certain Articles Containing Natural or Synthetic Components." (H. P. 2066) (L. D. 1500)

(In Senate on May 4th passed to be engrossed as amended by House Amendment "A" in concurrence.)

Comes from the House, the bill indefinitely postponed.

In the Senate, on motion by Mr. Haskell of Penobscot, indefinitely postponed in concurrence.

#### Enactors

Bill "An Act to Grant a Council-Manager Form of Government to the City of Saco." (H. P. 1648) (L. D. 996)

Bill "An Act Relating to Taxation of Boats." (H. P. 1743) (L. D. 1096)

(On motion by Mr. Bowker of Cumberland, a division of the Senate was had. Twenty having voted in the affirmative and ten opposed, the bill was indefinitely postponed in non-concurrence. Sent down for concurrence.)

Bill "An Act Relating to Definition of 'Teacher' Under State Employees' Retirement Law." (H. P. 1783) (L. D. 1122)

Bill "An Act Relating to Accident and Health Insurance." (H. P. 2101) (L. D. 1587)

"Resolve, in Favor of Erskine Academy." (H. P. 540) (L. D. 1442)

"Resolve in Favor of Lee Academy." (H. P. 891) (L. D. 363)

"Resolve, in Favor of General Ice Cream Corporation, of Rockland." (H. P. 898) (L. D. 1622)

"Resolve, in Favor of Louise W. Cony, of Augusta." (H. P. 1371) (L. D. 1619)

"Resolve, in Favor of New England Telephone and Telegraph Company, of Augusta." (H. P. 1465) (L. D. 1620)

"Resolve, Providing for the Payment of Certain Damages Caused by Protected Wild Animals." (H. P. 2115) (L. D. 1610)

"Resolve, Providing for the Payment of Certain Pauper Claims." (H. P. 2116) (L. D. 1611)

Bill "An Act Relating to Cattle Tested for Bang's Disease." (S. P. 335) (L. D. 566)

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

Bill "An Act Relating to Salaries of Somerset County Officers." (S. P. 663) (L. D. 1494)

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

Bill "An Act Relating to the Financial Responsibility Law." (S. P. 695) (L. D. 1616)

"Resolve, Appropriating Funds to Provide for a Reclassification and Compensation Survey." (S. P. 562) (L. D. 1227) which bills were passed to be enacted and resolve finally passed.

From the House out of order and under suspension of the rules:

#### Emergency

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30th, 1950 and June 30, 1951." (S. P. 678) (L. D. 1557)

Which bill being an emergency measure and having received the

affirmative vote of 30 members of the Senate, and none opposed, was passed to be enacted.

#### Senate Committee Report

Mr. Cobb from the Committee on Mines and Mining submitted its Final Report.

Which report was read and accepted.

Sent down for concurrence.

#### Order

(Out of order and under suspension of the rules.)

Mr. WILLIAMS of Penobscot: Mr. President, I present the following Order and move its passage. I might say that the bill this refers to and which we passed a few minutes ago, should have come out of the unappropriated surplus.

The Secretary read the Order:

ORDERED, the House concurring, that (H. P. 540) (L. D. 1442) Resolve in Favor of Erskine Academy, be recalled to the Senate from the Governor for further consideration.

From the House out of order and under suspensiodn of the rules:

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties," (H. P. 2017) (L. D. 1404) reported that they are unable to agree.

Which report was read and accepted in concurrence.

Bill "An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees." (S. P. 674) (L. D. 1546).

(In Senate, on May 7th, passed to be engrossed as amended by House Amendment "A" and by House Amendment "C", as amended by Senate Amendment "A" thereto, in non-concurrence.)

Comes from the House, that body having receded from engrossing; receded from adoption of House Amendment "C". Senate Amendment "A" to House Amendment "C"

adopted; House Amendment "C" as amended by Senate Amendment "A" adopted. House Amendment "D" adopted, and the bill passed to be engrossed as amended by House Amendment "A", and by House Amendment "C" as amended by Senate Amendment "A" thereto, and by House Amendment "D" in non-concurrence.

In the Senate:

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am not dying hard on this bill. I recognize the fact that the majority of the Senate, before recess voted for the bill as amended, and having read House Amendment D, I think that House Amendment D strikes out the emergency enactor from the bill. If the point of that is that it is to have reasonable assurance that it pass the Senate without the necessity of two-thirds vote of the total elected membership in the Senate, it seems to me it would be a little bit unreasonable. If because there are some of us in the Senate who don't believe that the bill should have passage as amended, I think it is unreasonable to impose upon the employees a gap between the first of July and the middle of August which probably would exist or at least there would be confusion on both the \$7.20 and the \$3.00 raise.

Now if it can be passed as a regular bill without an emergency amendment, I will make no effort to indefinitely postpone House Amendment D. I admit I talked with none of the proponents and I may be wrong in the intent of House Amendment D but if that is the intent I am not one who is going to hold out and say there can be confusion by holding this thing up. If a bare majority of the Senate still think this is the thing to do, I certainly would be one to remove that apparent confusion. I don't believe in the unfairness that seems apparent in requiring the two-thirds and if that is the intent, I will be pleased to have it explained.

Mr. BREWER of Aroostook: Mr. President, for once I concur with

Senator Haskell. I do understand from the Bureau of Accounts and Controls that without the emergency on this bill it probably would cost \$3,000 more to figure every check that comes out of that office, and for that reason I would like to see the emergency go on because as the Senator has told you, there is a gap at the end of June that would go up to the first of August. For that reason I would like to see the amendment taken off and indefinitely postponed.

Mr. NOYES of Hancock: Mr. President, do I understand the Senator from Penobscot to say that if the emergency is retained in the bill he will vote for the bill and help us get the two-thirds vote in the Senate?

Mr. HASKELL of Penobscot: Mr. President, I am sufficiently stubborn to ask for one more vote in the Senate on the bill, and if I again fail, I assure you that when it comes up for emergency enactment, I will be among those voting for the bill. I do believe that when we voted before dinner, we hadn't seen the effect of the door opening procedure.

I think at this time we have seen what attacks might be made on the state by opening the door. I still have a faint hope that the Senate may see a little bit of the unreasonableness of legislative procedure in having a majority of the legislature vote to live within current revenues and then ask to take that revenue, and it is non-existent, for normal recurring expenditures, and I would suggest, out of order as it is, that you vote on my motion that the bill be indefinitely postponed. If that does not prevail, I will be the first to rise on an emergency enactor. I think that is fair and reasonable and certainly there is no intent on my part of making any unnecessary injustice because the rules require a two-thirds vote on emergency enactment.

Mr. NOYES of Hancock: Mr. President, if I understand the position that Senator Haskell has taken, I would remind the Senate as

to what this door opening procedure amounts to according to my best understanding and belief. If this bill is enacted into law we will still have in the unappropriated surplus the sum of \$638,000 which is in addition to the \$900,000 required by the contingent fund and that \$900,000 is in addition to the two million which we have earmarked or locked away for emergency and I would hope that the motion of the Senator from Penobscot that the bill be indefinitely postponed does not prevail.

Mr. BARNES of Aroostook: Mr. President and members of the Senate, I am one of the many members of the Senate who feel that this unappropriated surplus should be disposed of by this session of the legislature down to the point almost of danger, but we are operating here at the end of the session, as Senator Haskell has said, in a hurry. We have no calendar before us. We don't know what other measures are still outstanding that we might think might be more worthy than this one for the disposition of unappropriated surplus. Certainly I will agree that this particular item being a recurring expense, should not come out of that fund. I therefore, Mr. President, move that the bill lie upon the table until such time as we can tell what other measures there may be which might be more worthy.

Mr. COBB of Oxford: Mr. President and members of the Senate, when I spoke before the recess, I made the comment that I thought this piece of legislation should not be carried through at this time and I made that statement for one particular reason.

I think at this stage of our experience in this session we should call a spade a spade. This is one of the opportunities for good government in which we can pull in and it is the point where we should pull in. It gives every Commissioner a chance within his department to do the consolidation that he feels is essential. He can weed out the deadwood which otherwise might

not be weeded out. If some member of a department takes another position, he has a chance to double up jobs and it is my sincere belief that the members that are left working in the department will find that their wage scale stays up to the point that will satisfy them completely.

By putting in this amendment, it leaves every department just where they were before with no particular incentive for economy, for readjustment, for facing reality and I think it removes the incentive to good economy in government. If I did not believe that I would not make these statements. I am strong for our employees to get all that they should get and can get providing we have good government.

Members of this Senate have gone down to the restaurant here and if there is a minute of the day when there is not a flood of state employees eating and drinking in their restaurant, and being quite leisurely about it, I have not seen it.

I really believe there is an opportunity here for the proper readjustment that would help good government in the state and keep the employees happy.

Mr. VARNEY of Washington: Mr. President, I rise in opposition to the statements of the Senator from Oxford. If we have arrived at the point that economy means that state employees cannot take their own time to eat their meals and cannot do it in a leisurely fashion, then what are they going to do about it? Is it good economy for any department to try to carry on the work of that department understaffed and without giving workers in that department at least leisure time enough to get their meals. I think that it is unjust of this legislature to expect that kind of economy. I haven't been in any department yet where I have found very many people loafing on their job. If they have been, it is because they have been bothered by the legislators going in and out. I think probably if

during legislative research you go into any of the departments you will find the workers in those departments on the job.

I don't believe we have any more slackers in our departments than we have in the legislature.

Mr. ELA of Somerset: Mr. President, I think one item which possibly may have been overlooked up to now, and that is that matter of responsibility. This Senate has a great responsibility. The Republican party has a great responsibility. The Executive has a great responsibility. If we wreck that responsibility here by irresponsible actions the result will not be good. Even although we may have taken individual positions on the various items do not forget, every one of you, that the whole state is bigger than each individual position. Maintain the responsibility which is due the Senate's position.

Mr. ALLEN of Cumberland: Mr. President and members of the Senate, I haven't spoken on this matter tonight, or at any time here in the Senate regarding salaries for employees. I think our responsibility here is not to the dollars and cents of financial statements but is to the people, our people who work for the state. I feel that a balanced budget is not the only important thing in the operation of state government. Our state employees have been accused of drinking too much coffee in the cafeteria and of wasting time. Last week when the books were published on salaries of state employees, it was the first time I had seen in the last three sessions when I glanced through the salary lists, that they were anywhere near comparable to positions in private industry.

I felt at last the State had put its State employees on a living wage and I felt that in view of the fact that the state employees, many of them, stuck with the State in the war years when they could have made big money in the shipyards at Portland, when you will recall the State was paying far less to employees than today, when they were

making \$30 a week and could have made \$85 or \$100, and as a reward for their loyalty they got a very nice thank you. I say, gentlemen, that the employees come first and I say the employees are far more important than the contention of Senator Haskell that we might possibly be moving into the red. I think the next two years are very important to our people. When we are sick we call a doctor. We don't call him up first and ask how much he will charge to come over and take care of the ill person. I certainly hope the Senate will go along with the employees of this State. I don't believe opening the door for everything should be done, but I say to open the door in this case is very important. I certainly hope the Senate does not indefinitely postpone the bill.

