

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, May 9, 1957

Senate called to order by the President.

Prayer by Rev. Charles Walker Frye of Ft. Fairfield.

On motion by Mr. Sinclair of Somerset, Journal of yesterday read and approved.

Papers from the House

Bill, "An Act Relating to Age of Applicants to Pineland Hospital and Training Center." (H. P. 94) (L. D. 125)

In Senate on April 23, passed to be engrossed as amended by House Amendment A and as amended by Committee Amendment A in concurrence.

Comes from House, engrossing reconsidered under suspension of the rules, and bill recommitted to the Committee on Public Health in non-concurrence.

In the Senate, on motion by Mrs. Lord of Cumberland, recommitted to the Committee on Public Health in concurrence.

Bill, "An Act Increasing Compensation of Members of Boards of Registration in Cities over 39,000 Inhabitants and Time of Session." (S. P. 469) (L. D. 1350)

In Senate on April 25, passed to be engrossed as amended by Committee Amendment A (Filing No. 264)

Comes from House, passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A (Filing No. 332) in non-concurrence.

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

Bill, "An Act Relating to Survivor Benefits Under Maine State Retirement Law." (S. P. 524) (L. D. 1486)

In Senate on April 12, passed to be engrossed.

Comes from House, passed to be engrossed as amended by House Amendment A (Filing No. 218) in non-concurrence.

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

Bill, "An Act Relating to Examinations for Certain Persons to Practice Barbering." (S. P. 539) (L. D. 1511)

In Senate on April 25, passed to be engrossed.

Comes from House, Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Charles of Cumberland, the Senate voted to insist on its previous action and ask for a Committee of Conference.

**House Committee Reports
Leave to Withdraw**

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Town of New Gloucester." (H. P. 583) (L. D. 832) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Relating to Sponsorship of Annual Conference of Auditors, Controllers and Treasurers. (H. P. 803) (L. D. 1152) reported that same be granted Leave to Withdraw—Covered by Other Legislation.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act to Increase Salaries of Justices of Supreme Judicial Court and Superior Court." (H. P. 310) (L. D. 427) reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act Appropriating Moneys for Supplemental Appropriation for Treasurer of State." (H. P. 457) (L. D. 650) reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act Appropriating Moneys for Anticipated Overdraft in Harness Racing Commission Due to Insufficient Appropriations." (H. P. 563) (L. D. 873) reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act Relating to Program in Maintenance and Operation of Heavy Duty Equipment at Maine Vocational Technical Institute." (H. P. 872) (L. D. 1240) reported that the same Ought Not to Pass.

The same Committee on Bill, "An Act to Authorize the Construction of Housing for the University of Maine." (H. P. 891) (L. D. 1277) reported that the same Ought not to pass

The same Committee on "Resolve for the Purchase of One Hundred Copies of 'A History of Otisfield, Maine.'" (H. P. 86) (L. D. 123) reported that the same Ought not to pass

The same Committee on "Resolve for the Purchase of Two Hundred Copies of 'A History of the Town of Porter, Maine.'" (H. P. 526) (L. D. 754) reported that the same Ought not to pass

The same Committee on "Resolve Establishing Control Program for Abatement of Mosquitoes in Cranberry Isle." (H. P. 584) (L. D. 833) reported that the same Ought not to pass

The same Committee on "Resolve Appropriating Money for Purchase of 'History of Stockton Springs.'" (H. P. 677) (L. D. 966) reported that the same Ought not to pass

Which reports were severally read and accepted in concurrence.

The same Committee on "Resolve Authorizing Forestry Resource Survey." (H. P. 588) (L. D. 837) reported that the same Ought not to pass

Comes from the House, recommended to the Committee on Appropriations and Financial Affairs.

In the Senate, on motion by Mr. Sinclair of Somerset, recommended to the Committee on Appropriations and Financial Affairs in concurrence.

The Committee on Natural Resources on recommended "Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County." (H. P. 614) (L. D. 861) reported that the same Ought not to pass

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

In the Senate:

Mr. BUTLER of Franklin: Mr. President, I move that the Senate accept the ought not to pass report in non concurrence.

Thereupon, on motion by Mr. Parker of Piscataquis, the resolve

was tabled pending Mr. Butler's motion.

