

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

VOLUME II

1955

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, May 19, 1955

Senate called to order by the President.

Prayer by the Rev. Alice T. Hart of Hallowell.

Journal of yesterday read and approved.

Papers from the House

Bill "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations." (S. P. 237) (L. D. 573)

In Senate, Majority Report Ought to pass in New Draft (S. P. 546) (L. D. 1487) same title, and bill in new draft passed to be engrossed as amended by Senate Amendment A (Filing No. 563)

Comes from House, reports and bill indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Cole of Waldo, the Senate voted to recede and concur.

Bill "An Act Relating to Local Option for Sale of Malt Liquor by Part-time Hotels." (H. P. 441) (L. D. 487)

In House on April 15, passed to be engrossed.

In Senate, May 17, passed to be engrossed as amended by Senate Amendment A (Filing No. 565) in non-concurrence.

Comes from House, insisted, asked Committee of Conference, and the Speaker appointed as House Conferees:

Representatives:

CHRISTIE of Presque Isle
PIERCE of Bucksport
NEEDHAM of Orono

In the Senate, on motion by Mr. Crabtree of Aroostook, the Senate voted to insist on its former action and join with the House in a Committee of Conference; and the President appointed as Senate Conferees on said Committee, Senators: Crabtree of Aroostook, Carpenter of Somerset and Boucher of Androscoggin.

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Twenty Million Dollars for Bonus to Maine Veterans of World War II

and the Korean Campaign." (H. P. 1143) (L. D. 1340)

In the House, Minority Report Ought to pass as Amended by Committee Amendment A (Filing No. 252) accepted, and bill as amended by Committee Amendment A, passed to be engrossed.

In Senate on May 17, Majority Report Ought not to pass accepted in non-concurrence.

Comes from House, insisted, asked Committee of Conference.

In the Senate, on motion by Mr. Farley of York, the Senate voted to insist on its former action and join with the House in a Committee of Conference; and the President appointed as Senate conferees on said Committee, Senators: Farley of York, Fuller of Oxford, Brown of Washington.

"Resolve Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World War II and the Korean Campaign." (H. P. 1144) (L. D. 1341)

In House, Minority Report Ought to pass accepted and bill passed to be engrossed.

In Senate on May 17, Majority Report Ought not to pass accepted in non-concurrence.

In the Senate, on motion by Mr. Farley of York, the Senate voted to insist on its former action and join with the House in a Committee of Conference; and the President appointed as Senate Conferees on said Committee, Senators: Farley of York, Fuller of Oxford and Brown of Washington.

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifteen Million Dollars on Behalf of the State for the Purpose of Building State Highways." (S. P. 263) (L. D. 691)

In Senate on March 31, Majority Report Ought not to pass accepted.

Comes from the House, Minority Report Ought to pass accepted, and bill passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Parker of Piscataquis, tabled pending consideration.

Bill "An Act Revising the Laws on Civil Defense and Public Safety." (S. P. 159) (L. D. 353)

In Senate, passed to be engrossed as amended by Senate Amendment A (Filing No. 420) in non-concurrence.

Comes from the House, passed to be engrossed as amended by Senate Amendment A and as amended by House Amendment C (Filing No. 561), in non-concurrence.

In the Senate, on motion by Mr. Farris of Kennebec, tabled pending consideration and especially assigned under Orders of the Day today.

Bill "An Act Providing for Flares, Etc. for Large Trucks." (H. P. 134) (L. D. 135)

In Senate on May 13, passed to be engrossed as amended by Committee Amendment A (Filing No. 69) and as amended by House Amendment A (Filing No. 83) and as amended by Senate Amendment A (Filing No. 550) in non-concurrence.

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

In the Senate, on motion by Mr. Cole of Waldo, the Senate voted to recede and concur.

House Papers Received by Unanimous Consent

Bill "An Act Relating to Referendum for Sewer System for Town of Winthrop." (H. P. 1260)

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

Bill "An Act Relating to Increase in Temporary Loans for County of Cumberland." (H. P. 1261)

Which was received by unanimous consent, given its two readings under suspension of the rules and passed to be engrossed without reference to a Committee, in concurrence. (Ordered Printed)

House Committee Reports Ought Not to Pass

The Committee on Highways on Bill "An Act Relating to Frontage Roads on Controlled Access Highways." (H. P. 649) (L. D. 726) reported that the same Ought not to pass.

Comes from House, bill substituted for report and passed to be engrossed.

In the Senate, on motion by Mr. Parker of Piscataquis, the Ought not to pass report was accepted in non-concurrence.

Sent down for concurrence.

The Committee on Public Utilities on Bill "An Act Relating to Transmission of Electric Power Beyond Limits of State." (H. P. 693) (L. D. 761) reported that the same Ought not to pass.

Which Report was read and accepted in concurrence.

Leave to Withdraw

The Committees on Highways and Taxation, jointly, on Bill "An Act Increasing the Tax on Gasoline." (H. P. 627) (L. D. 667) reported that the same be granted Leave to withdraw, as covered by other legislation.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Natural Resources on "Resolve for a Recess Committee to Study All Phases of Stream and Water Pollution with a View Toward Determining a Practical Solution and the Cost Thereof." (H. P. 966) (L. D. 1092) reported that the same Ought to pass.

Comes from the House, report accepted and resolve passed to be engrossed as amended by House Amendment A (Filing No. 569)

In the Senate, on motion by Mr. Butler of Franklin, tabled pending acceptance of the report.

Ought to Pass—N.D.—same Title

The Committee on Highways on Bill "An Act Permitting Towns to Appropriate Money in Anticipation of State Highway Appropriations." (H. P. 980) (L. D. 1128) reported that the same Ought to pass in New Draft (H. P. 1181) (L. D. 1431)

Comes from the House, report accepted and bill in New Draft passed to be engrossed as amended by House Amendment A (Filing No. 562)

In the Senate, the ought to pass report was accepted, and the bill

read once; House Amendment A was read and adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

Ought to Pass—as Amended

The Committee on Judiciary on Bill “An Act Relating to Joint Ownership Re Inheritance Tax Law and Joint Bank Accounts.” (H. P. 912) (L. D. 1020) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 285)

Comes from the House, Committee Report accepted and bill passed to be engrossed as amended by Committee Amendment A, and as amended by House Amendment A (Filing No. 560)

In the Senate, on motion by Mr. Farris of Kennebec, tabled pending acceptance of the report.

Majority—Ought Not to Pass

Minority—Ought to Pass

The Majority of the Committee on Legal Affairs on Bill “An Act Providing for a Change of Ward Lines in the City of Waterville.” (H. P. 919) (L. D. 1027) reported that the same Ought not to pass.

(Signed)

Senators:

WOODCOCK of Penobscot
MARTIN of Kennebec

Representatives:

CHILDS of Portland
QUINN of Bangor
LORD of Augusta
BRAGDON of Perham
THOMAS of Anson
FOSTER of Mechanic Falls

The Minority of the same Committee on the same subject matter, reported that the bill Ought to pass.

(Signed)

Senator:

LESSARD of Androscoggin

Representative:

MARTIN of Eagle Lake

Comes from House, reports and bill indefinitely postponed.

In the Senate, reports and bill indefinitely postponed in concurrence.

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill

“An Act Regulating the Solicitation and Collection of Funds for Charitable Purposes.” (H. P. 111) (L. D. 119) reported:

That the House recede from its action whereby it passed the bill to be engrossed as amended by House Amendment B, and recede from its adoption of House Amendment B and indefinitely postpone House Amendment B, and pass the bill to be engrossed as amended by Committee Amendment A (Filing No. 579) submitted with this report.

That the Senate recede from its action whereby it accepted the Ought not to pass report of the Committee, concur with the House in substituting the bill for the report, adopting Committee Amendment A and passing the bill to be engrossed as amended by Committee Amendment A.

Which report was read and accepted in concurrence, and on motion by Mr. Woodcock of Penobscot, the bill was substituted for the ought not to pass report, read once, Committee Amendment A adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed.

Senate Committee Reports

Mr. Chapman from the Committee on Appropriations and Financial Affairs on “Resolve Authorizing the Maine Public Utilities Commission to Set Out and Maintain Buoys on Sebago Lake.” (S. P. 544) (L. D. 1486) reported that the same Ought to pass in New Draft (S. P. 589) (L. D. 1553) and under new title: “Resolve Authorizing the Setting Out of Buoys in Sebago Lake.”

Which report was read and accepted and the bill in new draft read once. Under suspension of the rules, the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

Final Reports

Mr. Weeks from the Committee on Veterans Affairs

Mr. Fuller from the Committee on Agriculture

Mr. Cummings from the Committee on Business Legislation

Mr. Silsby from the Committee on Claims

Mr. Cummings from the Committee on Correctional Institutions

Mr. Farris from the Committee on Labor

Mr. Woodcock from the Committee on Legal Affairs

Mr. Dow from the Committee on Education

Mr. Carpenter from the Committee on Inland Fisheries and Game

Mr. Reid from the Committee on Judiciary

Mr. Crabtree from the Committee on Liquor Control

Mr. Butler from the Committee on Natural Resources

Mrs. Lord from the Committee on Public Health

Mr. Martin from the Committee on Public Utilities

Mr. Butler from the Committee on Retirements and Pensions

Mr. Brown from the Committee on Sea and Shore Fisheries

Mr. Low from the Committee on Taxation

Mr. Wyman from the Committee on Towns and Counties

Mr. Cole from the Committee on Transportation

Mr. Dunham from the Committee on Welfare, submitted their final reports.

Which reports were severally read and accepted.

Sent down for concurrence.

Committee of Conference Reports

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Pensions for Dependents of Deceased Policemen of City of Lewiston." (S. P. 163) (L. D. 357) reported that the Senate recede from its action whereby it passed the bill to be engrossed on April 5, adopt Committee Amendment A submitted with this report, and pass the Bill to be engrossed as amended by Committee Amendment A.

That the House recede from its action whereby it referred the bill to the next Legislature on April 27th and concur with the Senate in passing the Bill to be engrossed as amended by Committee Amendment A.

Mr. WOODCOCK of Penobscot: Mr. President, I move that the Committee of Conference report be accepted.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by Mr. Woodcock of Penobscot to accept the Committee of Conference report.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Pensions for Dependents of Deceased Firemen of City of Lewiston." (S. P. 413) (L. D. 1176) reported that the House recede and concur with the Senate.

Which report was read and accepted.

Orders

Mr. Collins of Aroostook presented the following order and moved its passage:

ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs be and hereby is authorized to report a Bill that will provide a General Fund Appropriation for such measures as are enacted by the Legislature and approved by the Governor without appropriation provisions. It is the intent of the Legislature that by this procedure the Legislature will avoid the necessity of amending measures not provided for in L. D. 1444 and L. D. 1512 or by appropriation measures contained in the individual Bills and Resolves (S. P. 590)

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, it is the intent of this Order to have a supplemental appropriations bill covering these bills and resolves which the legislature finally passes, but on which at the present time there is no appropriation clause. It seems to be a matter of mechanics to do it this way rather than to amend each individual bill or resolve which does not carry the appropriation. For that reason, the order is put in and I move its passage.

The Order received a passage.

Sent down for concurrence.

Mr. Parker of Piscataquis presented the following Order and moved its passage:

ORDERED, the House concurring, that the Committee on Highways be and hereby is authorized to report such Bill or Resolve as will provide Highway allocations for such measures as are approved by the Governor and not covered by either the General Highway allocation bill or by the appropriate allocation in such bill or resolve (S. P. 591)

The Order received a passage.
Sent down for concurrence.

