

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

Wednesday, May 16, 1951

The Senate was called to order by the President.

Prayer by the Reverend Merle E. Golding of Augusta.

Journal of yesterday read and approved.

From The House

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Regulating the Taking of Marine Worms," (H. P. 1131) (L. D. 698) reported that they are unable to agree.

On motion by Mr. Reid of Kennebec, the Senate voted to reject the report of the Committee of Conference, to insist on its former action and request a new committee of conference.

Bill "An Act Relating to Inspectors of Public Utilities Commission." (H. P. 1433) (L. D. 1039)

(In the Senate, on May 11th, passed to be engrossed in non-concurrence.)

Comes from the House, that body having adhered to its former action whereby the bill was indefinitely postponed.

In the Senate, on motion by Mr. Crosby of Franklin, the Senate voted to recede and concur.

The Committee on Claims on "Resolve to Reimburse Robert Ballard of Hallowell," (H. P. 1573) reported the same in a new draft (H. P. 1808) (L. D. 1385) under the same title and that it ought to pass.

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

In the Senate the report was accepted and under suspension of the rules, read once, House Amendment A was read and adopted and the resolve as so amended was read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to Temporary Loans of Cumberland County." (H. P. 1814) (L. D. 1394)

Which was received by unanimous consent, read twice under suspension of the rules and passed to be engrossed without reference to a committee, in concurrence.

The Committee on Judiciary on Bill "An Act Enacting the Sabotage Prevention Act," (H. P. 1316) (L. D. 852) reported that the same ought to pass.

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

Mr. TABB of Kennebec: Mr. President, I have an Order which I am going to present, but I would like to say a few words before I do that. You are all aware of the fact that the Liquor Control Committee has made a study and has worked hard in this session on a great many liquor bills. You have also read in the papers many things, some of them true, some false, but the Committee feels, after the study they have given to the matter, that the Research Committee should continue with what has been started; owing to time, we were not able to go into great detail nor did we wish to bring in an order asking for more power to go further with what we are studying. Therefore, Mr. President, I present this order and move its passage:

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is authorized to make a complete study of the manufacture, storing, purchasing transportation and sale of all liquors into the state, and be it further

ORDERED that the Committee report to the 96th legislature the result of its study together with any recommendations it deems necessary.

On motion by Mr. Haskell of Penobscot, the Order was laid upon the table pending passage.

First Reading of a Printed Bill

"Resolve in Favor of the Several Academies, Institutes and Seminaries." (S. P. 585) (L. D. 1395)

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

Sent down for concurrence.

Senate Committee Reports

Mr. Christensen from the Committee on Highways on "Resolve Authorizing the State Highway Commission to Construct a Road and Terminal in Rockland, Knox County," (S. P. 319) (L. D. 725) reported the same in a new draft, (S. P. 590) under a new title, "Resolve Authorizing the Construction of a Road and Terminal in Rockland, Knox County," and that it ought to pass.

Which report was read and accepted, the bill in new draft and under new title, was laid upon the table for printing under Joint Rule No. 10.

Mr. Broggi from the Committee on Education on Bill "An Act Relating to Education in Unorganized Territory," (S. P. 352) (L. D. 880) reported that the same ought to pass.

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

Sent down for concurrence.

The Majority of the Committee on Highways on "Resolve Providing for the Construction of a Ferry Landing and Approaches Thereto in the Town of Bar Harbor," (S. P. 390) (L. D. 938) reported an Act (S. P. 591) under title of Bill "An Act Providing for the Construction of a Ferry Landing and Approaches Thereto in the Town of Bar Harbor," and that it ought to pass.

(signed)

Senators: CROSBY of Franklin
GREELEY of Waldo

Representatives:

LACKEE of Addison
SPEAR

of South Portland
PARKER of Sebec
FARLEY of Biddeford
ROBBINS of Houlton

The Minority of the same Committee on the subject matter re-

ported that the same ought not to pass.

(signed)

Senator: CHRISTENSEN

of Washington

Representative:

CHAPLES of Hudson

On motion by Mr. Noyes of Hancock, the Majority "Ought to Pass" report was accepted and the bill was laid upon the table pending first reading and ordered printed.

Passed to be Engrossed

Bill "An Act Relating to Prevention of Subversive Activity." (H. P. 1315) (L. D. 851)

"Resolve Appropriating Moneys to Reactivate Mile Light at Cove Point Gore." (H. P. 1778) (L. D. 1316)

Bill "An Act Relating to the Post-Audit of Maine Forestry District and Maine Port Authority." (H. P. 1806) (L. D. 1383)

Bill "An Act to Increase the Salaries of Members of the State Police." (H. P. 1809) (L. D. 1386)

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

Bill "An Act Relating to Sanitary Facilities for Certain Places." (H. P. 1328) (L. D. 891)

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

Resolve in Favor of La Cie Etchemin Ltee of Quebec." (S. P. 472)

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

Enactors

Bill "An Act to Incorporate Town Finance Corporation." (H. P. 319) (L. D. 185)

Bill "An Act Assenting to Act of Congress Relating to Fish Restoration Projects." (H. P. 525) (L. D. 287)

Bill "An Act to Incorporate the Public Loan Corporation of Portland." (H. P. 742) (L. D. 428)

Bill "An Act to Incorporate the Public Loan Corporation of Bangor." (H. P. 743) (L. D. 429)

Bill "An Act to Incorporate the Public Loan Corporation of Lewiston." (H. P. 744) (L. D. 430)

Bill "An Act to Incorporate the Exchange Finance Corporation." (H. P. 1052) (L. D. 632)

Bill "An Act to Increase the Salaries of Members of the State Highway Commission." (H. P. 1080) (L. D. 683)

Bill "An Act to Incorporate the Rumford Finance Co., Inc." (H. P. 1111) (L. D. 691)

Bill "An Act Relating to Method of Issuance of State Highway and Bridge Bonds." (H. P. 1197) (L. D. 761)

Bill "An Act Relating to Temporary Loans for Highway Purposes." (H. P. 1258) (L. D. 832)

Bill "An Act Relating to the Operation of Trucks During the Months of December, January and February." (H. P. 1473) (L. D. 1193)

Bill "An Act Relating to Installations in Public Highways." (H. P. 1528) (L. D. 1121)

Bill "An Act Relating to Entrances to Highways." (H. P. 1529) (L. D. 1122)

Bill "An Act Relating to Bulldozing of Streams." (H. P. 1784) (L. D. 1341)

Bill "An Act Relating to Crop and Orchard Damage by Deer." (H. P. 1788) (L. D. 1355)

Bill "An Act Relating to Composite Certificates of Organization of Corporations." (H. P. 1796) (L. D. 1365)

"Resolve in Favor of Peter J. Beaulier of Ashland." (H. P. 808) (L. D. 1367)

"Resolve in Favor of Indian Island for Construction and Repair of Roads." (H. P. 969) (L. D. 798)

"Resolve Regulating Fishing in Red River and Birch River." (H. P. 1540) (L. D. 1133)

"Resolve Closing Certain Tributaries to Lake Moxie, Somerset County, to all Fishing." (H. P. 1612) (L. D. 1172)

"Resolve Regulating Fishing in the Fish River Chain of Lakes." (H. P. 1690) (L. D. 1267)

"Resolve Regulating Fishing in Somerset County." (H. P. 1794) (L. D. 1362)

Bill "An Act Relating to the Salary of the Sheriff of Aroostook County." (S. P. 420) (L. D. 980)

Bill "An Act Relating to Registration of Dentists and Dental Hygienists." (S. P. 567) (L. D. 1361)

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

Emergency Measure

Bill "An Act to Provide Fire Protection for Townships of Connor, Medford and Orneville." (H. P. 394) (L. D. 230)

Which bill being an emergency measure and having received the affirmative vote of 26 members of the Senate and none opposed, was passed to be enacted.

Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation." (H. P. 1114) (L. D. 694)

Which bill being a Constitutional Amendment and having received the affirmative vote of 22 members of the Senate and 4 opposed, was finally passed.

Emergency Measure

Bill "An Act Providing for Construction of Roadside Picnic Areas." (H. P. 72) (L. D. 34)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate and none opposed, was passed to be enacted.

Orders of the Day

The PRESIDENT: At this time the Chair will appoint on the disagreeing action of the two branches with relation to bill, An Act Regulating the Taking of Marine Worms, (H. P. 1131) (L. D. 698) as a new Committee of Conference, Senators Reid of Kennebec, Christensen of Washington and Savage of Somerset.

Mr. DENNETT of York: Mr. President, I rise to inquire whether Senate Paper 52, Legislative Document 62, Resolve in Favor of Robert W. Traip Academy, is in the possession of the Senate.

The PRESIDENT: The Chair will state that the document is in the possession of the Senate, having been recalled by joint order.

Thereupon, on motion by Mr. Dennett of York the resolve was recommitted to the Committee on

Appropriations and Financial Affairs.

Mr. DENNETT of York: Mr. President, I rise to inquire whether House Paper 800, Resolve in Favor of Foxcroft Academy for Building is in the possession of the Senate.

The PRESIDENT: The Chair will state that the document is in the possession of the Senate.

Thereupon, on motion by Mr. Dennett of York the resolve was recommitted to the Committee on Appropriations and Financial Affairs.

The PRESIDENT: At this time the Chair will designate as President pro tem the Senator from Somerset, Senator Ela, and the Chair requests the Sergeant at Arms to escort the Senator to the rostrum.

This was done, the President retiring and the Senator from Somerset, Senator Ela, assuming the chair.

On motion by Mr. Leavitt of Cumberland the Senate voted to take from the table Memorial to Congress, Joint Resolution Rescinding Proposal for Considering a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening of the United Nations and Limited World Federal Government, (S. P. 205) (L. D. 460) tabled by that Senator on April 6th pending consideration.

Mr. REID of Kennebec: Mr. President, may I inquire from the the Secretary as to the last action taken in this matter?

The SECRETARY: In the Senate on April 4th on motion by Mr. Reid of Kennebec the original memorial substituted for the report of the committee and adopted. In the House the memorial was substituted for the report in concurrence, House Amendment A adopted in non-concurrence and the memorial adopted as amended by House Amendment A in non-concurrence. In the Senate on April 6th tabled by the Senator from Cumberland, Senator Leavitt, pending consideration.

Mr. REID: Mr. President, the other branch having substituted

the memorial for the committee new draft and the Senate also having done the same thing, the immediate question is whether or not the Senate will go along with the House on the adoption of House Amendment A which does nothing more than clarify the original memorial. I therefore move, Mr. President, that we now recede and concur.

Mr. LEAVITT of Cumberland: Mr. President, the House Amendment A has attempted to clarify a memorial which certainly needs clarification. I do not believe that House Amendment A has clarified the memorial anywhere nearly as perfectly as has the committee report in their new draft. Therefore, I hope that the motion of the gentleman from Kennebec will not prevail and if it does not prevail, I shall then move the acceptance of the committee report in new draft.

In the first place, I would like to say that I am against memorials to Congress and I voted against the original memorial which went to Congress. The desire of certain people to tell Congress what to do seems to me to be more or less misguided. However, the memorial did pass two years ago. As soon as it was passed, the Veterans of Foreign Wars and the United World Federalists both began to make statements as to what that memorial meant. The Veterans of Foreign Wars said that it meant what the original memorial as drawn here says or is supposed to say, although that memorial had been changed and did not say anything which the Veterans of Foreign Wars claimed was in it.

However, they still feel that it is bad because there has been an inference that because they said that is what it means, that is what we said.

Now, we are to place a new memorial down there which was drafted very loosely, so loosely, in fact that it has had to be amended and it still doesn't say what it is supposed to say. They are trying to infer that the State of Maine has no regard for peace, security and all of those things. A person can infer anything they want to from this memorial—the State of Maine

has gone to the back woods or we are isolationists, or somebody else will infer something else. You can read most anything you want into it.

The new draft which was put out by the Judiciary Committee very plainly states what it was we asked for in the first place and then it says why we disagree with some of the things that were put in there and what we now stand for. It is a fine exposition trying to get us out of a bad hole. Apparently the people thought we said something we didn't mean.

I can't understand why people are persisting in trying to take the vehicle which they know is wrong in the first place and trying to offer possible amendments when the Judiciary Committee has done such a fine job in really explaining the situation so that even Congress, we hope, can understand what we are trying to say.

Therefore, I hope that the motion, as I say, of the Senator from Kennebec does not prevail and that later the motion can be made for us to accept the Committee Report of the Judiciary in new draft.

Mr. REID of Kennebec: Mr. President and members of the Senate, this measure had rather thorough debate the last time it came up before this branch and the rescinded memorial was passed. I hope that we need not again have a long debate but I think in view of the remarks made by the good Senator from Cumberland, Senator Leavitt, that a recapitulation of the arguments that I made might be in order.

In the first place, the Senator from Aroostook, Senator Barnes, in debate, or the last time we debated the measure at least, insinuated that I was waving the American Flag and that he would like to hide under one corner of it. I did not intend to make a flag waving speech at that time. I did not think I did and I don't intend to now. I hope to be logical and not emotional in the remarks that I make.

Two years ago the memorial was sent to Congress and whether right or wrong, it left by means of publicity which followed it throughout the country, or apparently left the indelible impression that the State

of Maine was for world government at this time or as soon as world government could take place. Since that time, the international situation became such that I don't believe that people in the State of Maine or the people in this country have any desire to further or to be known to be furthering a world government no matter how philosophically good it might be in years to come. At the moment, it would seem to be playing into the hands of foreign countries who would like to see us make a step in that direction at this time.

The Judiciary Committee studied this measure long and hard and did what it thought and which undoubtedly was a good job in bringing out a new draft. That new draft in no way by its terms or its phraseology puts the State of Maine into the world federalist camp. Nevertheless, I am firmly convinced that if we do not want to be known in the State of Maine to be at the present time a world federalist state, the only real way to impress people in this country to that effect is to rescind the memorial of two years ago. I think that a new draft will not create the impression that we are out of a world federalist camp. It may be unfortunate. It may be unfair that the publicity which followed the memorial of two years ago had the effect that it has had. But the fact remains that it has had that effect. Now, I think everybody who heard, I think his name was Commander Ralls of the V. F. W., the Commander who spoke in joint convention, liked his remarks and felt that he was honest and sincere. He wasn't waving the flag. He talked about each American community getting to work and building up the American strength for itself.

Personally, I thought he was calm, cool and collected and made a very fine, adroit and excellent address. Of course, the Veterans of Foreign Wars are bitterly opposed to world government. Now, Senator Leavitt is not pro-world-federalism and so stated and no member of this Senate has declared himself to be a World Federalist. A few members in the other branch did. I think it is noteworthy that they have proclaimed themselves to be World Federalists and they are en-

titled to it. I don't object to it. I don't agree with them but I certainly do not criticize anybody who takes the opposite view.

They are entitled to promote world federalism if they want to. Those persons are at the moment, one of them, in the lobby that I know of and members of the other branch. Those persons are in favor of a new draft which indicates that they think it is better, at least, to the memorial rescinded.

Mr. President and members of the Senate, I am honestly and sincerely and firmly convinced that it would be better for the State of Maine at this time to rescind this memorial and not to accept the committee draft which, although by its terms is perfectly all right, will nevertheless not create a new impression that I think that we ought to create.

Mr. BARNES of Aroostook: Mr. President, much to the surprise, if not the amazement of the Senator from Kennebec, Senator Reid, I rise to support his motion to adopt Committee Amendment A. I thoroughly believe that the new draft of the committee was better than this one as amended. However, it has been shown in both branches of this Legislature that they didn't want to go along with the new draft of the committee. This amendment is under filing number 170 in your book of amendments and it takes care, to my mind, of some of the objections that were voiced to the original by the Chairman of the Judiciary Committee, Senator Haskell. During the noon hour when I was just getting ready to go home, and this was in a debate in the house, one of the House members came to me and asked how to draft an amendment to take care of misstatements in the original memorial and I claim to be the author of those first two paragraphs.

I still feel as Richard Sanborn of Augusta felt, that one Legislature can't rescind a memorial of the preceding Legislature which is a different body. However, in the spirit of compromise and fearful that the original memorial of two years ago might lie there in Washington unchanged, I now support the motion of the Senator from Kennebec,

Senator Reid and hope that the Senate will adopt House Amendment A.

Mr. LEAVITT of Cumberland: Mr. President, the Senator from Kennebec may not have been astounded at the speech of the Senator from Aroostook but I was. How he can change his opinion quite as much, I do not follow but that is all right. I can't understand how the Maine Legislature can get away from this statement: The Maine State Legislature approves giving the United Nations such limited police and inspection powers as are necessary to control armament and world aggression.

I can't understand how any right thinking person can want to pass a resolution which will deny that statement. The memorial we are sending, because of the fact that this has been on the books, denies that the State of Maine believes that we should have some force in this world to cut aggression. The statement is clear and concise. It does not approve of making the United Nations a strong, central government with extensive powers which might in the beginning or through a subsequent development threaten the individual freedom of Americans or the domestic, political, economic or religious institutions of the United States.

It is a clear exposition of our feeling. This original resolution has no such statement in it. It simply says that the State of Maine repudiates the action of a previous legislature and not only repudiates that but says that we believe in armed aggression. We believe that the United States must stand alone and fight world communism. We must stand alone against all of the powers of the world because we do not believe in united action.

I can't believe that we here do want to tell the world that we are so backward, so archaic, that we want to have such a statement as that go out from our Legislature.