Mr. COLLINS of Aroostook: Mr. President, I am just wondering if all of the Senators know that Senate Amendment "C" carries the \$3.00 raise only through the first fiscal year to June 30, 1950. I think some are under the impression it carries through the two years of the biennium, and with that thought in mind, I wonder if the statement by Senator Noyes that \$638,000 would remain in the unappropriated surplus if this is passed, is not incorrect? I think perhaps the Majority Floor Leader could give us what in his opinion would be the effect if Senate Amendment "C" were passed taking the balance from his little tote board he has been carrying along.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, you must recognize that these figures are not exactly correct. We have marked it off, I think, with reasonable accuracy. And if my figure of \$325,000 per year fairly represents the cost of one year of this bill, on the third increase there will remain in the unappropriated surplus of the General Fund \$913,350. The point made by the Senator from Aroostook, Senator Collins, brings rather forcibly to the Senators' minds, I hope, the fact that you are forestalling the disap-

pointment that is going to be in the hearts of these employees by just about thirteen months.

Now, it is true you are not going to be here the first of July next year to see that disappointment, but few in this room know, I think, that that disappointment will be any less acute thirteen months from now than it is one month from now. I grant the expediency. I grant the fact that it is a nice thing to do, but you are simply postponing the day if you enact this bill as it is now amended. Remember, you have cut the three, four, five to a straight three. Remember, you have put a stop on it when the Legislature isn't going to be here. And I ask the Senate what the feelings of the employees are going to be, come the first of July next year.

All of us can visualize the difficulties of tonight. Most of us can visualize the difficulties of thirty or forty-five days from now. But are those difficulties going to be much different a year from today? Are we sure this is the sound thing to do. Really, Senators, isn't it the right thing to do to recognize again that the thousands of people in this State that may be eligible for hospital aid under laws existing in our State are going to be denied, starting July 1st? Isn't it reasonable to visualize how the municipalities of this State are going to feel, come the middle of next December, and they have some cuts in the checks that represent what our statutes say we shall give to our towns for education?

I realize the hour is late, and I realize I am repeating myself, and I again pledge my vote for an enactment as an emergency measure if a majority of this Senate now, on this measure, feel that we should do what I think represents lack of courage and offers a bit of subterfuge to a pretty loyal group of employees. I share none of the feeling that our department heads aren't among the best people in the State of Maine. You have a good group, and I think we have got the courage to face the fact that



we don't have the revenue with which to meet this as well as other matters which are of equal urgency. I believe that in their own hearts they are that type of people who sympathize with us a little bit in our inability to give to the deserving people of this State the things that we would like to have to give to them. I just have a little bit of the feeling that maybe they would like to share that with the rest of the people in the State that we have had to deny as a result of our appropriations committee study of income, questions of expense and finally a balanced budget.

Remember, you are going to leave an administration here that has got to live with this thing, and you are not going to be here to share that burden, come thirteen months from now. I honestly believe you are building up a problem that will have no possibility of solution, come the fatal day of July 1st, 1950.

I am quite convinced that the motion will fail, and I again repeat, I think for the third time, that I will be the first to rise and vote for the emergency enactor if the majority of the Senate still want the bill.

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

A division of the Senate was had.

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

On motion by Mr. Noyes of Hancock, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The Secretary read House Amendment D.

Mr. NOYES of Hancock: Mr. President, with the understanding that there are Senators in this room who will vote for this as an emergency measure in order to eliminate confusion if the bill were enacted without emergency, I would move

that House Amendment D be indefinitely postponed in non-concurrence.

Mr. HASKELL of Penobscot: Mr. President, I shall support the motion of Senator Noyes, but obviously I expressed only my own opinion with reference to my support. I think in fairness to the Senator and in justice to the Senators who have concurred with my thinking on this bill, some Senators, at least to the number of two or three, should indicate that they share my feeling that now that the majority of the Senate have so expressed themselves that they will go along on the emergency enactor, I hope that those who agreed with me that we don't confuse the issue by having a gap from July first to the August 6th or 7th or eighth, will vote for the emergency.

Mr. COLLINS: Mr. President, there is one danger in this in my opinion, that even though we in this Body might be agreed on this procedure, am I not correct in believing that this will have to go to the other Branch for concurrence? I just leave that thought with the Senators.

Mr. HASKELL: Mr. President, I may indicate the fact that the Majority Floor Leader in the House has the feeling that the House will pass the bill as an emergency since he is sitting in the Senate Chamber and has just nodded his head assenting to that indication to the Senate.

Mr. LEAVITT: Mr. President, I will vote for the emergency.

Mr. COBB: Mr. President, I will vote for the emergency.

Mr. WARD: Mr. President, I will vote for the emergency.

The PRESIDENT: The question before the Senate is on the motion of Senator Haskell that House Amendment D be indefinitely postponed.

The motion prevailed, House Amendment D was indefinitely postponed and the bill as amended by House Amendments A and House Amendment C with Senate Amend-

ment A thereto was passed to be engrossed in non-concurrence.

On motion by Mr. Noyes of Hancock, sent forthwith to the House.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Bounty on Porcupines," (H. P. 352) (L. D. 148) reported that they are unable to agree.

Which report was read and accepted in concurrence.

### Communication

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

May 7, 1949

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

Sir:

In accordance with the provisions of Joint Rule 8, notice is hereby given the Senate that the House today indefinitely postponed Senate Paper No. 700, Senate Joint Order relative to recalling from the Governor House Paper 1014, Legislative Document 441, Act freeing the Richmond-Dresden Bridge of Tolls.

Respectfully yours,  
HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

### Enactors

"Resolve, in Favor of John P. Clark, of Scarborough." (H. P. 974) (L. D. 1527)

"Resolve, in Favor of Susan M. Osgood, of Cumberland." (H. P. 649) (L. D. 1528)

"Resolve, in Favor of Frederick C. Osgood, of Cumberland." (H. P. 648) (L. D. 1525)

"Resolve, Providing for an Increase in Retirement Pension for Harry H. Watson of Prospect." (H. P. 304) (L. D. 1424)

"Resolve, to Reimburse the Town of Jefferson." (H. P. 1458) (L. D. 1512)

"Resolve, in Favor of Christopher Hilton, of Anson." (H. P. 1454) (L. D. 1509)

"Resolve, in Favor of Leslie W. Jones of West Minot." (H. P. 1282) (L. D. 1511)

"Resolve, in Favor of Prentiss Plantation." (H. P. 733) (L. D. 1515)

"Resolve, in Favor of Herman I. Ham of Madison." (H. P. 636) (L. D. 1513)

"Resolve, in Favor of Kenneth H. Morse, of Gorham." (H. P. 564) (L. D. 1508)

"Resolve, in favor of Harold E. Rogers of Brunswick" (H. P. 550) (L. D. 1508)

"Resolve, in Favor of Madelyn Ames, of East Poland." (H. P. 105) (L. D. 1514)

Which Resolves were severally finally passed.

### Enactor

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

Which resolve being an emergency measure,

A division of the Senate was had.

Twenty-eight having voted in the affirmative and none opposed, the resolve received final passage.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table bill, An Act to Provide for the Creation of a Liquor Research Commission, tabled by that Senator earlier in today's session pending consideration.

Mr. ELA of Somerset: Mr. President has that been engrossed in the Senate? What is the status of the bill?

The PRESIDENT: In the Senate on April first the bill was read a second time and passed to be engrossed as amended by Committee Amendment A; in the House it was passed to be engrossed as amended by House Amendment A and House Amendment B in non-concurrence.

Thereupon, on motion by Mr. Ela of Somerset, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. ELA of Somerset: Mr. President, I now move the indefinite postponement of House Amendment B.

Mr. BARNES of Aroostook: Mr. President, I think we should have the amendment read.

Mr. ELA: Mr. President, I think a brief explanation will suffice. House Amendment B permits the Governor and Council to spend any amount of money they might desire on building anything under the heavens. It could cost a million dollars. They might spend nothing. Such a blank check is unthinkable to me.

The motion prevailed and House Amendment B was indefinitely postponed in non-concurrence.

Thereupon, on motion by Mr. Williams of Penobscot, Committee Amendment A was indefinitely postponed, and on further motion by the same Senator, House Amendment A was adopted in concurrence.

Mr. ALLEN of Cumberland: Mr. President, I move that the bill be indefinitely postponed.

Mr. BARNES of Aroostook: Mr. President, I am somewhat amazed by the motion that has just been made by the Senator from Cumberland. It is pretty generally recognized nowadays that alcoholism is a disease. This state gets somewhere roughly in the neighborhood of \$7,000,000 a year from liquor, and it seems reasonable to believe that the state perhaps ought to use a small part of that revenue sometime in the future to try and cure those who are afflicted with that disease.

I remember in the closing days of the last session a similar bill to this was killed for lack of appropriation. Now, without any appropriation, we have a motion here, which I still can not understand, for indefinite postponement of the bill, when it doesn't carry any appropriation. I am sure that a committee can be appointed by the Governor to study into this proposition and make recommendations to the next Legislature that may be of infinite value in the curing of those people in this state who may be afflicted with this terrible disease because of

the fact, partly at least, that the state is in the alcohol business.

I know that Dr. Sleeper who is superintendent of the Augusta Hospital is more or less of an expert on these facts, could be procured to serve on this committee, and I think there are others who could and would be glad to serve. I served, myself, last summer in connection with several other lawyers on a law enforcement committee to deal with the problem of drafting legislation for this Legislature to act on the forest fire problem and a safety defense council. It was definitely shown that there were men in the State of Maine who were willing to meet together and work on this problem and get out some recommendations. And I believe the Governor can, from the contingent fund, pay the expenses of some of these members. Now, I hate to see anything like this happen again. If we don't create a commission of this sort, the next Legislature that comes back here two years from now will again be faced with the same problem with no recommendations whatever and without any idea what to do about the problem of alcoholism.

I seriously oppose the motion to indefinitely postpone. I have a suspicion that the Senator from Cumberland may have been whispered to by his colleague on his left to put this motion in. I don't like the motion, and I don't think that the Senator from Cumberland who put it in would like it if he understood the proposition. I hope that the Senate will resoundingly turn this motion down.

Mr. BOWKER: Mr. President, I can't quite understand why Senator Barnes would say that, because for his information, I had nothing to do with the motion.

Mr. WARD of Penobscot: Mr. President, I am hopeful that the Senate will refuse to indefinitely postpone this measure. On the problem of alcoholism, I think it was a matter of about ten years ago, they established the so-called Yale Clinic for the treatment of alcoholics, and since that time

numerous states have taken up this matter and have adopted various plans. In practically every instance that I know of, the state has first appointed such a committee as this to make a study of the problem, to make a study of the setups which exist in the various states and to then come into a succeeding legislature and make specific recommendations.