The Committee on Towns and Counties on Bill, "An Act to Increase the Salary of Judge of Western Somerset Municipal Court." (H. P. 22) (L. D. 27) reported that the same Ought not to pass

Comes from the House, bill substituted for the report and passed to be engrossed as amended by House Amendment A (Filing No. 312)

In the Senate, on motion by Mr. Wyman of Washington, the bill was laid upon the table pending consideration of the ought not to pass report.

The same Committee on Bill, "An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court." (H. P. 150) (L. D. 188) reported that the same Ought not to pass

Comes from the House, bill substituted for the report and passed to be engrossed as amended by House Amendment A (Filing No. 318)

In the Senate, on motion by Mr. Wyman of Washington, the bill was substituted for the report and read once; House Amendment A was read and adopted in concurrence and the bill was tomorrow assigned for second reading.

Ought to Pass

The Committee on Inland Fisheries and Game on "Resolve Opening Swan Lake, Waldo County, to Ice Fishing." (H. P. 982) (L. D. 1406) reported that the same Ought to pass.

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

Subsequently, on motion by Mr. Briggs of Aroostook, the Senate voted to reconsider its action whereby it accepted the report and the resolve was laid upon the table pending consideration of the ought to pass report.

The Committee on Towns and Counties on Bill, "An Act Relating to Payment of Fees of Auburn Municipal Court." (H. P. 574) (L.

D. 884) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Payment of Expenses of Auburn Municipal Court." (H. P. 575) (L. D. 885) reported that the same Ought to pass.

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

Ought to Pass—as amended

The Committee on Retirements and Pensions on recommitted Bill, "An Act Relating to Retirement of Employee Option Under Maine State Retirement System." (H. P. 617) (L. D. 864) reported that the same Ought to pass, as Amended by Committee Amendment A (Filing No. 338)

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

**Majority—OTP—N.D.
Minority—ONTP**

The Majority of the Committee on Natural Resources on Bill "An Act Classifying Certain Surface Waters in Maine." (H. P. 922) (L. D. 1311) reported same in New Draft (H. P. 1085) (L. D. 1562) Under same title, and that it Ought to pass

(Signed)
Senators:

BUTLER of Franklin
FERGUSON of Oxford
FARLEY of York

Representatives:

SAUNDERS of Bethel
BURNHAM of Kittery
MORRILL of Harrison
WILLIAMS of Hodgdon
HEALD of Union
JALBERT of Lewiston

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

(Signed)
Representative BREWER of Caribou

Comes from the House, Majority Report accepted and the bill passed

to be engrossed as amended by House Amendment B (Filing No. 358)

In the Senate, the bill was returned to the House at the request of the House.

**Report A—OTP
Report B—ONTP**

Five Members of the Committee on Sea and Shores Fisheries on Bill "An Act Relating to the Taking of Quahogs." (H. P. 14) (L. D. 13) reported (Report A) that the same Ought to pass

(Signed)
Senator BROWN of Washington
Representatives:

BAIRD of North Haven
MILLER of Portland
RANKIN of Southport
BREWSTER of Wells

Five Members of the same Committee on the same subject matter, reported (Report B) that the bill Ought not to pass

(Signed)
Senators:

BAILEY of Sagadahoc
FOURNIER of York

Representatives:

TARBOX of Gouldsboro
ANDREWS of Jonesboro
VAUGHAN of Hallowell

Comes from House, Report A accepted and the bill passed to be engrossed.

In the Senate, on motion of Mr. Bailey of Sagadahoc, Report B, Ought not to pass, was accepted in non-concurrence.

Sent down for concurrence.

Joint Order

On motion by Mr. Curtis of Cumberland,

ORDERED, the House concurring, that the Joint Standing Committee on Labor be and hereby is authorized to report a bill related to State minimum wages. (S. P. 567)

Which was read and passed.
Sent down for concurrence.

**Senate Committee Reports
Leave to Withdraw**

Mr. Martin from the Committee on Public Utilities on Bill, "An Act Relating to Valuation of Property by Public Utilities for Fixing Rates." (S. P. 490) (L. D. 1398) reported

that same be granted Leave to Withdraw

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Increasing Clerk Hire of County Officers in Androscoggin County." (S. P. 470) (L. D. 1349) reported that same be granted Leave to Withdraw

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Hillman from the Committee on Labor on recommended Bill, "An Act Relating to Petition for Review of Incapacity Under Workmen's Compensation Act." (S. P. 162) (L. D. 409) reported that the same Ought to pass if amended by Committee Amendment A.

