

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

SENATE

Wednesday, March 9, 1955

The Senate was called to order by the President.

Prayer by the Rev. Charles Pendleton, of Bethel.

Journal of yesterday read and approved.

House Papers

Bill "An Act to Revise the Laws Relating to Loan and Building Associations." (S. P. 368) (L. D. 1064)

In the Senate on March 1, referred to the Committee on Judiciary.

Comes from the House, referred to the Committee on Business Legislation in non-concurrence.

In the Senate, that Body voted to recede and concur.

"Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State." (H. P. 953) (L. D. 1056)

Comes from the House, indefinitely postponed without reference to a Joint Standing Committee.

In the Senate, that Body voted to indefinitely postpone the resolve without reference to a Joint Standing Committee, in concurrence.

House Papers

Bill "An Act Relating to Per Capita Aid to Academies." (H. P. 1027) (L. D. 1199)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to Merger of Domestic Mutual Insurance Companies." (H. P. 1028) (L. D. 1200)

Bill "An Act Relating to Change of Purposes of Domestic Mutual Insurance Companies." (H. P. 1029) (L. D. 1201)

Which was referred to the Committee on Business Legislation in concurrence.

The PRESIDENT: At this time the Chair, on behalf of the Senate, welcomes to our morning session a group of students from the 9th grade school in Skowhegan, accompanied by their teacher, Mr. Webb. We welcome you youngsters to our session

and we hope that you enjoy the proceedings, in both branches. We hope you will visit the members of the Senate and we hope that at the close of the day you will have a little more interest in your state government. We thank you for coming down and being with us.

Bill "An Act Relating to Procedure in Cruelty to Animals Laws." (H. P. 1030) (L. D. 1202)

Which was referred to the Committee on Judiciary in concurrence.

Bill "An Act Providing for a Dam or Tidegate in the Ogunquit River." (H. P. 1031) (L. D. 1203)

Which was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Providing for Additional Public Members of the Water Improvement Commission." (H. P. 1032) (L. D. 1204)

Which was referred to the Committee on Natural Resources in concurrence.

House Paper

Received by Unanimous Consent

Bill "An Act to Incorporate the Exeter School District." (H. P. 1058) (L. D. 1208)

Which was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

House Committee Reports Leave to Withdraw

The Committee on Judiciary on Bill "An Act Relating to Actions Against Towns for Slippery Sidewalks." (H. P. 540) (L. D. 597) reported that the same be granted Leave to Withdraw.

The Committee on Labor on Bill "An Act Relating to Employment of Females in Commercial Establishments." (H. P. 304) (L. D. 281) reported that the same be granted Leave to Withdraw.

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for Gordon Millett of Wilton." (H. P. 395) reported that the same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Muskrats in Washington County." (H. P. 42) (L. D. 53) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Permits for Propagation of Muskrat, Beaver or Otter." (H. P. 295) (L. D. 307) reported that the same Ought not to pass.

(On motion by Mr. Boyker of Oxford, tabled pending acceptance of the report.)

The same Committee on Bill "An Act Increasing Bounty on Bobcats in Washington County." (H. P. 590) (L. D. 646) reported that the same Ought not to pass.

The Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council." (H. P. 10) (L. D. 9) reported that the same Ought not to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report.)

The same Committee on Bill "An Act Relating to Contracts of Minors Under Statute of Frauds." (H. P. 359) (L. D. 397) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Judiciary on Bill "An Act Relating to Fees of Bail Commissioners." (H. P. 484) (L. D. 529) reported that the same Ought to pass.

Comes from the House, recommended to the Committee on Judiciary.

In the Senate, on motion by Mr. Reid of Kennebec, the bill was laid upon the table pending acceptance of the report and especially assigned for later in today's session.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Nonresident Trapping License Fees." (H. P. 412) (L. D. 459) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Fees for Hunting and Fishing Licenses." (H. P. 424) (L. D. 470) reported that the same Ought to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report.)