People interested in this problem attempted to get some action in 1945 and again in 1947, and I am hopeful that now we will not delay this any longer, because it is my belief that the State of Maine is now quite a bit behind the other states in attempting to do something to treat and rehabilitate alcoholics.

Mr. SLOCUM of Cumberland: Mr. President, I hope that the motion does not prevail. I believe we should have such a research commission, but I also believe that it was equally advisable that we have a similar commission for the study of juvenile delinquency problems that would not have cost the State of Maine anything but the printing. It is unfortunate that the Legislature did not see fit to go along with that proposition which, in my humble opinion, was equally as serious as alcoholism.

Mr. ALLEN of Cumberland: Mr. President, I still think that it would be just one more commission, but in view of the sentiment which has been expressed by several members of the Senate, and in view of the fact that time has stopped, I will withdraw my motion.

Thereupon, the bill as amended by House Amendment A was passed to be engrossed in non-concurrence. Sent down for concurrence.

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

ORDERED, the House concurring, that the Governor and Council by and hereby is authorized in their discretion to permit the use of the Camden Hills ground and buildings so called in Camden by the organization known as Alcoholics Anony-

mous for the work and purposes of the organization.

The PRESIDENT: At this time the Chair will designate Senator Batchelder of York as President pro tem of the Senate, and will request the Sergeant-at-Arms to escort that Senator to the rostrum.

This was done amidst the applause of the Senate.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to Fishing Contests on Inland Waters," (H. P. 2058) (L. D. 1487) reported that they are unable to agree.

Which report was read and accepted in concurrence.

Bill "An Act Relating to Interstate Transportation of Shellfish." (S. P. 490) (L. D. 950)

Comes from the House, having been recalled from the Legislative Files by Joint Order, the bill substituted for the "Ought Not to Pass" report, and passed to be engrossed.

Mr. NOYES of Hancock: Mr. President, I move that the Senate concur with the House, and that the bill be substituted for the "Ought Not to Pass" report of the committee. The various members of the legislature who have been interested in clam legislation for the most part at least agree that this is a good bill. I would say that the Commissioner of Sea and Shore Fisheries stated it would be worth at least a million dollars a year to the laboring people in our coastal towns. If this bill is substituted for the report, there will be an amendment offered by the Senator from Knox, Senator Sleeper, which I hope will be adopted.

Thereupon, the Senate voted to reconsider its former action whereby it accepted the "Ought Not to Pass" report of the committee; and on motion by Mr. Noyes of Hancock, the bill was substituted for the report and given its first reading.

Mr. Sleeper of Knox presented Senate Amendment A which was

adopted without reading and under suspension of the rules the bill as so amended was given its second reading and passed to be engrossed in non-concurrence.

#### Senate Committee Reports:

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Salary of the Commissioner of Labor and Industry," (H. P. 600) (L. D. 183) reported that they are unable to agree.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide for the Annual Salary of Members of the Public Utilities Commission," (H. P. 368) (L. D. 128) reported that they are unable to agree.

Which reports were severally read and accepted.

Sent down for 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 a Planning Board for the City of Lewiston (S. P. 472) (L. D. 923) 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.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Hairdressers and Beauty Culture," (H. P. 1954) (L. D. 1327) reported that they are unable to agree.

Which report was read and accepted in concurrence.

"Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying for the Issue of Paid-up Life Insurance Policies to Maine Members of the Military and Naval Forces in World War II," (H. P. 2109) (L. D. 1599).

(In Senate, on May 6th passed to be engrossed as amended by House Amendment "A" in concurrence.)

Comes from the House, engrossing reconsidered; House Amendment "B" adopted, and the bill passed to be engrossed as amended by House Amendments "A" and "B", in non-concurrence.

In the Senate:

Mr. SLOCUM of Cumberland: Mr. President, last evening the Senate passed this bill which showed that they were favorable toward a bonus for the veterans of World War II in appreciation of their service. Subsequent to that passage, the Department Commander of the Veterans of Foreign Wars talked with newspaper men, and in this morning's newspaper there was an article that he felt that the members of the Veterans of Foreign Wars did not think that this met with their approval. This afternoon, the Department Commander of the American Legion talked with members of the Legislature and stated that in his opinion the paid-up insurance policy type of bonus was not acceptable to him. An amendment was prepared, introduced in the Legislature and passed the collateral branch of the Legislature.

Mr. President, I believe that both Houses of the Legislature have shown that they are in sympathy with the passage of such legislation, and although I have been requested to attempt to convince you of the passage of the amended bill which would substitute a compensating certificate for the paid-up life insurance policy, I know that this Branch does not feel that they should pass the accompanying bond issue bill. Should we in concurrence pass this enabling act to engrossment, it would merely mean that it would be printed, and if the accompanying bill for the bond issue failed of passage, we would be merely prolonging the agony and causing expense to the state.

Mr. President, I feel that those members have worked very hard and faithfully to try and bring some compensation for the service of

these veterans to a successful conclusion at this Legislature should be commended. But on the other hand, I do not feel that it is in the interest of this type of legislation, or in the interest of the state to prolong the agony of the dying patient. Mr. President, although this suggestion of this change from the paid-up life insurance policy to a compensating certificate is very commendable, I know it has no chance of ultimately going to the people, because there are not sufficient numbers in the Legislature who would pass the bond issue.

Therefore, Mr. President, with more or less regret, and appreciating that we have gone on record showing that we are in favor, or at least a majority of us, that some type of bonus should be paid to the veterans of World War II, I am moving, Mr. President, that we indefinitely postpone this measure.

The motion to indefinitely postpone prevailed in non-concurrence.

Sent down for concurrence.

Bill "An Act to Create Public Bodies to be Known as Housing Authorities." (H. P. 2089) (L. D. 1561).

(In Senate, on May 6th passed to be engrossed, in concurrence.)

Comes from the House, engrossing reconsidered; House Amendment "A" adopted, and the bill as amended passed to be engrossed in non-concurrence.

In the Senate:

On motion by Mr. Allen of Cumberland, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on motion by Mr. Barnes of Aroostook, House Amendment A was read and adopted in concurrence.

Mr. ELA of Somerset: Mr. President, I now move that the bill be indefinitely postponed. I won't bother you with arguments.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate I rise to support the motion of the Senator from Somerset and I think you are well aware that I know that if I should attempt to talk more than two minutes, somebody would throw something at me.

This is one of the most important bills we have had before this legislature. It is a great disappointment to me not to be able to talk an hour on this epistle I have which came from Washington, so you could know the philosophy of the people who advocate this type of legislation. This marks the beginning of the working out in American of the pattern which has enslaved a large number of people in the world. I won't say any more. You people know how you are going to vote on it. I hope that you will vote with the Senator from Somerset.

Mr. LEAVITT: Mr. President when the vote is taken, I ask for the Yeas and Nays.

Mr. BARNES: Mr. President, I too will be brief. I simply want to remind the members of the Senate that this is one bill that is desired by many communities in the state. It is a bill which, if passed, will allow the towns and cities in Maine who feel that they need it to act upon it, under local home rule. It is a measure that our Governor feels we should have. I see no danger in it myself and I hope the motion of the Senator from Somerset does not prevail.

The PRESIDENT: Is the Senate ready for the question? The Senator from Cumberland, Senator Leavitt has requested the Yeas and Nays.

A division of the Senate was had.

Obviously more than one-fifth having risen the Yeas and Nays were ordered.

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

The Secretary called the roll:

YEAS: Batchelder, Boucher, Boutin, Bowker, Cobb, Crosby, Denny, Edwards, Ela, Hopkins, Knights, McKusick, Noyes, Savage — 14.

NAYS: Allen, Baker, Barnes, Brewer, Collins, Haskell, Larrabee, Leavitt, Sleeper, Slocum, Smart, Turgeon, Varney, Ward, Williams — 15.

ABSENT: Brown, Goodwin, Greeley — 3.

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

Thereupon, the bill was passed to be engrossed as amended by House Amendment A in concurrence, and was sent forthwith to the engrossing department.

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)

(In Senate, on May 6th passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered and House Amendment "A" read and adopted, and the bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Slocum of Cumberland, indefinitely postponed in non-concurrence.

Sent down for concurrence.

At this time the President laid before the Senate Resolve in Favor of Erskine Academy (H. P. 540) (L. D. 1442) having been recalled by Joint Order from the Governor.

On motion by Mr. Williams of Penobscot, the Senate voted to reconsider its former action whereby the resolve was passed to be enacted; and further reconsider its action whereby the resolve was passed to be engrossed.

The same Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to H. P. 540, L. D. 1442, 'Resolve, in Favor of Erskine Academy.'

Amend said Resolve by inserting in the 2nd line, after the words 'appropriated from', the words 'the unappropriated surplus of'"

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

Sent down for concurrence.

The President laid before the Senate especially assigned matter bill, An Act Creating a Board of

Arbitration for Wier fishing tabled pending final passage.

Mr. SLEEPER of Knox: Mr. President inasmuch as there is little left of this bill except the title—it having been amended by Committee amendments and redrafted and re-drafted so there is nothing left but the Board of Arbitration. It did have certain rules and regulations pertaining to weir fishing that had certain advantages but the only thing left is the Arbitration Board which consists of a wier man, a seiner and a man from Sea and Shore Fisheries who will go up and down the coast at ten dollars a day arbitrating. The Department feels that those three men might get aboard the Committee's boat at ten dollars a day and all they could eat and plenty of yachting and they will be on it all summer and if they get \$30 a day and board and expenses for the three of them, it might run into considerable money. And since this legislature is economy minded and this might amount to a big expense, much to my regret, almost with tears in my eyes, I move the indefinite postponement of the bill.

The motion prevailed and the bill was indefinitely postponed.

Joint Order re. Recalling from Governor, Bill "An Act Relating to Deer Isle-Sedgwick Bridge District," (S. P. 671) (L. D. 1523) (S. P. 701)

(In Senate, on May 7, read and passed.)

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

In the Senate, indefinitely postponed in concurrence.

