

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, May 10, 1951

The Senate was called to order by the President.

Prayer by the Reverend Ondon P. Stairs of Gardiner.

Journal of yesterday read and approved.

From the House

Bill "An Act to Provide Partial Cutting Adjacent to Roadsides" (H. P. 1642) (L. D. 1206)

(In the Senate, on May 8th, indefinitely postponed in non-concurrence.)

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

Messrs: BEARCE of Caribou
BROWN of Wayne
HANCOCK of Casco

In the Senate, on motion by Mr. Ela of Somerset, the Senate voted to insist on its former action whereby the bill was indefinitely postponed, and join with the House in a Committee of Conference.

"Resolve Designating New Bridge in Augusta as 'Augusta Memorial Bridge.'" (H. P. 1801)

Mr. ELA of Somerset: Mr. President, do I understand that this bridge referred to is the Cross bridge?

The PRESIDENT: The Senator is not in order at this time.

Thereupon, the resolve was received by unanimous consent, and under suspension of the rules was given its two several readings without reference to a committee, and passed to be engrossed in concurrence.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, directed to make a complete study of all problems concerning Indians in the state; and be it further

ORDERED, that the Committee report the results of its study to

the 96th legislature. (H. P. 1800)

Which was read and passed in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Rancourt Pond in Dennistown Plantation, Somerset County," (H. P. 1312) (L. D. 865) reported that leave be granted to withdraw as it is covered by other legislation.

The Committee on Taxation on Bill "An Act Relating to Tax of Intangibles by Authority of Article XXXVI of the Constitution of Maine," (H. P. 1676) (L. D. 1255) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act to Create the Maine School District," (H. P. 1034) (L. D. 562) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Taxation on Bill "An Act Appropriating Moneys for Revision of State Valuation," (H. P. 1066) (L. D. 646) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted in concurrence, and the bill read once; Committee Amendment "A" was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Agriculture on Bill "An Act Relating to Indemnities in Bang's Disease Law," (H. P. 1465) (L. D. 1081) reported that the same ought to pass as amended by Committee Amendment "A"

(signed)

Senator:

TABB of Kennebec

Representatives:

CENTER of Standish

BOOTHBY of Livermore

TOTMAN of Bangor

COBB of Lee

GOSLINE of Gardiner

BAILEY of Woolwich

DORSEY of Fort Fairfield

The Minority of the same Committee on the same subject matter

reported that the same ought not to pass.

(signed)

Senators:

BREWER of Aroostook
GREELEY of Waldo

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

In the Senate, on motion by Mr. Greeley of Waldo, the bill and accompanying papers were laid upon the table pending acceptance of either report.

The Majority of the Committee on Agriculture on Bill "An Act Relative to Recording Meters on Fuel and Range Oil Trucks," (H. P. 401) (L. D. 245) reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senator:

TABB of Kennebec

Representatives:

TOTMAN of Bangor
BAILEY of Woolwich
COBB of Lee
BOOTHBY of Livermore
CENTER of Standish
DORSEY of Fort Fairfield
GOSLINE of Gardiner

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

(signed)

Senators:

GREELEY of Waldo
BREWER of Aroostook

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A"

In the Senate:

Mr. BREWER of Aroostook: Mr. President, I move the acceptance of the Minority Ought to Pass Report. I will say that this in my mind isn't good legislation. It would require every fuel oil truck to have a meter and having meters, it does not guarantee that the customer will have the exact amount of oil that is specified on his bill. It is not fool proof.

For instance, I will cite two ways that even though the oil is metered,

that the public can be trimmed. One way is if the distributor sees fit to turn his hose back in the pumper and pump it continuously through, the meter will record it. And if between stops he should happen to drain his hose, the next customer is about five gallons short.

So by any stretch of the imagination, it isn't fool proof. Over and above that, it would compel many of these trucks hauling bunker oil to carry this equipment. I would question whether it is possible for a heavy truck to be able to buy such a meter. Not only that, but this piece of equipment weighing about 400 pounds would certainly cut down the pay load of many of these trucks transporting this oil. Over and above that, in many of the smaller communities a lot of small dealers would be compelled to buy this equipment and I don't think that the cost would justify the worth of the meter and for these reasons, I hope the Minority Ought Not to Pass Report is accepted.

Mr. TABB: of Kennebec: Mr. President and members of the Senate, I regret that I can't go along with my good friend, Senator Brewer from Aroostook. He has given some very good ideas about the meters but you buy gasoline through a meter and you don't find fault. You buy gas through a meter and you don't find fault. I don't see how you can find fault in buying range oil or fuel oil through a meter. I know when they back up to my house and fill up my tank and they pass me that bill that they printed on their meter, I feel pretty sure that I am going to get what I pay for. It has been proven in the fact that right in my own city at my own home a man who has been with the oil company for a great many years, reliable and honest to everybody, but somehow or other, they found out the oil wasn't coming up in figures, and so forth, when it was returned to the office and they traced it down and this fellow had been taking five to ten gallons a day from this oil.

By putting these meters in, I feel sure that we are going to stop that and protect the interest of the people. Now, if you will notice the amendment says that it shall apply only to new equipment purchased

after January 1, 1952, providing such recording equipment is available. Now, we don't know, nor nobody knows whether that is going to be available and I can't for the life of me see why anybody that is in this business wouldn't be willing to have their fuel oil registered before the eyes of the customer. I know the customer feels sure and I do, myself, know that I am getting what I am paying for. I can't see that this really puts the burden on anybody but to expect the man that is purchasing to be true while on the other hand, it protects the public.

Therefore, Mr. President and members of the Senate, I hope that the Senate will not go along with my good friend, Senator Brewer from Aroostook.

Mr. CHRISTENSEN of Washington: Mr. President, I have been in the oil business for thirty years. I was in the oil business when you lugged it in five-gallon cans and when the meters came, we installed meters on the trucks.

This fuel and range oil business is done by small dealers. The big companies won't bother with it because the deliveries are too small. The recording meter costs around between five and six hundred dollars and the straight meter costs around three hundred dollars and the customer gets just as good measure on a straight meter as he does on a recording meter. On a recording meter after your delivery, you punch it and it registers the gallons instead of making it out with a pencil. It is all made out. As far as the meters are concerned, the meter part is exactly the same. The only difference is the recording mechanism that they put on the meter.

I think it is a great burden to put on the small dealer and all of the business done by the small dealers. I hope the motion of Senator Brewer prevails.

Mr. LARRABEE of Sagadahoc: Mr. President and members of the Senate, Senator Tabb says that we buy our gas through a meter and gasoline through a meter and that is true. But on the other hand, these meters don't print the bill. You see the dial and you read the

hand on the dial. You know how many gallons they have pumped in. We have no objections to that on the truck if this bill said the dial should be larger on these meters so that the customers could see how much they were getting. The objection to this is the printed bill which is no protection.

I have made a study of it and I have taken a lot of time to dig into the matter and found out it is no protection. They could pump this thing over into another tank. In fact, I have seen them doing it. I didn't know what they were doing at the time but I have since found out that is what they were doing.

It is going to cause an expense and hardship on the dealer. I know one of our largest dealers located in the City of Bath has got his card index system all set up and these cards are a different size. If this goes into effect, he has got to throw that thing all away. If it were any protection to the public, I would go along with it but where it is just going to be a burden on the dealers and offers no protection, I oppose it.

Mr. SAVAGE of Somerset: Mr. President, I would like to record my objection to this bill. I have a small oil business. I have an oil truck and I do have a recording meter and customers that ask me to look out for their tanks and keep them full. I do give them the recorded bill if they want it.

But it would be very impractical I can see in the large cities where in many of the tenement houses they can only store five or ten gallons. If they had to run their hose up in there and fill up these five or ten gallon tanks and then come down and give these people a recorded bill, they just couldn't handle the business and I think it is an imposition on most of the dealers—especially those that handle fuel oil—to have the recording meter. The public is protected but there are ways that you could gyp them if you wanted to. A man has got to have some respect for the man he is doing business with and I would like to register my opposition to this bill and go along with Senator Brewer.

Mr. ALLEN of Cumberland: Mr. President, I would like to ask a question of either one of these gentlemen or anyone of these gentlemen who evidently have been in the business.

Are the regulations on meters of this type city regulations under the city sealer of weights and measures or are they under state regulations and laws regarding these meters or are they municipal ordinances?

Mr. SLEEPER of Knox: Mr. President, I will answer that question. All the weights and measures are under the supervision of the State Sealer of Weights and Measures, Mr. Boyle in the Department of Agriculture, and I would like to go on record as being in favor of the motion of Senator Brewer. And I will say that I work for a company that sells oil—I think my wife owns the company—and on the trucks that we have, the figures are as large as that “M” in this word “Manganese” on this pamphlet and any person that wants to watch us as we put the oil in, if they want to stand in the window, can see it register the oil in large figures of “1” “2” “3” and so on. While if you use the other system, they would have to stand right behind the meter and watch the oil as it is brought in. I am very much opposed to the passage of the bill and I am very much in favor of the motion of Senator Brewer.

Mr. REID of Kennebec: I would like to inquire of anyone who may know what the cost of these meters is.

Mr. CHRISTENSEN of Washington: Mr. President and members of the Senate, I can answer that. The straight meter costs around three hundred or three hundred and fifty and the recording meter costs five or six hundred dollars. Of course, everybody is putting on a recording meter today when they put on a new meter I will admit that. But the meter that Senator Sleeper is talking about is much more practical. It has a great big dial twelve inches in diameter with great big hands that goes right around. Those recording meters offer the public no protection whatever, not one bit.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Brewer to accept the minority report. Is the Senate ready for the question?