The same Committee on Bill "An Act Relating to Closed Time on Rabbits in Somerset County." (H. P. 591) (L. D. 647) reported that the same Ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Duties of Officers of Corporations." (H. P. 668) (L. D. 744) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill "An Act to Enlarge the Powers of the Gorham Farmers' Club." (H. P. 308) (L. D. 285) reported that the same Ought to pass.

The same Committee on Bill "An Act to Incorporate the Town of Mechanic Falls School District." (H. P. 619) (L. D. 626) reported that the same Ought to pass.

The same Committee on Bill "An Act to Create the Van Buren Hospital District." (H. P. 620) (L. D. 627) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Indebtedness of the Rockland School District." (H. P. 713) (L. D. 781) reported that the same Ought to pass.

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

Ought to Pass—as Amended

The Committee on Judiciary on Bill "An Act Relating to the County Law Library at Rumford in the County of Oxford." (H. P. 108) (L. D. 116) reported that the same Ought to pass as Amended by Committee Amendment "A" (Filing No. 62)

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

The Committee on Legal Affairs on Bill "An Act to Amend the Char-

ter of the Town of Mexico School District." (H. P. 366) (L. D. 403) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 63)

Which report was read and accepted in concurrence and the bill read once. On motion by Mr. Fuller of Oxford, the rules were suspended, the bill read a second time and passed to be engrossed in concurrence.

The Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain Officers in Washington County." (H. P. 169) (L. D. 160) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 65)

Which report was read and accepted in concurrence and the bill read once. On motion by Mr. Wyman of Washington, the bill and accompanying papers were laid upon the table pending consideration of Committee Amendment A.

The same Committee on Bill "An Act to Increase the Salaries of the Judge and the Recorder of the Western Washington Municipal Court." (H. P. 170) (L. D. 161) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 68).

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

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of a lady who has graced our session for more years as a Senate wife, than any other person in this Senate. She has been proud of the accomplishments of her Senate husband, just as the rest of the Senate has been proud of his accomplishments, and I would like the pleasure of asking the Sergeant-at-Arms to escort to the rostrum, the very attractive Mrs. Jean Charles Boucher.

This was done amidst the applause of the Senate.

The same Committee on Bill "An Act to Increase the Salary of the

Judge of the Calais Municipal Court." (H. P. 171) (L. D. 162) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 67)

The same Committee on Bill "An Act to Increase the Salary of the Recorder of the Calais Municipal Court." (H. P. 172) (L. D. 163) reported that the same "Ought to pass" as amended by Committee Amendment A (Filing 66)

Which reports were severally read and accepted in concurrence and the bills read once. Committee Amendments A were severally read and adopted in concurrence, and the bills as amended, were tomorrow assigned for second reading.

The Committee on Public Health on Bill "An Act Relating to Time of Examinations for Applicants to Practice Hairdressing and Beauty Culture." (H. P. 497) (L. D. 541) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 46)

Comes from the House, passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A (Filing 76) thereto.

In the Senate, the report was read and accepted in concurrence, and the bill read once. Committee Amendment A and House Amendment A thereto were read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill "An Act to Create the Auburn Parking District." (H. P. 367) (L. D. 424) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 64)

Comes from the House, passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A (Filing 70).

In the Senate, the report was read and accepted in concurrence and the bill read once. Committee Amendment A and House Amendment A were read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Communication

STATE OF MAINE
DIRECTOR OF LEGISLATIVE
RESEARCH
Augusta

March 8, 1955

Honorable Chester T. Winslow
Secretary of the Senate
97th Legislature
State House
Augusta, Maine

Dear Sir:

In accordance with Joint Legislative Order (S. P. 25) I submit herewith a list of all bills and resolves remaining in process of completion in my office.

Respectfully submitted,

(Signed) SAMUEL H. SLOSBERG
Director

Which was read and placed on file.