#### Enactors

Bill "An Act to Incorporate the Town of Tremont School District." (H. P. 483) (L. D. 158)

Bill "An Act to Incorporate the Town of Southwest Harbor School District." (H. P. 484) (L. D. 159)

Bill "An Act to Incorporate the Town of Mount Desert School District." (H. P. 485) (L. D. 160)

Bill "An Act Relating to Salary of Register of Probate in Cumberland County." (H. P. 719) (L. D. 261)

Bill "An Act Relating to Taxation of Personal Property." (H. P. 1007) (L. D. 438)

Bill "An Act to Create the Town of Benton School District." (H. P. 1170) (L. D. 626)

Bill "An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer." (H. P. 1271) (L. D. 751)

Bill "An Act Relating to Entertainment and Recreation on Sunday." (H. P. 1506) (L. D. 813)

Bill "An Act Providing for the Establishment of a State of Maine Information Center." (H. P. 1621) (L. D. 932)

Bill "An Act Relating to Itinerant Vendors." (H. P. 1652) (L. D. 960)

Bill "An Act Relating to Primary Wood-Using Portable Sawmills, Spark Arrestors and Timber Reports." (H. P. 1739) (L. D. 1093)

Bill "An Act Regulating the Use of Trawls in Washington County." (H. P. 1852) (L. D. 1190)

Bill "An Act Providing for the Expenses of the Banking Department." (H. P. 1924) (L. D. 1284)

Bill "An Act Amending the Charter of the City of Saco." (H. P. 1988) (L. D. 1373)

Bill "An Act Amending the Charter of the City of Lewiston." (H. P. 2068) (L. D. 1504)

Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court." (H. P. 2077) (L. D. 1530)

Bill "An Act Relating to Rules of Descent." (H. P. 2120) (L. D. 1621)

"Resolve, to Reimburse Wallagrass Plantation for Support of the Family of Edward Berube." (H. P. 417) (L. D. 1618)

"Resolve for Preliminary Investigation of Quoddy Project." (H. P. 1764) (L. D. 1129)

Bill "An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey." (S. P. 235) (L. D. 349)

Bill "An Act Completing the Revision of the Unemployment Law." (S. P. 346) (L. D. 623)

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

Bill "An Act to Aid Small Woodland Owners." (H. P. 542) (L. D. 1182)

Bill "An Act to Create the Water-ville Sewerage District." (S. P. 584) (L. D. 1258)

Bill "An Act Increasing Pensions of Retired Members of the State Police." (S. P. 614) (L. D. 1304)

Bill "An Act to Provide Financial Assistance to Cities and Towns in the Construction of School Buildings." (S. P. 648) (L. D. 1431)

Bill "An Act Relating to Road Equipment on Private Ways." (S. P. 660) (L. D. 1480)

"Resolve, in Favor of Leon W. Olmstead, of Caribou." (S. P. 56) (L. D. 1614)

"Resolve Providing for Certain Construction at the Maine State Prison." (S. P. 253) (L. D. 360)

"Resolve, In Favor of Chester Blake, of Oakland." (S. P. 287) (L. D. 1617)

"Resolve Creating a Trust Fund for Scholarships for Normal School and Teachers' College Students." (S. P. 481) (L. D. 944)

"Resolve, for Development of State Park Facilities." (S. P. 653) (L. D. 1450)

"Resolve, Providing for State Pension for Paul Paquette of Lewiston." (S. P. 696) (L. D. 1615)

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

### Emergency

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1950 and June 30, 1951."

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate, was passed to be enacted, and having been signed by the President was by the Secretary presented to the Governor for his approval.



### Emergency

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-Nine and for the Year Nineteen Hundred Fifty." (H. P. 250) (L. D. 79)

Which bill being an emergency measure and having received the affirmative vote of 30 members of the Senate was passed to be enacted.

### Emergency

"Resolve, Providing for Completion of Dairy Barn at Augusta State Hospital." (S. P. 159) (L. D. 227)

Which resolve being an emergency measure and having received the affirmative vote of 30 members of the Senate, was finally passed.

### Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution to Apportion the Number of Members of the House of Representatives to the Several Towns." (H. P. 1567) (L. D. 882)

Mr. SLEEPER of Knox: Mr. President, I move the indefinite postponement of the resolve.

Mr. LEAVITT of Cumberland: Mr. President, this is altogether too important a bill to treat it as lightly as Senator Sleeper is trying to treat it. Next session of the Legislature will call for reapportionment and the provisions of this bill are absolutely necessary to get a decent proportion at that time. I hope the motion does not prevail.

Mr. SLEEPER of Knox: Mr. President, I am not trying to treat that bill very lightly. The reason that I made that motion is that under the bill the County of Knox stands to lose one of its House members. A member of that Committee tried to introduce an amendment saying that each County was entitled to two Senators, and that amendment was turned down. Now, just how foolish that amendment is, I would like to know. Because in every state, and every nation that I know of, the members of the upper body, such as a senate are always elected from a geographical

and not a population basis. In the Senate of the United States, each state has two senators. The State of Maine furnishes, with a population of 742,000, or 846,000, two senators. The State of New York with almost four million people also has two senators.

The upper branch of every legislative body are always elected on a geographical and not on a basis of population. I don't know just what the date was, but sometime during 1931, the State of Maine, or it may have been longer than that, swapped off the system of having two senators from each county, and the larger counties had four senators, some had three, some had two, and some had one. That was absolutely unfair. That was contrary to the custom of electing the upper body of any legislative government. If the County of Knox now stands to lose one of its House members, we do not care for it.

I would like to know if some of the smaller counties feel the same way about it. If we can't have our voice in the House, at least we ought to have a half decent show in the Senate. I am not opposed too much to the action of the other body, but I notice that in the debate that they had in the other body that they mentioned what would happen if that thing was done here. Representative Chase said, and pardon me for mentioning the other body, but he mentioned it, and I feel that I should have the same privilege; he said it is no cinch to try to pass that amendment, because the other body will not pass it.

He said Cumberland County has four senators, York three senators, Kennebec has three senators, Androscoggin has three senators, Aroostook has three senators, Penobscot three senators, so you start off with nineteen senators against the idea. But I still don't think that the smaller counties are getting a fair break on the senatorial representation and that is the reason why I move for the indefinite postponement of this bill.

Mr. HASKELL of Penobscot: Mr. President, I think I may be privileged to speak against the motion of my good friend, the Senator from Knox County, as chairman of the committee that considered the various constitutional resolves that were submitted to this Legislature.

In the first place, the resolve before us refers to the House of Representatives, and I would remind the Senate that it first had reasonably careful consideration from the committee on constitutional revision. It then went before the Judiciary Committee where all counties, large and small, are represented. It then went before the House where certainly the House members had a chance to scrutinize the thing. I have little sympathy with the Senator from Knox, Senator Sleeper, because he realizes, as well as I do, that Knox County is as well represented in this Senate as though they had four members of the calibre of most of us. I am sure that County is well represented in the Senate.

With reference to the House, I think it would be difficult for anyone to defend the fact that we do have a city in the State that now enjoys more than one representative, and has substantially less population than a town in the State that has only one representative.

I think after the careful screening that this resolve has had before us, reasonably careful scrutiny before this Branch and before the other Branch, it is reasonable for the Senate to accept this thing as being fair and equitable. I hope the motion of the Senator from Knox, Senator Sleeper, does not prevail.

Mr. SLEEPER of Knox: Mr. President, through the Chair, I would like to ask the Gentleman who has just spoken if he can tell me one state of the forty-eight that has the same system of electing the upper body as the State of Maine does.

The PRESIDENT: The Senator hears the question and may answer if he wishes.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I would like to limit the debate on this subject to the resolve before us which does deal with the House. I am not a bit facetious when I make the statement that the Senator from Piscataquis, Senator McKusick, I am sure represents his County in this body just as well as Piscataquis would be represented if they had three senators. I am equally sure that the other counties that have but one senator representing their counties. I am sure that the Senators from Hancock with respect to some of the basic issues before us, represent their County vociferously and with great ability whenever the need of Hancock County requires that that County be represented.

The issue, Senators, is a revision to the Constitution with respect to the House membership. It is a revision that has been long overdue, in my opinion, and a revision that favors in every respect the smaller communities and the smaller counties with respect to the House of Representatives. I think that the two committees, and the other body, have had ample opportunity to consider this. If Senator Sleeper feels that he needs associates from Knox County to help him uphold the pharmacists and embalmers, or whatever the needs of Knox County may be, he maybe should introduce a resolve in the next session to bring some associates up here with him, but this resolve refers to the House of Representatives.

The PRESIDENT: The question before the Senate is on the indefinite postponement of the bill.

A viva voce vote being had

The motion did not prevail.

Thereupon, this being a Constitutional Amendment, a division of the Senate was had.

Twenty-three having voted in the affirmative and seven opposed, the

Constitutional Amendment received final passage.

From the House out of order and under suspension of the rules:

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Secondary School Tuition," (H. P. 1951) (L. D. 1324) reported that they are unable to agree.

Comes from the House, that body having further insisted and asked for another Committee of Conference, the Speaker having appointed as members of such a committee on the part of the House:

Messrs. PALMER of Nobleboro  
MARSANS of Monmouth  
FULLER of Buckfield.

Thereupon on motion by Mr. Ela of Somerset, the Senate voted to reject the original committee reports and on further motion by the same Senator the Senate voted to insist on its former action and join with the House in a second Committee of Conference.

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

Senators:

ELA of Somerset  
VARNEY of Washington  
WILLIAMS of Penobscot.

The PRESIDENT: The Chair understands that the committee has met and now presents their second Committee of Conference report.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Secondary School Tuition" (H. P. 1951) (L. D. 1324) report that the House recede from its former action and concur with the Senate in passing the bill to be engrossed as amended by Committee Amendment A as amended by Senate Amendment A, and by House Amendment A as amended by Senate Amendment A thereto.

On motion by Mr. Ela of Somerset, the report was read and accepted and sent to the House.

The President laid before the Senate Resolve Proposing an Amendment to the Constitution to Apportion the Number of Members of the House of Representatives to the Several Towns (H. P. 1567) (L. D. 882) having been recalled to the Senate at the request of the Senator from Knox for reconsideration.

Mr. SLEEPER of Knox: Mr. President, the reason that I wished to have this bill recognized was that I want it thoroughly understood by all the members of the Senate that I didn't like the idea of a bill of such an important nature arriving here at 11:57. I have read the bill very carefully and the bill is explicit in that it states nothing. It empowers the next legislature to change over the district, and the figures that were shown to me were quite different than the figures we had in 1940. I still think that the small counties are going to suffer quite badly at the expense of the larger counties and I still insist that if this be the mind of the Senate and the legislature that they will continue to drag the House members from the smaller counties and add them to the larger counties. But at least the small counties should have equal representation in this Body.

I have asked the members of the Senate to show me one single government or state that elects its governing bodies on such an archaic system as we have here. You pick out a large geographical location that has a larger population and elect four Senators at large and you pick out other counties and allow them to have three at large and a few two at large and then the small counties who are just as much entitled to representation here are left with only one. As I said before, this debate was developed in the lower branch, and I think I can mention that Body because I heard it mentioned in the other branch without interruption from the presiding officer, and the Representative said to carry his point, that it would be useless to try to carry this on, because the

other Body had 19 Senators from the larger counties and they would not vote to abolish a seat in their own county.

I still don't think this is a fair setup and I still don't like the idea of it being brought up at 11:57 when everybody is tired and wants to go home. I think it should have been thrashed out way back in March. We should have had it laid on our desks and all the amendments and all the purpose of the thing laid before us. I now move again that the bill be indefinitely postponed.