Mr. REID of Kennebec: Mr. President, I believe that the Senator from Cumberland, Senator Leavitt, is a little bit confused. This bill has nothing to do in my judgment with the United Nations. No matter how you vote on this bill, you are not

voting in favor of the United Nations to re-arm. I tried to make it clear though, at least it was my view, that this memorial of two years ago should be rescinded for the effect it would have on that memorial and the impression that has been given about the State of Maine.

The Senator from Cumberland, Senator Leavitt, wants to prepare a new memorial in favor of the United Nations. I don't think the issue should be confused. I appreciate the fact that the Judiciary Committee used this rescinding memorial as a vehicle to state their faith in the United Nations. It is perfectly all right.

The only issue before us now is the best method of getting the State of Maine out of the World Federalist camp if that is what we want to do if we want to do it. I think the best way to do it is to support the motion to rescind. If you don't want to do it, I think the best way to express yourself along that line is to oppose it and I say that sincerely I don't think the United Nations comes into the picture.

Mr. ALLEN of Cumberland: Mr. President, perhaps I am confused but I think that as Senator Reid said earlier this morning in referring back to our action of two years ago which was interpreted as such and such and referring to our action this time pro or con as being interpreted in such and such a manner, we should consider this matter carefully.

If we turn thumbs down on this L. D. 1528, the resolve part of which has been read by my colleague, Senator Leavitt, I can't understand why that won't be interpreted as a repudiation of what is in the resolve. If you are not in favor of L. D. 1258, you are indicating you are not in favor of the resolve which Mr. Leavitt read which I think we all are in favor of.

I, personally, hope that I never see another memorial again. I think they are a waste of time and cause a lot of trouble. If Senator Reid is worried about the effects and the pros and cons of the action of the legislature, why shouldn't he be worried, also, if we turn down 1258. Resolve 1258 is just exactly

what you see on page two and your motion, as I understand it, Senator Reid, would nullify L. D. 1258. Therefore, I certainly support, believing in the United Nations part of this resolve, the position of Senator Leavitt.

Mr. BOYKER of Oxford: Mr. President and members of the Senate, I believe that in this great national emergency which we face that the State of Maine does not feel like going along with any appeasement. I believe we know what we want and that we should say so in accepting this House Amendment A.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate concur with the House in the adoption of House Amendment A.

Thereupon House Amendment A was adopted in concurrence and the memorial as amended by House Amendment A was adopted in concurrence.

On motion by Mr. Crosby of Franklin the Senate voted to take from the table House Report "Ought to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Providing for Certain Construction at the Maine State Airport (H. P. 957) (L. D. 569) tabled by the Senator from Aroostook, Senator Brewer, on March 22nd pending acceptance of the report.

Mr. CROSBY of Franklin: I might say, Mr. President, that the Senator from Aroostook, Senator Brewer, said it was all right to take these bills off if we so desired. I move the acceptance of the Ought to Pass report of the committee.

Thereupon the Ought to Pass report of the committee was accepted and the resolve was read once; and under suspension of the rules read a second time.

Mr. LEAVITT of Cumberland: Mr. President and members of the Senate, I am not speaking against the passage of the resolve but simply for the record to let you know that this resolve calls for an expenditure of \$143,000.

Thereupon the resolve was passed to be engrossed in concurrence.

On motion by Mr. Reid of Kennebec the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Creating a Fund for Scholarships for Vocational and Technical Schools (H. P. 798) (L. D. 476) tabled by that Senator on March 28th pending motion by the Senator from Aroostook, Senator Brewer, that the committee report be accepted.

Mr. REID: Mr. President, I move the pending question.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Brewer, that the Ought Not to Pass report of the committee be accepted.

Thereupon the Ought Not to Pass report of the committee was accepted.

Mr. WARD of Penobscot: Mr. President, I move that the Senate reconsider its action of yesterday whereby it accepted the Majority "Ought Not to Pass" report on a Resolve Proposing an Amendment to the Constitution Relating to Absent Voting. In support of this motion and explanation of it, I would say that the three Senate members of the Committee on Judiciary who signed the Ought Not to Pass report are now in agreement that if the Senate sees fit to reconsider yesterday's action, the new draft ought to pass.

Thereupon, the Senate voted to reconsider its action of yesterday whereby it accepted the Ought Not to Pass report of the Committee on Resolve Proposing an Amendment to the Constitution Relating to Absent Voting (H. P. 105) (L. D. 52); and on further motion by the same Senator, the Minority ought to pass report was accepted in concurrence, House Amendment A was read and adopted in concurrence and under suspension of the rules, the resolve was passed to be engrossed in concurrence.

On motion by Mr. Haskell of Cumberland the Senate voted to take from the table Senate Report "Ought to pass as amended by Committee Amendment A" from the Committee on Judiciary on

bill, An Act Relating to Definition of 'Average Final Compensation' under State Employees' Retirement Law (S. P. 235) (L. D. 506) tabled by that Senator on May 7 pending acceptance of the report; and on further motion by the same Senator, the report was accepted and the bill was given its first reading.

The Secretary read Committee Amendment A to L. D. 506: "Amend said bill by adding in the 7th line thereof, after the figure 5 the underlined word 'consecutive.'"

On motion by Mr. Haskell of Cumberland, Committee Amendment A was indefinitely postponed and under suspension of the rules, the bill was given its two several readings and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Providing Funds for Nursing Attendant Education (H. P. 795) (L. D. 474) tabled by that Senator on April 5 pending acceptance of the report.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this is one of those bills that has a price tag on it and it seems to me we have come to the time when we should decide whether or not the services as provided under the provisions of the resolve are important enough to warrant the passage of the resolve, which comes from the committee with an Ought Not to Pass report. However, I think the story in the bill is insufficient to give the members of the Senate a clear picture of what they are trying to do under the resolve.

Two years ago a similar resolve was introduced and went through to the point of passage and then was turned down due to the fact that there weren't sufficient funds. I thought at that time it was necessary to do that and in fact I made the motion which killed the resolve. I think this year the situation is somewhat different. Under this resolve the Department of Education would pay girls as attendant nurses. The girls would take the training through the nor-

mal school and then it would be supplemented by practical training in a hospital.

As you know, in this period of our national defense effort the number of nurses is getting limited. The demand for nurses is great, both in civilian life and in the activities of the government in the hospitals, so there is a very definite need for additional nurses, and these nursing attendants can perform many of the functions that otherwise a registered nurse would have to do. I think there is considerable interest in the resolve. It would help the hospitals to a great extent throughout the state. I have one letter from Portland written by Mr. Charles W. Allen in which he states he is chairman of the legislative committee of the Portland District Nursing Association and he says he feels this is a worthwhile measure on the problem of nursing education and he is writing so we can be aware of their support on that measure. It resolves itself into a question of whether a new quota of the service should be provided, and as a matter of judgment, in view of the fact that there is a shortage of nurses and there is a real need for nursing services and that the training which these girls will get will be an asset to the state, I feel at this time, where we won't take final action on the resolve but where final action can be taken a few days later at the enactment stage, if we find at that time that the funds are not available, the resolve will probably have to die again, but it is important today that at this time the members of the Senate vote to keep the measure alive because there is real merit in it. I have done no lobbying on this measure, I simply present it for your consideration and I move, Mr. President, that the bill be substituted for the report.

Mrs. KAVANAGH of Androscoggin: Mr. President, may I ask, through the Chair, a question of the Senator from Aroostook?

The PRESIDENT: The Senator may.

Mrs. KAVANAGH: Mr. President, I would ask if the Senator could give any idea of the plan which will be used? How the attendant will be educated?

Mr. COLLINS: Mr. President, I know only what the plan was two years ago. At that time, girls between the ages, I think, of eighteen and twenty-five, could enroll in a normal school and receive, I believe, three months training, and then supplement this by training in a hospital. The girl has to pay tuition fees, that is, according to the proposal of two years ago, and then she would be reimbursed, I think for the cost of uniforms and things like that. It would provide a cost to the participant but the training program involved is made through the normal schools and then, as I say, supplemented by work in the hospital. This is not a very detailed explanation but is the explanation as I remember it from two years ago.

Mr. REID of Kennebec: Mr. President, as a member of the committee to report the bill out Ought Not to Pass, I feel that I should make a few comments. The price tag is twenty-one thousand the first year and thirty-eight thousand the second. The reason why it was reported out Ought Not to Pass was not because the bill didn't have merit but it was felt at that time there wasn't enough money to go around.

Now, I am one of those who believed that if we pass a sales tax there would be enough money to go around, not to spend unwisely or freely, but to take care of things that seem to have some urgency to them. I find that the thinking at the moment is that even though the sales tax was passed, that we are still hard put to balance the budget. I don't claim to know the details of it even though I am a member of the Appropriations Committee. But apparently it is based upon somebody's judgment on the estimate of what the sales tax would produce. Some of us think that the estimate is too conservative but as that is an estimate, we have to go buy it. We are now in the position where we are again faced with adopting measures which seem to us to have high priority and throwing out measures which have low priority and not too urgent. We have got to select with what money we have those

measures which are apparently very urgent.

Speaking of hospitals, for example, I certainly hope that some way can be found to determine from the present appropriation bill which has already passed the amounts to hospitals. It seems to me that is a high priority item. Others may disagree.

I am going to have to go along with the committee report on this bill solely because I think that this is not a high priority measure that we can adopt within what has been explained to me as a very limited means, despite the fact that we passed the bill.

Mr. BROGGI of York: Mr. President and members of the Senate. We just passed a bill that called for \$143,000.00 for construction of the Maine State Airport. It seems to me that with the acute shortage of nurses that exists in this country, it is practically impossible to get nurses, the potential possibility facing this nation, the possible further troubles, it seems like this bill has a tremendous amount of merit.

I am in full accord with the Senator from Aroostook, Senator Collins and I sincerely hope the members of the Senate will see fit to carry this bill to the enactment stage up to the time we might have a better acquaintance of how much funds are available at that time.

Mr. BOYKER of Oxford; Mr. President, I would like to inquire of the Senator from Aroostook, Senator Collins if this training would give the nurses a diploma and whether or not they would become registered nurses.

The PRESIDENT pro tem: The Senator may answer if he wishes.

Mr. BROGGI of York: Mr. President, the question wasn't addressed to me but I might say that this creates what is known as nurses attendants. It doesn't give them a clear R. N. It does set up a group of ladies known as nurses attendants. I think this training would certainly prove very beneficial in cases of disaster and certainly would prove very valuable in case there is no disaster because of the acute shortage of nurses which exists at the present time.

Mr. BARNES of Aroostook: Mr. President and members of the

Senate, I had a very interesting experience that ties right into this bill a year ago last summer. There was a time when in my part of the state we had three nursing schools, at least. We had one at the Madigan Memorial Hospital, Houlton, one at the Aroostook Hospital in Houlton and one at the Cary Memorial, I believe, in Caribou. Through a change in the requirements for nursing schools, we lost the one at Caribou and the one at Aroostook Hospital at Houlton and a year ago last summer, I was called by the Madigan Hospital to go up to their hospital and meet with a group at Houlton and a representative of the State Department of Health and Welfare because we were about to lose that nursing school.

That would have left Northern Maine without any nursing school whatever and the nearest nursing school would have been, I believe, in the Eastern Maine General at Bangor. They have tightened up the requirements for trained nurses. And a great many of these hospitals such as the ones I have named and hospitals and the Milligan Memorial Hospital at Island Falls are having extremely difficult time in giving proper nursing attendance in the hospitals. We finally prevailed upon the State Department to leave the nursing school in the Madigan Memorial Hospital by securing the assistance of two trained technicians there.

They wouldn't pay any attention to a doctor as being able to train the nurses, because there were certain technical things that they said doctors weren't fit to teach. So, this does present a very real problem.

I believe, contrary to the opinion of the Senator from Kennebec, Senator Reid, that this should be a top priority measure. We are faced not with theory but with facts in those sections of the state which do not have nursing schools and we have a great lack of the proper nursing attendants and I, therefore, at least at this stage in the program will go along with Senator Collins' motion and keep this bill alive at this stage up to the point, at least, of enactment. It is an important matter.

Mr. LEAVITT of Cumberland: Mr. President, as a member of the Appropriations Committee, I agree with everything that Senator Reid said except for the fact that I believe that this is a high priority item, in fact, much higher than one or two other measures that we have passed and I, too, hope that this bill will be kept alive at this stage.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Aroostook, Senator Collins that the resolve be substituted for the report.

A viva voce vote being had, the resolve was substituted for the report and under suspension of the rules, was given its two several readings and passed to be engrossed.

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table Resolve Proposing an Amendment to the Constitution to Clarify the Provisions that Relate to the State's Borrowing Power (H. P. 1782) (L. D. 1320) (New Draft of H. P. 1297 L. D. 855) tabled by that Senator on May 4 pending motion by Senator Haskell to adopt Senate Amendment A to House Amendment A.

Mr. HASKELL of Penobscot: Mr. President, I will vote for the motion to indefinitely postpone the amendment. The amendment sought to reduce from ten million dollars down to the present two million dollars, the limitations on state debt. I will vote for it, knowing that the Senator will introduce another amendment dropping the ten million down to five million.

The motion to indefinitely postpone Senate Amendment A to House Amendment A prevailed.

Thereupon, Senator Leavitt of Cumberland presented Senate Amendment B to House Amendment A.

The Secretary read the amendment.

"Amend said amendment by striking out the second paragraph thereof and inserting in place thereof the following paragraph: 'Resolve Proposing an Amendment to the Constitution to Clarify the Provision relating to the Borrowing

Power of the State, and to Increase from Two Million Dollars to five Million Dollars the Limitation on the Right of the Legislature to Borrow.'

Further amend said amendment by striking out the figure ten million in the next to the last line thereof and inserting in place thereof the figure five million.

Further amend said amendment by adding at the end thereof the following: 'Further amend said resolve by striking out the underlined words 'ten million' in the 6th line of that part designated Section 14 thereof and inserting in place thereof the underlined words 'five million.'"

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

Mr. LEAVITT of Cumberland: Mr. President, since the housing authority bill was passed in 1931, there has been a great deal of agitation that we need a new office building here in Augusta. A bill was introduced by me earlier in the session to provide the funds for the construction and that was declared unconstitutional by the answer from the Supreme Court to questions asked by Senator Ela. We then went over the Constitution to find out how the building could be built, and we found that we had to amend the constitution itself as there were one or two places that were not clear as to just how to go at the issuing of bonds for building.

The bill which I produced here a short while ago asked for an amendment to the Constitution went through nearly every branch of our government. The Court passed on it, the Executive passed on it, the Revisor of Statutes passed on it, the Attorney General passed on it and they all felt that the bill is a great improvement on the wording of the present constitution, and in that, my friend Senator Haskell agrees.

We then, to clarify the situation, to try to get the building built, had to increase the borrowing power of the State of Maine. There were other ways to do it and prob-

ably Senator Haskell will tell you how it can be done, but I still believe that when the public receives two bills, one to amend the constitution and eliminate paragraph 14, or chapter 14 or whatever it is, and another bill asking for the borrowing of three or four million dollars under chapter 14 which they are voting at the same time to repeal, I think they will be confused. Of course I know there is no confusion in the mind of Senator Haskell because of the fact that he just doesn't get confused, but the people and I myself who have been here quite a while, once in a while do get confused over such an issue.

I therefore believe that if we are to accomplish our results, that this is the best way to do it and the simplest way to do it. It may not be spelled out in quite so many words, but the title clearly says that we are clarifying the constitution and at the same time asking for the power to borrow not two million but five million dollars. The only thing left out of the title because some people think it is pretty long already, is the fact that three million dollars will be used to build a state office building.

I think that could be explained to the people more easily than to do it the other way. I hope that my motion will prevail.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I am not sure that we should not amend the joint rules to provide that we members not learned in the law should be prohibited from debating constitutional problems.

I would vote for that one, the change in the joint rules, because certainly I don't want to pose as understanding this document too well but I have a few simple impressions.

When Judge Murchie codified this document, he did a pretty good job with what he had to work on and he made up Section 14 of Article 9 and put into it everything the old document had. I agree that had we a provision in our constitution that would have given him the right to clarify, he could have done a better job. And with

respect to clarification of that section, this bill that is before us, I think, does a splendid job. I agree with it thoroughly.

I think a simple question going to the people that asks whether or not that section should be clarified would be a perfectly clear question. I have no argument against that. Whatever the ultimate end of this resolve is, I hope that will be salvaged.

Now with respect to the figure two million or the figure five million or the figure ten million. For many years, the constitution has provided that we in the legislature can't put the state into debt. We have put the state into debt on innumerable occasions by amendments to the constitution for building ports, for bangs disease, for defense expenditures, for roads, bridges, highways, and so forth, and that has been a simple procedure.

Now to me, admittedly not learned in the law, it would seem to be simplicity itself, to have a constitutional resolve that clarifies this Section 14 and that is in the bill. I can't see that there would be any confusion in anybody's mind if another question on that ballot asked the question, "Shall that amount of two million, three million or four million be created by the sale of bonds, the purpose of which would be to build a new state office building". To do anything else, as I see it, is simply checking up with that two million dollar deal and I pose this question. We blanket it up from two to five at this session. We use the proceeds for some purpose unnamed in this resolve, so far as I know, and I certainly apologize if I am wrong in making the statement that the bill has no mention of state office building in it.

Then we come to the next phase and we find something else that seems desirable. So we solve that by blank checking it up another five million. It seems to me that that procedure is disorderly and frankly I would like to see this resolve go through clarifying it.