A viva voce vote being had
The Minority Report “Ought Not to Pass” was accepted in non-concurrence.

Sent down for concurrence.

Communication

STATE OF MAINE
House of Representatives
Office of the Clerk
Augusta

May 9, 1951

Honorable Chester T. Winslow
Secretary of the Senate
95th Legislature

Sir:

The Speaker today appointed the following Conferees on the part of the House on the disagreeing action of the two Branches of Legislature on the following Bill:

Bill “An Act Regulating the Taking of Marine Worms.” (H. P. 1131) (L. D. 698)

Messrs: BAILEY of Woolwich
WALLACE of Portland
BARTON of Vinalhaven
Respectfully,

HARVEY R. PEASE
Clerk of the House.

Which was read and ordered placed on file.

Mr. Larrabee of Sagadahoc was granted unanimous consent to address the Senate.

Mr. LARRABEE: Mr. President, probably the Senators are all aware that up until some time last summer, out of state fishermen were restricted from coming into Maine waters to fish and could not procure a license. Some people in Massachusetts took this to the federal court and the federal court ruled that Maine could not discriminate between states. They could not issue licenses only to state citizens. We have passed a bill to cover the situation so that the commissioner can issue licenses to non-resident commercial fishermen but we failed to put on an emergency. This bill has been passed and signed by the Governor

but we failed to put on the emergency so it won't take effect until September and they are already applying for licenses. The state would not only lose about \$4,000 in license fees, but it is going to make a lot of confusion in the Department because the commissioner has no authority to issue licenses to these people, and yet the federal government says that he must issue them if he issues licenses to citizens of the State of Maine. It is exactly like the bill previously passed except that it has an emergency measure. So I ask to introduce a bill and if this passes, the other one will automatically be repealed.

Thereupon, bill "An Act Relating to Non-Resident Commercial Fishing Licenses" was received by unanimous consent and on motion by the same Senator, the rules were suspended and the bill was given its two several readings without reference to a committee, and passed to be engrossed.

Sent down for concurrence.

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

Mr. COLLINS: Mr. President and members of the Senate, earlier in the session we passed a Resolve proposing an amendment to the Constitution to liberalize limitations on municipal indebtedness. This was a resolve which increased the limitation from five to seven and a half percent. This bill has been signed by the Governor. We find that the reference to the Constitution is not correct due to the fact that the change in the codification of the Constitution gives a different article and section. The sponsor of the measure, Senator Ela, was very desirous that the Resolve be in proper order and he has taken the time and energy to consult the Attorney General and members of the court and they feel that it would be much more in order if the resolve had the proper designation so it is really a matter of clarification only, and the bill is identical except that it carries a repealer in the end which would cut out the resolve which has already been passed.

So I ask unanimous consent to introduce this resolve and ask that

under suspension of the rules it be given its two several readings and pass to be engrossed. The Committee on Towns and Counties have already studied the draft you have before you and find that it is in proper order.

Thereupon, "Resolve Proposing an Amendment to the Constitution to Liberalize Limitations of Municipal Indebtedness" was received by unanimous consent; and on motion by the same Senator, the rules were suspended and the resolve was given its two several readings.

Thereupon, on motion by Mr. Haskell of Penobscot, the resolve was laid upon the table pending engrossing, and was especially assigned for later in today's session.

Order

On motion by Mr. Allen of Cumberland, it was

ORDERED: WHEREAS the members of the House of Representatives of the 95th legislature kindly invited the members of the Senate to be their guests at the annual mock session last evening and

WHEREAS the members of the Senate and their guests report an evening of outstanding and excellent entertainment, be it hereby

ORDERED that we, the members of the Senate express our sincere appreciation for this kindness and the Secretary of the Senate be ordered to transmit a copy of this order to the Clerk of the House.

First Reading of a Printed Bill

Bill "An Act to Allow City and Town Employees to Receive Federal Social Security Benefits." (S. P. 574) (L. D. 1376)

Which was read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Tabb from the Committee on Agriculture on Bill "An Act Limiting Milk Control to Producers," (S. P. 388) (L. D. 937) reported that the same ought not to pass.

(On motion by Mr. Wight of Penobscot, tabled pending acceptance of the report.)

Mr. Christensen from the Committee on Highways on "Resolve

Appropriating Moneys for Promotion of Highway Safety," (S. P. 56) (L. D. 110) reported that the same ought not to pass.

Mr. Ward from the Committee on Judiciary on Bill "An Act Relating to Membership in State Employees' Retirement System," (S. P. 234) (L. D. 505) reported that the same ought not to pass.

Mr. Barnes from the same Committee on "Resolve Authorizing Treasurer of State to Accept Assignment of Mortgage from Susie E. Moody, of Waterville," (S. P. 543) (L. D. 1294) report that leave be granted to withdraw the same.

Mr. Haskell of Cumberland from the same Committee on Bill "An Act Relating to Admission to the Bar for Time of War or National Emergency," (S. P. 410) (L. D. 970) reported that leave be granted to withdraw the same.

The same Senator from the same Committee on Bill "An Act Relating to Optional Allowances on Retirement Under State Retirement Law," (S. P. 236) (L. D. 507) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Service Retirement Benefits Under State Employees' Law," (S. P. 237) (L. D. 508) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relative to the Disposal of Assets in the Hands of Liquidating Trustees," (S. P. 323) (L. D. 721) reported that the same ought to pass.

Mr. Larrabee from the Committee on Natural Resources on "Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Connor to Paul Damboise," (S. P. 552) (L. D. 1309) reported that the same ought to pass.

Which reports were severally read and accepted, the bills and resolve read once, and tomorrow assigned for second reading.

Mr. Ela from the Committee on Inland Fisheries and Game on

Bill "An Act Continuing Bounty on Bear," (S. P. 393) (L. D. 940) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A.

Committee Amendment A to L. D. 940 "Amend said bill by inserting after the underlined figures and comma '1951,' in the 5th line thereof, the underlined words and comma 'except in Franklin County.'

"Further amend said bill by drawing a line through the word 'territory' in the 7th line thereof and inserting immediately thereafter the underlined word 'townships'."

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

Mr. Ward from the Committee on Judiciary on Bill "An Act to Clarify Certain Procedures under Maine State Retirement Law," (S. P. 217) (L. D. 470) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once; Committee Amendment A was read and adopted and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Provide for Number of State Senators," (S. P. 185) (L. D. 397) reported that the same ought not to pass.

(signed)

Senators: HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook

Representatives:

FAY of Portland
McGLAUFLIN

of Portland
FULLER of Bangor
DELAHANTY

of Lewiston

The Minority of the same Committee on the same subject matter

reported that the same ought to pass.

(signed)

Representatives:

WOODWORTH

of Fairfield

HARDING of Rockland

HAYES

of Dover-Foxcroft

Mr. SLEEPER of Knox: Mr. President, I would like to lay this on the table and I assure you I will take it up in the very near future.

A viva voce vote being had, the resolve and accompanying papers were laid upon the table pending acceptance of either report.

The Majority of the Committee on Judiciary on Bill "An Act Relating to Damages in Libel Actions," (S. P. 102) (L. D. 155) reported that the same ought not to pass.

(signed)

Senators:

HASKELL of Cumberland

BARNES of Aroostook

Representatives:

McGLAUFN of Portland

WOODWORTH of Fairfield

HAYES of Dover-Foxcroft

FAY of Portland

HARDING of Rockland

DELAHANTY of Lewiston

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

(signed)

Senator:

WARD of Penobscot

Representative:

FULLER of Bangor

On motion by Mr. Ward of Penobscot, the bill and accompanying papers were laid upon the table pending acceptance of either report.

Passed to be Engrossed

Bill "An Act Relating to Powers and Duties of Recorder of the Municipal Court of the City of Biddeford." (H. P. 240) (L. D. 137)

Bill "An Act Relating to East Limington Improvement Society." (H. P. 740) (L. D. 437)

Bill "An Act to Include World War I Veterans in Maine State Retirement System." (H. P. 783) (L. D. 464)

Which were severally read a second time and passed to be engrossed, in concurrence.

Bill "An Act Relating to Appointment of Administrators With the Will Annexed." (H. P. 925) (L. D. 527)

Bill "An Act Relating to Liens for Payment of Assessments on Real Estate." (H. P. 1619) (L. D. 1179)

Which were severally read a second time and passed to be engrossed, as amended, in concurrence.

"Resolve Appropriating Moneys for Wing at State Police Building, in Augusta." (S. P. 220) (L. D. 495)

Bill "An Act Relating to a State Police Barrack in the County of Somerset." (S. P. 294) (L. D. 653)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Enactors

Bill "An Act Relating to Signals for Stopping and Turning Motor Vehicles." (H. P. 93) (L. D. 38)

Bill "An Act to Incorporate the Trustees of La Mennais College" (H. P. 318) (L. D. 183)

Which bills were passed to be enacted.

Bill "An Act Relating to Running Horse Racing in the Daytime" (H. P. 1021) (L. D. 580)

Mr. WEEKS of Cumberland: Mr. President, I move the indefinite postponement of this bill.

Mr. BARNES of Aroostook: Mr. President, I have thought the last two times that I arose to speak that I should call to the attention of the President that I stand in the shadow of the Secretary.

This bill has been fully debated and my remarks will be brief. I do want to state to the members of the Senate that I still feel the same way about this bill as I did when we debated it the other day.

I think it is not a good proposition for the State of Maine to permit to come into the State running horses because there are none owned in the State of Maine. We have hundreds of thousands of dollars invested in harness horses in the

state and unless this bill passes I feel it will mean the end of harness horse racing in Maine.