Mr. BARNES of Aroostook: Mr. President, this bill was passed out of committee on March 29th and has since been on the table in the House, tabled by a representative from Knox County. The only thing that I want to bring to the attention of the Members of the Senate is this. There were two reports, one signed by eight members of the committee as ought to pass as the bill is written, and the other report with an amendment relative to two senators from each county that was signed by two representatives, Representative Burgess and Payson of Knox County.

The members of the Senate no doubt realize that every so many years, I believe it is ten, the Legislature meets and reapportions the representatives. Under the present constitutional provision, they have no directive to go by. For instance, if they went by the Constitution as it is constituted, Houlton would have three representatives in the Legislature, where it now has one.

This resolve would make it so that in the future there would be 151 representatives from the State of Maine in the Legislature, and they would be apportioned exactly on the number of inhabitants in the particular district. It would give something for future reapportionment committees to go by, and it is a sound measure.

The debate has been carried on here largely by the Senator from Knox on the theory that there should be two Senators from each

county. That isn't the question before this Senate, because that amendment, or that report, was defeated in the other branch. The only question before this Senate is whether this resolve should be passed which would in the future give a guide to committees that reapportion members of the legislature, and it would always be exactly in proportion to the population. It is a sound measure, and I hope it will receive a passage.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Sleeper that the Senate reconsider its action whereby this resolve received a final passage.

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

A division of the Senate was had.

Eleven have voted in the affirmative and seventeen opposed, the motion to reconsider did not prevail.

#### Communication:

State of Maine  
House of Representatives  
Office of the Clerk  
Augusta

May 7, 1949

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

Sir:

In accordance with the provisions of Joint Rule 8, notice is hereby given the Senate that the House today indefinitely postponed Senate Paper No. 703, Senate Joint Order relative to use of Camden Hills Grounds and Buildings.

Respectfully,  
HARVEY R. PEASE

Clerk of the House

Which was read and ordered placed on file.

From the House out of order and under suspension of the rules:

The Committee on Ways and Bridges on the resolves enclosed herewith, reported the same in a Consolidated Resolve, (H. P. 2111) under the title of "Resolve for the Maintenance and Repair of Roads

and Bridges," and that it ought to pass.

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

Mr. Crosby from the Committee on Ways and Bridges on Senate Resolves included in Consolidated Resolve (H. P. 2111)