Communication

STATE OF MAINE
HOUSE OF REPRESENTATIVES
Office of the Clerk
Augusta

March 8, 1955

Honorable Chester T. Winslow
Secretary of the Senate
97th Legislature
Sir:

The Speaker of the House has appointed the following conferees on the part of the House on the disagreeing action of the Two Branches of the Legislature on Bill "An Act Relating to Free Fishing and Hunting Licenses to Residents 75 Years of Age." (H. P. 101) (L. D. 109):

Messrs. CALL of Cumberland
BUTLER of Franklin
PIERCE of Bucksport

Respectfully,

(Signed) HARVEY R. PEASE
Clerk of the House

Which was read and placed on file.

Senate Papers

The following Bills and Resolves were transmitted by the Director of Legislative Research pursuant to Joint Order (S. P. 25):

Mr. Boucher of Androscoggin presented

"Resolve Authorizing a Survey of State Government." (S. P. 441)

Mr. Wyman of Washington presented

"Resolve for Support of 'Ruggles House' in Columbia Falls." (S. P. 442)

Which were referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for nonconcurrence.

Mr. Boyker of Oxford presented
"Resolve to Construct Part of East B Hill Road, Oxford County." (S. P. 443)

Which was referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

The same Senator presented
Bill "An Act Declaring the Communist Party Illegal and Unlawful." (S. P. 444)

Mr. Lessard of Androscoggin presented

Bill "An Act Relating to Statute of Limitations for Trespass on Land." (S. P. 445)

Mr. Sinclair of Somerset presented

Bill "An Act Relating to Legislative Research Committee." (S. P. 446)

Mr. Weeks of Cumberland presented

Bill "An Act Relating to Motion for a Directed Verdict in Jury Trials of Civil Actions." (S. P. 447)

The same Senator presented

Bill "An Act Providing for an Interpleader Compact." (S. P. 448)

The same Senator presented

Bill "An Act to Provide a Uniform Method for the Exercise of the Initiative and Referendum in Municipal Affairs." (S. P. 449)

Which were severally referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

The same Senator presented
Bill "An Act Relating to Interstate Water Pollution Control." (S. P. 450)

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

Mr. Farris of Kennebec presented Bill "An Act Relating to Disposition of County Fees." (S. P. 451)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following Bills:

House

Bill "An Act Relating to Payments to Androscoggin Law Library." (H. P. 61) (L. D. 66)

Bill "An Act Relating to Expenses of Examination of Industrial Banks." (H. P. 89) (L. D. 100)

Bill, "An Act Relating to Payment to Oxford County Law Library." (H. P. 298) (L. D. 309)

Bill "An Act Relating to the Appointment of a Nominee by Banking Institutions Acting in a Fiduciary Capacity." (H. P. 431) (L. D. 475)

Bill "An Act to Enlarge the Powers and Purposes of Congregational-Christian Conference of Maine." (H. P. 430) (L. D. 477)

Bill "An Act Relating to Personal Recognizances." (H. P. 429) (L. D. 474)

Bill "An Act Relating to Stations for Weighing Vehicles." (H. P. 237) (L. D. 216)

Bill "An Act Relating to Medical Care for Public Assistance Recipients." (H. P. 510) (L. D. 547)

Bill "An Act Relating to Certain Plantations Maintaining Paupers." (H. P. 570) (L. D. 618)

Bill "An Act Relating to Aid to Public and Private Hospitals." (H. P. 1024) (L. D. 1100)

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

House—as Amended

Bill "An Act Relating to Fees Paid to Register of Deeds by the State." (H. P. 177) (L. D. 184)

Bill "An Act Relating to Definition of School Buses and Overtaking and Passing School Buses." (H. P. 127) (L. D. 130)

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

Senate

Bill "An Act Relating to Peremptory Challenges in Criminal Cases." (S. P. 217) (L. D. 558)

Bill "An Act Relating to Jurisdiction of Cases of Forcible Entry and Detainer of Recorders of Municipal Courts." (S. P. 220) (L. D. 561)

Bill "An Act Relating to Abstracts of Criminal Records for State Bureau of Identification." (S. P. 248) (L. D. 680)

Bill "An Act Relating to Jurisdiction of State Courts after Federal Courts Disposed of Criminal Case." (S. P. 252) (L. D. 684)

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

Sent down for concurrence.