And if a resolve is before this legislature proposing an amendment to the constitution, it is the simplest thing in the world to

write, that creates both authority and an amount sufficient to build a state office building. I will vote for it but I don't subscribe to the theory of clarifying this thing, boosting the debt from two to five million without reference to what you are going to do with the money, and so far as I know, there is no companion resolve that directs the governor and council to use the money for that purpose. I don't think it is right.

That is a confusing piece of debate. It could be better presented by a lawyer, I am sure. But I feel just as firm against boosting this from two to five as I do from two to ten. As a matter of fact, I might vote for the ten if there were specific expenditure estimates for which that additional \$8,000,000.00 was required. But I think this reaches very nearly the top in confusion as far as putting the question to the people, not any reference as to what you are going to use the money for.

Now, if the Senator's debate was at all confusing, I have probably made the confusion more complete. But I think your action in accepting this amendment will in all frankness—and I don't think I have used this word previously in Senate debate—result in a monstrosity of a bill and knowing no other way than to express it that way, I assume that I shall vote against the adoption of the amendment and get the bill back into its original state and then with the assistance of the good legal minds clear the bill out of the frills and leave it a clarified amendment, still being willing to vote for the state office amendment. And the constitution can be amended to do anything you want it to do. There is nothing in there that says the people can't amend that document. We can write two or three or four state office building amendments and do it in five minutes and I will vote for it but I don't believe that little gem belongs in this document.

Mr. LEAVITT of Cumberland: Mr. President, my colleague has stated one thing, I think, quite clearly, and that is that people who do not know anything about the

law shouldn't try to argue the constitution. I don't know from whom he is getting his opinions but I have had my opinions from people who are supposed to know something about the constitution and they are not classing this as a monstrosity. In fact, they are the ones who drew it. So that I have to differ, naturally, with the conclusions of the Senator from Penobscot. But it seems to me a little bit confusing to say to the public that Section 14 of Article 9 of the constitution is amended which hereby repeals it and follow it with another bill on which they would vote to amend Section 14 which you are repealing.

It doesn't quite make sense to me and it doesn't make sense to a lot of other people. I am perfectly frank that this little monstrosity so-called does cut a corner. It takes two steps instead of one which if we ever want to build the state office building has got to be taken. It can be slowed down so that this building will be built four years from now instead of two. There is no provision here for the building of a state office building. There is no way in this bond issue that we can build a state office building. That is dependent upon the basis of this bill and two years from now, I hope that either myself or some other living proponent of the State of Maine will come in here for a bill to build a state office building. But that is when it has got to come. It can't come into this legislature. But before we can have a state office building, we have got to have the right to borrow money for the building of a state office building and this will give the right, at least, to borrow the money and the next bill two years from now may say that the legislature wants to build an office building. Maybe they want to build a telegraph office. I don't know. They can build anything and I am not afraid of the action of subsequent legislatures. This idea that by this legislature refusing to increase borrowing power, we can stop another legislature from borrowing, I don't hold with that.

Of course, ten years from now or fifteen years from now, some legislature may come in here and ask for the borrowing power of fifteen

million. That is not my concern nor your concern nor the concern of anybody else. That is the concern of that legislature. But I think now that a constructive measure for this Legislature is to put the borrowing power up to five million and then let the next legislature decide how they are going to spend it if they decide to spend it at all.

Mr. HASKELL of Penobscot: Mr. President, this Section 14 of Article 9 is the general limitation of debt and in simple layman's language says that the legislature shall not create debt in excess of \$2,000,000.00 except for certain stated purposes. Now, the Senator from Cumberland, Senator Leavitt, takes the position that the people just can't authorize debt for building the state office building until they amend that section.

I don't think it is right, Senator. Section 17 of that same article provides a \$36,000,000.00 debt. Section 18 provides a half million dollar debt and I can't believe that we couldn't add to that Section 18A or 17A or 19A by two-thirds vote of both branches and affirmative vote of the people to create a debt to build a state office building.

In other words, this construction in no section infers that a properly presented amendment can't be voted upon by the people. If we want to amend that document to provide for four and a half million state office building, we can do it and I still insist that is the way to do it. Do all of the clarifying you want under Section 14. Build all of the buildings you want. Eradicate all of the Bangs disease. Build all of the roads you want under another section. It is perfectly simple to me.

I can't believe, still acknowledging that I know nothing of the law that you have got to put these two things together. It makes them confusing and admits that you are not telling the people what you want this money for. You are simply asking them for a blank check should another legislature decide to get onto the gravy train. Let's do our clarifying on Section 14. Then let's have a law which states what we want the dollars for and you will keep honesty, clarity

and sincerity. It is as clear as that to me.

Mr. LEAVITT of Cumberland: Mr. President, in the last election, we had an amendment to the constitution which gave the legislature power to borrow by two-thirds of the legislature sending it to referendum to the people but it doesn't become a part of the constitution of the state. And in this bill, 1320, we go along with that thought and eliminate all of these sections 17 and 18 and all of those sections which are obsolete bond issues which have been already authorized and spent.

Now the Senator from Penobscot wants to put in still another amendment which we have already voted in the last election that we would not have in the future. In other words, he wants to compound confusion in this particular item. I think that the method suggested in this bill is simple and direct. There is no subterfuge in any way, shape or manner. We know that we need a higher borrowing capacity in order that we can build buildings because except by this amendment which has been proposed here you can't build buildings. That is excluded from the money that we can borrow for the State of Maine. This clarifies that and then adds the we have, instead of the right to borrow two million, we have the right to borrow five.

Originally, the constitution called for the right to borrow three hundred thousand and as the years have gone on, they have increased that to two million and at the time that the State of Maine was able to borrow \$2,000,000.00 you could have built a state office building for a million and a half, perhaps for \$800,000.00. I think everybody will concede that a building that could have been built in 1925 or 1926 for eight hundred thousand would now cost three million.

This bill simply clarifies the constitution and says the State of Maine can build buildings if they deem it wise and then increases the bonding power to five million which gets us fairly near in line with the spending or the value of the dollar in comparison to the two million back in 1926. Because of the ruling of the Supreme Court, I still claim

and the people here who, I believe, are good lawyers—at least we pay them good money because we think they are good lawyers — and that this is the way to do it and I hope that you will go along with this amendment to the constitution.

Mr. ELA of Somerset: Mr. President and members of the Senate, there are a few reasons why I do not like Senate Amendment B and, briefly, they are these: Regardless of our present thoughts there are drawbacks to debt and the people of the State of Maine have always recognized that and in their Constitution prohibited debt beyond a reasonable point. Up to 1919 \$300,000 was the limit. That was increased in 1934, not 1925, to \$800,000. So the \$2,000,000 talk is of recent origin. If you pass Senate Amendment A it would permit probably the building of an office building or any other building but when that was finished and it was paid off the door would then be open to do anything else you wished under the Constitution up to five million. Whereas, if you leave it at two million and then specifically ask for the constitutional amendment to do some particular job, when the job was done the blank check would be torn up and you would revert to what now seems to be your proper standing. For that reason I shall oppose Senate Amendment B.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I rise only to have the record show what I think is a more accurate statement than that given by the Senator from Cumberland, Senator Leavitt, in regard to his saying that Judge Murchie's revision left in the Constitution a dead duck, I can state with some authority that I discussed that particular problem on some occasions with the Judge and every word left in that section of the Constitution is left in there because those are still live issues and those taken out of the Constitution are those types of bond issues which Senator Ela refers to where, the purpose having been accomplished, it is taken from the Constitution. Those left in there are in there because the issues are still alive. I do not believe the record ought to show that there is left

in there any deadwood that should have been taken out of the Constitution. And, Mr. President, when the vote on this matter is taken I ask that it be taken by division.

Mr. BARNES of Aroostook: Mr. President, during my course in the legislature I have noticed that it is, generally speaking, laymen who get up and defend or try to change the Constitution, and I have been reminded at least a dozen times during this session that the Constitution was written by laymen, and I believe that is probably true. Lawyers are supposed to construe it, and the Senator from Penobscot is absolutely right when he says this particular section of the Constitution creates a limit on debt and shows in what causes it may be created as exceptions to the general rule.

I was interested in Senator Ela's remarks regarding the changes in the debt limit. As I understand, it was \$300,000 until 1919, then \$800,000 in 1934, and then jumped to two million. And here we find ourselves in 1951 with a proposition to jump it to ten million and with the present amendment it is now five million. Whether the exception was wise or not, I don't know. I don't know why the original \$300,000 was put in there. I shall stand with the Senator from Penobscot in opposition to this Senate Amendment A. I don't believe the dollar has jumped that much in value. I might possibly go along with an amendment to raise it to three million and I am not too sure I would do that. We had an awful boost in 1934 when we jumped it from \$800,000 to two million, and probably that is enough.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Cumberland, Senator Leavitt, that the Senate adopt Senate Amendment B.

A division of the Senate was had. Five having voted in the affirmative and twenty-two opposed.

Senate Amendment B was not adopted.

Mr. HASKELL: Mr. President, hopeful that with the assistance of the Senator from Cumberland, we may make this into the clean docu-

ment I am sure he wants it to be, I will now move that the bill be laid upon the table.

Thereupon the bill was laid upon the table pending first reading.

Mr. WIGHT of Penobscot: Mr. President, I move we take from the table Item 28, H. P. 1752, L. D. 1296, An Act Relating to Open Season on Muskrats.

The PRESIDENT: Will the Senator approach the Chair?

Subsequently the motion to take L. D. 1296 from the table was withdrawn.

On motion by Mr. Crosby of Franklin

Recessed until this afternoon at 2:30 o'clock Daylight Saving time.

After Recess

The Senate was called to order by the President.

Mr. ELA of Somerset: Mr. President, I would like to inquire if L. D. 880 is in the possession of the Senate.

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

Mr. ELA: In order that I may introduce an amendment, I move, Mr. President, that we reconsider our action whereby we passed this bill to be engrossed.

The motion prevailed and the same Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A to bill, An Act Relating to Education in Unorganized Territory (L. D. 880): "Amend said bill by striking out the figures 1½% where they appear in the sixth and tenth lines of that part of the bill designated 148C and inserting in place thereof the figures 1%.

Which amendment was adopted and the bill as amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table Resolve Appropriating Moneys for Compilation of Certain Decisions of Supreme

Judicial Court (H. P. 1510) (L. D. 1104) tabled by that Senator on April 13 pending final passage and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Resolve in favor of State Military Defense Commission (H. P. 871) (L. D. 519) tabled by the Senator from Aroostook, Senator Brewer on March 29 pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Dennett of York, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Judiciary on Resolve Granting a Pension for Alice B. Grant of Kittery (S. P. 216) (L. D. 469) tabled by that Senator on April 26 pending acceptance of the report.

Mr. DENNETT of York: Mr. President and members of the Senate, I hesitate to make the motion on this resolve which I shall subsequently make, that will be a motion to substitute the resolve for the report. I have discussed this with the members of the Judiciary Committee as I felt that all the facts concerning this case had not truly been presented to them. I would like at this time to submit for your consideration what I believe to be the facts of this case and I hope that when I conclude, you will go along with me in the substitution of the resolve, once you know these facts.

This woman taught school in Kittery for 26 years. She is asking for a pension on a 25 year basis. Six years of this teaching was spent at the Portsmouth Navy Yard, we call it the Kittery Navy Yard. The Navy Yard is for all purposes, part of the town of Kittery. The law reads that children on the Navy Yard must be schooled and of course schooled in the schools of the Town of Kittery. At that time, and it seems as though it is ever thus, the schooling of these children and bringing them into the public schools of Kittery would have been a terrific impact on the Town. As you know, they pay no

taxes but yet we are bound to educate the children.

As a result of a compromise, it was agreed that a teacher would be provided by the superintending school committee of the Town of Kittery, all books and materials be furnished by the Town of Kittery, the naval base would furnish the building and would pay the teacher's salary. As a result, this lady taught there for six years under the supervision and immediate direction of the superintending school committee of the Town of Kittery and with books and materials furnished by the Town and as a result of the town not paying her wages, and based on that technicality, she has been refused a pension.

Now, it is further my understanding, and I have talked with the committee, and the committee says their only objection was that according to the advice of the actuary, this over the long run would cost the state \$6,000.00. Undoubtedly that is true. But there is one thing that I would like to speak of at this time and that is the actuary's advice. Of course, we know that an actuary treats with the science of powers and properties of large numbers. They can tell you pretty well what the basis of average is going to be over 100,000 people or over a long period of years. But I doubt very much that they are able to say how long any individual person is going to live and how much it is going to cost them. If they were treating with 5,000, 10,000 or 100,000 people, I know that the law of averages would in that case be pretty accurate. But in the case of an individual, it is an unknown quantity and for them to say this woman is going to live and cost the State of Maine \$6,000.00 or six cents is really beyond anybody's imagination.

But I wish you would bear in mind the true facts in this case and see that some element of justice would be done. This lady taught twenty-six years. She is asking for a pension on a twenty-five-year basis and I truly think that it should honestly be granted and I hope that you can find yourselves able to go along with this

and I now move that we substitute the resolve for the report.

Mr. WARD of Penobscot: Mr. President and members of the Senate, this is one of the several resolves which the committee had before it for consideration and as the Senator has told you, the actuary gave the committee a figure that he estimated this resolve would cost, if passed, over a period of years of \$6,000.00.

It was on that basis that the committee reported the resolve Ought Not to Pass. The facts which the Senator has recited to you in respect to this woman teaching at the navy yard under the supervision of the school committee of the Town of Kittery, I do not believe was called to the committee's attention. At least, if it were, I didn't happen to be there that day.

The PRESIDENT: The question is on the motion of Senator Bennett that the resolve be substituted for the ought not to pass report.

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

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table House Report Ought to pass from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for State Military Defense Commission (H. P. 872) (L. D. 520) tabled by that Senator on April 25 pending acceptance of the report; and on further motion by the same Senator, the ought not to pass report was accepted in concurrence.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table Resolve, Proposing an Amendment to the Constitution to Clarify the Provisions that Relate to the State's Borrowing Power (H. P. 1782) (L. D. 1320) tabled by that Senator earlier in today's session.

Mr. HASKELL of Penobscot: Mr. President, may I ask the status of House Amendment A.

The PRESIDENT: Senate Amendment A to House Amendment A has been indefinitely postponed; Senate

Amendment B to House Amendment A failed of adoption; House Amendment A has not been adopted.

Mr. HASKELL: Mr. President, House Amendment A not having been adopted, we have not adopted and amendment that sought to clarify the question with reference to the figure of ten million dollars. The amendment which I shall offer, changes only one other word in the resolve and that is the word "ten", with reference to the million figure, to two, also referring to millions, leaving the two million dollar limitation still in the constitution.

I think that was the general sense of the Senate vote this morning. With reference to a second motion after the adoption of Senate Amendment A, the bill should have its first and second readings, its passage to be engrossed, and not a forthwith motion. I would again repeat that this is an excellent clarification of the constitutional section. Not only does it make section 9 much clearer but also does that which the Chief Justice would have liked to have done in the codification of the constitution, in that it strikes out some following sections that refer to existing bond issues still alive and strikes them out in a manner that will protect the validity of those bonds. That, he would have preferred as a procedure in the codification. In every respect, I think this is objective. It is clean and it does the things that ought to be done to the constitution without increasing above \$2,000,000.00 the debt limit now written in.

So, Mr. President and members of the Senate, I submit Senate Amendment A and move its adoption and under the gavel move the indefinite postponement of House Amendment A.

Mr. LEAVITT of Cumberland: Mr. President, may I ask the good Senator from Penobscot what next step he intends to take to be able to make it possible to build a house office building and how he is going to hook it into this one.

Mr. HASKELL of Penobscot: Mr. President, as I indicated in debate this morning, recognizing the

modest contribution I can make to the effort, I would be pleased to contribute my time in putting together a constitutional resolve that would do exactly what the Senator from Cumberland, Senator Leavitt, wants to do with reference to a state office building bond issue and I will speak for it and I will urge its acceptance under unanimous consent if the Committee on Appropriations doesn't find it possible to submit it through that means.

I am not in any way objecting to the introduction of an amendment to the constitution and I think on good grounds I can assure him that the adoption of this constitutional resolve will in no way, shape or manner preclude him from going ahead with whatever are his wishes with respect to a state office building or with respect to any other capital construction which will have the support of two-thirds of the members of the legislature and I will be one supporting a state office building resolve.

Mr. LEAVITT of Cumberland: Mr. President, I would like to ask the good Senator one other question. Can he guarantee unanimous consent?

Mr. HASKELL of Penobscot: The Senator does not choose to answer. The Secretary read Senate Amendment A. "Amend said resolve by striking out the underlined word ten in the 6th line of that part designated Section 14, and inserting in place thereof the underlined word two."

Thereupon, on motion by Mr. Barnes of Aroostook, the resolve was laid upon the table pending motion by Senator Haskell of Penobscot to adopt Senate Amendment A.

The PRESIDENT: The Chair will state at this time, for the information of the Senate that there will be a certain amount of interchange of papers between the two branches, and of necessity, the rules will be suspended frequently, so I will suggest that if the Senators have any papers that they have any particular feeling for that they find an opportunity to talk with the floor leader regarding them, if possible, but of necessity the rules will have

to be suspended in order to send measures along to be engrossed.

On motion by Mr. Reid of Kennebec the Senate voted to take from the table divided House report from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Municipal Airport Construction (H. P. 956) (L. D. 568) Majority Report "Ought Not to Pass," Minority Report "Ought to Pass" tabled by that Senator on May 2nd pending acceptance of either report; and on further motion by the same Senator the resolve was recommitted to the Committee on Appropriations and Financial Affairs in non-concurrence.