S. P. 91 Resolve in Favor of the Town of Oxford.

S. P. 92. Resolve in Favor of the Town of Denmark.

S. P. 93. Resolve in Favor of the Town of Freeman.

S. P. 150. Resolve in Favor of the City of Ellsworth.

S. P. 151. Resolve in Favor of the Town of Bucksport.

S. P. 152. Resolve in Favor of the Town of Gouldsboro.

S. P. 153.. Resolve in Favor of the Town of Sullivan.

S. P. 154. Resolve in Favor of the Town of Brooklin.

S. P. 155. Resolve in Favor of the Town of Jonesboro.

S. P. 217: Resolve in Favor of the Town of Sweden.

S. P. 241. Resolve in Favor of the Town of Parkman.

S. P. 243. Resolve in Favor of the Township No. 10, Hancock County.

S. P. 326. Resolve in Favor of the Town of Houlton.

S. P. 328. Resolve in Favor of the Town of Brownfield.

S. P. 327. Resolve in Favor of the Town of Mt. Desert.

S. P. 370. Resolve in Favor of the Town of West Bath.

S. P. 413. Resolve in Favor of the City of Presque Isle.

S. P. 497. Resolve in Favor of the Town of Searsmont.

S. P. 590. Resolve in Favor of the Town of West Bath.

H. P. 5. Resolve in Favor of the Town of Lovell.

H. P. 6. Resolve in Favor of the Town of Norway.

H. P. 7. Resolve in Favor of the Town of Waterford.

H. P. 15. Resolve in Favor of the Town of Yarmouth.

H. P. 16. Resolve in Favor of the Town of Harpswell.

H. P. 69. Resolve in Favor of the Town of Raymond.

H. P. 70. Resolve in Favor of the Town of Mount Chase Plantation.

H. P. 71. Resolve in Favor of the Town of Patten.

H. P. 72. Resolve in Favor of Stacyville Plantation.

H. P. 73. Resolve in Favor of the Town of Medway.

H. P. 75. Resolve in Favor of the Town of Wellington.

H. P. 77. Resolve in Favor of the Town of Sedgwick.

H. P. 78. Resolve in Favor of the Town of Stonington.

H. P. 79. Resolve in Favor of the Town of Brooklin.

H. P. 80. Resolve in Favor of the Town of Deer Isle.

H. P. 81. Resolve in Favor of the Town of Bridgton.

H. P. 83. Resolve in Favor of the Town of Falmouth.

H. P. 84. Resolve in Favor of the Town of Sebago.

H. P. 85. Resolve in Favor of the Town of Baldwin.

H. P. 86. Resolve in Favor of the Town of Winterport.

H. P. 87. Resolve in Favor of the Town of Prospect.

H. P. 88. Resolve in Favor of the City of Presque Isle.

H. P. 89. Resolve in Favor of the Town of Weld.

H. P. 90. Resolve in Favor of the Town of New Vineyard.

H. P. 91. Resolve in Favor of the Town of Avon.

H. P. 92. Resolve in Favor of the Town of Phillips.

H. P. 93. Resolve in Favor of the Town of Harrington.

H. P. 94. Resolve in Favor of the Town of Milbridge.

H. P. 95. Resolve in Favor of the Town of Cherryfield.

H. P. 97. Resolve in Favor of the Town of Steuben.

H. P. 98. Resolve in Favor of the Town of Beddington.

H. P. 99. Resolve in Favor of the Town of Addison.

H. P. 100. Resolve in Favor of the Town of Kennebunkport.

H. P. 101. Resolve in Favor of the Town of Kennebunk.

H. P. 103. Resolve in Favor of the Town of Tremont.

H. P. 104. Resolve in Favor of the Town of Lisbon.

H. P. 106. Resolve in Favor of the Town of Poland.

H. P. 107. Resolve in Favor of the Town of Poland.

H. P. 108. Resolve in Favor of the Town of Wales.

H. P. 109. Resolve in Favor of the Town of Greene.

H. P. 141. Resolve in Favor of the City of Rockland.

H. P. 142. Resolve in Favor of the Town of Perry.

H. P. 143. Resolve in Favor of the Town of Robbinston.

H. P. 144. Resolve in Favor of the Town of Shirley.

H. P. 145. Resolve in Favor of the Town of Monson.

H. P. 146. Resolve in Favor of the Town of Paris.

H. P. 147. Resolve in Favor of the Town of Paris.

H. P. 148. Resolve in Favor of the Town of Isleboro.

H. P. 149. Resolve in Favor of the Town of Stockton Springs.

H. P. 150. Resolve in Favor of the Town of Frankfort.

H. P. 151. Resolve in Favor of the Town of Canton.

H. P. 152. Resolve in Favor of the Town of Cutler.

H. P. 153. Resolve in Favor of the Town of Dixfield.

H. P. 154. Resolve in Favor of the Town of Mexico.

H. P. 156. Resolve in Favor of the Town of Westport.

H. P. 157. Resolve in Favor of the Town of Wiscasset.

H. P. 158. Resolve in Favor of the Town of Milo.

H. P. 159. Resolve in Favor of the Town of Milo.

H. P. 160. Resolve in Favor of the Town of Sebec.

H. P. 161. Resolve in Favor of the Town of Atkinson.

H. P. 162. Resolve in Favor of the Town of Aurora.

H. P. 163. Resolve in Favor of the Town of Amherst.

H. P. 164. Resolve in Favor of the Town of Eastbrook.

H. P. 196. Resolve in Favor of the Town of Brooksville.

H. P. 198. Resolve in Favor of Caswell Plantation.

H. P. 199. Resolve in Favor of Cyr Plantation.

H. P. 201. Resolve in Favor of Hamlin Plantation.

H. P. 203. Resolve in Favor of the Town of Hampden.

H. P. 206. Resolve in Favor of the Town of Mapleton.

H. P. 207. Resolve in Favor of the Town of Newcastle.

H. P. 209. Resolve in Favor of the Town of North Yarmouth.

H. P. 210. Resolve in Favor of the Town of Scarborough.

H. P. 211. Resolve in Favor of Somerville Plantation.

H. P. 212. Resolve in Favor of the Town of Stockholm.

H. P. 213. Resolve in Favor of the Town of Waldoboro.

H. P. 214. Resolve in Favor of Westmanland Plantation.

H. P. 215. Resolve in Favor of the Town of Whitefield.

H. P. 218. Resolve in Favor of the Town of Troy.

H. P. 219. Resolve in Favor of the Town of Brooks.

H. P. 220. Resolve in Favor of the Town of Jackson.

H. P. 221. Resolve in Favor of the Town of Thorndike.

H. P. 222. Resolve in Favor of the Town of Unity.

H. P. 223. Resolve in Favor of the Town of Burnham.

H. P. 224. Resolve in Favor of the Town of Van Buren.

H. P. 225. Resolve in Favor of the Town of Grand Isle.

H. P. 227. Resolve in Favor of the Town of Woodstock.

H. P. 228. Resolve in Favor of the Town of Bowdoinham.

H. P. 229. Resolve in Favor of the Town of Richmond.

H. P. 230. Resolve in Favor of the Town of Skowhegan.

H. P. 231. Resolve in Favor of the Town of Skowhegan.

H. P. 232. Resolve in Favor of the Town of Edgecomb.

- H. P. 234. Resolve in Favor of the Town of Bremen.
- H. P. 235. Resolve in Favor of the Town of Freeport.
- H. P. 236. Resolve in Favor of the Town of Washington.
- H. P. 237. Resolve in Favor of the Town of Perham.
- H. P. 238. Resolve in Favor of the Town of Woodland.
- H. P. 239. Resolve in Favor of the Town of New Sweden.
- H. P. 240. Resolve in Favor of the Town of Naples.
- H. P. 241. Resolve in Favor of the Town of Hollis.
- H. P. 242. Resolve in Favor of the Town of Lyman.
- H. P. 243. Resolve in Favor of the Town of Buxton.
- H. P. 244. Resolve in Favor of the Town of Dayton.
- H. P. 246. Resolve in Favor of the Town of Alna.
- H. P. 247. Resolve in Favor of the Town of Jefferson.
- H. P. 248. Resolve in Favor of the Town of Cushing.
- H. P. 429. Resolve in Favor of the Town of Friendship.
- H. P. 322. Resolve in Favor of the Town of Monroe.
- H. P. 323. Resolve in Favor of the Town of Swanville.
- H. P. 375. Resolve in Favor of the Town of Milford.
- H. P. 377. Resolve in Favor of the Town of Livermore.
- H. P. 378. Resolve in Favor of the Town of Princeton.
- H. P. 379. Resolve in Favor of the Town of Waite.
- H. P. 380. Resolve in Favor of the Town of Baileyville.
- H. P. 381. Resolve in Favor of the Town of Brookton.
- H. P. 382. Resolve in Favor of the Town of Talmadge.
- H. P. 383. Resolve in Favor of Grand Lake Stream Plantation.
- H. P. 384. Resolve in Favor of the Town of Vanceboro.
- H. P. 385. Resolve in Favor of Topsfield Plantation.
- H. P. 386. Resolve in Favor of the Town of Danforth.
- H. P. 388. Resolve in Favor of the Town of Readfield.
- H. P. 390. Resolve in Favor of the Town of Mt. Vernon.
- H. P. 391. Resolve in Favor of the Town of Vienna.
- H. P. 393. Resolve in Favor of the Town of Fayette.
- H. P. 394. Resolve in Favor of the Town of Trescott Township.
- H. P. 395. Resolve in Favor of the Town of Blanchard.
- H. P. 397. Resolve in Favor of the Town of Eliot.
- H. P. 398. Resolve in Favor of the Town of Kittery.
- H. P. 399. Resolve in Favor of the Town of Madison.
- H. P. 401. Resolve in Favor of the Town of New Portland.
- H. P. 402. Resolve in Favor of Unorganized Town of Concord.
- H. P. 403. Resolve in Favor of the Town of Industry.
- H. P. 404. Resolve in Favor of the Town of Strong.
- H. P. 405. Resolve in Favor of the Town of Cambridge.
- H. P. 406. Resolve in Favor of the Town of Harmony.
- H. P. 407. Resolve in Favor of the Town of Ripley.
- H. P. 409. Resolve in Favor of the Town of Penobscot.
- H. P. 410. Resolve in Favor of the Town of Orland.
- H. P. 411. Resolve in Favor of the Town of Verona.
- H. P. 412. Resolve in Favor of the Town of Farmington.
- H. P. 413. Resolve in Favor of the Town of Chesterville.
- H. P. 414. Resolve in Favor of the Town of Wells.
- H. P. 500. Resolve in Favor of the Town of Gray.
- H. P. 502. Resolve in Favor of Township 10, Range 3.
- H. P. 503. Resolve in Favor of the Town of Brownville.
- H. P. 504. Resolve in Favor of the Town of Parkman.
- H. P. 505. Resolve in Favor of the Town of Guilford.
- H. P. 506. Resolve in Favor of the Town of Abbot.
- H. P. 509. Resolve in Favor of the Town of Corinth.
- H. P. 510. Resolve in Favor of the Town of Bradford.