Senate, as amended

Bill "An Act Relating to Registration of Architects." (S. P. 224) (L. D. 565)

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

Sent down for concurrence.

Additional Paper from the House:

The Committee on Legal Affairs reported "Ought to pass as Amended by Committee Amendment A" on bill An Act Relating to the Lisbon Water Department (H. P. 709) (L. D. 777).

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

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

Orders of the Day

The Chair laid before the Senate the first tabled and especially assigned matter being House Report from the Committee on Judiciary; Majority Report Ought not to pass, and Minority Report Ought to pass, on "Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election"

(H. P. 362) (L. D. 400) tabled by that Senator on March 3 pending acceptance of either report.

Mr. LESSARD of Androscoggin: Mr. President, at this time I would like to make a motion for the acceptance of the minority "Ought to pass" report and I wish to speak on the motion.

Mr. President and my colleagues of the Senate: This piece of legislation, this document, L. D. 400 for change of the election date, I had hoped that previous to this session of the Legislature that it would be sponsored perhaps by the members of the Republican group; I had hoped that it would receive perhaps bi-partisan support of this Legislature.

Surely I would be taking up a great deal of your time if I went into the arguments which I have diligently read in three legislative records, the pros and cons of this legislation, and it would be impossible for me perhaps to read the thirty-one previous times that this bill has been presented to this Legislature. There have been investigations, there have been surveys, and I am sure that all of us here have read reports of the surveys and of their results. I believe back in 1945 questionnaires were sent to the several clerks of our towns and cities as to the expense of holding this extra election every four years, and an approximation of \$45,000 was the figure which they came out with that it cost the citizens of our State every four years to hold this special election.

Is it not reasonable to say now that in 1955, when we know that the cost of everything else has increased, that the increased cost to the town would probably be fifty per cent?

Is it not reasonable for me to say that it now costs our citizens here in Maine, the taxpayers, every four years the sum of perhaps \$60,000? That figure, as I say, is an approximation but it is in my opinion a reasonable one.

Let me read to you from the editorial page of the Lewiston Evening Journal, March 2, 1955, in which the editor of the Lewiston Evening Journal of Lewiston Maine writes with the caption of "Stuck in a Rut."

"At this time of year it is not unusual to get stuck in a rut, especially on a muddy sideroad. The Judiciary Committee of the Legislature is bogged down in its thinking on changing the election date from September to November. Today on strictly partisan lines eight republicans voted against a lone Democrat to kill a bill which would make the election date change. No logical excuse remains for a September election date, and every four years the election costs are doubled for cities and towns for the presidential election. There was a time when all roads were muddy and difficult in Maine in November and that memory must linger in the G.O.P. minds. A similar bill has failed of passage thirty-one times at previous sessions."

Let me say to you, my colleagues, that if this bill has been presented this number of times there surely must be some justification for it. I am sure that we of the Democratic Party cannot be classified that we just merely present legislation because we want to have something to throw in here. There must be some logical reasoning behind it. For thirty-one times, yes, thirty-two times, it has been presented. All we ask of the Legislature here is to give the people a chance to vote on it. We feel it belongs to them. Give them once, after thirty-one times an opportunity to say yes or no. Perhaps it would clear up a lot of our time here in the Legislature, because if the people say no that is the end of it; but we ask you in all fairness, let us give them a chance to see what they can do.

It has been said that this law was placed upon our books because of certain climatic conditions and it was necessary to have our voting in Maine in September because of road conditions, because of certain climate. Let me say to you that I am sure our roads in November nowadays are just as good as they are in September, probably even better. The last season we had so much rain in those summer months that I am sure that motoring and traveling in the month of November was much better than at that time of year, so I think that argument is out.

Now they say to you also: "Well, it gives us a great deal of publicity." In other words, we tell the rest of

the nation what we are going to do previous to their elections. Do not forget that forty-seven states have November elections; we are one that does not. They say that it is great publicity for the State of Maine. Well, it works both ways. We had the advantage of it here last time: we elected a Democratic Governor, and sure enough, throughout the nation went out the word that a Democrat was elected in Maine and therefore the rest of the country should go Democratic.