Enactors

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

Bill "An Act Relating to Salaries of Justices of Supreme Judicial Court and Superior Court." (S. P. 148) (L. D. 337)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Free Tolls over Deer Isle-Sedgwick Bridge." (S. P. 323) (L. D. 889)

Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare." (H. P. 1134) (L. D. 1132)

(On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.)

Bill "An Act to Create the Department of Development of Industry and Commerce." (H. P. 1196) (L. D. 1465)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Which bills were severally passed to be enacted.

Constitutional Amendment

"Resolve Proposing an Amendment to the Constitution to Clarify Voting by Persons in Military Service." (S. P. 580) (L. D. 1548)

Which resolve, being a Constitutional Amendment, and having received the affirmative vote of 30 members of the Senate and none opposed was finally passed.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Resolve Proposing an Amendment to the Constitution Extending Pardon Powers of Governor and Council to Offenses

of Juvenile Delinquency (S. P. 429) (L. D. 1188) tabled by that Senator on May 5 pending final passage.

Mr. CHAPMAN of Cumberland: I noticed by the language of this particular resolve that it says it shall be voted upon at the next regular or special September election.

I therefore move final passage.

This being a Constitutional Amendment,

A division of the Senate was had. Twenty-eight having voted in the affirmative and none opposed, the resolve was finally passed.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate: I move that we reconsider our action taken earlier in today's session whereby we receded and concurred in regard to "An Act relating to License Plates for Motor Vehicle Owners who operate Amateur Radio Stations," (S. P. 237) (L. D. 573) under papers from the House on Page 1 of the calendar, and in support of that motion I will say that if this motion carries a motion will be made to insist and asked for a committee of conference, in support of that thesis I will say that the matter has been explored with interested members in the other branch and there seems to be an area in which some agreement might be sought and which would be in line with our thesis of compromise on legislation.

Thereupon, the Senate voted to reconsider its action taken earlier in today's session whereby it indefinitely postponed bill "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations" (S. P. 237) (L. D. 573) and on further motion by the same Senator, the Senate voted to insist on its former action whereby the bill was passed to be engrossed and ask for a Committee of Conference.

The President appointed as Senate Conferees on said Committee, Senators: Cole of Waldo, Hall of York and Chapman of Cumberland.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table bill "An Act to Authorize the Construction of a

Bridge Across Jonesport Reach" (H. P. 1237) (L. D. 1527) tabled by that Senator on May 11 pending passage to be enacted; and that Senator move the pending question.

The passage of this bill requiring a two-thirds affirmative vote of the members of the Senate,

A division of the Senate was had.

Twenty-seven having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table House Reports from the Committee on Legal Affairs:

Majority report — ought not to pass

Minority report — ought to pass as amended by Committee Amendment A on bill "An Act Relating to Greyhound Racing" (H. P. 1147) (L. D. 1362) tabled by that Senator on May 13 pending motion by Senator Woodcock of Penobscot that the Senate accept the ought not to pass report of the committee; and on further motion by the same Senator, the pending motion prevailed and the ought not to pass report was accepted.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Resolve Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness. (S. P. 313) (L. D. 852) tabled by that Senator on May 10 pending final passage; and that Senator moved the pending question.

This being a Constitutional Amendment,

A division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed the resolve was finally passed.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table bill "An Act Relating to the Salaries of Register of Deeds and Register of Probate, Cumberland County, and Clerk Hire in Office of Register of Deeds." (S. P. 278) (L. D. 708) tabled by that Senator on May 13 pending passage to be enacted.

On further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and to further reconsider its action whereby Senate Amendment A was adopted.

The same Senator then presented Senate Amendment A to Senate Amendment A to L. D. 708 and moved its adoption. Which amendment was adopted without reading; Senate Amendment A as amended by Senate Amendment A thereto was adopted; and the bill as amended by Senate Amendment A as amended by Senate Amendment A thereto was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table House Report from the Committee on Judiciary: "Ought to pass" as amended by Committee Amendment A, on bill "An Act Relating to Joint Ownership re Inheritance Tax Law and Joint Bank Accounts." (H. P. 912) (L. D. 1020) tabled by that Senator earlier in today's session pending consideration.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I merely wish to point out there apparently is an inconsistency between these proposals and the provisions in the large savings bank bill which we passed earlier in the session, and the department involved, the Inheritance Tax Division, in view of the fact there is this inconsistency, is of the opinion it would be better not to have this measure on the books. Therefore I move indefinite postponement.

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

Sent down for concurrence.

The PRESIDENT: The Chair would note that the chance of an orderly adjournment this legislative week will probably be determined by whether or not the Senate has the desire today to do a reasonably good job in cleaning up this calendar, if it can be done.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table House Reports from the Committee on Legal Affairs:

Majority report — ought to pass in New Draft (H. P. 1250) (L. D. 1543)

Minority report — ought not to pass on bill "An Act Relating to Appeals from Joint Board Decisions." (H. P. 114) (L. D. 122) tabled by that Senator on May 13 pending acceptance of either report; and that Senator yielded to the Senator from Kennebec, Senator Martin.

Mr. MARTIN of Kennebec: Mr. President and members of the Senate: This act involves the procedure where the State takes land for highway purposes. At the present time when the State goes out to take land the State engineers and surveyors go on the property and talk with the landowner and set a price, and the landowner is then told that if he does not like that price he can appeal. When the landowner appeals he finds himself confronted with three County Commissioners and three members of the Highway Department, the Highway Department being the same people who fixed the amount of money in the first place. This to part of the members of the committee at least seemed to be an unfair proposition in that it makes the Highway Department a member of the appeal Board. This act would simply mean that you would have the same procedure to start with and then the person would appeal to the County Commissioners and from their decision either side can appeal to the Superior Court. The signers of the majority "Ought to pass" report I believe felt that this was a more equitable position in which to place the people of the State of Maine on this regard. Therefore I move that the majority "Ought to pass" report of the committee be accepted.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Martin, that the Senate accept the Majority "Ought to pass" report of the committee.

The Chair recognizes the Senator from Penobscot, Senator Woodcock.

Mr. WOODCOCK of Penobscot: Mr. President, I rise in support of the minority position of the Legal Affairs Committee.

The procedure which is followed now on the joint board of appeals which has been explained by the Senator from Kennebec, Senator Martin, has been in effect some twenty-six years and they have had thousands of hearings and out of those thousands of hearings there have been very, very few, way under ten per cent, that have ever gone to the court system. That is point No. 1: the present system is working pretty well. Point No. 2 that I would like to make is that this is in no way a tribunal. This administrative procedure as set up results in the nature of an offer, and if any appeal is taken to the court system it is a procedure *ad initio, de novo*, and has no relevancy to anything done before. Any testimony which has been presented before is not admissible, so you start anew.

Now if we do away with that procedure which has worked very, very well for twenty-six years I think we should give it a great deal more study than we have been able to do at this session. It is rather late in the session, and I think this important matter should lie over for a couple of years so we may go into a little bit more detail.

It may be, if there are any other speakers on this subject, that they will attempt to cite some cases they may say are on all fours with this procedure, calling it a tribunal. Just trying to anticipate some remarks that may come after I am through: it is my opinion from the cases that I have read that they are very easily distinguished from the present situation, which is, as I see it, a decision in the nature of an offer and not a judicial proceeding in anyway whatsoever. So I move the acceptance of the minority "Ought not to pass" report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Martin, that the Senate accept the majority "Ought to pass" report of the Committee.

The Chair recognizes the Senator from Piscataquis, Senator Parker.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: I certainly hesitate somewhat to enter into the debate between two of the legal minds, nevertheless I have a very definite feeling in regard to this bill.

I certainly believe that any board that is going to ascertain or set the damages for highway purposes, that that board should have representation of the Highway Commission, and under this bill they do not. Therefore I shall have to oppose the motion of the Senator from Kennebec, Senator Martin.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: My good young colleague, the Senator from Penobscot, Senator Woodcock, rightfully anticipated that perhaps someone would get up and cite a few cases. I do not quite go along with his distinguishing and I couldn't quite get the reasoning.

Here is the case of *Pierce vs. Bangor*, reported in 105 Maine by our Supreme Court: "The legislature has in the first instance the right to prescribe the method of fixing the compensation for land taken for public uses, but this section requires that the compensation shall be just, i.e., fixed by a disinterested tribunal. Compensation fixed by an interested tribunal is not just, unless agreed to."

The case of *Kennebec Water District vs. Waterville*, 96th Maine, in which the Supreme Court said: "The state must provide for an assessment of damages by an impartial tribunal, and it may be a jury, or commission, or appraisers, or court without a jury."

Now again in the case of *Pierce vs. Bangor*, 105 Maine, in which our Supreme Court has said: "The municipal officers of a city are not, where their city is interested, a disinterested tribunal. Compensation fixed by municipal officers, if not appealed from by the land-owner, is just compensation. Compensation fixed by municipal officers if appealed from by the landowner, is not just compensation."

Perhaps I have repeated that twice, but anyway they have said that the city where it is an interested party cannot sit as a disinterested tribunal. Well, surely when

the State is a party—and the State is a party—if they are sitting on a board which the landowner comes before, surely that cannot be said to be an disinterested tribunal. It is very well for the Senator from Piscataquis, Senator Parker, to say that the State being a party should have somebody on the tribunal. But how about the poor landowner, where is his representation on the tribunal. It is just as fair for one as for the other.

I think that perhaps the way this new draft is drawn up it does give some equity and fairness to the state, because if we go back to the old statute as it exists now the state has no right of appeal from the joint board. By taking the members of the Highway Commission from the joint board this bill now provides for an appeal to our Superior Court, which is where the thing should be.

I am going along with the Senator from Kennebec, Senator Martin, and in all fairness to landowners that is where it should be.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Martin, to accept the Majority ought to pass report. Is the Senate ready for the question?

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

A division of the Senate was had.

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

Thereupon, on motion by Mr. Woodcock of Penobscot, the ought not to pass report of the Committee was accepted, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table House Reports from the Committee on Highways:

Majority Report — Ought not to pass.

Minority Report — Ought to pass on "Resolve Authorizing State Highway Commission to study Desirability of Bridge and Causeways Connecting Littlejohn's Island and Chebeague Island in Casco Bay with the Mainland." (H. P. 254) (L. D. 239) tabled by that Senator on May 12 pending acceptance of either report;

and on motion by the Senator from Piscataquis, Senator Parker, the ought not to pass report was accepted in concurrence.

Mr. Chapman of Cumberland, from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order 586 reports, bill "An Act to Appropriate Monies for the Legislative Expenditures for the Fiscal Year ending June 30, 1955" (S. P. 592) and that it ought to pass.

Mr. COLLINS of Aroostook: Mr. President in brief explanation I would say that the total amount available for current expenditures of the legislature was \$391,405.65. There has been spent sufficient so that at the present time there is a deficiency of \$14,811 and with the other bills which have not been presented, the total amount of the deficiency is estimated at \$35,000 and this act would appropriate monies for that purpose. This is in accordance with the Joint Order passed in the Senate yesterday, and passed in the House on May 18.

Thereupon, the report of the committee was accepted and under suspension of the rules, the bill was given its two several readings and passed to be engrossed without reference to a committee.

Sent down for concurrence.

On motion by Mr. Low of Knox, the Senate voted to take from the table Resolve Providing for a Recess Committee to Study School Finances and Needs in the State (S. P. 317) (L. D. 886) tabled by that Senator on May 10 pending final passage.