H. P. 511. Resolve in Favor of the Town of Alton.

H. P. 512. Resolve in Favor of the Town of Windham.

H. P. 513. Resolve in Favor of the Town of Roxbury.

H. P. 514. Resolve in Favor of the Town of Roxbury.

H. P. 515. Resolve in Favor of Wallagrass Plantation.

H. P. 516. Resolve in Favor of the City of Ellsworth.

H. P. 517. Resolve in Favor of the Town of Surry.

H. P. 518. Resolve in Favor of the Town of Bluehill.

H. P. 519. Resolve in Favor of the Town of Searsport.

H. P. 520. Resolve in Favor of the Town of Burlington.

H. P. 521. Resolve in Favor of the Town of Lowell.

H. P. 523. Resolve in Favor of the Town of St. Albans.

H. P. 524. Resolve in Favor of the Town of Monmouth.

H. P. 525. Resolve in Favor of the Town of Monmouth.

H. P. 528. Resolve in Favor of the Town of Winthrop.

H. P. 529. Resolve in Favor of the Town of Winthrop.

H. P. 530. Resolve in Favor of the Town of Rockport.

H. P. 534. Resolve in Favor of the Town of Harpswell.

H. P. 535. Resolve in Favor of the Town of Belgrade.

H. P. 536. Resolve in Favor of the Town of Oakland.

H. P. 537. Resolve in Favor of the Town of New Sharon.

H. P. 539. Resolve in Favor of the Town of Fort Fairfield.

H. P. 605. Resolve in Favor of the Town of Farmingdale.

H. P. 609. Resolve in Favor of the Town of Otisfield.

H. P. 610. Resolve in Favor of Prentiss Plantation.

H. P. 611. Resolve in Favor of the Town of Lee.

H. P. 613. Resolve in Favor of the Town of Vassalboro.

H. P. 614. Resolve in Favor of the Town of Machiasport.

H. P. 615. Resolve in Favor of the Town of Bingham.

H. P. 616. Resolve in Favor of the Town of Bingham.

H. P. 617. Resolve in Favor of the Town of Acton.

H. P. 618. Resolve in Favor of the Town of Newfield.

H. P. 619. Resolve in Favor of the Town of Shapleigh.

H. P. 620. Resolve in Favor of the Town of Brunswick.

H. P. 621. Resolve in Favor of the Town of Damariscotta.

H. P. 622. Resolve in Favor of the Town of Mechanic Falls.

H. P. 623. Resolve in Favor of the Town of Starks.

H. P. 624. Resolve in Favor of the Town of Norridgewock.

H. P. 625. Resolve in Favor of the Town of Embden.

H. P. 626. Resolve in Favor of the Town of Anson.

H. P. 627. Resolve in Favor of the Town of Mariaville.

H. P. 628. Resolve in Favor of the Town of South Thomaston.

H. P. 629. Resolve in Favor of the Town of North Berwick.

H. P. 676. Resolve in Favor of the Town of Leeds.

H. P. 677. Resolve in Favor of the Town of Webster.

H. P. 678. Resolve in Favor of the Town of Durham.

H. P. 679. Resolve in Favor of the Town of Athens.

H. P. 680. Resolve in Favor of the Town of Fort Fairfield.

H. P. 682. Resolve in Favor of the Town of Brunswick.

H. P. 683. Resolve in Favor of the Town of Limington.

H. P. 684. Resolve in Favor of the Town of Limerick.

H. P. 685. Resolve in Favor of the Town of Parsonsfield.

H. P. 687. Resolve in Favor of the Town of Appleton.

H. P. 688. Resolve in Favor of the Town of Hope.

H. P. 691. Resolve in Favor of the Town of Pownal.

H. P. 692. Resolve in Favor of the City of South Portland.

H. P. 693. Resolve in Favor of the Town of Boothbay.

H. P. 694. Resolve in Favor of the Town of Boothbay.



H. P. 695. Resolve in Favor of the Town of Boothbay.

H. P. 696. Resolve in Favor of the Town of Owl's Head.

H. P. 721. Resolve in Favor of the Town of New Gloucester.

H. P. 722. Resolve in Favor of the Town of Alfred.

H. P. 723. Resolve in Favor of the Town of Waterboro.

H. P. 769. Resolve in Favor of the Town of Caribou.

H. P. 770. Resolve in Favor of the Town of New Limerick.

H. P. 771. Resolve in Favor of the Town of Littleton.

H. P. 772. Resolve in Favor of the Town of Oakfield.

H. P. 773. Resolve in Favor of the Town of Ludlow.

H. P. 774. Resolve in Favor of the Town of Smyrna.

H. P. 775. Resolve in Favor of the Town of Merrill.

H. P. 776. Resolve in Favor of the Town of Dyer Brook.

H. P. 778. Resolve in Favor of the Town of Mars Hill.

H. P. 779. Resolve in Favor of the Town of Dexter.

H. P. 782. Resolve in Favor of the Town of Clinton.

H. P. 783. Resolve in Favor of the Town of Albion.

H. P. 784. Resolve in Favor of the Town of Benton.

H. P. 786. Resolve in Favor of the Town of Standish.

H. P. 787. Resolve in Favor of the Town of Old Orchard Beach.

H. P. 790. Resolve in Favor of the Town of North Kennebunkport.

H. P. 791. Resolve in Favor of the Town of Orrington.

H. P. 792. Resolve in Favor of the Town of Greenfield.

H. P. 794. Resolve in Favor of Moose River Plantation.

H. P. 795. Resolve in Favor of the Town of Bowdoin.

H. P. 796. Resolve in Favor of the Town of Georgetown.

H. P. 797. Resolve in Favor of the Town of Litchfield.

H. P. 800. Resolve in Favor of the Town of Nobleboro.

H. P. 801. Resolve in Favor of the Town of Dresden.

H. P. 802. Resolve in Favor of the Town of Temple.

H. P. 803. Resolve in Favor of the Town of Woolwich.

H. P. 804. Resolve in Favor of the Town of Phippsburg.

H. P. 806. Resolve in Favor of the Town of Arrowsic.

H. P. 807. Resolve in Favor of the Town of Woolwich.

H. P. 808. Resolve in Favor of the Town of Phippsburg.

H. P. 866. Resolve in Favor of the Town of Chelsea.

H. P. 867. Resolve in Favor of the Town of Castle Hill.

H. P. 868. Resolve in Favor of the Town of Buckfield.

H. P. 869. Resolve in Favor of the Town of Hebron.

H. P. 870. Resolve in Favor of the Town of Sumner.

H. P. 871. Resolve in Favor of the Town of Peru.

H. P. 872. Resolve in Favor of the Town of Hartford.

H. P. 873. Resolve in Favor of the Town of Bradley.

H. P. 874. Resolve in Favor of the Town of Greenbush.

H. P. 875. Resolve in Favor of the Town of Holden.

H. P. 876. Resolve in Favor of the Town of Clifton.

H. P. 877. Resolve in Favor of the Town of Eddington.

H. P. 878. Resolve in Favor of the Town of Berwick.

H. P. 879. Resolve in Favor of the Town of Easton.

H. P. 880. Resolve in Favor of the Town of Chapman.

H. P. 881. Resolve in Favor of the Town of Palmyra.

H. P. 882. Resolve in Favor of the Town of Detroit.

H. P. 883. Resolve in Favor of the Town of Pittsfield.

H. P. 884. Resolve in Favor of the Town of Cornville.

H. P. 885. Resolve in Favor of the Town of Fryeburg.

H. P. 886. Resolve in Favor of the Town of Sidney.

H. P. 887. Resolve in Favor of the Town of Gorham.

H. P. 948. Resolve in Favor of the Town of Orono.

- H. P. 949. Resolve in Favor of the Town of Cooper.
- H. P. 950. Resolve in Favor of the Town of Alexander.
- H. P. 951. Resolve in Favor of the Town of Harrison.
- H. P. 952. Resolve in Favor of Carroll Plantation.
- H. P. 953. Resolve in Favor of the Town of Northport.
- H. P. 954. Resolve in Favor of the Town of Lincolnville.
- H. P. 955. Resolve in Favor of the Town of Freedom.
- H. P. 956. Resolve in Favor of the Town of Morrill.
- H. P. 957. Resolve in Favor of the Town of Liberty.
- H. P. 958. Resolve in Favor of the Town of Solon.
- H. P. 959. Resolve in Favor of the Town of Solon.
- H. P. 960. Resolve in Favor of the Town of Sangerville.
- H. P. 961. Resolve in Favor of the Town of Dover-Foxcroft.
- H. P. 962. Resolve in Favor of the Town of Roque Bluffs.
- H. P. 963. Resolve in Favor of the Town of Wesley.
- H. P. 964. Resolve in Favor of the Town of Marshfield.
- H. P. 965. Resolve in Favor of the Town of East Machias.
- H. P. 966. Resolve in Favor of the Town of Northfield.
- H. P. 968. Resolve in Favor of the Town of Passadumkeag.
- H. P. 969. Resolve in Favor of the Town of Lincoln.
- H. P. 1011. Resolve in Favor of Brighton Plantation.
- H. P. 1015. Resolve in Favor of the Town of Columbia.
- H. P. 1018. Resolve in Favor of the Deorganized Town of Medford.
- H. P. 1019. Resolve in Favor of the Deorganized Town of Orville.
- H. P. 1021. Resolve in Favor of the Town of Hermon.
- H. P. 1022. Resolve in Favor of the Town of Topsham.
- H. P. 1023. Resolve in Favor of the Town of Lebanon.
- H. P. 1024. Resolve in Favor of the Town of Lebanon.
- H. P. 1079. Resolve in Favor of the Town of Charlotte.
- H. P. 1080. Resolve in Favor of the Town of Dennysville.
- H. P. 1081. Resolve in Favor of the Town of Greenwood.
- H. P. 1082. Resolve in Favor of the Town of Newry.
- H. P. 1083. Resolve in Favor of the Town of Bethel.
- H. P. 1084. Resolve in Favor of the Town of Stoneham.
- H. P. 1085. Resolve in Favor of the Town of Gilead.
- H. P. 1086. Resolve in Favor of Jerusalem Township.
- H. P. 1087. Resolve in Favor of Wyman Township.
- H. P. 1089. Resolve in Favor of the City of Belfast.
- H. P. 1091. Resolve in Favor of the Town of South Berwick.
- H. P. 1092. Resolve in Favor of the Town of Enfield.
- H. P. 1093. Resolve in Favor of the Town of Manchester.
- H. P. 1095. Resolve in Favor of the City of Hallowell.
- H. P. 1096. Resolve in Favor of the City of Hallowell.
- H. P. 1097. Resolve in Favor of the Town of West Gardiner.
- H. P. 1098. Resolve in Favor of the Town of Cornish.
- H. P. 1099. Resolve in Favor of the Town of Camden.
- H. P. 1102. Resolve in Favor of the Town of Dedham.
- H. P. 1103. Resolve in Favor of the Town of South Bristol.
- H. P. 1104. Resolve in Favor of the Town of Smithfield.
- H. P. 1105. Resolve in Favor of the Town of Mercer.
- H. P. 1204. Resolve in Favor of the Town of Wayne.
- H. P. 1205. Resolve in Favor of the Town of Rome.
- H. P. 1207. Resolve in Favor of the Town of Monticello.
- H. P. 1208. Resolve in Favor of the Town of Greenville.
- H. P. 1209. Resolve in Favor of the Town of Stow.
- H. P. 1210. Resolve in Favor of the Town of Belmont.
- H. P. 1211. Resolve in Favor of the Town of Palermo.
- H. P. 1212. Resolve in Favor of the Town of Searsmont.

- H. P. 1213. Resolve in Favor of the Town of Knox.
- H. P. 1214. Resolve in Favor of the Town of Portage Lake.
- H. P. 1215. Resolve in Favor of the Town of Ashland.
- H. P. 1216. Resolve in Favor of the Town of Masardis.
- H. P. 1219. Resolve in Favor of Perkins Township.
- H. P. 1220. Resolve in Favor of Washington Township.
- H. P. 1221. Resolve in Favor of the Town of Windsor.
- H. P. 1222. Resolve in Favor of the Town of Randolph.
- H. P. 1224. Resolve in Favor of the Town of Pittston.
- H. P. 1225. Resolve in Favor of the Town of China.
- H. P. 1227. Resolve in Favor of the Town of China.
- H. P. 1228. Resolve in Favor of the City of Old Town.
- H. P. 1229. Resolve in Favor of the Town of Canaan.
- H. P. 1230. Resolve in Favor of the Town of Hartland.
- H. P. 1231. Resolve in Favor of the Town of St. Agatha.
- H. P. 1232. Resolve in Favor of the Town of Madawaska.
- H. P. 1233. Resolve in Favor of the Town of Frenchville.
- H. P. 1234. Resolve in Favor of the Town of Carmel.
- H. P. 1235. Resolve in Favor of the Town of Newburg.
- H. P. 1236. Resolve in Favor of the Town of Levant.
- H. P. 1237. Resolve in Favor of the Town of Dixmont.
- H. P. 1238. Resolve in Favor of the Town of Kenduskeag.
- H. P. 1239. Resolve in Favor of the Town of Etna.
- H. P. 1240. Resolve in Favor of the Town of Plymouth.
- H. P. 1243. Resolve in Favor of the Town of Minot.
- H. P. 1244. Resolve in Favor of the Town of Turner.
- H. P. 1246. Resolve in Favor of the Town of Houlton.
- H. P. 1247. Resolve in Favor of the Town of Winter Harbor.
- H. P. 1250. Resolve in Favor of the Town of Porter.
- H. P. 1329. Resolve in Favor of the Town of Lubec.
- H. P. 1330. Resolve in Favor of the Town of Lagrange.
- H. P. 1332. Resolve in Favor of the Town of Hudson.
- H. P. 1333. Resolve in Favor of the Town of Montville.
- H. P. 1334. Resolve in Favor of the Town of Wade.
- H. P. 1335. Resolve in Favor of the Town of Bristol.
- H. P. 1356. Resolve in Favor of the Town of Stetson.
- H. P. 1357. Resolve in Favor of the Town of Exeter.
- H. P. 1358. Resolve in Favor of the Town of Warren.
- H. P. 1359. Resolve in Favor of the Town of Thomaston.
- H. P. 1424. Resolve in Favor of Hammond Plantation.
- H. P. 1425. Resolve in Favor of Moro Plantation.
- H. P. 1426. Resolve in Favor of the Town of Pembroke.
- H. P. 1428. Resolve in Favor of the Town of Garland.
- H. P. 1429. Resolve in Favor of the Town of York.
- H. P. 1432. Resolve in Favor of the Town of Orient.
- H. P. 1433. Resolve in Favor of the Town of Weston.
- H. P. 1434. Resolve in Favor of the Town of Haynesville.
- H. P. 1556. Resolve in Favor of the Town of Waldo.
- H. P. 1560. Resolve in Favor of the City of Westbrook.
- H. P. 1562. Resolve in Favor of the Town of Corinna.
- H. P. 1563. Resolve in Favor of the Town of Hiram.
- H. P. 1564. Resolve in Favor of the Town of Hiram.
- H. P. 1609. Resolve in Favor of the Town of Trenton.
- H. P. 1611. Resolve in Favor of the Town of Hersey.
- H. P. 1612. Resolve in Favor of the Town of Sherman.
- H. P. 1613. Resolve in Favor of the Town of Crystal.
- H. P. 1616. Resolve in Favor of the Town of Newport.
- H. P. 1619. Resolve in Favor of Long Island Plantation.

H. P. 1620. Resolve in Favor of the Town of Swans Island.

H. P. 1707. Resolve in Favor of the Town of Bridgewater.

H. P. 1709. Resolve in Favor of the City of Calais.

H. P. 1812. Resolve in Favor of the Town of Littleton.

H. P. 1813. Resolve in Favor of the Town of Merrill.

H. P. 1814. Resolve in Favor of the Town of Blaine.

H. P. 1817. Resolve in Favor of the Town of Rumford.

H. P. 1861. Resolve in Favor of the Town of Island Falls.

H. P. 1896. Resolve in Favor of the City of Waterville.

H. P. 1897. Resolve in Favor of the Town of Benedicta.

H. P. 1898. Resolve in Favor of the Town of Hodgdon.

H. P. 1899. Resolve in Favor of the Town of Linneus.

H. P. 1995. Resolve in Favor of the Town of Cumberland.

reported that the same ought to pass.

Which report was read and adopted, and ordered filed together with (H. P. 2111) with the Secretary of State.

On motion by Mr. Savage of Somerset, it was

**ORDERED**, that it is the considered judgment of the Senate that such general fund appropriation bills as have been passed or enacted by the Senate are not in excess of estimated general fund revenue; and be it further

**ORDERED** that the Commissioner of Finance in his accounting determinations so establish the final general fund tabulation as to indicate a balanced general fund budget.

On motion by Mr. Ward of Penobscot, it was

**ORDERED**, the House concurring, that there be prepared under the direction of the Clerk of the House a registry of bills and resolves considered by both branches of the legislature showing the history and final disposition of each bill and resolve, and that there be printed five hundred copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such Register. One copy of the register shall be mailed to each member of the legislature and to each officer of the House and Senate. Each department head shall be supplied with a copy and 25 copies shall be delivered to the state library.

On motion by Mr. Haskell of Penobscot, it was

**ORDERED** the House concurring, that all reasonable administrative economies should be effected in an effort to permit the continuation of existing salary and wage schedules throughout the second year of the next biennium.

Sent down for concurrence.

#### Enactors

Bill, An Act to Create Public Bodies to be Known as Housing Authorities (S. P. 2089) (L. D. 1561)

Mr. HOPKINS: Mr. President, I move the indefinite postponement of this bill.

Mr. WARD: Mr. President, I request the Yeas and Nays.

A division of the Senate was had. Obviously more than one-fifth having risen, the yeas and nays were ordered.

**YEAS:** Batchelder, Boucher, Boutin, Bowker, Cobb, Crosby, Denny, Edwards, Ela, Greeley, Hopkins, Knights, McKusick, Noyes, Savage — 15.

**NAYS:** Allen, Baker, Barnes, Brewer, Brown, Collins, Cross, Haskell, Leavitt, Sleeper, Slocum, Smart, Turgeon, Varney, Ward, Williams — 16.

**ABSENT:** Goodwin, Larrabee—2. Fifteen having voted in the affirmative and sixteen opposed, the motion to indefinitely postpone did not prevail.

"Resolve, for the Maintenance and Repair of Roads and Bridges." (H. P. 2111)

Bill "An Act to Provide for the Creation of a Liquor Research Commission." (S. P. 470) (L. D. 922)

Bill "An Act Relating to Interstate Transportation of Shellfish." (S. P. 490) (L. D. 950)

Bill "An Act Relating to Secondary School Tuition." (H. P. 1951) (L. D. 1324)

"Resolve, in Favor of Erskine Academy." (H. P. 540) (L. D. 1442)

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

#### Emergency

Bill "An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees." (S. P. 674) (L. D. 1546)

Which bill being an emergency measure and having received the affirmative vote of 31 members of the Senate and none opposed, was passed to be enacted.