Now you are logical men and women, I know you are. That doesn't influence you. If you lived in Connecticut or Oklahoma or anywhere else, would that fact influence you? No, I know it would not. I hate to underestimate the intelligence of my fellow-citizens throughout this country. Surely it is very nice publicity to say that Maine elected a certain person and it is nice publicity to get your name in the papers, but can we afford it to the tune of an expense of sixty thousand dollars every four years? That is pretty expensive advertising in my opinion, especially today. When I sit up here — this is my first term in this grand body — and I see these bills coming up here — here they are stacked up, I don't know what the numbers have reached, but I see bill after bill and a majority of them are for some control over somebody or for the raising of new taxes, something that has in it a dollar sign, something which is going to cost the taxpayer more money. Surely we owe it to our people, surely we owe it to the people we represent to try somewhere along the way, to save them a little money, where we can say to them, "We are going to give you something that is not going to cost you money but save you some money."

I read these arguments here and I notice that some of them refer to the "ice cream cone." They have got it down to the point where the cost of the special election would cost each one an ice cream cone. I do not think that is a very good argument. If it is going to save ten thousand dollars to our people it will be a help to our aged, an aid to our blind and to our institutions in their crying needs.

I sincerely urge you members of the Senate to consider the mandate

of the people that we do something which will attempt to save them money somewhere along the line.

From political expediency — let us put it that way for a minute or two — our members of Congress — we know that the United States Congress has been going into session way in the late months of summer. This September election date is not a good policy for them: they have to rush home and leave their duties down there in Washington and come up here and campaign every four years. It would be common courtesy to them if we could put it over to November. The national elections are coming on. In 1956 I understand the Republican Convention is going to be held in the month of August in the great State of California. What does that mean? That means that many of our leaders here in the State who are members of the Republican Party, it will be necessary for them to go out. The Lord knows it will take some time to get out there. Some will travel over the road, some will go by train, and of course some will be fortunate enough to go by airplane back and forth, and perhaps those that come and go by plane can bring back a report quite quickly. However most of those who are going will have to take some time off. That would mean that practically the whole month of August would be gone, and they have to bring the issues to the people that were determined in both the Republican and Democratic parties, the issues which will be determined in the campaign, and they won't get back in time for the September election.

I say to you members: please consider this thing very seriously; please give us one opportunity where we can join hands in giving to the people of Maine something where we can say to them, "We have served you, we have served you well; we have regarded your interests, and we have forsaken what little publicity we could possibly have to bring dollars back into your coffers."

When the vote is taken I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard, that the Senate accept the minority "Ought to pass"

report. The Chair recognizes the Senator from Kennebec, Senator Reid.

Mr. REID of Kennebec: Mr. President and members of the Senate: Our good friend, the Senator from Androscoggin, Senator Lessard, says that if something has been tried and rejected for thirty-one times it must be pretty good. I take the opposite view: I think if it has been tried and rejected thirty-one times it must be pretty bad.

As far as this bill is concerned, there are only two important arguments, I believe. In the first place, the State of Maine is certainly in need of all the advertising it can get. We are a great state for recreation as well as agriculture and industry. The amount of advertising we have got out of the fact that Maine votes ahead of the rest of the nation has over the years been invaluable, and while it cannot be measured in dollars and cents I think almost any good advertising man would tell you that it has great advertising value and helps put Maine on the map and keep it there. So that alone would be sufficient to overcome the argument that it would cost a few thousand dollars by having our election in September. The Senator says it costs twenty-five or thirty thousand. I do not believe the exact figures are known, but even if it costs that much it is well worth it on that basis alone.