Mr. LOW of Knox: Mr. President, there seems to be a pretty unanimous opinion on the part of those interested that the legislative research committee would do a better job of investigating school finances and needs, than the five man committee set up in this bill, and in order to accomplish this, I present Senate Amendment A and move its adoption.

Thereupon, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; Senate Amendment A was adopted without reading, and the

bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

There being no objection, the Secretary of the Senate was instructed to send forthwith to the House such bills and resolves as require action by that Body.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table "Resolve in Favor of Gerard Pomerleau of Portland." (S. P. 77) (L. D. 176) tabled by that Senator on April 22 pending final passage; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table bill "An Act Relating to Support of Children at the State Military and Naval Children's Home." (S. P. 90) (L. D. 221) tabled on April 12 by the Senator from Aroostook, Senator Collins pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

Mr. CHAPMAN of Cumberland: Mr. President, I am wondering if it might be possible to remove several of these bills from the table at the same time, and if some of the formal language in regard to enactment could be eliminated for the sake of saving the voice of the President.

The PRESIDENT: The Chair would be very pleased to have unanimous consent of the Senate for the removal of not more than six bills at a time and having them all enacted at one time. Is there objection to this procedure?

The Chair hears none and is hopeful that you will group your bills and resolves.

Thereupon, the Senate granted authority to the members of the Appropriations Committee, Senators Collins of Aroostook, Sinclair of Somerset and Chapman of Cumberland, to remove from the table the following enactors, tabled under the name of the Chairman of the Appropriations Committee:

An Act Appropriating Moneys for Anticipated Overdrafts in the Harness Racing Commission Due to In-

sufficient Appropriations (H. P. 460) (L. D. 505)

Resolve to Reimburse the City of South Portland for Support of Margaret Dawson (S. P. 215) (L. D. 556)

Resolve in Favor of the Town of New Gloucester (H. P. 573) (L. D. 573)

Resolve in Favor of the Town of Bingham (H. P. 581) (L. D. 641)

An Act Relating to the Custody of State Funds (S. P. 241) (L. D. 674)

An Act Relating to Uniform Interstate Compact on Juveniles. (S. P. 268) (L. D. 699)

Resolve in Favor of Cecil A. York, North Windham, for Damage by Escapees from State School for Boys (H. P. 702) (L. D. 770)

An Act Relating to Compensation for Members of Mediation Panel (S. P. 340) (L. D. 949)

Resolve in Favor of Knox Memorial Association, Inc. for Support and Maintenance of Montpelier (H. P. 954) (L. D. 1057)

Resolve in Favor of John C. Bonnell of Portland (H. P. 53) (L. D. 1435)

An Act Providing for Pocket Supplements to the Revised Statutes (S. P. 406) (L. D. 1120)

Resolve in Favor of Eugene F. Young of South Portland (S. P. 265) (L. D. 1395)

Resolve in Favor of Frederick Standley of South Windham (H. P. 340) (L. D. 1436)

An Act Providing for the Uniform Trust Receipts Act (S. P. 438) (L. D. 1211)

Resolve in Favor of John J. McDonough of Westbrook (H. P. 96) (L. D. 1511)

An Act Relating to Publication of State Financial Reports (S. P. 473) (L. D. 1342)

Resolve to Reimburse Roscoe Morse of Rockland for Damage of Escaped Prisoner of State Prison (H. P. 870) (L. D. 982)

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

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (H. P. 1240) (L. D. 1529) tabled by that Senator on May 13

pending final passage; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

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

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this amendment takes out the appropriation from this resolve. We find it can be taken care of by funds in the Health and Welfare Department.

Thereupon, Senate Amendment A was adopted without reading and resolve was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: With respect to Item 8, bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Harness Racing Commission Due to Insufficient Appropriations" (H. P. 460) (L. D. 505) is it now the pleasure of the Senate to reconsider its action just taken whereby this bill was passed to be enacted? This is an emergency measure and requires a division of the Senate.

Thereupon, the Senate voted to reconsider its action whereby the bill was passed to be enacted.

A division of the Senate was had.

Twenty-four having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin,

Recessed until one o'clock this afternoon, E.S.T.

After Recess

The Senate was called to order by the President.

On motion by Mr. Dow of Lincoln recessed for fifteen minutes.

After Recess

The Senate was called to order by the President.

The PRESIDENT: The Chair would note that in enacting An Act Providing for Pocket Supplements to the Revised Statutes (S. P. 406) (L. D. 1120) this morning, the Chair

did not notice that this bill requires a division of the Senate.

Thereupon, the Senate voted to reconsider its action taken this morning whereby the bill was passed to be enacted.

A division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed, the bill was passed to be enacted.

Additional papers from the House, out of order and under suspension of the rules:

House Committee Report

Majority—Ought to Pass in New Draft (H. P. 1251) (L. D. 1544)

Minority—Ought Not to Pass

The Majority of the Committees on Highways and Taxation, acting jointly, on Bill "An Act Increasing the Tax on Gasoline." (H. P. 692) (L. D. 760) reported that the same Ought to pass in New Draft (H. P. 1251) (L. D. 1544) New Title: "An Act Increasing the Tax on Gasoline and Providing for Additional Construction and Reconstruction of State Aid Highways in Hardship Cases."

(Signed)

Senators:

PARKER of Piscataquis
LOW of Knox
ALBEE of Cumberland
COLE of Waldo

Representatives:

FERGUSON of Hanover
CARTER of Etna
DENBOW of Lubec
REED of Fort Fairfield
HANSON of Gardiner
DUNN of Poland
HIGGINS of Scarborough

The Minority of the same Committees on the same subject matter, reported that the bill Ought not to pass

(Signed)

Representatives:

SANFORD of
Dover-Foxcroft
SEAWARD of Kittery
WALSH of Brunswick
WILLEY of Ellsworth
DUQUETTE of Biddeford
NADEAU of Biddeford

Comes from the House, Majority report accepted and Bill passed to be engrossed as Amended by House Amendment E as Amended by House Amendment A thereto,

and as Amended by House Amendment F.

Mr. PARKER of Piscataquis: Mr. President, I move the acceptance of the Majority ought to pass report of the committee.

Mr. BUTLER of Franklin: Mr. President, I ask for a roll call.

The PRESIDENT: The question is on the motion of the Senator from Piscataquis, Senator Parker that the Senate accept the Majority ought to pass report. The Senator from Franklin, Senator Butler has requested a roll call. Under the Constitution, to order a roll call requires the affirmative vote of one-fifth the members present.

A division of the Senate was had.

Five having voted in the affirmative and there being thirty members present, the roll call was not ordered.

The PRESIDENT: The question is on the motion of the Senator from Piscataquis, Senator Parker that the Senate accept the Majority Report "Ought to pass in New Draft."

A division of the Senate was had.

Twenty-three having voted in the affirmative and seven opposed, the motion prevailed; the ought to pass in new draft report was accepted and the bill was read once; House Amendment F was read and adopted in concurrence; House Amendment A to House Amendment E was adopted in concurrence; House Amendment E as amended by House Amendment A was adopted in concurrence, and under suspension of the rules, the bill was read a second time.

The PRESIDENT: Is it now the pleasure of the Senate that the bill as amended pass to be engrossed in concurrence?

It is a vote.

Mr. BOUCHER of Androscoggin: Mr. President, when the vote is taken on engrossing, I ask for a roll call.

The PRESIDENT: The Chair would inform the Senator that the Senate has just voted and the bill has been passed to be engrossed.

Mr. BOUCHER: Mr. President, I understood the Chair to say —

The PRESIDENT: The Senator may move that the Senate reconsid-

er its action whereby the bill was passed to be engrossed.

Mr. BOUCHER: I move that the Senate reconsider its action whereby the bill was engrossed and when the vote is taken I ask for a roll call.

The PRESIDENT: Does the Senator request a roll call vote on his motion to reconsider?

Mr. BOUCHER: I do, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate reconsider its action whereby the bill was passed to be engrossed and that Senator has requested a roll call.

Under the Constitution, to order the roll call requires the affirmative vote of one-fifth the members present. Is the Senate ready for the question?

A division of the Senate was had.

Six having voted in the affirmative and there being thirty-one Senators present, the roll call was not ordered.

The PRESIDENT: The question is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate reconsider its action whereby the bill was passed to be engrossed.

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

On motion by Mr. Parker of Piscataquis, the bill was sent forthwith to the engrossing department.

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

Bill "An Act Repealing the Law Prohibiting the Transmission of Electric Power Beyond the State." (S. P. 166) (L. D. 363)

Bill "An Act Appropriating Moneys for Supplemental Appropriation for Treasurer of State." (S. P. 176) (L. D. 428)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Establishing Salaries of Various Department Heads and Commissioners." (S. P. 579) (L. D. 1546)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft." (H. P. 778) (L. D. 861)

Which Bills were passed to be enacted.

"Resolve, Authorizing the Forest Commissioner to Convey the Flowage Rights on Matagamon Lake, in Township 6, Range 9, W.E.L.S., Piscataquis County, to East Branch Improvement Company." (S. P. 514) (L. D. 1407)

"Resolve in Favor of Addition to Chemical Engineering Building at University of Maine." (H. P. 334) (L. D. 375)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve in Favor of a Science and Classroom Building at Gorham State Teachers College." (H. P. 335) (L. D. 376)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson." (H. P. 809) (L. D. 846)

"Resolve in Favor of Farmington State Teachers College." (H. P. 865) (L. D. 977)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

Which Resolves were finally passed.

Emergency

Bill "An Act to Appropriate Monies for the Purchase of Salk Vaccine." (S. P. 543) (L. D. 1485)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

Emergency

An Act Relating to the Administration of the State Liquor Commission. (S. P. 582) (L. D. 1547)

Which Bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate and one opposed was passed to be enacted.

Emergency

Resolve Relating to Construction of a Road and Terminal in City of Rockland. (H. P. 1254) (L. D. 1549)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill "An Act Exempting Persons Seventy Years of Age from Poll Tax" (H. P. 685) (L. D. 753) tabled by that Senator on March 31 pending passage to be enacted; and on further motion by the same Senator, the bill was indefinitely postponed (covered by other legislation) in non-concurrence.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table "Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor" (H. P. 432) (L. D. 478) tabled by that Senator on April 13 pending final passage; and that Senator moved final passage.

This being a Constitutional Amendment, a division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed, the resolve was finally passed.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table House Report from the Committee on Highways: "Ought to pass" on "Resolve Designating Part of Route No. 9 as State Highway." (H. P. 883) (L. D. 991) tabled by that Senator on April 22 pending acceptance of the report; and that Senator moved the pending question.

The Secretary read the endorsements on the resolve:

Comes from the House, ought to pass report accepted and the bill passed to be engrossed as amended by House Amendments A and B.

Thereupon, the ought to pass report was accepted in concurrence and the resolve read once; House Amendment A and House Amendment B were read and adopted in concurrence; and under suspension

of the rules, the resolve as so amended was read a second time and passed to be engrossed in concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill "An Act Relating to Extension of Tax Lien Foreclosure" (S. P. 431) (L. D. 1190) tabled by that Senator on April 29 pending passage to be engrossed; and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill "An Act Relating to Official Court Reporters" (S. P. 109) (L. D. 270) tabled by that Senator on May 12 pending passage to be engrossed.