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

Ought to Pass—N.D..

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Relating to Beneficial Devices, Bequests and Legacies to Subscribing Witnesses." (S. P. 303) (L. D. 800) reported same in New Draft (S. P. 566) Under Same Title, and that it Ought to pass

(On motion by Mr. Woodcock of Penobscot, tabled pending consideration of the report.)

Ought to Pass—as amended

Mr. Curtis from the Committee on Labor on Bill, "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Act." (S. P. 319) (L. D. 815) reported that the same Ought to pass with Committee Amendment A.

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

The same Senator from the same Committee on Bill, "An Act Relating to Compensation for Specified Injuries Under Workmen's Compensation Act." (S. P. 355) (L. D. 961) reported that the same Ought to pass with Committee Amendment A

Which report was read and accepted and the bill read once; Committee Amendment A was read and adopted.

Mr. Woodcock of Penobscot presented Senate Amendment A and moved its adoption.

Which amendment was adopted without reading, and the bill as amended by Committee Amendment A and Senate Amendment A was tomorrow assigned for second reading.

Report A—OTP—N.D. A—New Title Report B—OTP—N.D. B—New Title Report C—OTP—N.D. C—Same Title

Five Members of the Committee on Inland Fisheries and Game on

Bill, "An Act to Revise the Inland Fish and Game Laws." (S. P. 193) (L. D. 574) reported same (Report A) in New Draft A (S. P. 563) Under New Title: "An Act Relating to Rules and Regulations of the Department of Inland Fisheries and Game." and that it Ought to pass

(Signed)

Senator

BRIGGS of Aroostook

Representatives:

DUDLEY of Enfield

BARTLETT of Belgrade

HARRIMAN of Lovell

WHEATON of Princeton

Four Members of the same Committee on the same subject matter, reported same (Report B) in New Draft B (S. P. 564) Under New Title: "An Act Relating to Rules and Regulations of the Department of Inland Fisheries and Game." and that it Ought to pass

(Signed)

Senator

HALL of York

Representatives:

CARVILLE of Eustis

ROSS of Brownville

HARRIS of Greenville

One Member of the same Committee on the same subject matter, reported same (Report C) in New Draft C (S. P. 565) Under the Same Title, and that it Ought to pass

(Signed)

Senator

CARPENTER of Somerset

On motion by Mr. Briggs of Aroostook, tabled pending consideration of the reports.

Second Readers

The Committee on Bills in the Second Reading reported the following bills and resolves:

House

Bill, "An Act Repealing Law Prohibiting Riding with a Naked Scythe." (H. P. 454) (L. D. 629).

Which was read a second time and on motion by Mr. Cole of Waldo was laid upon the table pending passage to be engrossed.

Bill, "An Act Relating to Duties of Support Under Uniform Reciprocal Enforcement of Support Act." (H. P. 708) (L. D. 1014)

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

Bill, "An Act Creating One Racing Commission" (H. P. 824) (L. D. 1167)

Which was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Permitting Towns to Collect Sewer Charges." (H. P. 1058) (L. D. 1513)

Bill, "An Act Relating to Licensed Dog Training Areas and Permits Therefor." (H. P. 1082) (L. D. 1556)

Bill, "An Act Relating to Penalties for Careless Shooting of Human Beings While Hunting" (H. P. 1083) (L. D. 1557)

Bill, "An Act Relating to Registration Fees for Motor Buses Used for Hire." (H. P. 1084) (L. D. 1558)

(On motion by Mr. Cole of Waldo, tabled pending passage to be engrossed.)