I would remind the Senate once more that two years ago when the runners were allowed to operate in the State of Maine there was not one single thought in the minds of the 94th legislature that they would run nights and they just opened up and ran nights without any legal authority, and this bill is simply designed to permit them to run days which was the thought of the 94th legislature. When the vote is taken, Mr. President, I move that it be taken by division.

Mr. DENNETT of York: Mr. President and members of the Senate, like the good Senator from Aroostook, Senator Barnes, I too have not changed my mind or my feelings in regard to this bill. I too realize that several days ago this measure had a full debate in this Senate. Two years ago the 94th legislature voted to permit running horse racing and I have impressed upon you that I was one of the opponents of that measure.

This same group that sought to bring running horse racing into the State of Maine, is the same group that today seeks its repeal. I would impress, if I could, upon this Senate the old adage, and bear it well in mind, that two wrongs do not make a right.

I would like to go along with the motion made by the Senator from Cumberland, Senator Weeks.

Mr. BREWER of Aroostook: Mr. President, anything I could add to this debate probably wouldn't change a vote one way or the other. I am interested in the defeat of this bill, possibly, through a selfish motive from the standpoint of the state fairs.

When they tell you that this business of racing runners at night doesn't hurt the fairs, I would say to you that two years ago before the runners became in vogue, on the state stipend which we take from pari-mutuels, the fairs received seventy-two cents on the dollar for the premium money they paid out and with the runners in last year, we collected about forty-three cents on the dollar. I say they do hurt the fairs. I say they do hurt harness racing and for that

reason, I hope that the motion of the Senator from Cumberland does not prevail.

Mr. LEAVITT of Cumberland: Mr. President, of course, down in the Appropriations Committee, we always agree with each other but I can't follow the reasoning of the gentleman who has just spoken from Aroostook. Yesterday, we had a report given to us which shows that if for any reason horse racing in the evening at Scarborough Downs should be eliminated, we must take \$418,000.00 off the prospective revenue for the coming year.

The same people who worked that item out worked on the revenue which they thought might be gained from the harness racing should this thing happen and they are giving them no further revenue for that item. But they do admit and they can see very clearly that it will cost the state of Maine four hundred eighteen thousand.

Therefore, if you vote against the motion of Mr. Weeks, you are also voting against \$418,000.00. I am for Senator Weeks' motion.

Mr. BOYKER of Oxford: Mr. President, I want to say again that I am opposed to the indefinite postponement of this bill. We are assembled here to act in the interest of the State of Maine and not for the interest of Massachusetts, New York or any other state.

I move that when this vote is taken, that it be taken by the yeas and nays.

Mr. BARNES of Aroostook: Mr. President, I feel impelled to answer the question posed by the Senator from Cumberland, Senator Leavitt. As I understand it, and I only know what I am told about these things, the total was \$500,000.00 and I remind the members of the Senate that the tracks at Gorham and Lewiston had to close down when the runners started running nights and if we, as I think we should, hold them to day racing, the tracks at Gorham and Lewiston will stay open and we will make up that extra \$200,000.00.

So, on the money angle of it, there is no sense to it and I hope that the motion will not prevail.

Mr. DENNETT of York: Mr. President, I would like to impress

upon the members of this Senate that this morning no moral issue is involved. The only issue that seems to be involved is what group of gamblers is going to get the money.

The State of Maine by its act two years ago permitted this group to come into Scarborough Downs and now by the measure that is before this Senate, it seeks to turn them down. I don't believe there is a member of this Senate who would in the ordinary course of their business enter into any negotiations with another party and then seek to turn them out of business two years hence. I think they would consider it a very unfair proposition. I think it isn't the wishes of the people of the State of Maine. I think the people of the State of Maine wish to be pre-eminently fair and I think a vote against this motion is a vote to be unfair on this particular measure and in this particular matter.

I certainly hope that you will support the motion of the Senator from Cumberland, Senator Weeks.

Mr. BOYKER of Oxford: Mr. President, let us remember that we are not denying this running racing in the daytime. It is at night which we are opposing.

Mr. BREWER of Aroostook: Mr. President, even though the Senator from Cumberland, has called to your attention that the estimated loss according to a recent estimate is \$209,000. I would question those figures although they may be accurate and were put in in the best judgment of those estimating but if you stop and consider that if this bill is passed, the runners would be allowed to run most of their running season this summer. If they don't race nights, I would look for the harness horses to pick up a good deal of this amount. With those facts in mind, I just wanted to call it to your attention.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Cumberland, Senator Weeks, that the bill be indefinitely postponed and the Senator from Oxford, Senator Boyker has requested the Yeas and Nays.

In order to entertain such a re-

quest, it must be at the request of at least one-fifth the members present.

A division of the Senate was had. Obviously an insufficient number having risen, the Yeas and Nays were not ordered.

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

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

Thereupon, on motion by Mr. Barnes of Aroostook, the bill was passed to be enacted.

Bill "An Act Relating to Running Horse Racing in the Daytime." (H. P. 1021) (L. D. 580)

Bill "An Act Relating to Taxation of Boats." (H. P. 1356) (L. D. 931)

Bill "An Act Relating to Hunting from Automobiles." (H. P. 1478) (L. D. 1085)

Bill "An Act Relating to Emergency Lights on Police and Fire Department Motor Vehicles." (H. P. 1491) (L. D. 1098)

Bill "An Act Relating to Equal Pay for Women Teachers." (H. P. 1506) (L. D. 1059)

Bill "An Act creating a Sewer System for Town of Winthrop." (H. P. 1629) (L. D. 1188)

Bill "An Act to Create the Bangor Water District." (H. P. 1787) (L. D. 1347)

Bill "An Act Relating to the Absent Voting Law in Cities." (S. P. 59) (L. D. 63)

Bill "An Act Relating to Depositing Rubbish on Another's Land." (S. P. 103) (L. D. 154)

Bill "An Act Authorizing Main-ente School of Music to Confer Degrees." (S. P. 116) (L. D. 206)

Bill "An Act Relating to Rental of Western Somerset Municipal Court." (S. P. 312) (L. D. 663)

Bill "An Act Relating to Disclosure Commissioners." (H. P. 439) (L. D. 1002)

Bill "An Act Relating to Regulation of Posts and Wires." (S. P. 560) (L. D. 1345)

"Resolve, Authorizing Maine General Hospital to Convey Certain Lands to Maine Medical Center." (S. P. 547) (L. D. 1288)

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

Emergency Measures

Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Bridge Repairs." (H. P. 658) (L. D. 367)

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, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Bill "An Act to Amend the Charter of the Town of Baileyville." (S. P. 538) (L. D. 1275)

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.

Bill "An Act Relating to the Town of York School District." (S. P. 568)

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.

Orders of the Day

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

Mr. TABB: Mr. President and members of the Senate, I have had the privilege before of announcing granddaughters and grandsons that have been brought into this legislature but I have never had the privilege of announcing a birthday. I don't feel very good about it because I just got licked and I was the only one who voted for the bill that the good Senator was putting over. I look at him with his bald head and his fifty-two years, and I think—

The PRESIDENT: The Senator is out of order.

Mr. TABB: Yes, Mr. President. And I think, in fact I know, that in a few more years he won't have as much hair on his head as he now has if he keeps on coming down here, and it gives me great

pleasure, Mr. President and members of the Senate to announce that this is the birthday of the Senator from Aroostook, Senator Brewer.

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

Mr. BREWER: Mr. President, in reply to the Senator from Kennebec, Senator Tabb, who is at all times on the ball for these important events, and who has made mention of my bald head, I would like to say to him through the Chair, Mr. President, regarding his prophecy for the future, that my wife insists I have at least as much hair as I did when she married me seventeen years ago. Apparently this is my lucky day because the Senate has gone along with two bills that I was interested in and to that end I thank the Senator for his comments and I think the Senate for going along with those bills.

Mr. BOUCHER of Androscoggin: Mr. President, if I may now have my turn I would like to take from the table—because it is getting pretty late in the session and I am getting to the point that I would like to go home to Lewiston—the 79th tabled and unassigned matter.

Thereupon the Senate voted to take from the table Senate Report "Ought to Pass With Committee Amendment A" from the Committee on Towns and Counties on bill, An Act Relating to Salaries of Members of Boards of Registration (S. P. 262) (L. D. 560), tabled by that Senator on May 9th pending acceptance of the report; and upon further motion by the same Senator the committee report was accepted and the bill given its first reading.

The Secretary read Committee Amendment A: "Amend said bill by striking out the last paragraph thereof and inserting in place thereof the following paragraph: 'In cities of 39,000 inhabitants or more the chairman of the board shall receive \$2,700 per year and the other two members of the board shall receive \$2,350 per year, and such additional amounts as may be authorized by the municipal officers or boards of finance.'"

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

On motion by Mr. Brewer of Aroostook the Senate voted to take from the table House Report "Ought to Pass as Amended by Committee Amendment A" from the Committee on Claims on Resolve in Favor of Folsom Brothers of Monticello (H. P. 1074) (L. D. 1339) tabled by that Senator on April 30th pending acceptance of the report.

Mr. BREWER: Mr. President, I now offer Senate Amendment A to Committee Amendment A and move its adoption, and in explanation I will say that I have cleared with the Claims Committee and this sets up an amount that equalizes the loss on the loss of sheep through a mathematical formula which is truer of the situation. I will say that this money comes out of the dog licenses and doesn't involve any general appropriation.

Thereupon the Ought to Pass report of the committee was accepted and the resolve was read once.