Mr. REID of Kennebec: Mr. President, I intend to move that the Senate Amendment A be indefinitely postponed and in support of that motion I would say that there is no harder-working group than official court reporters and they have been underpaid for a long, long time. I believe that two years ago and four years ago when we came to the situation in which we now find ourselves that they were sacrificed. They are presently getting some five thousand a year and the bill proposed \$6500, which in my way of thinking is the minimum wage for what they are doing. They work just as hard as any department head I know of and their work requires extreme skill. I appreciate the thought of the Appropriations Committee when they split it in the middle between \$5000 and \$6500, but I cannot let that go without pleading their cause. They are surely a hardship case and entitled to what they ask for and that is \$6500.

For these reasons, Mr. President, I move that Senate Amendment A be indefinitely postponed.

The PRESIDENT: Will the Senator from Kennebec, Senator Reid, approach the rostrum?

On motion by Mr. Reid of Kennebec, the bill and accompanying papers were tabled pending the motion of that Senator that Senate Amendment A be indefinitely postponed.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table Resolve in Favor of Wyman and Simpson, Inc., of Augusta. (S. P. 203) (L. D. 497) tabled by that Senator on May 16 pending consideration; and that Senator requested that the Secretary read the endorsements on the bill.

The SECRETARY: In the House, on May 13 passed to be engrossed, as amended by Committee Amendment A; in the Senate on May 11 indefinitely postponed; in the Senate on May 16 voted to insist and resolve was tabled by the Senator from Kennebec, Senator Reid, pending consideration.

Mr. REID of Kennebec: Mr. President and members of the Senate: This item has been debated, I believe, to the fullest extent. This branch of the legislature failed to go along with it and the other branch has gone along with it. On the committee report, with ten members, nine were in favor and one was against.

I simply would like to say this, because I think that it was defeated in the Senate under what at least one member of the Senate called a matter of principle. I would like to compare it with a certain item that passed this Senate.

There is a man named Tabenken in Bangor, who I believe is a well-known industrialist in the beer industry, and I am sure that he was in full possession of his faculties when he applied for a license to store beer in a warehouse; and I am sure that the State made no mistake, such as in the case of the escaped convicts, when they granted him a license, and then for some reason he changed his mind and he put a bill in this legislature to recover, I believe, the sum of \$175. That bill was reported out favorably and has been enacted so far as I know, and it was reported out favorably by the chairman of the Taxation Committee who was the lone member of the Committee on Claims objecting to this claim.

This particular claim is chock-full of equities and brimming over with them, and if there ever was a matter of principle involved it is involved in this particular claim. This man was rendered poor, very poor,

by the inadequacy of the State of Maine at the time to do justice. The State Highway Commission sponsored this type of relief and for the first time since the injustice was done all the facts and figures were presented in an orderly way before the committee, who resolved the matter in his favor nine to one, and I rest content on that. I have not lobbied any member of the Senate on this particular item. I do not know how your consciences are going to resolve themselves on this, but if you really believe in a good principle and a just principle and a right principle you will vote with me on my motion which is to recede and concur with the House.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate recede and concur.

The Chair recognizes the Senator from Franklin, Senator Butler.

Mr. BUTLER of Franklin: Mr. President, may I inquire as to the source from which this money would be paid? Would this come from the general fund. In checking the bill, it seems to come from the general fund, yet in looking over the information I am a little disturbed as to whether it is out of the general fund or whether it would come out of surplus, or, being a highway matter whether or not an amendment might not be in order to have the full amount of \$111,000 come out of the highway fund with the one-cent increase on the gas tax.

Mr. REID of Kennebec: Mr. President, in answer to the question of the Senator from Franklin, Senator Butler, I will say this: that it comes out the unappropriated surplus of the general fund, and I am inclined to believe that that is where it should come from. Although the actual damage to Mr. Simpson, as we have many times said before, was in the amount of \$111,000, and although his indirect damages would go way beyond that, I respect the judgment of the majority of the members of that committee in at least allowing him a pittance of what his losses were, namely \$15,000. He will be content with that, at least when he travels over that bridge and sees what he built for

the State of Maine and what he got out of it. He can at least say to the State of Maine, "You gave me a token appreciation of the sacrifice that I made," and I am perfectly content and he is with the matter as it now rests.

Mr. LOW of Knox: Mr. President, I am very sorry I cannot go along with the Senator from Kennebec, Senator Reid.

First, I would like to state that my conscience is in a very good state. This contract was executed fourteen years ago. Now I believe that if relief was due it should have been given by the legislature of 1947 or by the legislature of 1949 who were fully familiar with the circumstances. In each case there was a unanimous "Ought not to pass" report of the committee which was accepted without debate, and I think here in 1955 that we know very little about the facts and I think it is out of order to grant this relief.

Mr. REID of Kennebec: Mr. President, if I understand the true meaning of the word "justice", the fact that it does not prevail in one year doesn't mean that it cannot prevail finally. Not only that, but the facts were never fully explained to this legislature. I do not know whose fault it was. But this time they were explained to this legislature. Justice will prevail in the long run even if it has not prevailed heretofore. The argument of the Senator from Knox, Senator Low, that because prior legislatures failed to do one thing we have to follow must be in error because we have been doing just exactly the opposite day in and day out ever since the session began.

Mr. SILSBY of Hancock: Mr. President and members of the Senate: I think without doubt that I probably made clear my point on this particular resolve because I previously explained in detail the position of the majority of the Committee on Claims, but there have been certain matters mentioned in this debate to the end that I feel it is only fair for me to stand up and defend the other eight members including myself. And believe me, I have every consideration for the good Senator from Knox, Senator Low, but I do want to make this

one point clear, and that is that we as a committee did examine a tremendous file involving this claim, that we did have the benefit of certain members of the highway department and their assistants, and the sponsors of the bill did lend their efforts in every particular to answer every one of our questions and when we asked these questions which might justify us in finding as the other claims committees had found, we just couldn't in good conscience, the majority of us go along, because they had the answers.

I want to lay particular stress on the fact which I mentioned before when this was debated, that in the letter from one of the officials of the highway department — I will quote the last sentence only, in which it was said over a signature: "It seems to us that this is a case which you could present to the legislature with justification."

Now if the claims committees that have heard the case before have not had the opportunity to hear all the evidence, or let us say examined and dug into the evidence to find out all the facts, if their findings are going to be final and conclusive then you might as well get rid of the Claims Committee and amend the rules of this Body to the end that when a case has once been heard by a committee it can not be heard again.

I feel very serious in this matter, and I want to explain one thing more. This \$15,000 is predicated solely upon the fact that by an official of the department the statement was made that labor, increase of wages, at the time that this contract was let, that no reasonably prudent man could have foreseen the increase to the sum of thirty or forty thousand dollars, and we took the minimum of fifteen thousand dollars. We felt that it was the state's duty to go half way.

I hope that the motion to recede and concur will prevail.

Mr. BOYKER of Oxford: Mr. President, to my regret, I have tried to keep in mind the very few measures which we have passed here on principle, and now I think that I can leave this legislature and go home very happy if we should pass

one more, just one more, this one, on principle.

Mr. FARLEY of York: Mr. President and members of the Senate: I am one of those who voted against it the first time it came along, but I will have to admit that I voted on it from what I had heard in previous years when I was a member of the lower house. However, my thinking has changed and I am going to change my vote on this one because I believe that the Senator from Kennebec, Senator Reid, is sincere about it, and I will go along with the Senator.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate recede and concur. Is the Senate ready for the question?

A division of the Senate was had.

Twenty-two having voted in the affirmative and six opposed, the motion prevailed; the Majority "ought to pass as amended" report of the committee was accepted and the bill read once; Committee Amendment A was adopted without reading, and under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (S. P. 418) (L. D. 1170) tabled by that Senator on May 17 pending passage to be enacted.

Mr. PARKER of Piscataquis: Mr. President, because I understand that the Senator from Washington, Senator Wyman, has some additional information, I now yield to that Senator.

Mr. WYMAN of Washington: Mr. President and members of the Senate: This bill was held on account of a possible conflict with the Gore bill which is now pending in Congress, and I have an amendment, Senate Amendment "B" which I wish to offer and which I think will take care of any possible conflict with that bill. Therefore I move that rules be suspended and that we reconsider our action whereby the bill was passed to be engrossed.

The motion prevailed, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. Wyman of Washington presented Senate Amendment B and moved its adoption.

Senate Amendment B. "Amend said bill by inserting at the beginning of the first line, the underlined abbreviation and figure: 'Sec. 1' Further amend said bill by adding at the end thereof the following section: 'Section 2. Effective date. This act shall take effect on December 31, 1955, provided however, that it shall not take effect if the taking effect of this act on December 31, 1955 will result in the withholding of apportionments to the State of new funds otherwise apportionable to it under any Federal Act.

On motion by Mr. Silsby of Hancock, the bill was laid upon the table pending motion by Mr. Wyman of Washington to adopt Senate Amendment B.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill "An Act Revising the Laws on Civil Defense and Public Safety" (S. P. 159) (L. D. 353) tabled by that Senator earlier in today's session pending consideration.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: Frankly I am getting a little bit weary of trying to mark down these many amendments that have come along on this civil defense matter. Another amendment has been added to this bill, which in effect provides that persons who refuse to comply with any just or reasonable order that the department of civil defense might issue would be subject to arrest. We have defeated this power of arrest repeatedly, and I probably made a fatal mistake after we last defeated the amendment that came in from the House by agreeing to help work out an amendment which would give the civilian defense authorities a little more power as far as traffic control was concerned, and I still am in favor of giving our department of civil defense authority to regulate traffic control but I shall move indefinite postponement

of House Amendment "C" in order that I may introduce a Senate amendment which would spell out the exact offense for which anyone might be arrested and also set a maximum penalty of ten dollars rather than leaving the general statute of one hundred dollars or ninety days in jail as being the penalizing feature for anyone who violates an order of the civil defense authorities.

Frankly, I am not at all convinced that our department of civil defense has demonstrated sufficient responsibility to have unchecked power of arrest for failure to obey any rules or regulations which they might put into force, one reason being that immediately after it was proposed that the department of civil defense have authority to make rules and regulations the first inquiry that was directed by that department was whether or not they could, under the power of rules and regulations, turn around and enact by a rule or regulation the right to prefer charges against municipal officers. Now we had already manifested our legislative intent, and the first thought on the part of certain authorities in that department was: could they now in contravention of our legislative intent turn around and do by rules and regulations what we had refused to give them power to do. I do not feel that that demonstrates responsible thinking and responsibility to this 97th Legislature. And in the proposed amendment, if this is defeated, it will specially spell out for what anyone may be arrested. I am not too convinced that is wise, but I am in the interests of expediting the session compromising on this issue and I am willing to do that.

I move the indefinite postponement of House Amendment "C".

Mr. REID of Kennebec: Mr. President and members of the Senate: The original bill was purposely drafted to put a lot of teeth into the civil defense program of the state which seemed to be going quite sour. Against my better judgment, I compromised because I thought probably the arguments against my position and the position of the committee who studied this whole matter was not as sound as

it might be in connection with the question of whether public officials could be removed, so that is out. I went along with that willingly. From that time on there seemed to be a persistent effort on the part of some to further weaken the civil defense program. I cannot go along with this panty-waist attitude in the face of real danger. I am opposed to the motion to indefinitely postpone House Amendment "C". House Amendment "C" allows in times of emergency—that means after the bomb has fallen or in times of practice alerts, the arrests of not only persons in motor vehicles but pedestrians who ignore and refuse to obey the law on the books.