The second argument that is always used by the Democratic Party is that it is a partisan measure solely for the advantage of the Republican Party and that the Republican Party is selfish in not allowing the law to be changed. I would like to point out to the good Senator from Androscoggin that this last September election in the State of Maine worked very much to the advantage of the Democratic Party, and I am quite surprised that the bill was introduced in this session. I doubt very much, Mr. President and members of the Senate, if the State of Maine in any elections for a long time had as much free advertising as it did in the last election or whether the Democratic Party in the State and in the Nation got as much free advertising. I doubt if there has been a governor for a

long time that got as much personal publicity and publicity for his party as the present Governor of the State of Maine, and he is welcome to it and deserves it.

I think it would be extremely unwise for the State of Maine to change a law which has been on our books for a long, long time.

Now if the good Senator from Androscoggin, Senator Lessard, would like to save a little money, he is going to have between now and the end of the session a great many opportunities to do exactly that. I doubt if this bill has anything to do with money in real terms of dollars and cents, and so, Mr. President and members of the Senate, I sincerely hope that the motion of Senator Lessard, which is that the minority "Ought to pass" report be accepted, does not prevail."

Mr. LESSARD: Mr. President, just a few remarks in rebuttal. Senator Reid says that it is good advertising. Well, I agree with him, but I say it is expensive and do not forget that if this sort of advertising was as good as we like to believe it is, it would be used by other states. We know of states that spend millions of dollars in advertising—Florida, for instance and California if this were so effective, don't think for one minute that they would not change their laws so that they could have their election in August if it would bring tourists and vacationists to their states.

In regard to a few thousand dollars, I said \$60,000—maybe it is \$50,000. I don't care if it is \$10,000 or \$5,000. We are saving money for the people of Maine, for the taxpayers of Maine. With regard to the great publicity that Governor Muskie got, I was happy about that but I am speaking today for the Democratic party of Maine when I say that we are willing to forsake this publicity if we can save money for the taxpayers of Maine.

Mr. BOYKER of Oxford: Mr. President, I shall vote against a change of September elections but I would favor having this referred to the citizens of our state in a referendum and have it settled once and for all.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard that the Senate accept the Minority Ought to Pass report, and that Senator has asked for a division. Is the Senate ready for the question?

A division of the Senate was had.

Six having voted in the affirmative and twenty-three opposed, the motion did not prevail.

Thereupon, on motion by Mr. Reid of Kennebec, the Majority Ought not to pass Report was accepted in concurrence.

The Chair laid before the Senate House Report from the Committee on Judiciary "Ought to pass," on bill, An Act Relating to Fees of Bail Commissioners (H. P. 484) (L. D. 52) tabled by the Senator from Kennebec, Senator Reid earlier in today's session pending acceptance of the report.

(Comes from the House having been recommitted to the Committee on Judiciary.)

In the Senate:

Mr. REID of Kennebec: Mr. President, I am going to move the acceptance of the "Ought to pass" report of the Judiciary Committee for the following reasons. You will note that this comes before us having been recommitted to the Committee on Judiciary. Nothing at all can be gained by recommitting this to Judiciary. I am sure of that because the question involved is not at all complicated and this might just as

well be disposed of now. I also think it is getting rather late to recommit bills unless there is a strong reason for so doing.

Under the present law, Bail Commissioners are limited to a maximum of \$5.00 as a fee. This bill would change that to limit them to a maximum of \$10.00. The reason for that is not only that as in everything else, the cost is going up, but there are many occasions when Bail Commissioners are called out at night, after they have gone to bed. It is felt generally — and there was no opposition to the bill at the hearing — it was felt that it would be fair if they were allowed to collect up to ten dollars for those night trips. This is not a money bill and will not cost the state anything. People who pay the fees are those who have been arrested and who would like to get out of jail by furnishing bail. These Bail Commissioners certainly have to do more than five dollars worth of work and we ought to permit the fee to go up to ten dollars. That is the reason for the report of the committee, and I will move that the "Ought to pass" report of the committee be accepted.

The motion prevailed and the "Ought to pass" report of the committee was accepted in non-concurrence the bill read once and tomorrow assigned for second reading.

On motion by Mr. Lessard of Androscoggin

Adjourned until tomorrow afternoon at one-thirty o'clock.