The Secretary read Senate Amendment A to Committee Amendment A:

"Amend said amendment by striking out the figures \$750 in the last line of said amendment and inserting in place thereof the figures \$890."

Senate Amendment A to Committee Amendment A was adopted.

The Secretary read Committee Amendment A: "Amend said resolve by striking out the figures \$1045 in the second line thereof and inserting in place thereof the figures \$750."

Committee Amendment A as amended by Senate Amendment A thereto was adopted and the resolve as so amended was tomorrow assigned for second reading.

On motion by Mr. Haskell of Cumberland the Senate voted under suspension of the rules to reconsider its former action whereby bill recalled from the office of the Governor, "An Act Relating to Definition of 'Teacher' Under Maine State Retirement Law" (H. P. 926) (L. D. 528) was passed to be en-

acted, and further voted under suspension of the rules to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment A to L. D. 528 and moved its adoption: "Amend said bill by striking out the underlined words 'is receiving or has received any direct state aid since 1920' in the 9th and 10th lines thereof and inserting in place thereof the underlined words 'received any direct aid in 1950 and municipal tuition funds amounting to at least twice the amount of such aid during the same year'."

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

Sent down for concurrence.

On motion by Mr. Barnes of Aroostook the Senate voted to take from the table bill, An Act Amending the Maine Housing Authorities Act (H. P. 159) (L. D. 90) tabled by that Senator on May 9th pending passage to be engrossed as amended by Committee Amendment A as amended by Senate Amendment A thereto.

Mr. BARNES: Mr. President and members of the Senate, I now offer Senate Amendment B to Committee Amendment A and move its adoption, and I simply have this to say about it: I realize there are those in the Senate Chamber who are definitely opposed to any public housing and I am not standing here to say they are wrong. However, we have it on the books of the state here and the amendment I am about to offer strikes out the limitation on those towns and cities in the state that can apply for federal aid under the housing authorities act. And I call to the attention of the Senate that the amendment as it now exists would limit the towns and cities in the state who could apply, to the date line of April 1st, 1951.

So far as I know—and I believe this is accurate—in the two years this housing authorities act has been on the statutes there have been only two towns that have taken action to accept it. One is Van Buren in Aroostook County, another is Norway in the County of

Oxford, and recently at their annual town meeting the Town of Fort Fairfield adopted the housing authority.

I don't believe it is right or fair or just or anything else to limit the benefits, if they are benefits, of this act to three towns in the State of Maine and if this amendment I am about to offer is adopted it will strike out that limitation so that if some other town in some one of our counties wants to take advantage of the housing act they may do so, and I hope my motion to adopt this amendment prevails.

The Secretary read Senate Amendment B to Committee Amendment A to H. P. 159, L. D. 90, bill, An Act Amending the Maine Housing Authorities Act:

Senate Amendment B to Committee Amendment A: "Amend said amendment by striking out the 4th paragraph thereof."

Thereupon, on motion by Mrs. Kavanagh of Androscoggin, the resolve and accompanying papers were laid upon the table pending motion by the Senator from Aroostook, Senator Barnes to adopt Senate Amendment B to Committee Amendment A to L. D. 90.

On motion by Mr. Sleeper of Knox, the Senate voted to take from the table Senate Order Asking Opinion of Justices of Supreme Judicial Court re Apportionment; tabled by that Senator on May 3 pending passage; and on motion by the Senator from York, Senator Marshall, the Order was indefinitely postponed.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve Proposing an Amendment to the Constitution to Liberalize Limitations of Municipal Indebtedness; tabled by that Senator earlier in today's session pending passage to be engrossed.

Mr. HASKELL: Mr. President, will the Secretary read the question posed in the bill?

The SECRETARY: "Shall the Constitution be amended as proposed by a Resolution of the Legislature to liberalize limitations of municipal indebtedness?"

Mr. HASKELL: Thank you. It seems to me and also I may say, to

the Chairman of the Committees on Judiciary, and Towns and Counties, and also the sponsor of the measure, Senator Ela, that the question could be improved if it were to be changed to read as follows: "Shall the Constitution be amended as proposed by a resolution of the legislature to increase from five percent to seven and a half percent, the limitations of municipal indebtedness?" That is all that Senate Amendment A does and I offer the amendment and move its adoption:

The Secretary read Senate Amendment A to the resolve:

"Amend said resolve by striking out the fourth paragraph from the end thereof and inserting in place thereof the following paragraph: "Shall the Constitution be amended as proposed by a resolution of the legislature to increase from five percent to seven and a half percent, the limitations of municipal indebtedness?"

Senate Amendment A was adopted and, on motion by Mr. Haskell of Penobscot, the rules were suspended and the resolve as so amended was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: At this time, the Chair will appoint Senate members on the Committee on Conference on the disagreeing action of the two branches on bill, An Act to Provide Partial Cutting Adjacent to Roadsides (H. P. 1642) (L. D. 1206). The Senator from Somerset, Senator Ela; the Senator from Waldo, Senator Greeley; and the Senator from Somerset, Senator Savage.

On motion by Mr. Ward of Penobscot, the Senate voted to take from the table bill, An Act Relating to Purposes for Which Cities and Towns May Raise Money (H. P. 1645) (L. D. 1208) tabled by that Senator on April 13 pending passage to be enacted.

Mr. WARD: Mr. President and members of the Senate, if you will turn to L. D. 1208, which is a very short bill, you will find that the enactment of this particular measure would give cities and towns a blank check in so far as entering

into all types of real estate development is concerned and would include housing, commercial property and property of all descriptions. I have talked with the sponsor of the measure and he has no objection to the motion which I propose to make. I therefore move that the bill be indefinitely postponed.

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

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table House Report "Ought to Pass" from the Committee on Public Utilities on bill, An Act Relating to Inspectors of Public Utilities Commission (H. P. 1433) (L. D. 1039) tabled by that Senator on April 25 pending motion by Senator Collins that the bill be indefinitely postponed.

Mr. NOYES of Hancock: Mr. President, there seems to be some confusion about the bill under consideration. The bill was heard before the Public Utilities Committee and reported out of the Committee unanimously Ought to Pass. The action of the House indefinitely postponed the measure. The bill as reported out of the Committee as written, would authorize the Public Utilities Commission to hire not to exceed five inspectors to work under the guidance of that Commission to enforce Section 17 to 31, inclusive, of Chapter 44 of the revised statutes. Those are the regulatory sections which were first adopted back in 1933. It applies to common carriers, to contract carriers and to interstate carriers operating on Maine highways.

At the present time, one man is loaned to the Commission from the state police. They have an additional inspector who doesn't have the power of a state policeman to make the arrests and under the present conditions, the law is not fully or adequately enforced. The purpose of this bill is to enable the Commission to hire, if it sees fit, as many as five, and I understand they do not intend to hire that many, and pay them out of the funds of the Commission and those paid by the truckers whom this law and this bill regulates.

What the trucking associations are asking for is proper enforcement of the existing law under which they operate and for which they pay a fee of twenty-five dollars for a permit to operate, plus five dollars for each vehicle so operated.

There are at the present time something in excess of 7,000 vehicles using the highways of the State of Maine under these three categories—common, contract and interstate carriers. Of that number, more than five thousand are interstate carriers. They pay to the State of Maine in excess of \$60,000.00 per year for the purpose of regulating. In other words, under the present setup, they are paying into the State of Maine an amount of about ten thousand dollars per year in excess of what it costs to regulate themselves. They are asking for better regulation and it would seem that they are justified in asking for that.

Under the present conditions and conditions as they have existed for a number of years with the use of state policemen working under the direction of the Public Utilities Commission, certain jealousies have been created within the police force because the nature of the two jobs are somewhat different. A state policeman is a patrolman. These men are investigators or inspectors. Really, they are investigators investigating trucks under this section of the law which I just mentioned.

I can see no reason why the Public Utilities Commission shouldn't have their own inspectors working under their supervision. It would seem that if the law, itself, which was intended to regulate trucking where public necessity and convenience required it, if that law is a good law, it should be properly enforced and as you know in this bill, it doesn't call for an appropriation. It simply says that they shall use their funds out of the Public Utilities Commission to pay for these inspectors.

These inspectors would be granted the same authority as is now granted to the state police for the purposes of enforcing this section of our law. It is of interest to note that of your vehicles that are being regulated and inspected, more than

five thousand are in the interstate carrier group and a large part of those pay to the State of Maine a gasoline tax under the use tax law and many of those people who are now regulated, feel that there are others who should pay who are not paying and these inspectors would enable us to pick up additional trucks that are using Maine highways. It would also protect the present trucking people who have been granted permits or who are operating as either a common or contract carrier.

And it would guarantee to the people of the State of Maine who employ these trucks better service. It would be a handicap to the gypsy trucks, so-called, and it is a safety measure from a financial standpoint, in that under the law, a common and contract carrier must buy insurance, not only liability insurance, but insurance for cargoes carrier. Those violating the law carry no insurance and when a loss occurs, the public is going to suffer.

In addition to these facts, there are some others that could be stated here, among which it is of interest to note that it costs to train a state policeman several thousand dollars to carry out his work. If after he has received that training to carry on the state police work, he is transferred to the Public Utilities Commission to carry out another law, he needs additional training to carry out the work of the Public Utilities Commission. I believe in the end it would be a bill that would save money for the State of Maine and I hope that the motion of the Senator from Aroostook to indefinitely postpone does not prevail.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, I recognize the need of the Public Utilities Commission to have some regulatory power over these trucks who are exceeding their authority and breaking the regulations of the trucking industry. My only thought in the matter was that that should be taken care of through the existing organization of the state police and also the fact that I hated to see built up another organization or group of this nature which might in time cost considerable money.