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

House—as Amended

Bill, "An Act Relating to Elections in Towns." (H. P. 217) (L. D. 301)

Bill, "An Act Providing for Certified Main Under Small Claim Law." (H. P. 221) (L. D. 316)

Bill, "An Act to Incorporate the Cumberland Water District." (H. P. 383) (L. D. 512)

Bill, "An Act to Incorporate the Mexico Sewer District." (H. P. 387) (L. D. 518)

Bill, "An Act Relating to Proration of Registration Fees of Motor Buses in Interstate Commerce." (H. P. 984) (L. D. 1408)

Bill, "An Act Relating to Appointment of Deputy Commissioner of Institutional Service and Member of Parole Board." (H. P. 1006) (L. D. 1432)

"Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 66) (L. D. 93)

"Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms." (H. P. 157) (L. D. 204)

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

Senate

Bill, "An Act to Reactivate the State Committee on Educational Television." (S. P. 165) (L. D. 444)

Bill, "An Act Relating to Reciprocal Provisions for Penalties on Insurance Companies." (S. P. 177) (L. D. 456)

Bill, "An Act Relating to Hydrologic Surveys." (S. P. 291) (L. D. 790)

Bill, "An Act Relating to Advance Educational Subsidy Payments." (S. P. 380) (L. D. 1076)

Bill, "An Act Authorizing a Motor Vehicle for Driver Education." (S. P. 434) (L. D. 1231)

Bill, "An Act Authorizing the Forest Commissioner to Convey Harbor Island in Hancock County to Franklin T. Kurt." (S. P. 562) (L. D. 1564)

"Resolve Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine." (S. P. 242) (L. D. 643)

"Resolve Providing for Judicial Review of Certain Criminal Judgments." (S. P. 257) (L. D. 695)

"Resolve to Reimburse Town of Whiting, Washington County." (S. P. 295) (L. D. 792)

"Resolve Reimbursing Liquor Commission for Working Capital for

Warehouse Construction." (S. P. 361) (L. D. 984)

"Resolve Appropriating Money for Preparation of Court Rules." (S. P. 404) (L. D. 1137)

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

Sent down for concurrence.

Senate—as Amended

Bill, "An Act Relating to Salary of Official Court Reporters." (S. P. 40) (L. D. 55)

Bill, "An Act Relating to Operation of Diesel or Diesel-Electric Locomotives in Reverse." (S. P. 389) (L. D. 1085)

"Resolve For Purchase of Copies of 'Maine Province and Court Records, Volume IV.'" (S. P. 93) (L. D. 224)

"Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council." (S. P. 95) (L. D. 225)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as Truly and Strictly Engrossed the following Bills:

Bill, "An Act Creating the Lake Christopher Game Management Area, Oxford County and the Oak Grove Management Area, Kennebec County." (H. P. 504) (L. D. 714)

Bill, "An Act Imposing a Tax on Dry Beans." (H. P. 486) (L. D. 730)

(On motion by Mr. Martin of Kennebec, tabled pending passage to be enacted.)

Bill, "An Act Relating to Record of Contents of Motor Trucks." (H. P. 958) (L. D. 1359)

Bill, "An Act Relating to Splash Guards for Motor Trucks." (H. P. 1010) (L. D. 1414)

Bill, "An Act to Correct Inconsistencies in State Prison Sentences." (S. P. 201) (L. D. 546)

Bill, "An Act Creating the Maine Weights and Measures Law." (S. P. 274) (L. D. 732)

Bill, "An Act Relating to Compensation for Eye Impairment Under Workmen's Compensation Act." (S. P. 284) (L. D. 743)

Bill, "An Act Relating to the Appointment of a Temporary Deputy Commissioner." (S. P. 375) (L. D. 998)

Bill, "An Act Repealing Law Requiring Convicts to Give Notes for Fines and Costs." (S. P. 403) (L. D. 1099)

Bill, "An Act Clarifying the Outdoor Advertising Law." (S. P. 418) (L. D. 1177)

Bill, "An Act to Create a State Committee on Mental Health." (S. P. 534) (L. D. 1505)

(On motion by Mr. Sinclair of Somerset, tabled pending passage to be enacted.)

Bill, "An Act Relating to Construction of a Building for Maine Employment Security Commission." (S. P. 538) (L. D. 1508)

Bill, "An Act Relating to Display of Maine Alcoholic Beverage Products in State Liquor Stores." (S. P. 543) (L. D. 1525)

Bill, "An Act Relating to Registration Fees on Certain Commercial Vehicles" (S. P. 544) (L. D. 1526)

(On motion by Mr. Cole of Waldo, tabled pending passage to be enacted.)