Now I think we have gone far enough to weaken the civil defense law. If you want to adopt a panty-waist attitude toward it the courageous way to do it is to cut out the appropriation. If you do not want to cut out the appropriation and you want at least somewhat of an adequate civil defense law, I believe that you should vote against the motion to indefinitely postpone House Amendment "C".

Mr. FARRIS of Kennebec: Mr. President, the law already provides, and I certainly have no objection to power of arrest during times of emergency. My only objection is to extending this power of arrest, a power which I feel should be jealously safeguarded by the legislature for the best interests of the public, this power of arrest during these so-called practice alerts.

Now our entire civil defense setup is based upon voluntary cooperation of all responsible officials and the entire public, and now there have been threats that certain officials in the civil defense setup might resign if they could not have this power. As far as I am concerned, unless we can have officials working in that department who can work in cooperation with our fellow citizens on a voluntary basis and if they cannot get results on that basis it may not be it is entirely the fault of the public, and if they feel that they have got to resign because they cannot have this power of arrest during practice alerts it may be time for some changes. I sincerely hope that this

amendment will be defeated so that during practice alerts our citizenry will not be subject to arrest by rules and regulations that we at this sitting do not even know will be on the books. If we are going to extend this power of arrest to a civil agency of our government I certainly feel we should be the ones to spell out what is to be the crime or the violation for which any of our citizens may be arrested.

Mr. REID of Kennebec: Mr. President, these rules and regulations are not going to be made willy-nilly, they are going to be made after a public hearing has taken place so that all the citizenry will be advised as to what they are. Secondly, if we lost our present director of civil defense and public safety I predict that we will be a long time finding another one who is willing to take such a discouraging job.

Mr. President, I move that we recede and concur with the House.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate do recede and concur.

The Chair recognizes the Senator from Cumberland, Senator Chapman.

Mr. CHAPMAN: Mr. President and members of the Senate: I rise to support the motion of the Senator from Kennebec, Senator Reid for several reasons, one of which has been mentioned, the matter of rules and regulations. These rules and regulations are formally drawn and public notice is given in the state papers, a sufficient advance warning, and a hearing is held by the Governor and Council, and then and only then are they approved as in the manner of other carefully-drawn procedural and administrative regulations. Those rules and only those rules are the ones that are in question here.

Mention has been made of the power of arrest in a rather careless and perhaps oligarchical use of it, if you want to call it that. I would like to say that this very House Amendment "C" which is before us now confines the enforcement of these rules and regulations and the fundamental statutes on civil defense

to regular officers who are now constituted officers of the law, that is sheriffs and police officers now serving under warrant and commission in their regular departments all over the state. As a matter of fact, that is the system now in effect in our civil defense set-up; there are no special police, no special voluntary police, they are all regular officers, people who are trained and who have discretion, people with whom you deal and work every day. They have that sense of discretion over a long period of time and experience that is necessary to get things done in compliance with the law, and they temper it with the same sense of wisdom in most instances that enforcement officers usually have. They do not go around arresting people, but they have got to have some force of law behind it, and they will cite people in if they are consistent violators and just flaunt the law. But you have had your own experiences, and by and large they are not too unsatisfactory, in which a person gets a warning first, he is told to do something that is proper and which he should do, as in the case of an alert he should get off the street or take his car where it belongs and immobilize it. If they do not have proper powers here the word of the officer and the direction of the officer is useless. It is confined to regular officers because they have that sense of wisdom and do not go around violating or abusing the power of arrest. You do not have anything to fear.

Incidentally, all of the orders here, the ones that we are talking about, and the orders that are given to a person by an officer are promulgated under the law or rule, and that is exactly what House Amendment "C" says. It doesn't say that he who violates the rule as part of the statute is subject to arrest; it says "under a rule that has been properly promulgated" and therefore has the force of law, after a hearing before the Governor and Council, an officer may warn you to obey that rule, and then if you do not you have committed a violation, in other words, refusal to obey a reasonable instruction of an officer.

I think this thing is pretty safe all the way down the line. I concur one hundred per cent with the statement of Senator Reid, that if you do not have provisions like this our civil defense won't amount to anything. When it comes to a time of emergency, if practice alerts mean nothing you will be totally unprepared if disaster hits.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I will be very brief. I merely wish to pinpoint this and speak now in opposition to the motion of the Senator from Kennebec, Senator Reid, that we recede and concur. I do wish to point out that if that motion does not prevail that the amendment which I propose to offer will give civil defense authorities the same power to make the rules and regulations. The only difference will be that no one will be subject to arrest because of this power of rules and regulations or the violation of an order from the civil defense office, and it will spell out the motor vehicle violations with a specific penalty, which I feel is giving them teeth and giving them strength, and will certainly be more palatable and justifiable under the present system of practice alerts.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate recede and concur. Is the Senate ready for the question?

A division of the Senate was had. Twenty-four having voted in the affirmative and four opposed, the motion to recede and concur prevailed.

There being no objection, the Senate voted that all bills and resolves having been passed to be engrossed, be sent forthwith to the engrossing department.

Mr. Chapman of Cumberland presented the following Order,

ORDERED the House concurring, that H. P. 1219, L. D. 1495, bill "An Act Relating to Deception as to Retail Prices of Motor Fuel" be recalled to the Senate from the Office of the Governor.

Which order received a passage.

Sent forthwith to the House for concurrence.

Papers from the House Out of Order and Under Suspension of the Rules

Bill "An Act Creating a State School Building Fund and Providing Moneys Therefor." (H. P. 1015) (L. D. 1167)

In Senate on April 15, Majority Report Ought not to pass accepted.

Comes from the House, Minority Report, Ought to pass accepted, and the bill passed to be engrossed as amended by House Amendment A (Filing No. 576) in non-concurrence.

In the Senate, on motion by Mr. Low of Knox, the Senate voted to insist.

Bill "An Act Relating to Hospitalization of the Mentally Ill." (S. P. 551) (L. D. 1489)

In House, May 17, indefinitely postponed in non-concurrence.

In Senate on May 18, passed to be engrossed as amended by Senate Amendment A (Filing No. 582) in non-concurrence.

Comes from the House, adhered.

In the Senate, on motion by Mr. Reid of Kennebec, tabled pending consideration.

Bill "An Act Providing for a Director of Recreation Under the State Park Commission."

In House, May 16, bill substituted for report and passed to be engrossed as amended by House Amendment A (Filing No. 526)

In Senate, May 18, Ought not to pass Report of the Committee on Appropriations and Financial Affairs, accepted.

Comes from House, insisted.

In the Senate, on motion by Mr. Collins of Aroostook, the Senate voted to recede and concur; the bill was substituted for the report and read once; House Amendment A was read and on motion by Mr. Sinclair of Somerset, the bill was tabled pending adoption of House Amendment A.

Bill "An Act Relating to Conveyance of Public Secondary School Pupils." (H. P. 644) (L. D. 721)

In House, passed to be engrossed as amended by House Amendments

A (Filing No. 486), B (Filing No. 552) and C (Filing No. 556).

In Senate on May 18, indefinitely postponed.

Comes from House, insisted, asked Committee of Conference, and the Speaker appointed:

Representatives:

BROWN of Baileyville

FULLER of Portland

CHILDS of Portland

In the Senate, on motion by Mr. Dow of Lincoln, the Senate voted to insist on its former action and join with the House in a Committee of Conference; and the President appointed as Senate Conferees on said committee, Senators: Dow of Lincoln, Fuller of Oxford and Crabtree of Aroostook.

The Committee of Conference on the Disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Sale of Malt Liquor in Non-returnable Glass Containers." (H. P. 374) (L. D. 409) reported that the Committee was unable to agree on the bill, but the Committee agreed to recommend that the Legislative Research Committee be requested to study the problem of litter and refuse on the roadsides and public beaches of the State, with particular reference to non-returnable glass malt beverage and soft drink containers, and report to the next Legislature.

Comes from the House, report read and accepted.

In the Senate, report read and accepted.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be requested to study the problem of litter and refuse on the roadsides and public beaches of the State, with particular reference to non-returnable glass malt beverage and soft drink containers and to make such recommendations to the next Legislature as may be deemed appropriate for the abatement of this nuisance. (H. P. 1262)

Comes from House, read and passed.

In the Senate, on motion by Mr. Low of Knox, tabled pending passage.

House Committee Reports Ought Not to Pass

The Committee on Appropriations and Financial Affairs on "Resolve Directing Review of General Statutes of Towns." (H. P. 956) (L. D. 1083) reported that the same Ought not to pass, covered by other legislation.

Which report was read and accepted, in concurrence.

The Committee on Natural Resources on Bill "An Act Amending Laws on Water Pollution Control." (H. P. 1109) (L. D. 1300) reported that the same: Ought to pass in New Draft A (H. P. 1230) (L. D. 1513), and under New Title: "An Act Classifying Additional Surface Waters in Maine" and in New Draft B (H. P. 1231) (L. D. 1514) under same title as original Bill.

Comes from House, report accepted. Bill in New Draft A, passed to be engrossed as amended by House Amendment B (Filing 525).

Bill in New Draft B, passed to be engrossed as amended by House Amendments B (Filing 540) and C (Filing 541).

In the Senate, on motion by Mr. Butler of Franklin, bill and reports tabled pending acceptance of the report.

On motion by Mr. Low of Knox, the Senate voted to take from the table Joint Order relative to Legislative Research Committee (H. P. 1262) tabled by that senator earlier in today's session, pending passage.

Mr. LOW of Knox: Mr. President, during the last recess of the legislature the Research Committee gave some considerable time to the study of bottles. We did not get down to pork chops or anything else that was pointed out, but we did do quite a lot of work on bottles and we made a report on it which no one paid any attention to, and I do not think it will be very productive to make another report which would get equally little attention. I move that the order be indefinitely postponed.

The motion to indefinitely postpone prevailed.

Sent down for concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table House Report from the Committee on Natural Resources: "Ought to pass in new Draft A (H. P. 1230) (L. D. 1513) under New Title: 'An Act Classifying Additional Surface Waters in Maine' and in New Draft B (H. P. 1231) (L. D. 1514) under same title as original bill," on bill "An Act Amending Laws on Water Pollution Control." (H. P. 1109) (L. D. 1300) tabled by that Senator earlier in today's session pending acceptance of the report.

On motion by Mr. Butler of Franklin, the report was read and accepted in concurrence, and the bill in new draft A (L. D. 1513) read once.

Mr. Collins of Aroostook presented Senate Amendment A to L. D. 1513 and moved its adoption.

Senate Amendment A to L. D. 1513. "Amend said bill in section 4 by adding at the end of the parts designated subsections III, VI, and XI, the following underlined sentence: 'The provisions of this subsection shall become effective on June 30, 1956.'"

The PRESIDENT: The question before the Senate is on the motion of Mr. Collins of Aroostook that the Senate adopt Senate Amendment A.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: If I understand correctly, what this is doing is putting off for one year the classification of certain streams in the "Gardenspot of Maine." Now I fully appreciate that people do not want to have their waters cleaned up; I know that we have heard a lot of debate; I know that we have been accused of having more words uttered before the Natural Resources Committee and less accomplished than any other committee here, yet every time that we have tried to make a step, no matter how small that step may be, someone has been willing to but a grig on its way.

Now the only reason we ever listened to so much reiteration after reiteration was so that the people could get it out of their system and by listening to everybody else talk they would come to their own con-

clusion that they were just plainly and nicely still stalled.