Sent down for concurrence.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table Resolve in Favor of Veterans of Spanish-American War (H. P. 36) (L. D. 797) tabled by that Senator on March 7th pending passage to be engrossed.

Mr. BARNES: Mr. President, I yield to the Senator from Cumberland, Senator Allen.

Mr. ALLEN of Cumberland: Mr. President, I move that this resolve be passed to be engrossed.

Mr. REID of Kennebec: Mr. President, this resolve doesn't call for very much money. I think it is a thousand dollars a year. However, it is a new venture for the state to appropriate money for this organization or any other organization and we can use that money in other ways. I have no objection to the resolve and it certainly doesn't call for very much money but I believe we are still in a position where money is tight and this is not a high priority measure. Mr. President, I move the indefinite postponement of the resolve.

Mr. BOYKER of Oxford: Mr. President and members of the Senate, fifty-two years ago our country, The United States of America, had the same feeling toward those who were struggling for freedom as we have today. Cuba at that time was a Spanish colony and the governor of Cuba, the Governor General, was at that time, more cruel to his subjects than ever Hitler or Stalin

were to their subjects. Congress at that time—I am speaking of this from memory, being a Spanish War veteran—Congress then was composed of a great many southern former slave owners and the Spanish colony of Cuba were slave holders who supported the Spanish policy in Cuba to still hold slaves. There came a time when the insurgents in Cuba were very strong and the Spanish general in Cuba had gathered the people of Cuba, most all of whom favored the insurgents, into concentration camps and had included American citizens; and his policy was to slaughter and starve these people until they were all eliminated, American citizens as well as Cubans.

McKinley took the reins over from Cleveland and the United States began to support the insurgents by carrying supplies to them. The battleship *Viscaya*, I remember, the largest Spanish battleship at that time, came into New York harbor and it got around through the Press that in one hour the *Viscaya* could destroy the whole city of New York. We sent the battleship *Maine* to Havana Harbor on a good-will mission, the same as the *Viscaya* came to New York. The *Viscaya* returned home but the *Maine* was blown up by Spanish authority, so war was declared. McKinley called for volunteers. The first Maine volunteers were organized and went to Chickamauga Park which was a six square mile territory just the same as if you were to go out into the forest here. We laid down at night in blankets. The southern lizards six inches long were our bedfellows there for a month. We drank contaminated water. We ate rotten beef and I myself would go to the canteen for my rations and the southern beef in slices that long and I would sit down on the ground and strip off this meat and shake off the maggots as big as your little finger and have that for my meal. And I was detailed to buy thousands of pounds of western beef that we just couldn't eat. We drank contaminated water out of Chickamauga Creek which was a pool where the rough riders of the west watered their horses, and we were there three months and then returned home to Maine. In the sick train

coming home there were more of us than in the well train. Dewey had sailed into Manila Bay over the mine fields and into Manila Harbor, and destroyed the Spanish land batteries, fought the Spanish fleet, Hobson in a single night had sailed into Santiago Harbor with the Merrimac and plugged the harbor, Roosevelt walked up the hill with his Rough Riders and took the hill, what was left of the Spanish fleet tried to escape during the night and Samson destroyed every ship and the war was over, we were mustered out, and at that time the legislature voted to give the Spanish War veterans one hundred dollars as a bonus. We have never received that money. Now, we are asking for our hundred dollars, not for ourselves or for entertainment—I can't understand where that idea came from—but for the martyrs and the upkeep of the graves of Spanish War veterans in our state.

Mr. ALLEN of Cumberland: Mr. President, I would really like to re-emphasize the facts of L. D. 797, the fact that there are 325 Spanish War Veterans and 13 encampments in the state. I think what Senator Boyker has just said points up the fact that the Spanish American War Veterans have received virtually nothing compared to the veterans of most of our wars. He is asking for a thousand dollars per year to be paid to the Adjutant General for state encampments. That is about thirty dollars apiece. I think that they have got it coming to them. I think we could spend our money in a lot of worse ways than this and I still hope the bill will receive a favorable passage.

Mr. BARNES of Aroostook: Mr. President, if I understood the Senator from Oxford correctly, he said they were asking for \$100.00 a year to mark the graves of Spanish American War veterans. As I read the resolve, it is a thousand dollars per year to be paid to the Adjutant General for state encampments of Veterans of the Spanish American War.

I think I shall have to vote with the Senator from Kennebec, Senator Reid, because I don't believe the time has come when we should dip into the state treasury for these veterans establishments. I

have a brother who was in World War I who tells me that one of the prime duties of the American Legion is to see that flags are placed on the graves of all veterans of all wars and we also have the Veterans of Foreign Wars to which I assume the Senator from Oxford belongs.

And so far as marking graves and perpetuating the Veterans of Foreign Wars, I don't believe that this is a proper tendency to appropriate state dollars, even though they are as low as \$1,000.00 per year for these organizations and Veterans of Foreign Wars.

I am quite surprised at the remarks of my friend, the Senator from Cumberland. I had understood his chief interest in getting this bill passed was because a friend of his told him he had to pay some money out of his own pocket for this purpose. I may have been wrong.

Mr. BOYKER of Oxford: Mr. President, I will say that I did not understand this to be that a thousand dollars each year was to be paid. I will admit I hadn't read the bill but I was told what this was for.

The PRESIDENT pro tem: The question is on the motion of Senator Reid of Kennebec, that the bill be indefinitely postponed.

A viva voce vote being had, the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Report Ought Not to Pass from the Committee on Highways on bill, An Act to Authorize the Construction of a Bridge Across the Androscoggin River (H. P. 462) (L. D. 282) tabled by that Senator on May 14 pending motion by Senator Crosby of Franklin to accept the report.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, much to my surprise, the Committee on Highways reported this bill Ought not to Pass. I attended the hearing. There were numerous people in favor of the bill at the hearing. A great majority were in favor of the bill to build a bridge across the Andros-

coggin River between the Cities of Lewiston and Auburn.

This movement started some four years ago. Two years ago with the last Legislature, it was referred back to the State Highway Commission for a report to this Legislature. The State Highway Commission did make a report to this Legislature and I think each one of you members of the Senate got a copy of it. It was dated February 19, 1951.

"To the Honorable Senate and House of Representatives of the Ninety-fifth Legislature:

"This bridge report is prepared in response to a directive from the Ninety-fourth Legislature and is presented for your consideration.

"The construction of a third bridge between Lewiston and Auburn is recommended. Previous to its construction, we urge that the municipal authorities of the two places give consideration to the recommendations contained herein relative to means of improving traffic movements on the approaches to the present North Bridge."

This was signed by Lloyd B. Morton, C. J. Russell and Harley D. Welch, the State Highway Commissioners.

The request of the Highway Commissioners has been made by the Cities of Lewiston and Auburn, for we are at this time conforming with the request of the Highway Commission and of the federal government which has refused funds to help us build the bridge because we had not done away with street parking. At this time, the city governments of both Lewiston and Auburn have taken action to remove street parking between Hospital Square, so-called, in Lewiston and the top of Court Street Hill in Auburn, thereby giving an easier flow to the traffic.

But we who live there and those of you who have occasion to go through there will still notice that there is a bottle neck at the bridge and the reason is very simple. If you will refer to the report of the Commission, they tell you in there that the North Bridge, itself, has only a width of thirty-eight feet, so that you can not install a so-called four-lane traffic on that

bridge. All you have at this time is a two-lane traffic.

So, regardless of how much improvement the approaches on the street to the bridge are helped, it will not correct the situation of the bridge, itself. The bridge, itself, is the bottle neck.

Other similar bridges have been asked for throughout the state and have been granted. All we ask at this time, or that I am asking of the Senators at this time, is to substitute the bill for the report, proposing Amendment A that has been adopted by the House by a majority of 64 to 23 which sends it back in referendum two years hence to the people of the state which makes it a toll bridge.

In other words, all I request of this Senate at this time is to keep this project alive. I realize as well as you do that this bridge will not be built this year or next year. But we hope that within some future date we will have a new bridge across the Androscoggin River at the point very close to the so-called North Bridge which is the congested point between the Cities of Lewiston and Auburn.

Now, I notice in the paper that the Kennebec Bridge which is a toll bridge and which has been built, the traffic count was about 14,000 daily. I notice that the Bangor-Brewer Bridge which is going through the process, the same process that I request at this time, of being passed by this legislature, subject to a referendum and to be a toll bridge, and that is all we request, has only got about a 14,000 count of vehicles per day.

I want to point out to this Senate that the North Bridge between Lewiston and Auburn has a 24,000 count of vehicles per day. So that if a bridge is needed in the State of Maine, it is between Lewiston and Auburn.

Now this bill is not the bill of one person. It has been passed on by the members of the Legislature from Androscoggin County of both parties who are in full accord that we should have this bridge at some future date. And in order to have it at some future date it is for this legislature to keep it alive, rather than accept an Ought Not to Pass Report and have it die right there and we will have to start the pro-

cess again of going over the same steps that we have gone over so far to get a bridge.

I feel that the citizens of Androscoggin County are just as much entitled to a bridge as the citizens of Penobscot County or Kennebec County or any other county in the state. So therefore, I ask you in all fairness to turn down the motion of my good friend, Senator Crosby, to accept the Ought Not to Pass Report and I will make a motion to substitute the bill for the Report, adopt Amendment A as they did in the house. And I will further put in another amendment similar to the one of the Bangor-Brewer Bridge, which will be Senate Amendment A to House Amendment A to make it conform to the requirements passed on the Bangor-Brewer Bridge.

If Bangor and Brewer are entitled to a new bridge by the count of traffic, I think Lewiston and Auburn are and I hope that this Senate will go along with the House and give us a chance to get a bridge at some future time.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, I rise in approval of Senator Boucher's motion. I think if any of you have ever tried to pass from Auburn to Lewiston between the hours of four and five-thirty, you wouldn't feel very good natured when you arrived on the other side of the bridge. I have seen the time when it has taken me practically seven minutes to get from Auburn to Lewiston and at the end of a day when people are tired, they don't like to have to dilly dally all of that time.

I think if you have a toll bridge, it will work very nearly as it has in Augusta with the people thinking nothing of going across that toll bridge. They can buy ten tickets for a quarter and it is a pretty small matter and I highly approve Senator Boucher's motion.

Mr. CROSBY of Franklin: Mr. President, the Highway Committee had a hearing on this bridge and it was a very good hearing. There was a large group there and by far the large majority approved of building this bridge in its present location. There was a group who were opposed to the toll feature of the bridge. There was one group that

was very much opposed to the location of the bridge.

Now, we can look at the report that came out of the Highway Department that the Senator has just quoted to you and in that report it shows that if the City of Lewiston and the City of Auburn would stop parking on the approaches to that bridge, they would increase the flow of traffic approximately forty-nine per cent: And if they do that, it states in the report that that will take care of all of the traffic there is there at the present time.

It calls for a \$3,000,000 appropriation and I think a large part of that, as I am informed, has got to go for land damages due to the location of this bridge. It is going a little above the city and in through a thickly built-up area and come out at Hospital Square.

Now to me, the Cities of Lewiston and Auburn are highly industrialized and the surveys show that eighty-eight per cent of the traffic across this North Bridge, at the present moment is local traffic. I can't conceive of the working man going up and going across the toll bridge up into Hospital Square, turning around and then coming back to the end of the present bridge and go on down to his industrial area where he will put in his day's work. I think he will still go across the North Bridge.

I have gone through the survey. That bridge will take care of all of the traffic there is there. We have a letter from W. D. Fallon, District Engineer of Public Roads Administration who said in his letter that the survey did not show the need for the bridge at the present time. Therefore, the federal government would not participate in the construction of this bridge.

We also have an item in the Lewiston Daily Sun, March 21st where they spoke about the location of the bridge and they are very much opposed to that location.

Now, we reported the bill out Ought Not to Pass, feeling there wasn't a need for the bridge at the present time. With all probability with an increase in traffic and the passage of time, there will come a time when there will be a need of a bridge across the Androscoggin River at Lewiston and Au-

burn. There is also the possibility that the turnpike might continue on from Portland to Augusta which would bypass that road and of course would take a lot of traffic away from that bridge.

With these various considerations in our mind, it didn't seem the policy to authorize the construction of the bridge at the present time. I think that in two years if they have changed their traffic as the Senator from Androscoggin says, and then the traffic survey shows a need for the bridge, I wouldn't expect that they would have any difficulty in constructing it or getting the bill through this legislature at that time.

But as I recall, the Council of the City of Lewiston had a meeting about ten o'clock at night and the same in the City of Auburn and the next morning the bill was substituted for the report. I don't know how you are going to determine whether the eliminating of parking on Main Street and Court Street will accomplish the purpose the survey says or not. I don't believe, anyway, that we could find out until it has been tried a reasonable length of time and they have found that it will not solve their traffic problem. But if not, I should be in favor of constructing the bridge. I hope my motion to accept the committee Ought Not to Pass Report prevails.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I think that the reason for the committee report was plain and it was the fact that the federal government did send a letter asking to do away with the street parking. That has been attempted and it is in condition now and I think the other senators from Androscoggin feel the same way. We live right there and we feel that that will not solve the problem.

The government of both the City of Lewiston and the City of Auburn feel that it will not solve the problem because the real problem is the bridge, itself. It is not wide enough for the flow of traffic.

I do readily admit that it is a local problem. There is no question about it that this is a local traffic. I think it was quoted here as being eighty-eight per cent local and I

think that is probably true. So, the building of a turnpike is not going to solve our problem because as I understood it, if the turnpike is extended to Augusta and Bangor, it will go five miles outside of Lewiston proper.

We have at this time a bridge that is a mile south of that location, a new bridge that was built after the flood in 1936, and we were hoping that that would solve our problem but it did not because it is out of the main traffic route through Lewiston and Auburn.

Lewiston and Auburn are industrial cities as has been stated by my good friend, Senator Crosby. The mills and shoe shops of Auburn and the cotton mills in Lewiston are located nearby to Main Street where the North Bridge is and that is the reason for that very, very heavy traffic. As long as those mills are going to be there in Lewiston and those shops in Auburn, people will travel in that area and the north bridge will not take care of it.

The fact is that in 1936 the North Bridge had to be repaired after the flow. It was in very poor condition and any heavy traffic on that bridge will demand from the state a lot of repair on that bridge because it is on a main artery and it will cost the state a lot of money.

Now all we ask, and I repeat, is a referendum on this question to keep this thing alive. Two years hence, let the people of the Lewiston and Auburn area and the County of Androscoggin and the State of Maine decide and by that time we should certainly know whether we need a new bridge there or not. Because by that time we would have the experience of a couple of years of off the street parking showing what result it have on the North Bridge.

But I am convinced, having lived in the City of Lewiston for fifty years that the present North Bridge will not do the trick even if we have no parking for a mile each way because the fact that there is no parking will not widen the bridge. It will not help to move that traffic across that bridge faster. The only way we will get traffic across there is through an-

other bridge. As I say, it is not going to be decided today. It is a question to be decided two years hence by a referendum and I can't see the objection of the Highway Committee on that question of referendum. I could see their opposition on the original bill. The original bill asked for a bridge.

The House has adopted an amendment and what I will suggest is a referendum on the bridge at that location and for it to be a toll bridge and by that time, I am convinced that the federal government will realize that North Bridge will not take care of traffic between Lewiston and Auburn.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, Senator Crosby stated he did not like the location of the bridge and I think both Senator Boucher and I agree with him. We don't like the location of the bridge that they decided on but that is a matter to be decided later and I think we who live in the City know better what we need than people who are outside and I hope that Senator Boucher's motion prevails.

Mr. BOYKER of Oxford: Mr. President, I am going along with Senator Boucher on his recommendations as to this bill because I don't believe that we have got to go and ask the federal government what we should do concerning our roads here in the State of Maine. I don't like that.

Mr. CROSBY of Franklin: Mr. President, I would like to say to the Senator from Androscoggin, Senator Kavanagh, that it wasn't my personal opinion as to whether the location of the bridge was proper or not. I am basing my talk only upon the survey. I do not know whether the bridge will take care of the traffic or not. The survey says that it will and I don't know of any way that we will know until such time as this parking problem is tried out for a period of time and determine it.

If there is a need then, I feel there will be no question and no trouble of them getting the bridge. But by the survey and the statements made, I can see no reason for authorizing the bridge until the need is shown.

The PRESIDENT pro tem: The question is on the acceptance of the Ought Not to Pass report of the committee.

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

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill was substituted for the report and given its first reading.

Mr. Boucher of Androscoggin presented Senate Amendment A to House Amendment A and moved its adoption.

The Secretary read the amendment.

Senate Amendment A to House Amendment A to L. D. 282:

"Amend said amendment by striking out the period at the end of the first sentence of that part designated Section 2 and inserting in place thereof the following:

'And all the expenses incurred hereunder shall be paid.'

FURTHER amend said amendment by inserting after the word 'act' in that part designated Section 6 the following:

'And the tolls collected hereunder.'

FURTHER amend said amendment by striking out in that part designated Section 7 the words, 'From the General Highway Fund,' and by adding at the end of said Section 7 the following sentence:

'The interest charges on the bonds issued hereunder that accrue from sufficient funds are available from tolls to pay them in full, shall be paid from the General Highway Fund until such time as the tolls from the bridge applicable for the payment of the interest are sufficient for this purpose and such sums as are necessary for this purpose are hereby appropriated out of the General Highway Fund, provided however, that all sums so paid shall be returned and repaid into the said General Highway Fund from the tolls received on said bridge as soon as the same shall be available.'