I didn't realize that the Public Utilities Commission collected sufficient revenue to pay this cost of these inspections. And so for that reason my objection to the bill is not so strenuous as it was when I first saw it. But I do think we have been getting along fairly well in the regulatory provisions that are already in effect by the use of the present members of the state police and for that reason, I did not consider this bill necessary because it has been before the Legislature in previous sessions and has not received passage and that is the reason for my objection to the bill.

Mr. HASKELL of Penobscot: Mr. President, I didn't have too much interest in this bill and frankly the only reason I tabled it was because it was a unanimous Ought to Pass Report of the Committee. But since it has been tabled, I have had the opportunity to talk with both the Public Utilities Commission and the State Police on the matter.

I am not particularly impressed with the argument that those who are going to be regulated seek and want it bad enough to support the bill, themselves, although that is a good argument. I am not too impressed with the argument of the Public Utilities Commission that unless they do have these inspectors that they just can't do a good job of carrying out the laws that we have written for them to operate.

But I have been particularly impressed with the argument of the state police people who, I think, are quite frank in saying that the Legislature and the citizens want us out on the highways doing the job we are supposed to do and we have to tie up too many man hours, trooper hours, doing Public Utility law regulatory work and that was the common sense appeal of the thing. But since they do have the dollars taken in in fees up there and since it is PUC's responsibility to enforce it and since the people that are doing it I think the public expect to be out on the highway to do something else other than checking truck violations, it seems to me the bill makes sense.

Therefore, I shall vote with the position of the Senator from Hancock, Senator Noyes, against the

motion that it be indefinitely postponed.

Mr. BREWER of Aroostook: Mr. President, the only reason that I arise on this bill is that the Senator from Hancock has said it involves no appropriation but I find a notation in my document book, made this morning for me by the Commissioner of Finance that this particular item will cost \$19,300 for each of the two years, so with that thought in mind I would be opposed to the bill.

Mr. BARNES of Aroostook: Mr. President, we might as well have all the Senators from Aroostook speak on this measure. I rise because I happen to be a member of the committee that heard it and I want to remind my good friend and colleague, the Senator from Aroostook, Senator Brewer that he had a proposition very similar to this some eight or ten years ago, or perhaps longer. Back in those days the Secretary of State maintained offices throughout the State of Maine for registrations and they used to loan members of the state police to that organization, and I think my good friend Senator Brewer had some hand in changing over that situation so that the men who worked in the Secretary of State's department were no longer members of the state police, they were hired and were responsible wholly to the Secretary of State's department. Some of them were former state policemen who resigned their posts and went over with the Secretary of State. But this is not a new idea. It was done then and it seems proper that it should be done now.

I believe there is some jealousy among the members of the state police of those who are picked to work with the Public Utilities Commission because it is thought that those men who work with the Public Utilities inspectors ought to be employed by that commission and not by the state police. And so far as the price tag is concerned it is probably altogether true that it will cost money but with the money the truckers pay for registration fees and also the money collected in fines, costs, and so forth, this will not affect the financial set-up of the state. I there-

fore wholly agree with the Senator from Hancock, Senator Noyes, who made the best presentation I ever heard in this Senate by a man who did not happen to be present at the hearing.

Mr. NOYES: Mr. President, there seems to be a little confusion in the dollars and cents between myself and the good Senator, Senator Brewer. What I intended to say was that these funds that are being paid by the people who are regulated under this law last year exceeded the expenditure for that same regulation by more than ten thousand dollars.

The figure that the Senator has given you would be for the additional cost of five inspectors regardless of the surplus which they now have and I understand this surplus fund is allocated not to the General Fund but to the General Highway Fund. And it is my belief from the best information that I can get that they don't intend to put on the maximum number of inspectors, together with the fact that with better enforcement, more fees and fines will be collected, I think I am safe in saying that it will be self-supporting, regardless of the manner in which those funds have been handled from a budgetary basis.

Mr. CHRISTENSEN of Washington: Mr. President and members of the Senate, I feel like going along with Senator Collins on this bill. This looks like a duplication to me. We don't need two authorities running around checking up on our trucks. There seems to be a bloc out there in the lobby, a powerful bloc who is trying to lick our trucks all over the State of Maine and I know who they are.

This is a good bill to throw out the window. There are state police all capable to take care of our trucks on the road. They always have so far before now. We haven't got too many more than we had a few years ago and therefore I hope the motion of Senator Collins prevails.

Mr. WEEKS of Cumberland: Mr. President, I rise in opposition to the motion of the Senator from Aroostook, Senator Collins. It is well established at this particular moment that the State Police can

not take care of this detail. They have tried to. In the last few years they have one police officer and two civilians and the two civilians have no authority and no stand on the highway in the sense that they have no uniform or any indication of authority. They are entirely inadequate to do the job.

We have many trucks in the State of Maine that are owned by Maine citizens who are not being properly protected. The State Police frankly admit that they can't protect them. The laws are on the books. If we are going to have laws on the books, let's enforce them. This measure here is designed strictly from an enforcement angle. The truckmen for their own self-protection want it.

There is no reason why if that is the only way we can protect and investigate these trucks, that this law shouldn't be enacted. Some of the truckers tell me if they don't get some protection soon, they might just as well go out of business. I say to you now that if we are going to have the law on the books, to provide an agency whereby it is going to be enforced and stop this flaunting of the law as it is right now.

Mr. CROSBY of Franklin: Mr. President, I am afraid that I have a little different information on this than the Senator from Cumberland. I understand from the police that they can enforce the public utility laws if you would have them do it. On the other hand, is it a good policy to set up a private state police force for each agency or department that you have got in the State of Maine?

It seems to me that if you are going to have a police force on the highway to enforce the highway laws, they could well enforce the Public Utility laws on trucks as well as the rest of them as part of their duties and I can't see any reason for setting up another police force within the Public Utilities.

Mr. COLLINS of Aroostook: Mr. President, I move that when the vote is taken it be taken by division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Collins, that the bill be

indefinitely postponed and that the Senator has asked for a division.

A division of the Senate was had.

Nine having voted in the affirmative and twenty-two opposed,

The motion to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Noyes of Hancock, the Ought to Pass report of the committee was accepted, the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Haskell of Cumberland the Senate voted to take from the table bill, An Act Relating to Fees of Registers of Probate (S. P. 438) (L. D. 1001) tabled by that Senator on May 2nd pending passage to be enacted.

Mr. HASKELL of Cumberland: Mr. President and members of the Senate, as reported out by the Judiciary Committee this bill at the present time would repeal the so-called filing fee in the case of estates. Since the matter was reported out by the committee various parties interested have called to our attention the fact that if this bill is passed it will substantially reduce the estimated revenues in all the counties in the state. Therefore the matter was reconsidered yesterday by the committee and acting on their instructions I now move that the bill be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Crosby of Franklin

Recessed until this afternoon at 3:30 o'clock D.S.T.

After Recess

The Senate was called to order by the President.

On motion by Mr. Collins of Aroostook the Senate voted to take from the table bill, An Act to Incorporate the "Paris Company" (H. P. 1662) (L. D. 1231) being new draft of bill, An Act Enlarging the Purposes of Market Square Building Association (H. P. 678) (L. D. 412), tabled by that Senator on

April 5th pending passage to be engrossed.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, I offer Senate Amendment A and move its adoption.

The Secretary read the amendment: "Amend said bill by striking out all of Section Five thereof and inserting in place thereof the following: 'Section Five. Subject to Supervision. The corporation shall be subject to supervision of the Bank Commissioner and he shall have the same authority over it as he has over the savings banks, trust companies and loan and building associations, and should said corporation apply for and receive a license to engage in the insurance business then said corporation shall be subject to supervision of the Insurance Commissioner.'"

Senate Amendment A was adopted and on further motion by the same Senator the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Crosby of Franklin the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Taxation on bill, An Act Increasing the Use Fuel Tax (H. P. 851) (L. D. 490) tabled by that Senator on April 12th pending acceptance of the report.

Mr. CROSBY: Mr. President and members of the Senate, I won't take but just a minute with this but I think it is something that should be brought to your attention. We have an increasing number of diesel engines on our highways, particularly with the heavier trucks and the buses. In 1947 we received in tax from this fuel oil \$12,600 and in 1950 it increased to approximately \$40,000. While the money in itself isn't of too much importance at the present time, if this continues to increase and the diesel engines continue to increase over the next five years as they have in the past five years it is going to have an important effect upon our highways and highway problems. Quoting from an article in the Sunday Telegram Magazine Section of January 28th as to the Maine Freight

Ways it states in there that "The diesel's jets spurt a gallon of fuel oil in every eight and one half miles" and "they get about four and one half miles to the gallon of gasoline on the standard tractors, and fuel oil is much cheaper too," which would indicate that the diesel engines are using our highways just twice as much for the same money as the gasoline engines, and I think that somewhere along the line we have got to make a study of these trucks, the various weights of the units, the amount they use our highways and see if we cannot get an equitable distribution of the cost of these highways according to the amount they use the highways. All this indicates to me that these diesel engines are paying about half their share compared to the other trucks.

I am not going to try to substitute the bill for the report or anything like that but I just want to bring to your attention that some time in the future I believe we have got to give some serious thought to this matter. I now move, Mr. President, that we accept the report of the committee.

The motion prevailed and the Ought Not to Pass report of the committee was accepted in concurrence.