Now this legislation which we have here and which would ordinarily go into affect after its passage should be this year. Naturally this amendment is going to stop it and protect the potato interests up in that "Gardenspot of Maine," and by so doing we are simply opening it up. There has got to be a beginning somewhere along the line. Heaven knows we are slow enough in acknowledging that which we must ultimately come to, and I do not feel that in this instance there is anything in this bill that is going to stop or cause a delay such as this amendment would offer.

If there is a particular hardship in that "Gardenspot of Maine" where the potatoes blossom forth, then the people that are directly concerned can take an appeal to the proper authorities and ask to have it restrained. But no, we are going to hear from the "Gardenspot of Maine" that this is an exemption, and it is very peculiar that where we do have a "Gardenspot of Maine" which is so beautiful that they are willing to allow putrid waters to stay within their territory even for another year. On that account, I trust that when the vote is taken that we will keep in mind that we are trying to do something and act accordingly by not accepting Senate Amendment "A".

Mr. COLLINS of Aroostook: Mr. President and members of the Senate: I am thoroughly in accord with the principles involved in trying to make clean waters. I recognize, however, that there are some practical difficulties, and on the particular waters on which this extension of time would be made there are three starch factories. Now the starch industry is trying to clean its own house. They have put money into research, and in a factory at Caribou they are now producing from the waste of the potatoes a product they can sell. Whether or not that operation is economic remains to be seen, but it requires the installation of machinery, it requires some additional capital, and I would feel that an extension of time of one year—and this is only

one year, where an amendment was turned down for a two-year period—is a reasonable request.

We are not asking for any degrading of the waters beyond what has been recommended by the water improvement committee. So I simply leave it to the judgment of the senators whether or not it is advisable to say to those three packers that they must put their house in order in two or three months' time, the time the bill would be effective, or whether you should allow them to June 30, 1956.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: Every good farmer appreciates the fact that you have got to have a little bit of fertilizer and if at first you do not succeed you are going to use a different kind.

Now when this first came into the House it was knocked down there, so they could not quite get along with the deal with which they were presented at that time and now they are coming up with a modification. This is still a modification, and under the law which we have on the books if there is anybody being injured they can make application without having to have special legislative approval. We are not trying to hurt anybody, but at the same time I do not feel that this carries the type of sugar which Aroostook, that "Gardenspot of Maine" really needs. I think that we should think seriously before we begin to make infractions on what you have set up, because this is the result of your findings. Your legislative committee only heard the results of what a few of us appointed by you were requested to listen to and the work is not the work of the committee, it is the work of the legislature. Are we really seriously trying to improve our water situation?

Mr. CRABTREE of Aroostook: Mr. President and members of the Senate: With some self-discipline I will try to keep to the subject-matter here. I think it should be pointed out that the three starch manufacturers in Aroostook that are affected by this matter have agreed that within this year's time they are perfectly willing to spend a very considerable amount of

money, somewhere between seventy-five and a hundred thousand dollars, each one, to bring their factories into a situation where they will not harm the waters. I think the starch people themselves should be commended for the very fair attitude they have taken in this matter.

The PRESIDENT: The question is on the motion of the Senator from Aroostook, Senator Collins, that the Senate adopt Senate Amendment A. Is the Senate ready for the question?

Mr. BUTLER: Mr. President I ask for a division.

A division of the Senate was had.

Twenty-four having voted in the affirmative and eight opposed, the motion prevailed and Senate Amendment A was adopted.

Thereupon, under suspension of the rules, the bill in new draft A, (L. D. 1513) was read a second time and passed to be engrossed as amended by House Amendment B and Senate Amendment A in non-concurrence.

Sent down for concurrence.

Thereupon, the bill in new draft B (L. D. 1514) was read once; House Amendments B and C were read and adopted in concurrence, and under suspension of the rules, the bill was passed to be engrossed as amended, in concurrence.

There being no objection, the Senate voted that all bills and resolves having been passed to be engrossed, be sent forthwith to the engrossing department; and all bills and resolves requiring action by the House, were sent forthwith to the House.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill "An Act Relating to official Court Reporters (S. P. 270) (L. D. 270) tabled by that Senator earlier in today's session pending that Senator's motion that Senate Amendment A be indefinitely postponed.

Mr. REID of Kennebec: Mr. President, this is the bill which would increase the salaries of the court reporters from \$5000 to \$6500 a year. I believe I have already stated the reasons why I think they ought to have that increase. Just

to repeat briefly: it is because they are way underpaid for the amount of time they have to spend on their duties and responsibilities and also for the degree of skill which is required of them. In fact we talk a lot about the youth of our state leaving the state, and court reporters in most of the other states probably get double that amount. Anyway, the underlying issue is whether or not we want to increase them from \$5000 to \$6500 or whether you wish to go along with the Appropriations Committee in increasing them only half of that amount, that is from \$5000 to \$5750. I am hopeful that in view of what I at least believe to be the generosity, generally speaking, of the legislature and our good Senators, the Senator from Aroostook, Senator Collins and the Senator from Aroostook, Senator Crabtree, that I can only poke them a little and see how much generosity comes out from them.

Mechanically speaking, the bill came out of the Appropriations Committee "Ought to pass with Committee Amendment 'A'". Committee Amendment "A" was the appropriations addition. It came into the Senate and the Senator from Aroostook, Senator Collins, put on Senate Amendment "A" which had the effect of reducing the salary from the \$6500 asked for to \$5750. I believe that there was an error in Committee Amendment "A" on the appropriations matter. What I propose to do is to move that Senate Amendment "A" be indefinitely postponed. If that motion carries I will then offer Senate Amendment "A" to Committee Amendment "A" which will increase the appropriation from \$7563 to \$15,126, which is exactly double and which would carry an appropriation for the increase from \$5750 to \$6500. So in all fairness I think that to decide this question we ought to decide it on the motion which I propose which is to move indefinite postponement of Senate Amendment "A". That will decide the issue the quickest way I know of, if that is agreeable to the rest of the members. Therefore, Mr. President, in the hope that that motion will prevail, having explained that I will then offer Senate Amendment "A" to Committee Amendment

"A", I now move that Senate Amendment "A" be indefinitely postponed.

Mr. COLLINS of Aroostook: The action of the Appropriations Committee in considering salary raises was based on the history of the salary adjustments in past years, and while the committee recognizes the worth of the court reporters and the very fine job that they do and the technical skill they have to possess, nevertheless the committee was of the opinion that an increase of \$1500 at one session of the legislature was out of line with the recommendations that they had made in other bills and felt that it was a fair compromise. It is simply a case of judgment as to what the job merits, and the committee was fully cognizant of the fact that it is a specialized job. Nevertheless, the amendment that was put in had been approved by the committee but had not been put in at the time the bill was submitted, and for that reason it had to be put in as a Senate amendment. I oppose the motion of the Senator from Kennebec, Senator Reid.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that Senate Amendment "A" be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Chapman.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate: Again reflecting just a little on the thinking in the committee at the time this particular decision was made, I would like to make just one or two further observations in addition to what the chairman has already stated to you.

We did, as has been indicated, fully recognize the high degree of skill and the expert work done by these people. No one can quarrel with that, and neither did the members of the Appropriations Committee. However, we did take some cognizance of the fact that this particular salary and the proposed change to it is a basic salary but that it does not, by and large, contain all of the emoluments to which court reporters normally are entitled. They sit in normal sessions

with the Justices of the Superior Court and they report the testimony, and they do a good job in doing it. They are not required to transcribe it unless an attorney in the lawsuit desires that it be transcribed and then when this transcript of the record is to be made there are statutory fees which may be charged for doing that work. It is usually done after hours and on week-ends or in spare time in between terms of court. The sum total result has always been that a certain amount of money, not great, but not just pins either, is taken from that work and realized as part of their total remuneration that the court reporters receive in the long run.

Also I think the Committee took cognizance, just a little bit, of the fact that we have some eleven reporters but only eight justices sitting in eight terms, and that they are not, all of them, fully occupied all the time, although we do bear in mind that when terms are not in session that occasionally the reporters are called in for equity hearings that can be held by a Supreme Court judge and are not bound by term time.

Also I think perhaps it is well to bear in mind, and the committee did take some cognizance of it, that in the summertime there is very little law work done in our court system, we do not have long terms of court in either the Superior or the Supreme Court, just the occasional equity hearings that are held upon petition of the parties, and the work demanded of the reporters during that period is quite slight.

It seemed by and large that in addition to the appearance of the \$1500 jump here, and because there were other emoluments which the reporters were entitled to receive and did receive as a matter of experience, that their situation would be an equitably treated one if we confined the raise to \$750 and that we would not be accused of being ungenerous. I therefore support the Chairman's opposition to the pending motion of the Senator from Kennebec, Senator Reid.

Mr. REID of Kennebec: Mr. President, may I inquire of the Senator

from Aroostook, Senator Collins, as to whether or not at the hearing it was brought out that these people qualify under any State pension plan?

The PRESIDENT: The Senator has heard the question and may answer if he chooses.

Mr. COLLINS of Aroostook: Mr. President, I have no notes on that. I do not remember of it being brought out.

Mr. REID of Kennebec: Mr. President, my recollection is that they do not qualify under the State Pension Plan, in other words they have to buy their own insurance for protection in the future.

I would like to make just one comment on the comment of the Senator from Cumberland, Senator Chapman about their over-all pay. To me it seems wrong to penalize people who must work nights or who do work nights, in other words work overtime, to say that because of the money they make — and it is not too much — while they are working week ends while the rest of us who are more fortunate are free, or working at night, that we should keep them down below everybody else's level. I dare say that there are many nights and week ends when these court reporters would like to be doing what the rest of us are doing but cannot do it because it is necessary for them to get their work done.

I would not like to jeopardize the safety of any increases of any of our department heads or anything like that, but I would ask you just in your own minds to review the acceleration of increases in the salaries of department heads, some of them in particular, and compare them with the \$5000 which the court reporters have been getting right along year in and year out and ask yourselves if \$6500 under all the circumstances is too much for this kind of work.

Mr. SINCLAIR of Somerset: Mr. President, I appreciate very much the remarks of the Senator from Kennebec, Senator Reid, and I do appreciate the work of the court reporters. I just would like to call your attention to the fact that if the motion of the Senator from Kennebec, Senator Reid, does pre-

vail and, as he has indicated, substituting the resolve for the report, you will then have a case of court reporters receiving a higher salary than at least, if my figures are right, three department heads in the State.

I hope that the motion of the Senator from Kennebec, Senator Reid, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that Senate Amendment "A" be indefinitely postponed.

The Chair recognizes the Senator from Franklin, Senator Butler.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: In response to the point of the Senator from Somerset, Senator Sinclair, as to department heads, let us please keep in mind that we do have a state retirement system and that state retirement system is very zealously guarded and loved by the department heads, and if anything happens that are the very first ones to come in and we are the very first ones to grant them credits, as was illustrated at the last session of this legislature when they came in and asked for additional credits. Why, that is really outstanding. If you really study what the retirement system does for our department heads you will find that although the reporters under the proposed request might be getting more than some departments heads actually they are not because of the benefits which the department heads have are not available to the reporters, and on that account I support the motion of the Senator from Kennebec, Senator Reid.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that Senate Amendment A be indefinitely postponed.

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

A division of the Senate was had.