FURTHER amend said amendment by striking out the question at the end of the first paragraph of the referendum and inserting in place thereof the following question:

"Shall a bond issue be ratified in an amount not to exceed \$3,000,000 as set forth in an Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River between the Cities of Lewiston and Auburn passed by the 95th Legislature?"

Thereupon, Senate Amendment A to House Amendment A was adopted, House Amendment A as Amended by Senate Amendment A was adopted, and under suspension of the rules, the bill was given its second reading and passed to be engrossed, in non-concurrence.

On motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were sent forthwith to the House.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table House Report "Ought to Pass" as amended by Committee Amendment A from the Committee on Appropriations and Financial Affairs on bill, An Act Relating to Elderly Teachers' Pensions (H. P. 738) (L. D. 425) tabled by that Senator on May 2 pending acceptance of the report.

Mr. REID of Kennebec: Mr. President, under existing law these teachers receive a pension of \$700 a year. This bill provides for an increase of \$200 a year. The committee felt that the increase of \$200 a year was too much and they reported the bill out with an amendment cutting it to \$100. The other branch substituted the bill for the report. In view of the money situation, I think that the Appropriations Committee Report ought to be accepted and therefore I move acceptance of the committee report.

Mrs. KAVANAGH: Mr. President, it seems to me that \$900 is a very small sum for people to live on today, and I don't think we should begrudge that money. I do not think it would amount to a great deal. I think if those people have given their lives teaching our children, that they should be entitled to at least \$900.

Mr. REID: Mr. President, I forgot to mention the price tag. With the bill amended with the \$100 increase, the cost would be \$58,300 for each year of the biennium and the committee felt that \$116,000 was too much for us to stand.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate I had honestly intended defending the sound actions of the Appropriations Committee in their efforts to hold down appropriations but in this particular instance I wonder whether we are doing the right thing. If I have any knowledge of the problem it is that knowledge gained in the special session when among all other expenditures appropriated out of unappropriated surplus we did with the blessing of the governor amend the elderly teachers' pension law and provided for a very modest increase in current expenses instead of out of unappropriated surplus, and I am sure you will correct me if my recollection is wrong but I think the bill as introduced asked for a two hundred dollar increase in these elderly teachers' pensions. It isn't necessary to repeat it again but this is a group of teachers the numbers of which are fading away rapidly as old age comes onto these pretty faithful old girls, while the costs of living are increasing rapidly.

It seems to me that we should give this matter serious consideration. My memory is that the average age of these teachers if well up in the seventies and my impression is that the pensions that they are now receiving are not too much greater than the old age assistance pensions, and without too much insistence that we should substitute the bill for the report or indefinitely postpone the committee amendment, I stand here and plead to the members of the Appropriations Committee that that is one of the things we can give very high priority. This is a group that is not going to be with us too long. It isn't a matter of spending a hundred and twenty thousand every year from now on and increasing and increasing and increasing it. I promise you I will stand back of almost any effort not to spend too much money but please give these old girls the consideration I know is in your hearts.

Mr. REID of Kennebec Mr. President and members of the Senate, with some reluctance I voted for the sales tax and with even greater reluctance I now find myself in the

position, as a member of the Appropriations Committee, of having to vote the way I am going to vote not only on this measure but on some other measures still to come.

Persons who claim to have more knowledge than I have about our financial system state that even though we passed the sales tax, if we should pass a lot of these resolves and L. D.'s that in my heart I think we ought to pass, there will be an accumulation of money called for that will make it impossible to balance the budget according to the estimated income. So I find myself in quite a dilemma on this particular measure increasing a seven hundred dollar annual pension by two hundred dollars which, by the way, is a fairly good percentage increase. If it is cut down to a hundred dollars they still get a fairly good increase. However, if this Senate wants to make it two hundred dollars I not only will not complain but I will really enjoy it. But I can't vote "Yes" on everything that comes along knowing the appropriation and financial situation as has been explained to me.

At this point the President resumed the Chair, the Senator from Cumberland, Senator Leavitt, retiring amid the applause of the Senate.

Mr. BARNES of Aroostook: Mr. President, one of the reasons for which I arose has just been eliminated. I thought perhaps it was a bit unfair to take up a matter of appropriations when one of the two remaining members of the Appropriations Committee was in a place where he was speechless. No doubt that will be corrected by the substitution that has just been made.

I know a little bit about this matter because back in 1945, I induced a Member of the House to put in a bill to increase the pension of elderly teachers from, I think it was \$500.00 at that time to \$700.00 and I was informed after I took it up with the education committee that that would cost the State of Maine \$79,000.00 a year. At the present time, it is said that it will cost \$58,000.00 a year.

I don't believe we ought to go too far astray in appropriating

money just because we have a sales tax. The increase at the special session increased the pay for these teachers almost thirty-three and one-third percent or almost forty per cent and this will be another increase which will very nearly bring it up to a seventy-five per cent increase.

These pensions, I will remind the members of the Senate are non-contributory pensions. Nothing is paid into the State by those who receive them and I would be inclined, myself, to go along with the Senator from Kennebec, Senator Reid, and the Appropriations Committee in confining this raise at this time to \$100.00 which will be a \$300.00 raise over what it was two years ago when it stood at \$500.00.

I was amused at the remarks of the Senator from Penobscot, Senator Haskell, who is ordinarily right down to business and full of figures and amazing figures and I did like to see him get up on his hind feet and pull a few heart strings. It was a satisfaction to me. Birds of prey don't ordinarily sing.

I support the motion of the Senator from Kennebec and I hope that we will confine this to \$100.00 which will be \$300.00 over what they had two years ago when it was \$500.00 and that is an increase of almost seventy-five per cent if we pass this one.

Mr. BOYKER of Oxford: Mr. President, I can not consistently go along with this \$200.00 increase making an increase of several hundred thousand dollars each year for increasing teachers' bonuses when we have just turned down a request from the Spanish War Veterans for \$1,000,000 per year.

Mr. LEAVITT of Cumberland: Mr. President, the discussion is not a matter entirely of dear old people who need help. There is another very definite point and that is that we have a very large number of teachers who are contributing to their pensions. They have been contributing for years. Now, if we give this group this \$900.00, we will be giving this group more money who have never contributed a cent toward their pension than those who have made contributions. Now, you can say that doesn't make any difference as far as the

state is concerned except for the fact that those teachers who have already contributed will say and in fact, they have a bill already to go in the next legislature to bring them up to the amount of money over and above their contributed pension to match these elderly teachers.

In other words, we are opening up a flood gate over this entire pension situation which we have built up in the state on a contributory basis but now we will start in paying bonuses over and above the pension to every employee whether they be teachers or any other part of the state. Anybody can say that you can not live on a half pension. Anybody who has been living on eighteen hundred dollars, two thousand dollars, three thousand dollars will say that they can't be expected to live on one-half that amount of money that they did earn. So, immediately you are opening up here a situation where it may cost the State of Maine millions and millions of dollars in the future.

Now this eight hundred dollars would bring these elderly teachers up to the amount of a very large segment of the teachers who are making contributions toward their own pensions. I do not mean that these teachers have enough. I can't imagine anybody having enough money. I have never had enough yet. But it seems to me we have gone just as far as we can go and not bring the state into a situation where some day it is going to cost millions of dollars more than we now expect and I support the motion of the Senator from Kennebec that we accept the report.

Mr. SLEEPER of Knox: Mr. President, I find myself in the position of supporting the Senator from Kennebec. It takes a great deal of courage to get up and suggest a cut in a pension of this kind. I am a little amazed to see the leopard change his spots and see the Penobscot Einstein who ordinarily is governed by his slide rule begin to use his heart for a change. I want to keep my record clear by voting against most of his measures.

But seriously, this pension would affect some members of my family

and I can't say truthfully that any person of that age in most cases really needs the \$900.00 at the expense of what I would say will be a hungry budget that this state is going to have. Any person in their late 70's is rarely the head of a family. They are generally sitting in a rocking chair in the dining room and they are not called upon to meet the expenses that most of us have to meet.

I would call \$800.00 quite liberal for a person in that age bracket and I think that as the state has increased that from five to eight hundred dollars we have done quite a lot and should be well satisfied. For that reason, I will support our gracious Senator from Kennebec at the expense of Einstein from Penobscot.

Mrs. KAVANAGH of Androscoggin: Mr. President and members of the Senate, our Senator from Cumberland, Senator Leavitt stated that these teachers had never contributed anything. Well, at the time that those teachers were teaching, they had no contributory system and we must also remember that those teachers taught for three hundred and five hundred dollars a year and how much could one save on three hundred or five hundred dollars a year. Some of those teachers are absolutely living on these pensions that they get and I wonder if anybody here could live on \$800.00 a year in a decent sort of a way.

Mr. FULLER of Oxford: Mr. President and members of the Senate, I find myself in rather a peculiar position. It happens that I belong to one of the elderly teaching groups to which this bill refers. It seems to me—and if this is treason, make the most of it—that with the increase of \$100.00 that was given to this group, or was voted to this group by the special session of the last legislature and the other \$100.00 increase which is proposed in the bill reported by the committee that the legislature has been very fair indeed. I certainly will support the motion of the Senator from Kennebec, Senator Reid.

Mr. ELA of Somerset: Mr. President, I have had a great struggle

with myself after listening to the emotional address of the Senator from Penobscot but I again have my emotions under control and would state that my main objection to increasing it to two hundred is that it will throw the whole retirement system out of focus. You will create a great dissatisfaction with the system as it now exists.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid that the Senate accept the Ought to Pass as Amended report of the committee.

Thereupon the Ought to Pass as amended report of the committee was accepted and the bill was given its first reading, Committee Amendment A was read and adopted, under suspension of the rules the bill was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Cumberland the Senate voted to take from the table Divided House Report from the Committee on Judiciary on bill, An Act to Create a Public Body in the City of Portland to be Known as the Slum Clearance and Redevelopment Authority (H. P. 1228) (L. D. 807), Majority Report "Ought Not to Pass," Minority Report "Ought to Pass as Amended by Committee Amendment A," tabled by that Senator on May 14th pending motion by the Senator from Penobscot, Senator Ward, to accept the majority report.

Mr. WARD of Penobscot: Mr. President, on May 14th I moved acceptance of the majority report of the committee and at this time I would like to be granted leave to withdraw the motion.

Thereupon the motion was withdrawn.

Mr. Haskell of Cumberland moved acceptance of the minority report of the committee "Ought to Pass as Amended by Committee Amendment A.

Mr. WARD: Mr. President, as I understand it we have already voted on that motion. Wouldn't it now be in order for the Senate to reconsider its action whereby it failed to accept that report?

The PRESIDENT: The Chair was going by the calendar, Senator Ward. The Chair will state that a motion once made, unless it has been voted upon, may be withdrawn by the mover at any time and it is the understanding of the Chair that the Senator from Penobscot now withdraws his motion. The motion had never been acted upon as the bill was tabled pending that motion.

Mr. WARD: But previous to that we had voted upon a motion to accept the other report, Mr. President.

The PRESIDENT: There is no record here, Senator, other than the pending motion on the majority report. There is no record of action on the minority report. So the motion of the Senator from Cumberland, Senator Haskell, is in order.

Mr. HASKELL of Cumberland: Mr. President and members of the Senate, in order that no unfair advantage may be taken in this matter, I would like to state to the Senator that it was my understanding on the 14th of May that by a vote of eleven to ten the Senate did refuse to take the motion made by myself to accept the Ought to Pass Report of the Committee.

The PRESIDENT: The Chair will state that there is no stamp upon the bill but in order to clear the conscience of the Senator and the record in case there was a motion that did fail of passage, the motion would still be in order according to this record. But to clear the matter up, the Senator from Cumberland, Senator Haskell, moves that the Senate reconsider its action whereby it failed to adopt the Minority Report of the Committee. Is this the pleasure of the Senate? It is a vote. The same Senator now moves acceptance of the minority report "Ought to Pass" as Amended by Committee Amendment A.

Mr. BARNES of Aroostook: Mr. President, I am not quite conversant with the various moves on this bill but the thing here on this bill is that the great majority of the people who appeared were against it. The majority of the members of the committee made the other motion and I don't think

they want this thing in Portland and I hope that we don't accept the Ought to Pass Report on it. It is a socialistic measure emanating from Washington and it is nothing they want down there.

Mr. HASKELL of Cumberland: Mr. President and members of the Senate, in fairness, it seems to me that here we have a bill which applies only to the City of Portland. It was my understanding that at the time of the committee hearing that there were numerous proponents from the City of Portland representing many different groups within the City.

I believe that we had at that time fourteen or fifteen who appeared in favor of the bill and three or four individuals representing, apparently, themselves, who were opposed to the bill. In fairness, also, I think the Senate should be informed that in view of the Majority Ought Not to Pass Report of the Committee that I think without exception, all of the members felt that the bill in its present form was not a proper bill to be passed. But in order to move it out of the committee, the members of the committee who represented Portland or who lived in Portland signed a Minority Ought to Pass Report in order to have action taken in both branches.

As the calendar this afternoon shows, the action in the House was to accept the Minority Report with the Committee Amendment A. Since that time, I believe that an amendment has been prepared which I hope to offer as Senate Amendment A in the event the Ought to Pass Report is acceptable to the Senate, which amendment cures in my opinion and in the opinion of those who have worked on the amendment, at least the major points of objection to the bill as originally drafted.

It is with that thought in mind that I hope the Senate might go along and take the Ought to Pass Report of the Committee in the belief that most of the objections, I believe, of my good friend and colleague from Aroostook, Senator Barnes, to a bill which as he describes it, has been drafted in Washington, will be eliminated.

I know, personally, even though I signed the Ought to Pass Report

of the Committee, the Minority Report, I certainly hoped that if this bill did receive consideration, that it would be amended before it reached any stage of enactment.

Therefore, Mr. President and members of the Senate, I hope sincerely that with this explanation that the Senate may consider that by amending the bill, it should receive a passage and I hope that the motion to accept the Ought to Pass Report does prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Haskell, that the Senate accept the minority report of the committee "Ought to Pass As Amended by Committee Amendment 'A.'" Is the Senate ready for the question?

A viva voce vote being had

The motion prevailed, the minority report was accepted and the bill was given its first reading and Committee Amendment A was adopted in concurrence.

Mr. Haskell of Cumberland presented Senate Amendment A which, on motion by that Senator, was adopted without reading, in non-concurrence, and on further motion by the same Senator the rules were suspended and the bill as amended by Committee Amendment A and as further amended by Senate Amendment A was adopted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Wight of Penobscot the Senate voted to take from the table bill, An Act Relating to Open Season on Muskrats (H. P. 1752) (L. D. 1296) tabled by that Senator on May 3rd pending passage to be engrossed.

The PRESIDENT: At this time the Chair designates the Senator from Cumberland, Senator Allen, as President pro tem and requests the Sergeant-at-Arms to escort that Senator to the rostrum.

Senator Allen assumed the Chair, President Cross retiring.

Mr. WIGHT of Penobscot: Mr. President and members of the Senate, this bill affects only three counties in the State of Maine those counties being York, Cumberland and Washington counties but actually I feel that it would affect other

countries than those three. In fact, I feel it affects the whole state. I believe it would be difficult to administer this law proposed in this bill. This bill proposes an open season in the spring during the breeding season, in those three counties. That would mean that trappers in those counties would trap in the spring, of course, and other trappers from other counties would also trap in the spring, unlawfully of course, but nevertheless they would do so and it would be easy for them to sell the muskrats in other counties, and that would repeat itself in the fall in the other counties, so there would be great difficulty of administration if we had two open seasons in the State of Maine.

I think this was discussed before in this Senate but I will ask your indulgence in listening again to a few of the more important reasons why I oppose this bill. The muskrat is one of the most important fur-bearing animals in Maine and its numbers have greatly decreased during the last few years, so much so that in some sections of our state they are almost exterminated. There are two factions, however, regarding trapping in the spring. One faction claims that it reduces these animals almost to the vanishing point and the other group says it has nothing to do with it. Finally the Commissioner of Inland Fisheries and Game asked the proper department of the University of Maine to look into the situation and that was done by Professor Gashwiler. He went into the field and investigated how the muskrats live and their breeding characteristics, the value of the skins both in the fall and in the spring and other factors, and that investigation was printed and was called *The Maine Muskrat Investigation* by Professor Gashwiler. I have the book in my hand. The report he made recommended that open season be confined to the fall, and that was done by the last legislature. The first results are now available and they have proven that the Gashwiler report was right and it does bring more money into the State of Maine.

The committee had a good hearing on this bill and a preponderance of the trappers advocated continua-

tion of the present law. I was very much interested in listening yesterday to the Senators talking about conservation and now they are recommending spring trapping of these muskrats and that is really incongruous when you talk about conservation.

So the conflict is between conservation and whether we will build up these animals and protect other animals such as the mink who are caught in the traps in the spring or whether we shall favor those people who want to trap in the breeding season regardless of the consequences, not only to the muskrat industry but also to other game. And so, Mr. President, I move that this bill be indefinitely postponed and that we give the Gashwiler report and the law we already have on the books at the present time a fair trial.