On motion by Mr. Ward of Penobscot the Senate voted to take from the table bill, An Act Relating to the Salary of the Register of Probate in Penobscot County (H. P. 940) (L. D. 545) tabled by that Senator on April 13th pending assignment for second reading; and on further motion by the same Senator the rules were suspended and the bill was given its two several readings and passed to be engrossed in concurrence.

On motion by Mr. Leavitt of Cumberland the Senate voted to take from the table House Report from the Committee on Appropriation and Financial Affairs "Ought Not to Pass" on bill, An Act Relating to Cost of Living Adjustment Plan for State Employees (H. P. 1071) (L. D. 679) tabled by that Senator on April 17th pending acceptance of the report; and on

further motion by the same Senator the Ought Not to Pass report was accepted in non-concurrence.

Sent down for concurrence.

Mr. REID of Kennebec: Mr. President, may I make a slight inquiry of the Senator from Cumberland, Senator Leavitt?

The PRESIDENT: The Senator from Kennebec may ask his question of the Senator from Cumberland who may answer if he wishes.

Mr. REID: I would like to know, Mr. President, if the Senator from Cumberland, Senator Leavitt, has any immediate intention with respect to the 28th tabled matter.

Mr. LEAVITT: Mr. President, I am perfectly willing to answer the question. I will say that the Senator from Cumberland, Senator Leavitt has no intentions at all—except evil.

The PRESIDENT: The Chair will state, to clarify the point, that matters are on the table by courtesy of the Senate to the individual Senator involved. Eventually they must come off, of course.

On motion by Mr. Allen of Cumberland, the Senate voted to take from the table Senate Reports from the Committee on Transportation on bill, An Act to Provide for the Issue of State of Maine Airport Bonds for the Construction and Improvement of Airports (S. P. 209) (L. D. 458) Majority Report Ought Not to Pass; Minority Report Ought to Pass; tabled by that Senator on April 4 pending acceptance of either report.

Mr. ALLEN: Mr. President, I move to accept the Minority "Ought to Pass" report of the committee on this matter, L. D. 458. Some of you will recall in the last legislature there was a bond issue for airport improvement in here also, in the amount of a million dollars. This bill asks for a bond issue of \$750,000 for the construction and improvement of airports. It had a public hearing as did the one last session, this year before the Transportation Committee, and came out with a split report.

There is a little confusion I think regarding this bill. First of all, I would like to make it very clear that this bill calling for a bond

issue for this amount of money does not call for an immediate amount of \$750,000 but calls for the issuance of bonds as we are able to amortize them from revenues, gasoline revenues from the aviation industry, to take advantage of federal funds as they become available. The Congress is considering legislation, very liberal legislation in land condemnation for airport development which would give us 75 cents on every dollar. The State would have to put in only 25 cents. If the State of Maine does not use the money the money obviously will be used by other states.

I think it is safe to say that although Maine made good progress in aviation about ten years ago, today the state is far behind in trying to keep up with the development of an air age. I think it is safe to say also that the airports in the State of Maine will be wholly antiquated and out of date by 1953. The aviation industry is moving with rapid strides. Fields that even five years ago were adequate are not adequate today. The real defense of the nation as you are obviously aware, is dependent on aviation. The commercial growth of the nation has developed from canals, to railroads up through to the highways to aviation. The economic development of the country will need aviation development.

I do not see how a state sparsely populated, with a large area, can afford to ignore anything that will mean improvement of airports and aviation. We are already penalized when it comes to commercial airliners coming into our state to provide service for our people doing business, and for the one million tourists who come to the state annually. It is just more proof of the fact that our economic development is handicapped. It seems to me that the state should do something to improve its airports and it seems to me that this is the way in which we can do it. I repeat this bond issue is not a blank check. This bond issue is a long range program, in which we hope we can give the state the type of fields it should have despite the fact that we are a state with only nine hundred thousand people and of very modest circumstances.

We have considered in this legislature and in past legislatures, bond issues for highway construction. We have considered the problem of maintenance regarding these bond issues. We have weighed the factors of maintaining our roads and building new ones. We have felt in many cases that bond issues are necessary in highway construction if we are to keep our system intact and develop it further. Certainly you have got to take the same track when thinking of aviation.

I can't see that this in any way is going to put any hazard on the fiscal condition of the state. All I can see is that it is giving us the advantage federal funds setting up a long range program by which we can build up some of our airports which will be of great benefit to the commercial development of the state which naturally will be of benefit to the very defense of this northeastern most state of the country.

I urge you to look ahead, not to look backward. Don't look back to the horse and buggy days, gentlemen, I urge you to look ahead for the next ten or fifteen years. I repeat, the aviation, the airfields in the State of Maine will be outdated, they will be completely antiquated within two to three years. The time to move is now with a long range program. There are other bills in the legislature which we will consider for immediate steps, for specific airports. This is a long range program and it seems to me one which we cannot deny any longer.

To sum up, Congress is obviously going to give us more on our dollar than we have ever had before. If we don't use it some other states will. I hope you will support my motion. I repeat it is not a blank check. It is an orderly process by which we can develop our airports with federal funds over a long range time. And federal funds are available as we can amortize them from gas revenues.

Mr. BOYKER of Oxford: Mr. President, may I ask whether the Chair has in its possession the names of the members who voted "Ought Not to Pass" and those who voted "Ought to Pass?"

The PRESIDENT: The Secretary will read from the committee report.

The Secretary read from the committee report.

Mr. BOYKER: And, Mr. President, may I ask what disposition was made of this in the other branch of this legislature?

The PRESIDENT: The Chair will state for the information of the Senator that this is a Senate report and no action as yet has been taken as yet.

Mr. BOYKER: Mr. President, I rise to support the majority report "Ought Not to Pass."

Mr. CHRISTENSEN: Mr. President and members of the Senate, this has been on the table for so long that I had almost forgotten it but I think I signed the "Ought Not to Pass" report of the Committee. If I remember correctly the public hearing on this airport bill I did a lot of question asking at the hearing and they came in there with no program at all, they just asked for \$750,000. Senator Allen says it is not true that they asked for a blank check, but I think it is true. They asked for a blank check and they had no program at all or who was going to spend the money and that is why I signed the "Ought Not to Pass" report.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I enjoyed a similar debate from the Senator from Cumberland two years ago and I think the arguments that then prevailed were generally these: That creating a debt of \$750,000 over a twenty year period means an appropriation from some source of only \$37,500 a year. I think it was pointed out that any long range airport development program in the State of Maine would have to be based on a lot more than three million dollars as indicated in this bill, on a three or four to one basis. I do not think capital improvement would approve \$750,000 over a twenty year period ought to come from any other source than unappropriated surplus of the general fund but the debate against the basic issue naturally is best presented at the enactment stage and at this stage I would like to call to the attention of the Senator the fact that he is at-

tempting to pass a bond issue resolve under Section 14 of Article 9 of the Constitution and since that section is involved in other measures of this same nature I would like to read it to the Senate: "The credit of the state shall not be directly or indirectly loaned in any case. The legislature shall not create any debt or debts, liability or liabilities, on behalf of the state which shall singly or in the aggregate with previous debts and liabilities hereafter incurred at any one time, exceed two million dollars, except that the legislature, whenever two-thirds of both houses shall deem it necessary may by proper enactment ratified by a majority of the electors voting thereon at a general or special election, authorize the issuance of bonds on behalf of the state at such time and in such amount as it may determine for the purposes of building state highways, intra-state, inter-state and inter-national bridges, to suppress insurrection, to repel invasion or for the purposes of war, or for the purposes of building and maintaining public wharves for the establishment of adequate port facilities in the State of Maine."

I again have to express regret that I am not learned in the law but I cannot interpret Section 14 of Article 9 as permitting airport bonds. I would again repeat that the time for argument on the basic theory of small bond issues for big capital improvement, particularly when a small bond issue is to extend over a period of 20 years, ought to be in the enactment stage. But if the thing is to get to that stage, granting that I am probably wrong from a legal standpoint, my common sense tells me that cannot be done under Section 14 of Article 9 as the bill calls for.

Mr. ALLEN of Cumberland: Mr. President, the point Senator Haskell mentioned was considered when this bill was filed with the legislature. We discussed it at some length with one or two attorneys in the Attorney General's Office. It was our feeling that the airports could come under that section of the Constitution because we discussed it at some length. There was some question as to the propriety of putting it under Section

14 and we decided it was within our legal rights and the bill was drafted.

As to the debating of the bill on the acceptance of the report rather than at the enactment stage, I personally would think that in the facilitation of moving this legislature toward a close, that this was the proper time to debate it rather than to wait until a later time. That is why I took it from the table this afternoon. I still hope the Senate will support my motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Allen, to accept the Minority "Ought to Pass" report of the committee.

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

Thereupon, on motion by Mr. Boyker of Oxford, the Majority Report "Ought Not to Pass" was accepted.

Sent down for concurrence.

On motion by Mr. Wight of Penobscot, the Senate voted to take from the table bill, An Act Relating to Officers and Employees of the Legislature (S. P. 573) tabled by that Senator on May 9 pending printing; and on further motion by the same Senator, the rules were suspended, the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table bill, An Act Relating to Open Time on Rabbits in Somerset County (S. P. 507) (L. D. 1218) tabled by that Senator on March 22 pending passage to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, as this bill is very important, I don't want to wait until the last days of this session to debate it but due to the fact that I have lost my racing togs somewhere between the House and the Senate and I can't find any trace of them—they must have disappeared during the night—I think I will have to release the rabbits of Somerset County and let them go

along. So I move the passage to be engrossed of the bill.

The motion prevailed.

The bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table Resolve Appropriating Moneys to Obtain Plasma (H. P. 869) (L. D. 517) tabled by that Senator on March 29 pending final passage.

Mr. BREWER: Mr. President, this bill involves approximately \$15,375 for plasma for civilian defense. With this explanation I move its final passage.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table Resolve Restoring Interest on Certain Trust Funds (H. P. 372) (L. D. 215) tabled by that Senator on March 29 pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table Resolve Appropriating Moneys for Replacement and Conversion of Certain Elevators at the Bangor State Hospital (S. P. 293) (L. D. 652) tabled by that Senator on March 30 pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. McKusick of Piscataquis, the Senate voted to take from the table House Reports from the Committee on Inland Fisheries and Game on bill, An Act to Place a Bounty on Porcupine (H. P. 1415) (L. D. 1023); Majority Report Ought not to pass; Minority Report, Ought to Pass; tabled by that Senator on April 24 pending motion by Senator Wight of Penobscot to accept the Minority Report.

Mr. MCKUSICK of Piscataquis: Mr. President and members of the Senate, I think perhaps you have got the idea that I am a glutton for punishment because I have attempted twice to substitute a bill

for an Ought Not to Pass Report and both times I have been batted down very decisively. Now here you will find me again supporting a Minority Report against a majority of the very powerful Committee on Inland Fisheries and Game.

We also find a somewhat paradoxical situation in that this is not asking the Committee of Inland Fisheries and Game to give away any of their receipts but is a situation in which the Committee on Inland Fisheries and Game are endeavoring to prevent the expenditure of money belonging to the Department of Agriculture.

This bill provides for a bounty on porcupines to be paid by the town treasurers who are to be reimbursed by the Commissioner of Agriculture but because it concerns an animal, I suppose it was referred to the Committee on Inland Fisheries and Game.

Several years ago we had a bounty on porcupines and I thoroughly believe that that bounty was leading to the reduction of the number of porcupines troubling the farmers. But possibly because of a good deal of opposition in the Department of Fisheries and Game and because it did cut into their resources and also because of some opposition from the Town treasurers on the ground that it might cause them some trouble, that was repealed.

Since then repealing bills have been introduced into the Legislature trying to restore the bounty on porcupines. It has failed of passage but it comes back every session and here we have it again. This bill was introduced. It has been in the House and the Minority Report was accepted by a substantial vote and we have it here.

In case anyone gets the idea that the control of animal pests is an unimportant matter, I wish you would take and read the history of the experience of Australia with rabbits. They did not consider the introduction of rabbits in Australia a very serious matter but in a matter of a comparatively short time, they found themselves almost overrun with rabbits and had to go to a very considerable expense to control them. And in that instance, they were dealing with an animal

that had some economic value as food.

This porcupine or hedgehog or quill pig, whichever you care to call him, is peculiarly adapted for survival. He is protected by an armor of spines. Those spines are loosely attached. The idea that he can throw those spines, I think, is false but he can slap another animal with his tail and fill their noses and faces with spines. Those spines are not smooth. They are barbed and the barbs point backward. Because of their peculiar construction, they are worked into the flesh of an animal or a person through the muscle action of the animal, itself.

He is a vegetarian and he likes a variety of food. He isn't confined to any one form of vegetable matter. He isn't troubled by famine which cuts down the numbers of a great many animals. All he has to do is find a hemlock tree and his dinner is ready for him and in most of the counties in Maine, hemlock is to be found. His structure is of help to him, being built on somewhat the same lines of an army tank. He is very shortlegged. He is furnished with four paws and his forepaws and hind paws are not alike. The front paws aren't hooked claws and some authorities mention a rudimentary thumb, almost like a hand. He is adapted to pulling down material. On his hind paws, he has five claws.

Now, I know most of the arguments that the opponents of this measure will present. They will tell you about the great expense. They will tell you that this is the only animal that anybody lost in the woods can knock down with a club and obtain food thereby, although I don't know who would ever want to eat one. They perhaps will tell you he is not as destructive as other animals and might lead us to believe he was an excellent neighbor.

He has absolutely no economic value. Your skunks, coons, foxes and some of our other animal pests do have some economic value. The only use I know of that was ever made of porcupine is the fact that the Indians used to dye his quills and use them to decorate their wearing apparel.

I don't know how many of us have had experience with his destructiveness. If any of you have been owners of cattle and have had them come in at night to the barn with their noses full of quills and had to work for some time with pliers pulling those quills out, you would realize how some of the cattle raisers feel about it. You remember that I said those quills work inward. In the case of heifers that are turned away in back pastures and are only seen perhaps once a week, the matter is very serious. My own experience has been only with cattle where we see them every night and the quills had not had time to work in. It is the most natural thing when a hedgehog or porcupine is lumbering through the pasture for a heifer to go along and smell of it and then the porcupine gives a slap with his tail and the heifer comes up with her nose full of quills.

Because of these quills, other animals very seldom bother and if they do attack them, the other animals meet with disastrous results. I think not many days ago I heard Senator Wight say he had pulled quills out of the nose of a fisher that had evidently been trying to attack a hedgehog. I judge that the fisher was dead because the fisher is one of our most ferocious animals.

Perhaps some of you have had the experience of going to your camp or cottage and finding it partly eaten up by the porcupines. They are very destructive on anything where there is the least bit of salt. They will take a paddle where there is salt from the sweat of anyone's hands you will find it gnawed. Someone was telling me just the other day that a man in Guilford went to his camp at the so-called Davis Pond. He found his outdoor table had had two legs gnawed off by porcupines. He decided something should be done. So that night, he got his rifle and kept watch and he shot nine porcupines in one night. That gives you an idea of how numerous they are getting.

Perhaps some of the orchardists have visited their orchards perhaps a little remote from the house or possibly not too remote, for they will come very close to the dwell-

ings. In fact, not so many years ago, I heard a strange noise one night and I found a porcupine right under my bedroom windows who was apparently preparing to gnaw the shingles from the house. I drove him off at a distance and shot him. But in your orchards, you will find under the trees small limbs bit off, some of them as big as your little finger, apparently cut off almost as clean as you would with a knife. Your fields of Ladino clover, they seem to enjoy pasturing those and the destruction is not so much due to what they eat as that they wallow it down. Their peculiar structure leads to wallowing down heavy grasses and perhaps the most important thing that I wish to call your attention to is their destructiveness of our blueberry and corn crops.

Now, the blueberry men tell me that they will wallow the blueberries down to an exceedingly large amount of damage. Now, when you begin to talk about the cost of this bounty, I would like to call to your mind the value of your blueberry crop. I inquired in the Department of Agriculture and they tell me that the average value of a blueberry crop varies from year to year but a fair average is about a million and a half a year.

So, when you begin to talk about the cost of the porcupine bounty, remember to compare it with the value of the crops that may be destroyed. One of the other crops which is especially damaged by these animals is your sweet corn crop. In the State of Maine, we have had quite a reputation for our canned sweet corn and our plant is anywhere from six thousand to fourteen thousand acres and the value of the crop would be on an average of about three quarters of a million dollars.

In hearings in years past, I remember a Mr. Hall from Dexter who was a canner to testify that the value from various damages ran as high as thirty per cent. Mr. Taylor from Norridgewock in the other House who is a canner told me within a few days that there are farmers in his vicinity who say they absolutely can not plant sweet corn because of the damage done by porcupines.

So, I try to give you some idea

of the damage that they are doing and try to give you the idea that a little expenditure is not important when you consider the amount of the damage and the amount of the crops involved. And with that, I will move the adoption of the Minority Report.

The PRESIDENT: At this time, the Chair will designate the Senator from Penobscot, Senator Ward, as President pro tem and request the Sergeant at Arms to escort him to the rostrum.

This was done.

Mr. WIGHT of Penobscot: Mr. President and members of the Senate, I think no one here will question the story which the Senator from Piscataquis has told about the destructiveness of the porcupines. It is probably one of the most destructive animals we have in the State of Maine, probably the most destructive animal, but it seems as though bounties were an ineffectual way of handling this situation. And of course, a bounty must be continued indefinitely in order to keep down the numbers of any animal of this kind. Most everyone who sees a porcupine in the woods shoots that porcupine.

I might say that a great deal of the damage which farmers attribute to coon is many times done by porcupines. I talked with the Department about this and they seem to feel that a great many times the farmers themselves can do a great deal if they will set traps and catch these porcupines, rather than appealing to the Inland Fish and Game Department. Also, another way they suggest of keeping porcupines away from gardens is to place a block of cattle salt at some distance. The porcupines are always interested in grease and salt. They go to the neighboring brook to get a drink and they keep away from the vegetables so we are told.

He speaks about fisher and I can say that I have never seen a fisher skin yet but what it had a few porcupine quills in it somewhere if you looked over that fisher carefully.

We have had one previous experience with bounties on porcupines. The state paid out in bounties,

and the bounties at that time was fifteen cents on each porcupine, a total of \$76,134.00. If we figure that this experience would be repeated if we pass this bounty and the bounty is twenty-five cents instead of fifteen cents, this would cost the state \$126,890.00. It seems to me as though this would be not the thing to do to handle this situation and so I hope that the gentleman's motion will not prevail.

Mr. McKUSICK of Piscataquis: Mr. President, I think the size of the bounty was twenty-five cents—I feel very sure about it—rather than fifteen cents.

Mr. NOYES of Hancock: Mr. President, I would like to inquire from the Senator from Penobscot on his figures. I understood him to say \$126,890.00 in porcupine bounties that were paid. Over how long a period of time was this money paid? Was this paid annually or biannually? It is my understanding it was somewhat less than that.