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

Thereupon, the bill was passed to be engrossed as amended by Committee Amendment A and Senate Amendment A.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill An Act to Clarify the Employment Security Law (S. P. 348) (L. D. 957) tabled by that Senator on May 18 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

The PRESIDENT: The Chair has been informed that at least two major bills have been acted upon in the House and will be in the possession of the Senate forthwith.

On motion by Mr. Reid of Kennebec

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare." (H. P. 1134) (L. D. 1332) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. BUTLER of Franklin: Mr. President, may I inquire through a member of the Appropriations Committee whether or not the enactment of this would likewise necessitate the change of reappropriating monies for the various departments?

Mr. COLLINS of Aroostook: Mr. President, it is my understanding that there would not be a change in the transfer of funds but there would not be any need of an additional appropriation as the Department of Health and Welfare could absorb that cost.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: I was under that impression; I was under the impression that the Department of Health and Welfare could absorb that cost. We have also just passed another bill today, that was on pensions, and that cost \$16,000 for one year and \$16,000 for the next year and that did not require anything because the Department of Health and Welfare were able to absorb that cost without any extra money. I am simply

raising this point: that here is a transfer from one department to another in which the department is able to absorb the cost of an institution without any extra money and is able to absorb the cost of pensions without any extra money, and I am just wondering if we have not been raising too much money as we have been going along. We have been after money all the time but no one has paid any attention to the question of economy along the line. I am a little bit perturbed as to how we can make these transfers and every department proceed to accept the responsibility under their money appropriation at the same time. When we take a measure such as this and move it into the Health and Welfare department, while it is true there has been much recommendation on this account, I seriously question where we have a Department of Institutions that it is not the best thing to keep it within that department rather than to change it over to Health and Welfare, and on that account I move the indefinite postponement of the measure.

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

Mr. CARPENTER of Somerset: Mr. President, I request a division.

A division of the Senate was had. One having voted in the affirmative and twenty-seven opposed, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was passed to be enacted.

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

Bill "An Act Relating to Taxation of Telephone and Telegraph Companies." (H. P. 1205) (L. D. 1471)

On motion by Mr. Farris of Kennebec, a division of the Senate was had.

Twenty-six having voted in the affirmative and one opposed, the bill was passed to be enacted.

Emergency

Bill "An Act to Appropriate Monies for Capital Improvements and

Construction of State Government for the Fiscal Years Ending June 30, 1956, and June 30, 1957." (S. P. 578) (L. D. 1542)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

Emergency

Bill "An Act Relating to Standard Time." (H. P. 596) (L. D. 652)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

The PRESIDENT: The Chair would again note that if there are items on the Calendar which are likely to be engrossed, those items should be in the engrossing department tonight, or in the other Branch for concurrence, if the Senate is hopeful of being out of here by Saturday.

On motion by Mr. Reid of Kennebec

Recessed until seven o'clock tonight, E.S.T.

After Recess

The Senate was called to order by the President.

The Senator from Somerset, Senator Sinclair was granted permission by the Senate to occupy the seat normally occupied by Senator Jamieson of Aroostook; and the Senator from Cumberland, Senator Chapman was granted permission by the Senate to exchange seats with Senator Low of Knox.

Acting under authority previously granted by the Senate, the members of the Appropriations Committee, Senators Collins of Aroostook, Sinclair of Somerset and Chapman of Cumberland, removed from the table, the following enactors, which had been laid upon the table in the name of the Chairman of the Appropriations Committee:

Resolve in Favor of Gordon M. Stewart of Paris, Administrator D.B.N.C.T.A. of the Estate of Eva

M. Elliot, late of Otisfield, Deceased (S. P. 29) (L. D. 18)

Resolve to Reimburse the Maine General Hospital for Care and Hospitalization of Leland Curtis (S. P. 243) (L. D. 676)

Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line (S. P. 72) (L. D. 165)

Resolve in Favor of Stockton Springs (H. P. 773) (L. D. 879)

Bill "An Act Relating to the Reorganization of the State Board of Arbitration and Conciliation" (S. P. 559) (L. D. 1515)

Resolve Authorizing the Forest Commissioner to Cut Certain Growth on Route 17 (H. P. 1174) (L. D. 1412)

Bill "An Act Relating to Compensation of Members of Advisory Committee on Budget" (S. P. 365) (L. D. 1061)

Resolve in Favor of the Town of Milo (H. P. 32) (L. D. 49)

Resolve in Favor of Henry Michaud of South Berwick (H. P. 248) (L. D. 236)

Resolve in Favor of the Town of Bowdoin (H. P. 251) (L. D. 367)

Resolve in Favor of West Shore Hotel Company (H. P. 522) (L. D. 585)

Resolve in Favor of Gunnar Sandstrom of Sinclair (H. P. 873) (L. D. 1441)

Resolve in Favor of Francis Coyne of Westbrook for Damage by Escapees from Reformatory for Men. (H. P. 958) (L. C. 1438)

Resolve in Favor of Marcus Mitchell of Temple (H. P. 872) (L. D. 1458)

An Act Relating to Excise Tax on Malt Liquor (H. P. 672) (L. D. 748)

An Act Relating to Interstate Water Pollution Control (S. P. 450) (L. D. 1242)

An Act Relating to Publication of Specimen Ballots (S. P. 464) (L. D. 1308)

An Act Providing for a Record of Veterans of World War II and Korean Campaign by Division of Veteran Affairs (S. P. 389) (L. D. 1103)

An Act Relating to an Aerial Timber Survey (H. P. 770) (L. D. 855)

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

Resolve in Favor of Caribou Armory Project (S. P. 33) (L. D. 28)

This being an emergency measure,

A division of the Senate was had. Twenty-nine having voted in the affirmative and none opposed, the resolve was finally passed.

Resolve in Favor of Calais Armory Project (H. P. 33) (L. D. 50)

This being an emergency measure,

A division of the Senate was had. Twenty-nine having voted in the affirmative and none opposed, the resolve was finally passed.

Resolve in Favor of Sanford Armory Project (H. P. 87) (L. D. 98)

This being an emergency measure,

A division of the Senate was had. Twenty-nine having voted in the affirmative and none opposed, the resolve was finally passed.

Resolve in Favor of Westbrook Armory Project (H. P. 88) (L. D. 99)

This being an emergency measure,

A division of the Senate was had. Twenty-seven having voted in the affirmative and two opposed, the resolve was finally passed.

Resolve in Favor of Skowhegan Armory Project (H. P. 336) (L. D. 377)

This being an emergency measure,

A division of the Senate was had. Twenty-six having voted in the affirmative, and two opposed, the resolve was finally passed.

Resolve in Favor of Houlton Armory Project (H. P. 701) (L. D. 769)

This being an emergency measure,

A division of the Senate was had. Twenty-eight having voted in the affirmative and one opposed, the resolve was finally passed.

Resolve in Favor of Auburn Armory Project (H. P. 1059) (L. D. 1232)

This being an emergency measure,

A division of the Senate was had. Twenty-nine having voted in the affirmative and one opposed, the resolve was finally passed.

Mr. CHAPMAN of Cumberland: Mr. President, I would like to inquire if Item 47 which I believe we acted on earlier by way of simple enactment, is an emergency measure.

The PRESIDENT: The Chair is quite certain that we did enact the measure as an emergency but to make certain, will re-enact it.

Thereupon, the Senate voted to reconsider its action previously taken today whereby it enacted bill "An Act Relating to an Aerial Timber Survey" (H. P. 770) (L. D. 855).

A division of the Senate was had.

Twenty-nine having voted in the affirmative and none opposed, the bill was passed to be enacted.

Papers from the House

Bill "An Act Relating to Frontage Roads on Controlled Access Highways." (H. P. 649) (L. D. 726)

In Senate on May 19, Ought not to pass Report of the Committee on Highways accepted, in non-concurrence.

Comes from the House insisted on former action whereby bill was substituted for Committee report and passed to be engrossed. Asked Committee on Conference, and the Speaker appointed:

Representatives:

CROCKETT of Freeport
HAUGHN of Bridgton
CHARLES of Portland

In the Senate, on motion by Mr. Parker of Piscataquis, the Senate voted to join with the House in a Committee of Conference; and the President appointed as Senate Conferees on said committee, Senators: Parker of Piscataquis, Cole of Waldo and Sinclair of Somerset.

Bill "An Act Repealing Obsolete Highway Laws and Clarifying Project Completion Dates." (S. P. 564) (L. D. 1521)

In Senate on May 4, passed to be engrossed.

Comes from House, passed to be engrossed as amended by House Amendments A and B (Filing No. 463) (Filing No. 523) in non-concurrence.

In the Senate, on motion by Mr. Parker of Piscataquis, tabled pending consideration.

Bill "An Act Relating to Appeals from Joint Board Decisions." (H. P. 114) (L. D. 122)

In Senate, on May 19, accepted Minority Report, Ought not to pass, in non-concurrence.

Comes from House, insisted on former action whereby House accepted Majority Report, Ought to pass in New Draft (H. P. 1250) (L. D. 1543) under New Title: "An Act Relating to Determination of Damages Caused by Taking of Land for Highway Purposes." and passed same to be engrossed; and asked Committee of conference.

In the Senate, on motion by Mr. Parker of Piscataquis, the Senate voted to insist on its former action and join with the House in a Committee of Conference; and the President appointed as Senate conferees on said Committee, Senators Parker of Piscataquis, Cole of Waldo and Sinclair of Somerset.

House Committee Reports

The Committee on Judiciary on Bill "An Act Relating to Qualifications for Real Estate Brokers' Licenses." (H. P. 1043) (L. D. 1218) 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 readings and passed to be engrossed, in concurrence.

Senate Committee Reports Ought to Pass — N.D.

Mr. Cole from the Committee on Highways on Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957." (S. P. 121) (L. D. 317) reported that the same Ought to pass in New Draft (S. P. 594)

Which report was read and accepted and the bill in new draft read once. Under suspension of the rules, the bill was read a second

time and passed to be engrossed.
Sent down for concurrence.

Conference Committee Reports

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve in Favor of Elizabeth J. Stevens of Augusta." (S. P. 257) (L. D. 686) reported that the House recede and concur with the Senate in substituting the resolve for the report, and passing the resolve to be engrossed.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Issuance of Operators' Licenses from Date of Birth with Notification." (H. P. 30) (L. D. 40) reported that they are unable to agree.

Which reports were read and accepted.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Checking Speed of Motor Vehicles by Electrical Devices." (H. P. 109) (L. D. 117) reported that the Senate recede from its former action and pass the bill to be engrossed, amended by Committee Amendment A and by Senate Amendment A as amended by Committee Amendment A thereto — and that the House recede and concur with the Senate on the above action.

Which report was read and accepted and the Senate voted to recede from its action whereby the bill was passed to be engrossed; and further voted to recede from its action whereby Senate Amendment A was adopted.

The Secretary read Committee Amendment A to Senate Amendment A: "There is hereby appropriated from the general highway fund the sum of \$1200 for the purchase of one radar unit by the Department of State Police to carry out the purpose of this act."

Which amendment was adopted. Senate Amendment A as amended by Committee Amendment A was adopted.

The PRESIDENT: The question before the Senate is on the passage of the bill to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President, I move that the bill be indefinitely postponed.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: I just want to call the attention of the members to the fact that this committee of conference gave very careful consideration to this problem, and in the many years that I have been a member of this Legislature this is the first time I have ever had the opportunity to sit on a committee of conference that finally agreed on something other than to disagree. I want to assure you that the members from the other branch on this committee of conference certainly, had there been any reasonable opposition to this bill, would not have agreed to go along with us. I certainly hope that the motion of the Senator from Androscoggin, Senator Boucher, does not prevail.