Mr. BROGGI of York: Mr. President and members of the Senate, first of all I would like to say that the good Senator from Penobscot, Senator Wight, has taken the Senator from Washington to task on conservation. This is not a conservation measure. We don't admit that a fall catch amounts to three times that of a spring catch. I would like to quote from the Gashwiler report that "Considerable difference of opinion exists as to which season is best." That is from the Gashwiler report. The Senator has said there was difficulty in administering with different open seasons. I would like to point out that the open season on deer in York County is in the month of November. In our neighboring county of Oxford the season opens in the middle of October. They are two adjoining counties with varying deer seasons and there has been little or no trouble in administering the law.

The Senator didn't tell you that it is legal to keep the duck and mink caught in the fall. The duck and mink caught in the spring traps are supposed to be released and if they are not released the trapper is evading the law. I understand that most of the duck caught in the muskrat traps are uninjured and can be freed.

It doesn't seem consistent to me to say that a fall catch which

amounts to three times as much as a spring catch is conservation. I think this all boils down to home rule. At the hearing it was obvious that many of the trappers preferred fall trapping. I agree with them. Thirteen counties already have it and many trappers prefer it. I was talking with Senator Palmer of Lincoln the other day and he says his county prefers fall trapping. But under this proposed law these three counties are asking for spring trapping. They should both have what they want. As I mentioned the other day, in the fall of the year the tributaries of the main bodies of water are frozen and the muskrats consequently are confined to the main bodies of water, and I have been told by trappers in my county that in many streams muskrats are trapped completely out of the streams by virtue of the fact that they are not in the main bodies of water in the spring when the tributaries are open and they follow the small streams and cannot be trapped out of the main bodies.

I think a fair test of conservation would be trapping under identical conditions. The Gaswiler report says that there are parasites affecting the breeding of muskrats and quotes cases in Nebraska where the entire muskrat population was wiped out by parasites and it seems to me that to determine this once and for all we should allow these three counties to have their spring trapping and let the other counties that prefer fall trapping have it and then after a reasonable period of time when both systems have been tried under identical conditions we could come back here and decide which is better from a strictly conservation standpoint.

All I ask is, please don't determine when we in our three counties shall do our muskrat trapping. That is fair, it is home rule, and I hope the motion does not prevail.

Mr. CHRISTENSEN of Washington: Mr. President, I agree with Senator Wight. Yesterday I was talking with him on conservation, but my people down there want both seasons of trapping as far as I can find out, and I did a lot of investigating on this. I took up with our Chief Warden last Sunday about Hancock and Penobscot trappers coming down and take

our traps. He said, "Don't worry about that." And I said, "How are you going to stop it?" "Oh," he said, you can't stop them, they have a right. So I feel that situation is no hindrance at all and won't hurt the counties. I hope, Mr. President, that the motion of Senator Wight will prevail.

Mr. BROGGI of York: Mr. President, this bill asks for only spring trapping. If this bill is passed there will be no fall trapping at all in York, Cumberland and Washington counties. I know it isn't proven yet but if at some future date, if this bill passes, and the muskrat population in the three counties who have spring trapping seems to be decreasing, I feel sure we would vote to go back to fall trapping. And as I said, I think the only way to prove it is to have both systems operating under the same circumstances.

Mr. ELA of Somerset: Mr. President, the conditions regarding the muskrat population became so desperate recently that some action was taken. Frankly, the population of muskrat has decreased to an alarming degree. The last legislature passed a bill for fall trapping. It hasn't had a sufficient period of time yet, statewide, to determine whether or not that is the best time of season or not, but preliminary reports indicate that it is working out well.

It is my belief that in view of the intense double trapping which you would get from county to county, that you should leave this present law on for a sufficient length of time to see if it is not the better way and postpone this bill.

Mr. DENNETT of York: Mr. President and members of the Senate, I rise in support of my colleague from the County of York, Senator Broggi, and in opposition to the motion by the Senator from Penobscot, Senator Wight, to indefinitely postpone. My knowledge of muskrats is practically nil. I really entertain grave doubts whether or not I would recognize a muskrat if I saw one. The only thing, I could positively tell the difference and know that it wasn't a bear. But other than that, I don't think I know much of anything about them.

Yet, there is one note that has been struck on and it has been struck on many times throughout this entire legislative session and that is the thought of home rule. It is my understanding that only three counties are requesting this, the permission to trap in the spring, the counties of York, Cumberland and Washington.

I believe that this Senate in its generosity and with a feeling of justice is inclined many times to grant these counties, all of the counties when they come in and specifically ask for some measure of home rule for themselves, they are inclined to grant that to them and I hope today that these senators who represent the other thirteen counties will be inclined to go along with giving us this small measure of home rule.

Mr. WIGHT of Penobscot: Mr. President, I think we have had ample opportunity to try out spring trapping. It has really got to the point where it was an emergency because those muskrats have become so scarce in many areas that something must be done.

There is one thing I want to say about Washington County to bring home to you what this spring trapping means to our animals. About three or four years ago in the month of April, I happened to be in Washington County with a certain fur buyer and we drove into a trapper's yard. He had just returned home from the trap line and he laid out a bag of 14 unskinned muskrats and in another bag he had three ducks and seven unskinned mink. We performed an autopsy on the two female mink that were in that bag. One had five little kittens in and the other had six.

Now, those tragedies are going on all of the time in the spring in the State of Maine where you have spring trapping and it is one of the ridiculous things when it comes to conservation is to kill those mink and those muskrats when they are in the breeding season in that way. That one tragedy and those 11 babies and three old mink. That is 14 mink in the fall. If they brought twenty-five dollars apiece, that would be \$350.00 lost right there in that one tragedy

and that is why I am standing up in this Senate today appealing to you to keep the whole State of Maine from trapping in the spring.

Mr. BROGGI of York: Mr. President, the Senator neglected to tell you that in the spring of the year it is illegal to keep the ducks. It is absolutely against the law. Any warden or anybody else in the Fish and Game Department catching anybody with a duck or mink can arrest them.

Mr. President, when the vote is taken, I ask for a division.

Mr. WIGHT of Penobscot: Mr. President, I might say to the Senator from York that most of these animals are dead when they are found. The traps are set so that when the animals get into the traps, he flops into the water and drowns. That is the way that the animals are taken. Otherwise, they would tear loose and they would get away. Therefore, practically every mink caught in a muskrat trap in the spring is drowned when the trapper gets them.

The PRESIDENT: The question before the Senate is on the motion of Senator Wight that the bill be indefinitely postponed. The Senator from York, Senator Broggi, has asked for a division.

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

Thereupon, the bill was passed to be engrossed in concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act to Authorize the Liquor Research Commission to Initiate an Educational Program (H. P. 274) (L. D. 613) tabled on May 3 by the Senator from Aroostook, Senator Brewer; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Ward of Penobscot, the Senate voted to take from the table Senate Reports from the Committee on Judiciary on Re-committed bill, An Act Relating to Liens on Insurance Policies for Hospitals; (S. P. 33) (L. D. 18) Report A "Ought to Pass"; Report B "Ought not to Pass"; tabled by that Senator on May 14 pending acceptance of either report.

Mr. WARD of Penobscot: Mr. President, I move the acceptance of Report A, Ought to Pass and in support of that motion, I would say that this bill was reported out of the Judiciary Committee earlier in the session and that it received favorable action in the Senate and it was sent to the house and the record discloses that due to the form of the bill at that time, there was some confusion in the minds of some of the members of the House whether or not this bill might apply to a personal accident policy and for that reason the bill was recommended to the Judiciary Committee. It was rewritten so that it is clear now, I believe, to anyone, that it applies strictly to casualty insurance, insurance on automobiles, and applies strictly to accidents involving automobiles.

I am not going to take up the time of the Senate re-arguing this bill as you have already indicated that you favor it. I hope that you will again accept the Ought to Pass Report.

Mr. BARNES of Aroostook: Mr. President, I opposed this bill when it first came before the Senate for the reason that it was to my mind class legislation, in that it gave one out of a class of creditors, which could be considered doctors, nurses and hospitals, preference by way of a lien.

I still feel that it is unsound and I hope that the Senate does not accept the majority Ought to Pass Report.

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

A viva voce vote being doubted

A division of the Senate was had.

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

Mr. BARNES of Aroostook: Mr. President, I move the indefinite postponement of this bill.

Mr. HASKELL of Penobscot: Mr. President, noting the modest number of members in the Senate, I move that this be laid upon the table and be especially assigned for tomorrow morning.

The motion prevailed and the bill was laid upon the table pending

motion by Senator Barnes to indefinitely postpone.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Relating to Elderly Teachers' Pensions (H. P. 1681) (L. D. 1251) tabled by that Senator on April 13 pending enactment.

Mr. REID of Kennebec: Mr. President, this bill is pending enactment and it is a very short bill. It is not like the other bill we debated. It does call for a small appropriation, \$8,471.00 the first year and \$6,563 the second year. The bill simply says, "Proper adjustments shall be made in the amounts payable to those teachers who have already been retired under the provisions of the above sections and who did not receive the increase provided for in this chapter due to the provisions of the limitation clause originally set forth therein."

It is my understanding that this bill will help a very small group of elderly teachers. I believe this is barely getting under the wire. I have already given you the cost of it. Most reluctantly, I had to cut all of the teachers down from 200 to 100 and I now feel a little better if I can move the enactment of this measure and I so move.

The motion prevailed and the bill was passed to be enacted.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table House Reports from the Committee on Judiciary on Recommended bill, An Act Increasing Pensions for Retired Members of the State Police (H. P. 198) (L. D. 120) Majority Report "Ought to pass as amended by Committee Amendment A"; Minority Report "Ought not to pass"; tabled by that Senator on May 14 pending motion by Senator Haskell of Cumberland to accept the Majority Report.

Mr. ELA of Somerset: Mr. President, when I tabled this matter, I did it as a matter of courtesy for the Senator from Aroostook, Senator Barnes who wasn't present. He was on the Minority report. But as I have looked into the bill, I am convinced that the position of the Senator from Aroostook was sound

and therefore I wish to oppose the motion of the Senator from Cumberland, Senator Haskell, on this measure.

It is very brief and it simply does this: After a member of the state police has retired and received his allotment, his pension, this bill will not automatically increase his pension whenever the category in which he worked when he retired gets a later increase.

Now, we have a retirement system which is pretty liberal now and it seems to me fantastic to think that you can throw those studies which have been made on these retirement systems to the wind and at the whim of each legislature pass laws which will change these pensions whenever some later increase in pay occurs, even after they have retired. I hope the motion of the Senator from Cumberland does not prevail.

Mr. HASKELL of Cumberland: Mr. President and members of the Senate, it is my understanding that this bill now under discussion, together with the amendment does nothing more at all than to continue in force the bill that was passed two years ago. It seems to me that if it was the judgment of that legislature that this type of situation should be taken care of. At least, the item is fully protected by the amendment which specifically limits the continuation of it for a period of two years.

I might say that the calendar as printed is correct and yet it is misleading. I think it says that the bill is "An act increasing Pensions for Retired Members of the State Police." If the members of the Senate will look at the committee amendment, it will see the title is changed in accordance with the facts so that it contains the same pensions which they had two years ago. That is my understanding of this law.

Mr. BARNES of Aroostook: Mr. President, I oppose this bill and I think that in the remarks of the Senator from Cumberland that he just made lies the whole answer to this bill.

Two years ago, I believe we made a mistake and the fact that we put another two year limitation on it doesn't correct the mistake. They

will keep coming back here with this bill until some day they will get it passed without any limitation whatever. Let us examine into this thing a little.

The State Police are under a little different retirement provision than most others who are in the retirement system in that they may retire at any early age because, true, they are in a hazardous occupation while they are in the state police. And we have given them in this legislature and preceding legislatures every advantage because of that fact.

I bring your attention to the fact that so far as I know, there has always been a waiting list of those who have applied for jobs on the state police of at least four or five hundred so that it is a sought after job. We allow them to retire at an early age and of those whom I know, none has ever retired except that they have gone into private employment or private business of some kind. One of them owned the Ogunquit Lobster Pound. Another owned Sunset Lodge on the road between here and Waterville. Another who was a very close friend of mind, as close a friend as I have, is now engaged in adjusting fire losses for various insurance companies.

There is nothing under their retirement which prevents them from going into private service and they enter it at a very young age. So, I don't believe that it would be any hardship on the state police to pass this bill. If it were tied up with total disability or something of that nature, my heart would stir for them and I would probably go along with it. But that isn't the case. This is a limited bill and what is more, there are a great many others who have retired under various retirement laws in the State of Maine and we should, if we pass this bill, pass similar legislation for all of them. We shouldn't just pick out one category.

I am quite sure that the Senator from Penobscot, Senator Haskell will go along with them on this one because a few years ago when the question of a raise in pay for justices of the superior and supreme judicial courts came before the committee on salaries and fees, he was the

layman who wrote into it an amendment that notwithstanding anything that should happen in the future, the pension of those members should not be increased because of any raises they might receive and that applies to the whole category of retired persons who are in under our retirement systems.

This is nothing short of class legislation. It was a mistake two years ago and the argument that we are just perpetuating a mistake we made two years ago doesn't appeal to me and I therefore—I don't know what the pending question is, but I hope this bill doesn't pass.

The PRESIDENT pro tem: The question is on the motion by Senator Haskell of Cumberland to accept the Majority Ought to Pass as amended.

Mr. BARNES: Mr. President, I hope the motion does not prevail.

Mr. WARD of Penobscot: Mr. President, I signed the majority Ought to Pass report of the committee. It was my feeling that this group of state police which this bill applies to is a group of men who have worked for the State of Maine for a number of years and traveled about in the days when the state police were equipped with motorcycles. There are a large number of these men who were injured attempting to catch people who were speeding or had broken some other highway law and sometimes they would be smashed up trying to overtake the offenders, and most of them kept on the job until it was utterly impossible for them to work any more and then they retired. These men were receiving a salary approximately \$32 a week and retired at half pay so their retirement pay amounts to about \$16. It is small wonder that those who could would go out after retirement and find other employment to supplement their earnings.

There is one man whom I have learned of in my county — and I learned of his situation since I signed this report — who was nearly killed on a motorcycle. You might call him practically a hundred percent disabled. He has an appointment as a civil deputy in Bangor under the present sheriff and I don't know of any other job where

the man could get a job that he could do because working as a civil deputy he gets paid on a fee basis and if this morning he doesn't feel able to work he doesn't have to do any work or if he goes down to the court house to work and then has a severe headache in the afternoon he goes home to bed. As a result he is able to pick up some work and earn some money from fees.

This bill would simply give these men the same retirement pay they would get if they were retired this year. I didn't go over the complete list of all the men but as far as I know a large number of them are men who are physically disabled and as was said two years ago in this legislature it was felt that it would be desirable to give these men the same rate of retirement pay that the state policemen are getting now.

It is my understanding of the bill that, if it goes through, something like 90% of the money will come from the highway fund and the remaining 10% from the general fund. I feel that there is a lot of justice in this bill and that it should pass, and I hope the motion prevails.

Mr. BARNES of Aroostook: Mr. President, I would like to answer one or two things that have been said by my good friend Senator Ward. I suppose he was referring to the fact that this man succeeded in getting the job which is the most lucrative of the deputy sheriff's jobs. He serves civil papers and it isn't hard work. This is not a bill to reward people who have been injured. This is a blanket thing and applies to anybody and if they want to put in a bill to compensate members of the state police who have been injured that will be a different thing but this applies to all the other categories in the entire retirement system of the State of Maine.

Mr. WARD: Mr. President, I would like to remind the Senate that these retired members of the state police are now getting this particular pension and of course our failure to pass this bill and continue it along would mean that those men are going to receive a cut which will be quite substantial in their pension check.

The PRESIDENT pro tem: Is the Senate ready for the question? The pending question is on the motion of the Senator from Cumberland, Senator Haskell, that the Senate accept the majority "Ought to Pass as Amended by Committee Amendment A" report of the Committee on Judiciary.

A viva voce vote being doubted by the Chair

A division of the Senate was had.

Fourteen having voted in the affirmative and twelve opposed

The Ought to Pass report was accepted in concurrence and the bill read once; Committee Amendment A was read and adopted in concurrence, and under suspension of the rules the bill was read a second time and passed to be engrossed as amended, in concurrence.

At this point the President resumed the Chair, the Senator from Cumberland, Senator Allen, retiring amid the applause of the Senate.

On motion by Mr. Reid of Kennebec the Senate voted to take from the table, bill, An Act Relating to Payments to Towns by State in Lieu of Taxes (S. P. 549) (L. D. 1305) tabled by Mr. Brewer of Aroostook pending passage to be enacted.

Mr. REID of Kennebec: Mr. President and members of the Senate, under this bill, the state would have to pay taxes on land that it owns when the acreage is in excess of ten acres. Currently, that would apply to a number of state owned parks. The price tag is fifteen thousand for each year of the coming two years. In my opinion, the state would be embarking on quite a dangerous type of expedition to pass this resolve. There will be considerable effort made at least to amend this law so that eventually the state will pay to the municipalities on most all state property and it would begin to cost quite a lot of money.

But taking the present bill into consideration, the state is already spending and proposes at this session to spend up to \$100,000 of these parks are located in communities

which are benefited by the large number of tourists who come to the communities because the parks are located there.

So it seems to me that various towns in which these parks are located are receiving a substantial benefit and could well afford to forego additional payments by the state to them in lieu of taxes. So for those two reasons, Mr. President, I move the indefinite postponement of this bill.

Mr. NOYES of Hancock: Mr. President, the Senator from Kennebec was in error as to the number of acres in a town that the state may own which would be exempt from taxation. The bill says 100 acres. I think there is a misprint in the bill before us. His error is a mistake that has been made before by another member of the Senate and been called to my attention. I introduced this bill primarily with the thought of freeing bills being introduced in this legislature for individual towns to receive this reimbursement in lieu of taxes.