The Committee on Ways and Bridges on the resolves listed herein, reported that the same 'Ought Not to Pass':

H. P. 76. Resolve in Favor of the Town of Harrison.

H. P. 82. Resolve in Favor of the Town of Bridgton.

H. P. 96. Resolve in Favor of the Town of Cherryfield.

H. P. 155. Resolve in Favor of the Town of Norway.

H. P. 204. Resolve in Favor of the Town of Hampden.

H. P. 208. Resolve in Favor of the Town of North Yarmouth.

H. P. 217. Resolve in Favor of the Town of New Gloucester.

H. P. 226. Resolve in Favor of the Town of Garland.

H. P. 233. Resolve in Favor of the Town of Edgecomb.

H. P. 376. Resolve in Favor of the Town of Livermore.

H. P. 387. Resolve in Favor of the Town of Fayette.

H. P. 389. Resolve in Favor of the Town of Readfield.

H. P. 392. Resolve in Favor of the Town of Wayne.

H. P. 396. Resolve in Favor of the Town of Shirley.

H. P. 408. Resolve in Favor of the Town of Wilton.

H. P. 501. Resolve in Favor of the Town of Gray.

H. P. 508. Resolve in Favor of the Town of Maxfield.

H. P. 522. Resolve in Favor of the Town of Bowdoinham.

H. P. 526. Resolve in Favor of the Town of Monmouth.

H. P. 527. Resolve in Favor of the Town of Litchfield.

H. P. 531. Resolve in Favor of the Town of Washburn.

H. P. 538. Resolve in Favor of the City of Auburn.

H. P. 608. Resolve in Favor of the Town of Howland.

H. P. 612. Resolve in Favor of the Town of Winslow.

H. P. 681. Resolve in Favor of Concord Township.

H. P. 689. Resolve in Favor of St. Francis Plantation.

H. P. 690. Resolve in Favor of New Canada Plantation.

H. P. 724. Resolve in Favor of Winterville Plantation.

H. P. 777. Resolve in Favor of the Town of Mars Hill.

H. P. 780. Resolve in Favor of the Town of Windham.

H. P. 781. Resolve in Favor of the Town of Benton.

H. P. 785. Resolve in Favor of the Town of Standish.

H. P. 793. Resolve in Favor of the Town of Orrington.

H. P. 798. Resolve in Favor of Winterville Plantation.

H. P. 799. Resolve in Favor of the Town of Eagle Lake.

H. P. 805. Resolve in Favor of the Town of West Bath.

H. P. 967. Resolve in Favor of the Town of Machias.

H. P. 970. Resolve in Favor of the Town of Sanford.

H. P. 1012. Resolve in Favor of the Town of Bowdoinham.

H. P. 1013. Resolve in Favor of the Town of Bowdoinham.

H. P. 1017. Resolve in Favor of the Town of Jay.

H. P. 1020. Resolve in Favor of Lakeview Plantation.

H. P. 1088. Resolve in Favor of the City of Belfast.

H. P. 1090. Resolve in Favor of the City of Belfast.

H. P. 1094. Resolve in Favor of the Town of West Gardiner.

H. P. 1100. Resolve in Favor of the Town of Poland.

H. P. 1101. Resolve in Favor of the Town of Orland.

H. P. 1437. Resolve in Favor of the Town of Sidney.

H. P. 1557. Resolve in Favor of the Town of Winterport.

H. P. 1558. Resolve in Favor of the Town of Frankfort.

H. P. 1559. Resolve in Favor of the City of Westbrook.

H. P. 1561. Resolve in Favor of the Town of Mexico.

H. P. 1614. Resolve in Favor of the Town of Bancroft.

H. P. 1615. Resolve in Favor of the Town of Jay.

H. P. 1617. Resolve in Favor of the Town of Southwest Harbor.

H. P. 1618. Resolve in Favor of the Town of Lamoine.

H. P. 1816. Resolve in Favor of the Town of Stockton Springs.

H. P. 1818. Resolve in Favor of the Town of Carmel.

H. P. 1819. Resolve in Favor of the Town of Gorham.

H. P. 1992. Resolve in Favor of the City of Gardiner.

H. P. 1996. Resolve in Favor of the Town of Cumberland.

H. P. 2002. Resolve in Favor of the Town of Phippsburg.

H. P. 1205. Resolve in Favor of the Town of Rome.

H. P. 1217. Resolve in Favor of the Town of Masardis.

H. P. 1218. Resolve in Favor of the Town of Hebron.

H. P. 1223. Resolve in Favor of the Town of Windsor.

H. P. 1226. Resolve in Favor of the Town of China.

H. P. 1241. Resolve in Favor of the Town of Union.

H. P. 1242. Resolve in Favor of the Town of Cranberry Isles.

H. P. 1245. Resolve in Favor of the Town of Minot.

H. P. 1249. Resolve in Favor of the Town of Porter.

H. P. 1248. Resolve in Favor of the Town of Gouldsboro.

H. P. 1328. Resolve in Favor of the Town of Monroe.

H. P. 1331. Resolve in Favor of the Town of Lagrange.

H. P. 1385. Resolve in Favor of the Town of Brooksville.

H. P. 1427. Resolve in Favor of the Town of Monticello.

H. P. 1430. Resolve in Favor of the Town of Mexico.

H. P. 1431. Resolve in Favor of the Town of Orient.

H. P. 1435. Resolve in Favor of Cary Plantation.

H. P. 1436. Resolve in Favor of the Town of Warren.

Which report was read and accepted in concurrence.

#### Senate Committee Report

Mr. Crosby from the Committee on Ways and Bridges on the following Resolves:

S. P. 90. Resolve in Favor of the Town of Oxford.

S. P. 239. Resolve in Favor of the Town of Brownville.

S. P. 240. Resolve in Favor of the Town of Sangerville.

S. P. 244. Resolve in favor of the Town of Sullivan.

S. P. 329. Resolve in Favor of the Town of Denmark.

S. P. 513. Resolve in Favor of the Town of Morrill.

reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

On motion by Mr. Baker of Kennebec, out of order and under suspension of the rules:

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

Which was read and passed.

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

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

Which was read and passed.

On motion of Mr. Greeley of Waldo, out of order and under suspension of the rules, it was

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

Which was read and passed.

On motion of Mr. Turgeon of Androscoggin, out of order and under suspension of the rules, it was

**ORDERED:** that the State Librarian mail to each member of the Senate, the balance of the Legislative Record beginning April 21, 1949.

Which was read and passed.

On motion of Mr. Bowker of Cumberland, out of order and under suspension of the rules, it was

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

Which was read and passed.

### Communication

May 7, 1949

Honorable Chester T. Winslow  
Secretary of the Senate  
of the 94th Legislature

Sir:

The Speaker of the House today appointed on the part of the House of the 94th Legislature the following members to serve on the committees listed below:

Messrs. Brown of Unity  
Silsby of Aurora  
Marsans of Monmouth  
Hayward of Machias  
McKeen of Lovell  
Palmer of Nobleboro  
Tyler of Farmington

To serve on the Legislative Research Committee

Messrs. Robbins of Houlton  
Chase of Cape Elizabeth.  
Hayes of Dover-Foxcroft

To serve on the Committee on Election Expenditures.

Respectfully,  
(Signed) Harvey R. Pease  
Clerk of the House

Which was read and ordered placed on file.

At this point the Chair appointed as members on the part of the Senate to serve on the Legislative Research Committee:

Senators:

HASKELL of Penobscot  
SAVAGE of Somerset  
ALLEN of Cumberland

and as members on the part of the Senate to serve on the Election Expenditures Committee:

Senators:

BOWKER of Cumberland  
BARNES of Aroostook

### Final Reports

Mr. Crosby from the Committee on Ways and Bridges submitted its Final Report.

Mr. Smart from the Committee on Claims submitted its Final Report.

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

Which reports were severally read and accepted.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, it was

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

Which was read and passed.

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

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

On motion by Mr. Haskell of Penobscot, it was

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

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

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

Senators:

HASKELL of Penobscot

ELA of Somerset

BOUCHER of Androscoggin

Which was read and passed.

Sent down for concurrence.

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

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

#### Communication

May 7, 1949

To the Honorable Senate and House of Representatives  
94 Legislature

There is herewith a tabulation of the results of the 94th Legislature:

Acts approved	657
Resolves approved	212
Vetoes presented	

Your deliberations have been made at a time when the economy of our country has been undergoing great change. We have passed from a period of free spending and full employment, into one of unemployment and recession. Let us hope the present trend is temporary and that shortly we will reach a sound economic balance which will provide the vision to go forward.

Many of the Acts and Resolves enacted and approved will reflect to the credit of this Legislature in the years ahead. They are constructive actions, generally speaking, although time alone will prove their soundness.

However, many of our citizens will regret that the 94th Legislature

did not provide adequate financial support for our hospitals, education, retired teachers' pensions, University of Maine, welfare activities and retirement by the State from the property tax field.

While these seemingly worthwhile objectives failed of majority support, each consistently held the commendable interest and wholehearted support of a considerable number in each Legislative branch, for which thousands of our citizens will be everlastingly grateful. Such support will conceivably serve as a basis upon which to build for the future.

To some it would appear that the public interest might better have been served through Legislative agreement on a major revenue producing measure and submission to the electorate. In such fashion, citizens would have been given opportunity to express themselves on the basic question of willingness to pay for services which they demanded. Democracy functions at its best only when the will of the people is heeded by those entrusted with Legislative and Executive Duties.

The framework of State Government for the biennium having been drawn through your deliberations, it shall now be my aim, as related to you in a budget message, to give strict attention in the administration of the law along with efficient use of such monies as have been provided.

It is understandable that conflicting viewpoints cropped up among you during 16 weeks of deliberations on perplexing and controversial problems of State Government. By and large, however, these approaches were attended by a spirit of fair play and an honest attempt at compromise for which your Chief Executive, on behalf of all our citizens, extends his thanks.

My sincere thanks also go to all of you for service to your State and its people. Mrs. Payne joins me in wishing you a pleasant and safe journey home with a further wish



of good health, happiness and prosperity for all the years head.

Respectfully submitted,

FREDERICK G. PAYNE  
Governor

Which communication was read and ordered placed on file.

**The PRESIDENT**

"Now, in accordance with long established custom, for the purpose of making the motion for final adjournment, the Chair recognizes the Old Man Member of the Senate,

the Senator from York, Senator KNIGHTS."

Mr. KNIGHTS of York: Mr. President with that same affection that I so feebly expressed a few hours ago, I now move that this Honorable Body adjourn sine die.

Thereupon on motion by Mr. KNIGHTS of York, the President, BURTON M. CROSS, at 11:59 E. S. T. on Saturday, May 7th, 1949, declared the Senate of the Ninety-fourth Legislature adjourned without day.