Mr. REID of Kennebec: Mr. President, I will go along with the Senator from Piscataquis, Senator Parker, one better: I have sat now on four and three out of the four have reached an agreement and one of them is this one.

This does not occasion any lengthy debate, but in my humble judgment anybody who objects to this bill in the present form is a speeder. (Laughter)

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: I can assure you that if I have been a speeder when I was younger I have quieted down to quite an extent; but I have had the sad experience of having been dragged into court and lied about and it caused me quite an expense and quite a little trouble and caused my good wife a lot of worry. Luckily for me, on that occasion she was with me. I had seen the police officer before he started after me. They followed me from Rumford to the boundary line of New Hampshire, one replaced by the other, and they did everything under God's sun to catch me in the wrong attitude of speeding, but where I had been prewarned I was very careful of my driving and my good wife was watching the speedometer, and I know she can testify — she didn't have to — but she

could have testified that at no time was I going about the speed limit.

I am against this bill because we are creating a Gestapo; we are not only giving the State Police the right to stop us on the road but the right to hide in the bushes and through mechanical machines try to trap us. I do not believe that is fair play.

I will admit very readily that I have been warned, I have been fined a couple of times in my life for speeding. I was very glad to pay the fine because I deserved to be fined, but I am against this monstrosity of hiding in the bushes and behind fences and with clocks and other things trying to catch the unaware driver because he exceeds 25 miles an hour in town or might be going 45, 46 or 47 miles an hour on the highway.

I believe that it is not so much a question of speed on the highways as it is of carelessness. The fellow who would take a chance when he knows that he should not take a chance in passing on a hill or on a curve or go by a red light, and also the fellow that takes one drink too much for the road, he is the one who is creating a hazard.

I do not believe this is going to help out the situation. This is going to create a Gestapo, and these fellows are going to lie in ambush along our highways to catch our citizens who might be going two or three miles faster than the posted speed limit. That is the reason that I oppose this bill and I hope my motion will prevail.

Mr. REID of Kennebec: Mr. President, evidently I have on my right a poacher, self-confessed, and on my left a speeder, self-confessed. (Laughter)

This particular gadget has been scientifically tested and it is not used behind bushes at all; it is used in the open. Furthermore, in order to prevent any entrapment which the Senator from Androscoggin, Senator Boucher, fears, signs will be posted to make the public aware of the fact that this type of device is being used.

Now I would recommend that the Senator from Androscoggin, Senator Boucher, vote for this bill for the following reason: If I remember

correctly, he said yesterday or the day before that he ran afoul of the law and if he had not had his wife with him he would have been convicted. If this gadget were in operation he would not have needed his wife because it scientifically registers his actual speed, and if as he says — and I believe him when he says it — he wasn't speeding, if he did not have his wife with him it would have been self-proven by this gadget. And that goes for the future: he can now journey all over the state and be assured that he had the full and complete protection of science. (Laughter)

Mr. BOYKER of Oxford: Mr. President, I cannot imagine the Senator from Androscoggin, Senator Boucher, being hauled in in Oxford County unless it was for speeding, because in Oxford County we have people who are honest, God-fearing, humble citizens.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: First of all I want to disagree with the Senator from Kennebec, Senator Reid. I do not think we should use radar machines in substitution for wives. (Laughter) As I understand, the committee amendment provides for just one radar machine, and after all, we know that one radar machine wont cover the whole state. I want to know just where the radar machine is going to be placed. As has just been said, it probably will be placed in Androscoggin County. I do not think that is fair, and I am serious about it, because after all it is not fair to place this radar machine in one part of the state and let the rest of the state go scot-free. Therefore I believe that this is really not good legislation at this time. If we are going to have radar machines in the state let's have them all over the state and give everybody a free chance or at least an equal opportunity. But if you are going to have one radar machine and put it in one section of the State of Maine, how about the rest of the State.

I have talked to quite a few people who have traveled to Florida this winter and they are ag'in these states that have radar machines. They swear that they are not going to drive any more, they are going

to fly, because it doesn't give the motorist half a chance.

I am not going to plead guilty to being a speeder, perhaps I am, but even so I do not want to have a mechanical device convict me of it. I am going along with the Senator from Androscoggin, Senator Boucher, until such time as we can cover the state and not put just one radar machine down in one of these counties where we do not have so many Democrats. (Laughter)

Mr. REID of Kennebec: Mr. President, we are making good progress in smoking out the speeders. I would relieve the mind of the Senator from Androscoggin, Senator Lessard. My understanding is that we start with one and it circulates throughout the State. In the second place, as I read in the newspapers the increasing number of divorces I am bound to come to the conclusion, not as to the Senator or myself or anybody here, but there are apparently a great many people who prefer radar devices to wives. (Laughter)

Mr. LESSARD of Androscoggin: Mr. President, I hope that the Senator from Kennebec, Senator Reid who speaks about smoking out, will not forget that I served as United States Attorney for seven years in the State of Maine, and I did a lot of smoking-out, and I do not think he would want me to stand up here and talk about all the smoking-out that I did. (Laughter)

Mr. WYMAN of Washington: Mr. President, may I ask a question from the Senator? Is there anything in this law to prevent the State Police from posting this sign when they are not using the radar?

The PRESIDENT: The Senator is confused.

The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be indefinitely postponed.

Mr. BOUCHER of Androscoggin: Mr. President, I want to assure the Senate that even at my age I prefer my wife to radar. (Laughter.)

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

Mr. PARKER of Piscataquis: Mr. President, I ask for a division.

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

Mr. LESSARD of Androscoggin: Mr. President, I ask for a roll call on the question.

The PRESIDENT: Under the Constitution, to order a roll call requires the affirmative vote of one-fifth the members of the Senate.

A division of the Senate was had. Obviously more than one-fifth having voted in the affirmative, a roll call was ordered.

The PRESIDENT: The question is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be indefinitely postponed. A vote of Yea is for indefinite postponement. A vote of Nay is against the motion.

The Secretary called the roll.

YEA: Albee, Boucher, Brown, Carpenter, Farley, Farris, Fournier, Fuller, Hall, Lessard, Lord, Low, Silsby, St. Pierre, Wyman — 15.

NAY: Boyker, Butler, Chapman, Cole, Collins, Crabtree, Dow, Dunham, Hillman, Martin, Parker, Reid, Sinclair, Woodcock — 14.

The PRESIDENT: The Secretary will call the name of the President.

The SECRETARY: Haskell.

The PRESIDENT: Nay.

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

On motion by Mr. Parker of Piscataquis, the bill was laid upon the table pending consideration.

On motion by Mr. Boucher of Androscoggin, the Senate voted to reconsider its action just taken whereby it laid upon the table L. D. 117 and accompanying papers.

The PRESIDENT: The question before the Senate is on the passage of the bill to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President I ask for a roll call.

The PRESIDENT: Under the Constitution, to order a roll call requires the affirmative vote of one-fifth the members of the Senate.

A division of the Senate was had.

Obviously more than one-fifth having risen, the roll call was ordered.

The PRESIDENT: The question before the Senate is on the passage of the bill to be engrossed.

The Secretary called the roll:

YEA: Boyker, Butler, Chapman, Cole, Collins, Crabtree, Dunham, Fuller, Hillman, Martin, Parker, Reid, Sinclair, Woodcock — 14.

NAY: Albee, Boucher, Brown, Carpenter, Dow, Farley, Farris, Fournier, Hall, Lessard, Lord, Low, Silsby, St. Pierre, Wyman — 15.

Fourteen having voted in the affirmative and fifteen opposed, the bill was not passed to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President, I move the indefinite postponement of the bill.

Thereupon, on motion by Mr. Parker of Piscataquis, the bill and accompanying papers were laid upon the table pending motion by Senator Boucher of Androscoggin that the bill be indefinitely postponed.

On motion by Mr. Boucher of Androscoggin,

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

Mr. Collins of Aroostook presented the following order, out of order and under suspension of the rules, and moved its passage:

ORDERED, the House concurring, that it is the intent of the 97th Legislature that the general fund operating statement for the next biennium shall show an excess of income over expenditures. Consistent with the intent of the 97th Legislature proposes to enact only such measures as will in the opinion of the legislature result in a balanced general fund operation in state government. The legislature recognized the current authority of the Governor via his constitutional veto power right to agree or disagree with the legislative conclusions expressed herein.

Thereupon the order received passage.

Sent down for concurrence.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to know what has become of L. D. 117 that we were discussing before the recess?

The PRESIDENT: The records indicate that the bill was laid upon the table by the Senator from Piscataquis, Senator Parker, pending the motion of Senator Boucher of Androscoggin, that the bill be indefinitely postponed.

Thereupon, on motion by Mr. Parker of Piscataquis the bill was taken from the table.

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

Mr. BOYKER of Oxford: Mr. President, in view of the fact that the Senator from Androscoggin, Senator Boucher, made the statement that even at his age he had rather have his wife, than this radar, I would like to ask him a question through the Chair. I would like to ask the Senator how old he is.

Mr. BOUCHER of Androscoggin: Mr. President, I don't know, but to the best of my information I was born on June 30, 1894.

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

A division of the Senate was had.

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

Thereupon, on motion by Mr. Parker of Piscataquis, the bill was passed to be engrossed as amended by Committee Amendment A and as amended by Senate Amendment A as amended by Committee Amendment A thereto.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:

Bill "An Act Relating to an Expense Account for Governor-Elect." (S. P. 145) (L. D. 339)

Bill "An Act Relating to Driver Education." (S. P. 214) (L. D. 555)

Bill "An Act Amending the Mining Law." (S. P. 494) (L. D. 1371)

Bill "An Act for an Enabling Act for the Town of Dedham, Hancock County." (H. P. 1201) (L. D. 1472)

Bill "An Act to Supplement Loans by Maine School Building Authority." (H. P. 1209) (L. D. 1480)

Bill "An Act Relating to Boilers and Unfired Steam Pressure Vessels." (H. P. 1235) (L. D. 1525)

Bill "An Act to Establish the Limerick Sewerage District." (H. P. 1242) (L. D. 1534)

"Resolve Relating to a Water System for the Penobscot and Passamaquoddy Indians." (S. P. 318) (L. D. 884)

"Resolve Authorizing Commissioner of Education to Purchase for the State Land in Gorham." (H. P. 1257) (L. D. 1550)

Which resolves were finally passed.

Emergency

"Resolve Authorizing the State Board of Education to Convey Certain Land in Fort Kent to the Town of Fort Kent." (H. P. 1258) (L. D. 1551)

Which resolve, being an emergency measure, and having received the affirmative vote of 28 members of the Senate was finally passed.

Mr. Reid of Kennebec presented the following Order and moved its passage:

ORDERED, the House concurring, that the findings of the Judicial Council on the study of process by indictment, pardon procedure in New England, and the Maine Court system in relation to juveniles, previously reported to Governor Burton M. Cross, be reproduced and that five hundred or more copies of said findings be filed in the Maine State Library for distribution to interested parties.

Thereupon the order received passage.

Sent down for concurrence.

Out of order and under suspension of the rules the Senator from Androscoggin, Senator Lessard, presented the following order and moved its passage:

ORDERED, the House concurring, that Bill "An Act relating to Descent of Real Estate in Divorce Cases," S. P. 38, L. D. 27, be recalled from the office of the Governor to the Senate.

Thereupon the order received passage.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec

Adjourned to 8:30 A.M. E.S.T tomorrow.