You will recall that two years ago the Aroostook County town of Marsardis was benefited by a bill that we passed reimbursing that town for taxes. There was a bill introduced in this Legislature before the taxation committee to reimburse the Town of Yarmouth, Gray and two other towns in Cumberland County for lands that are owned by state where the Pownal State School is located.

I did not introduce any particular bill but we have in the Town of Franklin and the adjacent Town of Eastbrook a development there of a game management area in which about eighteen hundred acres of land has been taken by the state for a game preserve or game management area. The town is booked with a valuation of only approximately \$100,000.00. The loss of a thousand acres of land for the purposes of taxation is a substantial per cent of their total valuation. It was felt by a good many members of the legislature that something should be done to reimburse each town for these sections.

The original bill limited the amount to 200 acres and we cut

that to 100 acres, finding that there was one town that had a section that should be taken care of. So that was the reason we reduced the proposed limitation from 200 to 100 acres. In the bill, the amount of taxes or amount of reimbursement was limited not to exceed one dollar per acre. The amount to be received by the town is determined by taking the valuation of all of the lands in the town and dividing it by its total acreage and applying the tax rate. In most instances, the rate would be some 28 or 30 cents per acre but the limitation of a dollar an acre was put in there to protect the state.

I believe that something needs to be done. I do not believe the cost is excessive and I hope that the motion of the Senator from Kennebec does not prevail.

Mr. LEAVITT of Cumberland: Mr. President, the Senator from Hancock has given a very good argument in favor of this bill. He has shown it isn't going to cost much and that something should be done for some little town. But he ignores the fact that we are opening up a precedent here which could cost a great deal of money.

Now when the bill came in here, it was for towns that had 200 acres and with a very small amount of pressure, that amount was reduced to 100 acres. Subsequent legislatures—of course, we don't have to worry too much about this except for the fact that we are opening a door—but subsequent legislatures can decide to bring that down to ten acres, one acre, one-half acre. The first thing we know, the State of Maine will be paying a bounty to every town wherever there is an institution or a building which houses anything that belongs to the state.

The theory behind the bill is bad. It opens the door. Here are these towns which have fought to get institutions to come to their towns. Such institutions are more or less the lifeblood of some of the towns but this bill, if it is accepted and its principle accepted, can very shortly have each and every town coming to the legislature for reimbursement for the loss of the tax on the property which has been taken over by the state. I think it

is a bad bill and I hope it does not pass and that we support the motion of the Senator from Kennebec.

Mr. HASKELL of Penobscot: Mr. President, I realize before this session is ended. I am now in agreement with the Senator from Cumberland, Senator Leavitt and in agreeing with him, it is a matter of principle. If this principle enunciated in this bill is right, the City of Augusta should collect a tax not only from the state for this state house by they should collect both the city and state tax from the federal government for the federal buildings that they have here. I don't think it is hard at all to visualize future legislatures pointing to this as a precedent and saying that since the Bangor State Hospital is in Bangor employing people and adding to their payroll, they at the same time require our streets and our schools and the State should give to the City of Bangor substantial payment in lieu of taxes.

It seems to me we have got to be a little broad-minded in this thing and recognize that those of us who are component parts of the subdivisions within the state must take unto ourselves the duty of taking and giving unto all other parts of the state. I think you have got to take a broad-minded view and realize that they are all part of the State of Maine and what is best for the state as a whole is what ought to be good for them.

I think the principle here is wrong and I am particularly pleased to join with Senator Leavitt in supporting his position.

Mr. NOYES of Hancock: Mr. President, when I find myself in violent disagreement with such prominent senators as have already spoken, I am going to speak my piece.

I am surprised at the Senator from Cumberland at worrying about what future legislatures may do because it has always been his contention that we needn't worry because we haven't got all of the brains and that future legislatures will know just as much in future years. I hope they know more than we do.

I will admit I may be narrow-minded but I am not thinking

about the City of Bangor nor the City of Rockland. I am thinking about some of these little towns back in the State of Maine. The State of Maine takes these woods away from the towns and gives nothing in return to replace the tax money lost. I have "hollered" about this thing before and I will keep on hollering for the small towns until this session adjourns which I hope will be this week and I disagree with the Senator from Penobscot. I think the principle involved is sound. If future legislatures wish to change what we do, that is certainly their right so to do but the actions of this legislature and its members sometimes aren't exactly sound, I don't believe. We have done some things here today that seem to me to have been inconsistent on certain things I am going to call to your attention later on in the day. I certainly hope that this bill passes.

Mr. ELA of Somerset: Mr. President, if there are a few game management areas down in Hancock County which are a burden to those towns in that County, I think the Senator would be better advised to treat with the department which establishes them and they might then put them somewhere else where people would be delighted to have them.

Mr. NOYES: Mr. President, if the Senator knows of any particular way of doing what he suggests, I know of one area that they can transfer any time they want to.

The PRESIDENT: The question is on the motion of the Senator from Kennebec, Senator Reid, that the Senate indefinitely postpone the bill.

A viva voce vote being had, the motion prevailed and the bill was indefinitely postponed.

Mr. LEAVITT of Cumberland: Mr. President, I wish to take from the table Items 33 to 38 inclusive and move that they receive final passage. These are all small resolves put on the table pending final passage, by Senator Brewer of the Appropriations Committee. I have his permission to remove them from the table. I believe all of the claims are justified and should have a passage and I so move.

Thereupon, the Senate voted to take from the table the following resolves tabled by the Senator from Aroostook, Senator Brewer on May 4th, pending final passage:

Resolve in Favor of Guy L. Chretien of Westbrook, (H. P. 815) (L. D. 1327)

Resolve in Favor of Arthur H. Molasky of Gorham (H. P. 880) (L. D. 1328)

Resolve to Reimburse Percy E. Severance of Hampden for Taxes, etc. (H. P. 965) (L. D. 1329)

Resolve to Reimburse Freeport Grain Company for Damage done by Escapee (H. P. 1523) (L. D. 1331)

Resolve in Favor of Florence Goodwin of Clinton (H. P. 1625) (L. D. 1184)

Thereupon, the resolves severally received a final passage.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table bill, An Act Relating to Exemptions from Taxation (H. P. 336) (L. D. 194) tabled by that Senator on May 15 pending adoption of Senate Amendment A.

Mr. NOYES of Hancock: Mr. President, this amendment has been printed and yesterday I explained it rather fully so I shall not repeat that explanation. I move that the amendment be adopted.

Mr. ALLEN of Cumberland: Mr. President, I would like to oppose the motion of the Senator from Hancock, Senator Noyes, regarding this amendment which has been reproduced. We discussed this bill, this so-called veterans exemption bill and there has been a great deal of interest on it throughout the state. We had a full debate on the matter a week and a half ago, as you may recall. Speaking on general terms at that time it was my feeling and the feeling also as a matter of fact, which is more important, of the organized veterans organizations of the state, the American Legion, Veterans of Foreign Wars, that this was not the bill and this was not the time to pass this legislation.

I have great sympathy as I said at that time for the problem, specifically of one town, the town of the sponsor in the other branch of the legislature. We all recognize that there is a problem or

will be one as we discussed the original document. You have looked at L. D. 1399 and you might find there are some things which to me make this amendment undesirable. By substituting the word 'residences' for the word 'estates' this bill denies exemptions to all veterans who are paying rent for their residences or who might own a small shop or other building and may be trying to earn a living such as a barber shop, shoe repair shop, radio repair shop and so forth. By inserting the word "such" before the word "veterans" in these passages which refer to widows and minor children, some widows and minor children who are now receiving exemption would be denied exemption under L. D. 1399. These are the widows and children of veterans who were not receiving pensions or retirement for total disability during their life time or those who died before reaching the age of 62. A veteran may have drawn compensation for eighty percent disability during his lifetime and have been able through this compensation and what he was able to earn, to pay his taxes. Eighty percent compensation would have been paid him at \$140 a month. When he dies, his widow's pension is reduced to \$75 a month and under L. D. 1399 she would have to pay taxes which are exempt under present law.

The widow of a World War I veteran not receiving pension for total disability who dies before reaching the age of 62 may receive a pension if her income is less than a thousand dollars a year. Under present law she is entitled to tax exemption. Under L. D. 1399 she would be denied because her husband had not reached the age of 62 and was not drawing pension for total disability. By adding Section 10A to the law, we will not only take away exemptions now granted our veterans of World War II, their widows and minor children but we will also nullify benefits to veterans of the Korean affair. You will recall this bill originally granted to them under L. D. 45 which already has been enacted and signed by the governor. Under existing law the widows of World War II or the veterans of the

Korean affair may receive debt compensation from the federal government. If her husband died of service connected disability for which she was drawing compensation in any amount by virtue of receiving this debt compensation, she is also entitled to tax exemption. Under L. D. 1399, this amendment of Senator Noyes, she would be denied the exemption unless her husband was receiving total disability before he died.

No law that we enact now will affect exemption for the Korean Affair veterans. Next year, the state is removing itself from the property tax field. By this means, all towns and cities will save tax revenue many times the total of all their tax exemptions. For example, the City of Augusta will save about \$120,000.00 this year and the City of Portland \$635,000.00.

It doesn't seem to me in the face of the discussion which we had two weeks ago or a week or two ago in which we tried to point out at that time the small percentage in relation to these exemptions the fact that since that time we have passed a sales tax which has taken the state out of the property tax field that this isn't something which could wait two more years.

The veterans organizations, the Legion, The Veterans of Foreign Wars, have said publicly at our hearing that they would be delighted to study and accurately analyze and sponsor legislation which would be fair and which would be satisfactory to all concerned. They are sincere in that and their organizations appear to be very, very enthusiastic about doing something to help.

As I said before, they have always shown a tremendous public spirit and cooperation for civic affairs and the welfare of the cities and towns in which they live. I think Senator Noyes is trying to solve a problem. I think that this is not the way to do it. I don't think the Perry Bill is the answer. I don't think 1399 is the answer. I don't think it is an emergency now and therefore, Mr. President, I move that this be indefinitely postponed.

The PRESIDENT: Did the Chair understand the Senator to move in-

definite postponement of the amendment of the bill or both?

Mr. ALLEN: Both, Mr. President.

Mr. NOYES of Hancock: Mr. President and members of the Senate, I think the Senator from Cumberland, Senator Allen, is in error when he says that this does not apply to the veterans of the Korean campaign, because in the 3rd line of Chapter 3, the bill, if I read correctly, specifies veterans of World War II and the Korean campaign. I may not be reading it correctly. I have heard this argument that the time is not right and I heard it two years ago. The time was not right and we said we would do it by and by or someone else would. I have not yet seen anyone make any move to do anything about it.

Of course Portland with \$600,000 from the property tax will be all right. Not a very large percentage of their property will be exempt from taxation, but there are places in Maine that won't receive any \$600,000 in tax relief. It is those particular places that this particular bill effects, and I think it only fair to say that even taking the figures given by the Senator in his able discussion of the bill a week or so ago, that this present exemption law is costing municipalities in the State of Maine a quarter of a million dollars a year and I admitted yesterday on the Senate floor I don't believe we can do that at the state level. I sincerely feel that where the present burden of the towns amount to a quarter million dollars perhaps isn't too great that if this thing continues, unless something is done in our state legislature—and I have the courage to make such a move,—that it can well amount to ten times that and if it is sound to stand here and say that this legislature or past legislatures voted to give this thing to the veterans, I cannot agree, because I don't think the legislature voted to give them anything. They voted to order or instruct the towns to give them this exemption, and admitted that the state is not in a position this year to reimburse the towns, I think the least we can do is to put a bill through here that will diminish the burden upon the town.

I don't think it will hurt anyone. If there is anything wrong in the bill it would be \$3500 exemption that is now in the law. It might well be reduced. It is, as I pointed out earlier in the session, higher than any other state in the union that do give exemptions and with our present valuation it is equivalent to an exemption of a piece of property in many towns worth as much as ten thousand dollars. I don't believe this law under which we are operating is a law that is acting for the benefit of the poor veterans. I think it is acting for the benefit of the veteran who is better off, who is in many instances able to pay his taxes.

The reason I offer this amendment limiting it to World War I veterans of age 62 or over is that there has been considerable difference in the pay of the soldiers who fought World War I and World War II and those now fighting our battles and I feel that if the veterans of World War II are willing to take this step to reduce the potential threat that exists, to help these towns, that this amendment may accomplish a useful purpose.

Mr. SAVAGE of Somerset: Mr. President, I am not in complete agreement with the amendment which Senator Noyes has made. I do feel that he has made an honest attempt to do something on this bill, due to the fact that several Senators came to me after this bill was discussed a couple of weeks ago and said that they would not go along with the bill in its original state but if something was attempted to better it for the veteran that they would go along with me on this bill.

I think that most of the troubles that will arise from this bill will arise four to six years from now and for that reason I am going along with the Senator from Hancock, Senator Noyes, with this amendment.

Mr. BOYKER of Oxford: Mr. President, I feel I can go along with Senator Noyes on this.

Mr. BARNES of Aroostook: Mr. President, I realize the plight of the smaller communities when the impact of the original legislation hit them two years ago but I understood some amendment would be

offered to reimburse the towns for any loss that they might have suffered under this bill.

It was a magnanimous thing to do to pass benefits for our service men to be paid partly by the state and partly by the towns but it seems to me before we go the whole way with this bill some sort of amendment should be attached to reimburse the towns for any money by way of taxation they might lose. I shall oppose the motion of the Senator from Cumberland, Senator Allen, for indefinite postponement but I am hopeful that before we do take a final vote on this bill the other amendment will be in it.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Cumberland, Senator Allen, that the bill and amendment be indefinitely postponed.

A viva voce vote being had

The motion to indefinitely postpone did not prevail.

The PRESIDENT: The question now before the Senate is on the adoption of Senate Amendment A. Is it the pleasure of the Senate to adopt Senate Amendment A?

Senate Amendment A was adopted, and the bill was passed to be engrossed as amended by House Amendment B, House Amendment C, and Senate Amendment A, in non-concurrence.

Sent down for concurrence.

Mr. CROSBY of Franklin: Mr. President, I move that the Senate reconsider its former action of earlier today whereby bill, An Act to Increase the Salaries of Members of the State Police (L. D. 1386) was passed to be engrossed, and I will say in explanation that we had a police salary in the Highway Committee and that seems to be the committee that sets up their salaries. We intended to set it up according to the recommendations of the personnel survey but one of the members was asked to draw the bill in a new draft, which he did, but the figures were the personnel recommendations of last October. Since then those figures have been changed as of March 1st and our bill which we passed this morning makes the state police some five percent lower than the rest of the

personnel of the state, so I ask for this reconsideration in order that I may offer an amendment to it to bring it in line with the rest of the personnel as recommended.

The motion prevailed and passage to be engrossed of bill, An Act to Increase the Salaries of Members of the State Police (H. P. 1809) (L. D. 1386) was reconsidered.

The same Senator presented Senate Amendment A, which was adopted without reading, and the bill as so amended was passed to be engrossed in non-concurrence.

On motion by Mr. Leavitt of Cumberland the Senate voted to return forthwith to the Governor, the following bills and resolves recalled by Joint Order and now in the possession of the Senate:

Resolve Appropriating Moneys for Automatic Emergency Electric Power for State Police Radio System (S. P. 246) (L. D. 548)

Resolve Restoring the Frederick Robie Library Fund (H. P. 801) (L. D. 1226)

An Act Relating to Expenses of the Reporter of Decisions (H. P. 955) (L. D. 567)

Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of Montpelier (H. P. 803) (L. D. 1225)

Resolve in Favor of the Maine Historical Society (H. P. 794) (L. D. 1224)

An Act Relating to Court Stenographers (S. P. 221) (L. D. 496)

An Act Relating to Compensation for Members of State Racing Commission (H. P. 444) (L. D. 273)

On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table the following resolves tabled April 20 by the Senator from Aroostook, Senator Brewer pending final passage:

Resolve Authorizing the Maine Public Utilities Commission to Set Out and Maintain Buys on Sebago Lake (H. P. 1590) (L. D. 1162)

Resolve, Providing for State Pension for Florence I. Cain of Clinton (H. P. 1692) (L. D. 1269)

Resolve Providing a Pension for George M. D. Grant of Milbridge (H. P. 1693) (L. D. 1270)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (S. P. 436) (L. D. 999)

Which resolves received a final passage.