The PRESIDENT pro tem: The Senator hears the question and may answer if he wishes.

Mr. WIGHT of Penobscot: Mr. President, I believe that was paid out for bounties over a period of eight years but there wasn't sufficient money during that period so that those bounties were cleaned up in the next two years by an appropriation of \$11,460.00 and \$5,-213.00 which made a total paid out of \$76,134.00.

Mr. NOYES of Hancock: I accept that answer and thank the Senator. I haven't heard any estimate on the price tag on this porcupine bounty bill that we have before us but it is my understanding that it would amount to an annual figure of twelve or fifteen thousand dollars. If that is incorrect, I stand to be corrected. I have been in this Legislature and past Legislatures seven different occasions and on each of those occasions there has been a question of the bounty on porcupines discussed and on each occasion I have voted for a bounty on porcupines.

So, I stand here today voting the same way not just to be consistent but because I think that I was right. As the Senator from Piscataquis said, the blueberry growers raise from three hundred to six

hundred thousand bushels of blueberries per year, and an average of that crop would be a million and a half or more. If one per cent of your blueberry crop is lost by porcupine damage and the average is only a million and a half dollars, and I think that is low, there is a loss of \$15,000.00 to the farmers of the State of Maine on that one crop alone and I know of blueberry fields where the damage is far in excess of one per cent.

I was impressed two or four years ago at a hearing on this same measure when blueberry growers, corn growers, orchardists all appeared before the Committee on Inland Fisheries and Game asking for a bounty on porcupines and at that time the Legislature couldn't find the money and it received the treatment that it is apparently going to receive in this Legislature. The larger body of the Legislature passed it and the Senate rejected the report of the Committee or failed to pass the bill and the argument that is used for not putting a bounty on porcupines is the same old argument that they are shot anyway now. Actually, there are a few porcupines killed by hunters going through the woods. But when a bounty is placed on porcupines, it isn't the men who go deer hunting or rabbit hunting that kill those porcupines. It is boys of high school age who on weekends do go into the woods and kill porcupines and kill substantial numbers.

And I know from experience that when this bounty was on porcupines that they reduced the number of porcupines. I further know that when that original bill was repealed back in 1939 I was a member of the House and at that time the annual cost was estimated as \$6,000.00 per year due to the fact that porcupines had been reduced. And at that particular session we were economy minded and the Legislature repealed the porcupine bounty as an economy measure and I sincerely believe had the bounty remained on porcupines instead of being repealed that in the long run the State of Maine would have saved money.

The particular group of people that I am interested in, of course, is the blueberry grower. The blue-

berry grower develops land that is taxed, ordinarily, for two or three dollars an acre, and develops it into blueberry land and increases its value to twelve or fifteen, sometimes more, dollars per acre. In my county, we consider that land as having a valuation of no less than ten dollars per acre. That land that is developed is surrounded by woods and inhabited by porcupines. True, you might say, we should go out in the blueberries and set traps and trap those porcupines but at that particular season when blueberries are ready to be harvested, we have something else to do besides hunt and trap porcupines and I certainly hope that the motion of the Senator from Piscataquis prevails.

The PRESIDENT pro tem: The Chair will state for the information of the Senate that the pending motion is the motion made by the Senator from Penobscot, Senator Wight, to accept the Majority Report "Ought Not to Pass", which motion was made on April 24.

Mr. ELA of Somerset: Mr. President, the Committee on Inland Fisheries and Game did not solicit this bill for their Committee but it was referred to us by the Legislature and we had to draw our conclusions from evidence which was presented to us.

In answer to your question about the price tag, from what information was presented to us, \$25,000.00 a year was the best estimate from people who were qualified to give it to us. Fifteen cents was the price of the bounty years ago, Senator McKusick.

Bounties will reduce the numbers but it won't eliminate them. That has been the experience of all bounties. It is expensive to the extent of \$25,000.00.

There is one item which should be brought to your attention and that is that the noses of the porcupines are to be brought to the town clerk in each community. The experience of years ago when they had the bounty was something which each town clerk remembers with horror. Those noses were brought to them in various stages of decomposition. The odor was terrific. The noses were duplicated and manipulated out of feet and

other portions of the anatomy of the porcupine and a great deal of excessive evasion of the law was permitted.

Every business has its troubles. If the blueberry business is a million and a half dollar business, it would almost seem as though a certain small amount would be allotted to the elimination of the porcupines in the near surrounding area. It is not a hard animal to eliminate. It is slow and I am very sure that if serious loss is occurring in the area around Franklin, that some of those porcupines probably gradually are eliminated, bounty or no bounty.

The Department of Agriculture has no appropriation for this. I readily admit we can pass an appropriation but bearing in mind that the bounties won't eliminate them and bearing in mind the terrific problems of the town clerks in taking care of the situation and bearing in mind that each business must take care of some of its own problems, the majority of the Committee felt that the bill should not pass and I hope that the motion of the Senator from Penobscot, Senator Wight, prevails.

Mr. McKUSICK of Piscataquis: Mr. President, I think this matter of the size of the bounty is important. I am still not convinced that the bounty wasn't twenty-five cents, the last bounty we had, and I do also call the attention of the Senator from Somerset that it was the town treasurer who had to burn the noses of the porcupines.

Mr. NOYES of Hancock: Mr. President, I think he is wrong. I am quite sure that the bounty was on porcupines was twenty-five cents. We all make errors but that wasn't so long ago and I wasn't too old but what I could still kill porcupines and I had a boy at that time old enough to kill porcupines and if my memory serves me right, the state bounty was twenty-five cents each on porcupines. And where the Senator has given me an estimate of \$25,000.00 as the price tag, I don't agree with him. I think the porcupines have multiplied faster since the bounty was repealed so that what was once an item of about \$6,000.00 a year could well now be \$25,000.00 But I will point out to you as Senator McKusick

has done, that the porcupine, as far as I know, has no natural enemies. They multiply and they are prolific and unless we as individuals reduce the porcupine population, they will multiply and reach a number beyond all reason.

It is my understanding in connection with this problem that the neighboring state of New Hampshire has a porcupine bounty law and I understand that that price is fifty cents each. So, we find at least one state that has attempted to solve its porcupine problem through the process of paying a porcupine bounty.

Mr. BOYKER of Oxford: Mr. President, I would like to state that I have gone through all but one of the destructive programs of this so-called porcupine and I have known this animal only as a hedgehog and I have given him a surname through all of these experiences "D-a-m-n" and I am going to support the Minority Report Ought to Pass.

Mr. BREWER of Aroostook: Mr. President, I do not want to get in this porcupine argument but I will say for the benefit of Senator Noyes that we do have one animal which seems to exist pretty much on porcupines and that is the fisher. I would say that on my notebook here there is a tabulation of the estimated cost of \$25,000.00 each year for the porcupine bounty.

I would also advise the Senate that before we get through, even though we have passed a sales tax, that you will be considering things that are of much more importance as far as money goes than the porcupine bill. And I assure you that you will be counting your pennies. So I hope that the motion of Senator McKusick does not prevail because I feel that we will have much more important items of necessity before we get out of here.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Penobscot, Senator Wight, that the Senate accept the Majority "Ought Not to Pass" report of the committee.

Is the Senate ready for the question?

A viva voce vote being had, the Chair was in doubt.

A division of the Senate was had. Nineteen having voted in the affirmative and nine opposed, the motion to indefinitely postpone prevailed.

Mrs. KAVANAGH of Androscoggin: Mr. President, I move that the Senate reconsider its action of this morning whereby we passed to be enacted Legislative Document 580, An Act Relating to Running Horse Racing in the Daytime. In the way of explanation, certain things have been brought to my attention of which I was unaware at that time we voted on the measure.

Mr. BARNES of Aroostook: Mr. President, noting the absence of some members of the Senate, and feeling quite sure that Senator Kavanagh would agree, I move that this matter be laid upon the table and be especially assigned for tomorrow.

The motion prevailed, and bill, An Act Relating to Running Horse Racing in the Daytime (H. P. 1021) (L. D. 580) was laid upon the table pending motion by Senator Kavanagh that the Senate reconsider its action taken earlier in today's session whereby the bill was passed to be enacted; and the bill was especially assigned for tomorrow morning.

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

Mr. BARNES of Aroostook: Mr. President and members of the Senate, you have found on your desk today a little pamphlet concerning the true facts about manganese in the State of Maine. There is no pending question before this Legislature on this matter but I know that His Excellency the Governor and the Maine Development Commission are most anxious to bring the attention of the members of the Maine Senate to this particular problem.

If you will take the time to read this book through, why it will tell you the whole story. The only thing I can say about it is that in this country we import about ninety-two per cent of the manganese that is necessary for the manufacture of steel. A great deal of it comes from India and Africa and

other countries that are far removed from the State of Maine.

In this State, there are deposits of manganese that have been estimated as high as five hundred million tons. It is a low-grade manganese but we are hopeful that a method will be devised to extract this manganese from this low-grade ore and that some day we can have on the seaboard of the State of Maine steel mills that will only have a trip of some few hundred miles to get the manganese that they require.

I know that the Governor has been to Washington on this matter several times and I know he is making every effort and attempt

to get a preliminary plant set up and devise a way to extract this manganese from the low-grade ore that we have in the State of Maine and I only ask the members of the Senate to look into this matter and we hope that you will read this little booklet and some time in the future the state legislature may be called upon to do something on this problem. We in Aroostook County where these great deposits exist are very much interested in it.

On motion by Mr. Crosby of Franklin

Adjourned until tomorrow morning at nine o'clock, E. S. T.