Mr. Patterson from the Committee on Welfare on the following Resolves:

H. P. 7, Resolve Providing for an Increase in State Pension for Beatrice E. Morawetz, of Dresden.

H. P. 34, Resolve Providing for State Pension for Mrs. Eva Goodwin, of Lisbon Falls.

H. P. 35, Resolve Providing for State Pension for Irene Dorothy Ferrence, of Lisbon Falls.

H. P. 66, Resolve Providing for State Pension for Austin M. Welkel, of Cape Elizabeth.

H. P. 67, Resolve Providing for State Pension for Wilfred Turgeon, of Waterboro.

H. P. 99, L. D. 43, Resolve Providing for State Pension for John Smith, of Belgrade.

H. P. 176, Resolve Providing for State Pension for Maryon Boothby, of Westport.

H. P. 177, Resolve Providing for an Increase in State Pension for George Byrus, of Lisbon.

H. P. 211, Resolve Providing for State Pension for Kenneth Graves, of Orrington.

H. P. 212, Resolve Providing for State Pension for Everett Tarrio, of Bradley.

H. P. 213, Resolve Providing for State Pension for George Pitts, of New Gloucester.

H. P. 215, Resolve Providing for State Pension for Thelma Judkins, of Moody.

H. P. 216, Resolve Providing for State Pension for Herman Silver, of Wells.

H. P. 217, Resolve Providing for State Pension for Howard King, of Bath.

H. P. 218, Resolve Providing for State Pension for Clyde W. Johnson, of Garland.

H. P. 219, Resolve Providing for an Increase in State Pension for Maggie Caird, of Dexter.

H. P. 246, Resolve Providing for State Pension for Donald Forbes, of Brooks.

H. P. 247, Resolve Providing for State Pension for Joyce Teeney, of Brooks.

H. P. 248, Resolve Providing for an Increase in State Pension for Clarence Thomas, of Rumford Point.

H. P. 346, Resolve Providing for an Increase in State Pension for Alfred Wik of Stockholm.

H. P. 348, Resolve Providing for a State Pension for Elise Ayotte, of Stockholm.

H. P. 350, Resolve Providing for State Pension for Edith Rossignoll, of Stockholm.

H. P. 351, Resolve Providing for an Increase in State Pension for John Henry McCullough, of Hudson.

H. P. 352, Resolve Providing for State Pension for Evelyn M. Moody, of Belfast.

H. P. 353, Resolve Providing for an Increase in State Pension for Charlotte E. Armstrong, of Belmont.

H. P. 354, Resolve Providing for an Increase in State Pension for Melvin Belden, of Palermo.

H. P. 355, Resolve Providing for an Increase in State Pension for John Ellis, of Monroe.

H. P. 358, Resolve Providing for State Pension for George W. Rines, of North Newburg.

H. P. 359, Resolve Providing for State Pension for LeRoy Clewly, of Etna.

H. P. 361, Resolve Providing for State Pension for Alice Sirois, of Old Town.

H. P. 362, Resolve Providing for State Pension for Joseph Chouinard, of Old Town.

H. P. 363, Resolve Providing for State Pension for Rolande Tondreau, of Augusta.

H. P. 365, Resolve Providing for State Pension for John Mitchell, of Patten.

H. P. 366, Resolve Providing for State Pension for Bertha Hodge, of Mechanic Falls.

H. P. 367, Resolve Providing for an Increase in State Pension for Margaret McLean, of Mechanic Falls.

H. P. 368, Resolve Providing for State Pension for Curtis Bragdon, of Mechanic Falls.

H. P. 369, Resolve Providing for State Pension for Jabez Coffin, of Mechanic Falls.

H. P. 399, Resolve Providing for State Pension for Thomas Norman Whitcomb, of Searsport.

H. P. 400, Resolve Providing for State Pension for Marlene Smart, of Prospect.

H. P. 441, L. D. 259, Resolve Providing for an Increase in State Pension for Fabien Boutote, of Fort Kent.

H. P. 565, Resolve Providing for State Pension for Charlotte Estella Morrill, of Belfast.

H. P. 566, Resolve Providing for State Pension for Otis Emery Robbins, of Belfast.

H. P. 568, Resolve Providing for an Increase in State Pension for Joseph William True, of Garland.

H. P. 569, Resolve Providing for State Pension for Pearl Izetta Harriman, of Boothbay Harbor.

H. P. 662, Resolve Providing for State Pension for Walter W. Erskine, of Fayette.

H. P. 663, Resolve Providing for State Pension for John Chelsea Prescott, of East Corinth.

H. P. 664, Resolve Providing for an Increase in State Pension for Guy Babb, of Hudson.

H. P. 667, Resolve Providing for State Pension for Bernard M. Kelly, of Monroe.

H. P. 669, Resolve Providing for State Pension for Gladys Garnet, of Dixmont.

H. P. 670, Resolve Providing for State Pension for Omer Lousier, of Grand Isle.

H. P. 671, Resolve Providing for State Pension for Lucille Marquis, of Van Buren.

H. P. 764, Resolve Providing for State Pension for Mrs. Edith Darnen, of Mt. Vernon.

H. P. 766, Resolve Providing for Pension for Hilda Malcolm, of Wiscasset.

H. P. 767, Resolve Providing for State Pension for Allen Malcolm, of Wiscasset.

H. P. 768, Resolve Providing for State Pension for Kenneth Martin Hunt, of Clinton.

H. P. 770, Resolve Providing for State Pension for Henry Beaulieu, of Grand Isle.

H. P. 771, Resolve Providing for an Increase in State Pension for Albert Beaulieu, of Grand Isle.

H. P. 772, Resolve Providing for State Pension for Katherine Parks, of Bath.

H. P. 773, Resolve Providing for State Pension for Ronald Martin Mosher, of Leeds.

H. P. 786, Resolve Providing for State Pension for Earle Beaulieu, of Orono.

H. P. 787, Resolve Providing for State Pension for Frank LeRoy Weir, of Richmond.

H. P. 788, Resolve Providing for State Pension for Helen E. Easler, of Richmond.

H. P. 789, Resolve Providing for State Pension for Westley Dow, of Richmond.

H. P. 852, Resolve Providing for State Pension for Ruth B. Holway, of Mount Vernon.

H. P. 853, Resolve Providing for an Increase in State Pension for Sadie Turner, of Palermo.

H. P. 855, Resolve Providing for an Increase in State Pension for Geneva May Gay, of Clinton.

H. P. 858, Resolve Providing for State Pension for Sylvio J. Gagne, of Brunswick.

H. P. 860, Resolve Providing for a State Pension for Nelson Bouchard of St. Agatha.

H. P. 862, Resolve Providing for an Increase in State Pension for Irene Dufour of Madawaska.

H. P. 864, Resolve Providing for State Pension for Laura Griffin Donaldson, of Farmingdale.

H. P. 865, Resolve Providing for State Pension for Pauline Dechane, of Patten.

H. P. 866, Resolve Providing for State Pension for Lena Coolong, of Patten.

H. P. 943, Resolve Providing for an Increase in State Pension for Berton Knight, of Peru.

H. P. 944, Resolve Providing for State Pension for George McGinley, of Mattawamkeag.

H. P. 946, Resolve Providing for an Increase in State Pension for Albridge Raymond Ranks, of Randolph.

H. P. 947, Resolve Providing for State Pension for Alice Foster, of Dixmont.

H. P. 952, Resolve Providing for State Pension for Hugh Gallagher, of Mechanic Falls.

H. P. 1039, Resolve Providing for a State Pension for Mrs. Hilda Ambrose of Masardis.

H. P. 1041, Resolve Providing for State Pension for Sylvester Van Sickle, of Gardiner.

H. P. 1042, Resolve Providing for State Pension for Ray Morris of St. Francis Plantation.

H. P. 1043, Resolve Providing for State Pension for Phillippa Jandreau of St. Francis Plantation.

H. P. 1044, Resolve Providing for an Increase in State Pension for Eddie Ouellette, of St. Francis Plantation.

H. P. 1045, Resolve Providing for State Pension for John Doustou, of New Canada Plantation.

H. P. 1046, Resolve Providing for State Pension for Francis Cyr, of St. Agatha.

H. P. 1047, Resolve Providing for a State Pension for Mary Rose Mason, of Monmouth.

H. P. 1049, Resolve Providing for a State Pension for Harold M. Brown of Stockton Springs.

H. P. 1147, Resolve Providing for State Pension for Howard Lund, of Mars Hill.

H. P. 1148, Resolve Providing for State Pension for Louis Soucie, of Hamlin Plantation.

H. P. 1149, Resolve Providing for an Increase in State Pension for Freda Potter, of No. Whitefield.

H. P. 1150, Resolve Providing for an Increase in State Pension for Ethel M. Merry, of Waldoboro.

H. P. 1152, Resolve Providing for an Increase in State Pension for Ira Stuart, of Whitefield.

H. P. 1154, Resolve Providing for an Increase in State Pension for Lillian Ireland, of Lincoln.

H. P. 1158, Resolve Providing for State Pension for Mary McMahon, of Eastport.

H. P. 1159, Resolve Providing for State Pension for Clinton Freeman, of Bar Harbor.

H. P. 1160, Resolve Providing for State Pension for Alexis Fournier, of Brunswick.

H. P. 1161, Resolve Providing for an Increase in State Pension for Frank Gilmore, of Bangor.

H. P. 1217, Resolve Providing for State Pension for Miss Leola Carleton, of Danforth.

H. P. 1219, Resolve Providing for State Pension for Austin Wiley, of Madawaska.

H. P. 1220, Resolve Providing for State Pension for A. Lewis Baker, of Houlton.

H. P. 1249, L. D. 804, Resolve Providing for State Pension for Elwin Verdon, of Fairfield.

H. P. 1286, Resolve Providing for State Pension for Joseph Quirion, of Augusta.

H. P. 1288, Resolve Providing for State Pension for Weston Elmer Hall, of Stonington.

H. P. 1289, Resolve Providing for State Pension for Harld Parsons, of East Machias.

H. P. 1290, Resolve Providing for State Pension for Joseph Michaud, of Frenchville.

H. P. 1337, Resolve Providing for State Pension for Miss Annette Chasse, of Van Buren.

H. P. 1338, Resolve Providing for State Pension for Guy Pulsifer, of Turner.

H. P. 1359, Resolve Providing for State Pension for Allen Scott, of East Machias.

H. P. 1360, Resolve Providing for State Pension for Evelyn Chase, of Burnham.

H. P. 1361, Resolve Providing for State Pension for Edna Bickford, of Richmond.

H. P. 1376, Resolve Providing for State Pension for Mrs. Blanche Dyer, of Belfast.

H. P. 1379, Resolve Providing for State Pension for Elizabeth Kavanagh, of Lewiston.

H. P. 1386, Resolve Providing for State Pension for Alfred Pelletier, of Madawaska.

H. P. 1396, Resolve Providing for State Pension for Valeda Marie Kennedy, of Waldoboro.

H. P. 1451, Resolve Providing for an Increase in State Pension for Jennie Mower, of Belfast.

H. P. 1453, Resolve Providing for an Increase in State Pension for Nellie Estes, of Lewiston.

H. P. 1454, Resolve Providing for an Increase in State Pension for Edith Carver, of Gardiner.

H. P. 1456, Resolve Providing for an Increase in State Pension for Eli Gaudette, Jr., of Rumford.

H. P. 1457, Resolve Providing for State Pension for Miss Viola Michaud, of Eagle Lake.

H. P. 1458, Resolve Providing for State Pension for Edith Langdon, of Bath.

H. P. 1460, Resolve Providing for State Pension for Mrs. Ina Lovejoy, of E. New Portland.

H. P. 1492, Resolve Providing for an Increase in State Pension for Gladys Guimond, of Auburn.

H. P. 1493, Resolve Providing for State Pension for Nellie Whitehead, of Belfast.

H. P. 1494, Resolve Providing for State Pension for Abbie Spencer, of Clifton.

H. P. 1495, Resolve Providing for State Pension for Leland White, of Oakland.

H. P. 1496, Resolve Providing for State Pension for Beulah Tucker, of Smyrna.

H. P. 1497, Resolve Providing for State Pension for Mrs. Velma Lawler, of Oakland.

H. P. 1498, Resolve Providing for an Increase in State Pension for Beatrice Bulley, of Randolph.

H. P. 1501, Resolve Providing for an Increase in State Pension for Edgar Jandreau of St. Francis Plantation.

H. P. 1556, Resolve Providing for an Increase in State Pension for Howard Hatch, of Kennebunk.

H. P. 1557, Resolve Providing for an Increase in State Pension for Ethelyne M. Stewart, of Clinton.

H. P. 1558, Resolve Providing for an Increase in State Pension for Arthur Wesley Hunt, of Clinton.

H. P. 1558, Resolve Providing for an Increase in State Pension for Arthur Wesley Hunt, of Clinton.

H. P. 1596, Resolve Providing for an Increase in State Pension for Arthur D. Sawtelle, of Oakland.

H. P. 1597, Resolve Providing for an Increase in State Pension for Gladys Eaton, of Sedgwick.

H. P. 1554, Resolve Providing for State Pension for Euphemie O. Michaud, of Houlton.

H. P. 1793, Resolve Providing for a State Pension for John Upham of Thomaston.

reported that they have been included in a Consolidated Resolve, under title of "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons," (S. P. 582) (L. D. 1389) previously reported into the Senate, and that they ought to pass.

Which report was read and accepted and ordered filed together with (S. P. 582) with the Secretary of State, in concurrence.

Bill "An Act Permitting Basketball on Sunday." (H. P. 106) (L. D. 53)

(In Senate on May 15th, Report "B,"—"Ought Not to Pass" accepted in non-concurrence.)

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

Messrs. PIERCE of Bucksport
TRAVIS of Westbrook
HAND of New Limerick

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

Bill "An Act Relating to the Taking of Soft Shelled Clams in Jonesport." (H. P. 62) (L. D. 28)

(In Senate, on May 15th, the Majority Report, "Ought to Pass in a new Draft," (H. P. 1789) (L. D. 1358) and new title, read and accepted, and the bill passed to be engrossed in non-concurrence.)

Comes from the House, that Body having adhered to its former action whereby the Minority Report "Ought to Pass" was read and accepted, and the bill in original draft passed to be engrossed.

In the Senate, on motion by Mr. Sleeper of Knox, the Senate voted to adhere.

Bill "An Act Relating to Trespassing on Commercial or Residential Property." (S. P. 411) (L. D. 971)

(In Senate, on May 15th, Majority Report read and accepted, and the bill as amended by Senate Amendment "A" was passed to be engrossed, in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby the bill was indefinitely postponed and now asks for a Committee of Conference, the Speaker having appointed as mem-

bers of such a Committee on the part of the House:

Messrs. BAILEY of Woolwich
TURNER of Auburn
WOODWORTH of Fairfield

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

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, ordered to study the provisions of Chapter 430 of the Public Laws of 1949, namely the Maine Employment Security Law, to determine the advisability of granting "unemployment compensation" coverage to the employees of the State and its several jurisdictions; and be it further

ORDERED that the committee shall make such report or reports and such recommendations as it concludes and such reports shall be made prior to the date of the convening of the 96th Legislature. (H. P. 1819)

Which was read and passed in concurrence.

The Committee on Taxation on Memorial Petitioning the Congress of the United States to Withhold its Approval of Proposed Increases in Federal Automotive Excise Taxes," (H. P. 1804) (L. D. 1362) reported that the same ought not to be adopted.

Which report was read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Certain Department Heads," (H. P. 1251) (L. D. 825) reported the same in a new draft (H. P. 1802) (L. D. 1381) under the same title, and that it ought to pass.

The Committee on Judiciary on Bill "An Act Relating to the Commitment to Mental Hospitals," (H. P. 1423) (L. D. 1056) reported the same in a new draft (H. P. 1807) (L. D. 1384) under the same title, and that it ought to pass.

Which reports were severally read and accepted in concurrence, the bills in new draft read once, and under suspension of the rules, read

a second time and passed to be engrossed, in concurrence.

The Committee on Judiciary on Bill "An Act Relating to Making of Wills," (H. P. 158) (L. D. 89) reported the same in a new draft (H. P. 1803) (L. D. 1379) under a new title, Bill "An Act Relating to Rights of Married Persons," and that it ought to pass.

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

The Majority of the Committee on Judiciary on Bill "An Act to Incorporate the Guardian Finance Co.," (H. P. 641) (L. D. 333) reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senators:

HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook

Representatives:

FAY of Portland
WOODWORTH of Fairfield
HAYES of Dover-Foxcroft
FULLER of Bangor
DELAHANTY of Lewiston

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

(signed)

Representatives:

McGLAUFN of Portland
HARDING of Rockland

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. Haskell of Cumberland, the Majority Report was read and accepted in concurrence, and under suspension of the rules, Committee Amendment A was adopted without reading, the bill was given its two several readings and passed to be engrossed in concurrence.

The Majority of the Committee on Judiciary on Bill "An Act Creat-

ing the Maine School Building Authority," (H. P. 1274) (L. D. 824) reported that the same ought to pass as amended by Committee Amendment "A." (Amendment Filing 380)

(signed)

Senators:

HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook

Representatives:

FAY of Portland
HAYES of Dover-Foxcroft
HARDING of Rockland
FULLER of Bangor
DELAHANTY of Lewiston

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

(signed)

Representatives:

McGLAUFILIN of Portland
WOODWORTH of Fairfield

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. Ward of Penobscot, the Majority report was read and accepted and under suspension of the rules, Committee Amendment A was adopted without reading and the bill given its two several readings and passed to be engrossed in concurrence.

The Majority of the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitation of Municipal Indebtedness," (H. P. 1082) (L. D. 695) reported that the same ought to pass as amended by Com-

mittee Amendment "A." (Amendment Filing 381)

(signed)

Senators:

HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook

Representatives:

FAY of Portland
HAYES of Dover-Foxcroft
FULLER of Bangor
DELAHANTY of Lewiston
HARDING of Rockland

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

(signed)

Representatives:

McGLAUFILIN of Portland
WOODWORTH of Fairfield

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A." and by House Amendment "A." (Amendment Filing 379)

In the Senate, on motion by Mr. Barnes of Aroostook, the Majority report was accepted, the bill read once, Committee Amendment A and House Amendment A were read and adopted in concurrence; and under suspension of the rules, the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Crosby of Franklin, the Senate voted to take from the table bill, An Act Relating to the Military Law (H. P. 344) (L. D. 203) tabled by that Senator on April 13 pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Crosby of Franklin,

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