Orders of the Day

The President laid before the Senate the first tabled and especially assigned matter being Senate Reports from the Committee on Constitutional Amendments: Majority report ought not to pass; Minority report ought to pass with Committee Amendment A on "Resolve Proposing an Amendment to the Constitution Providing for Limited Even-Year Budget Sessions of the Legislature." (S. P. 427) (L. D. 1210) tabled by the Senator from Cumberland, Senator Charles on April 30 pending consideration of the reports; and that Senator yielded to the Senator from Cumberland, Senator Curtis.

Mr. CURTIS of Cumberland: Mr. President and members of the Senate, as you know, this is my measure for a constitutional amendment proposing limited even-year budget sessions of the Legislature. Now I do not know as I have talked to more than two or three of you about this bill, and I have done that for one of two or

three reasons. In the first place, I have been busy with other things, and in the second place I have spent a great deal of time in research to see if I could not lay before you such facts as would give you cause to feel that you could support the passage of this measure.

I would like to start off my remarks with the explanation of why I have seen fit to propose this kind of legislation.

As most of you know, I have been associated with government in Maine for some years and for a period of time served as an administrative officer in the executive branch, and I had an opportunity to observe the workings of state government from, shall I say, the inside to the outside. And one thing that struck me at the time was that, as to our budget procedures, we were rather weak in certain departments. It was then that I began to feel that perhaps the legislature should very seriously consider the prospect of meeting yearly for budget matters only.

I realize that we have a great deal of pressure on us in our private business and that serving in the legislature is very difficult and a rather hard task for all of us to accomplish along with our everyday affairs; but at the same time we are not only sent here to take care of the measures needed by the people to conduct the affairs of their state but we are also sent up here to seriously consider procedures, and occasionally I think it is good for us to take a look at some of the things we do and see if our machinery is modern, up-to-date and in good working order.

Now in the first case I feel reasonably sure that none of you would run your business on a two-year basis in fact I have an idea that most of the businessmen in this Senate probably require a monthly profit and loss statement and make their decisions even in weeks. It might be all right to set up a two-year advance program or even a twenty-year advance program, but when you get right down to cold, hard facts you want to look at the money side of your

business very closely and as often as you can.

Now we are the ones who determine the financial condition and the financial affairs of the State of Maine, and at the present time we are able to do it only once every two years. Unfortunately our financial predictions sometimes have to encompass even up to thirty or thirty-six months, and with today's world we are in most cases guessing, as many of you well know, certainly on the last twelve months and in some cases even on the first twelve months. I feel that proper and sound budget techniques require our looking at the budget every year, and I just cannot explain it away as much as I would like to. I have no more desire to come up here every year than you do, except that I feel that the responsibility of my position weighs heavily enough upon me so that I must very seriously consider the mechanics of what we do. I am sure that you would not run your business on a two-year basis and I am sure you would not even run your own household on a two-year basis. I could give you example after example of how we have applied our crystal-ball financing to the second year and missed the mark time after time after time. In many cases we have been very, very fortunate because we have been ahead of the game; the economy has been rising and we find ourselves with an abundance. I am not so concerned about that as I am about the day that may very well come when we will find ourselves with a shortage and then it will require some drastic and fast action.

Just to quote here — and I won't bother to go back through the records but I have them all, to show how in the last ten to fifteen years that second-year estimate versus actual expenditures and receipts have been very, very much out of line — this was a newspaper article, March 29th of this year:

“Governor Muskie, GOP ‘Embarrassed’ by Too Much Money.” — that is the heading of it. It gives it kind of a bi-partisan flavor, which I hope will prevail with this bill. Leaders who have gone along with his program are almost embarrassed

by the prospect of having too much money." They go on to say: "In January, the state tax assessor upped his estimates of some minor tax revenues by about \$185,000 a year." "The sales tax estimated for each of the next two fiscal years was boosted to \$17,750,000, an increase of \$1,250,000 a year over the figure used in the budget. Expected liquor revenue was increased \$58,000 a year" — and I understand now it may well go over a million three. "Part of the 'embarrassment' of too much money stems from the fact that the proposed one per cent boost in the sales tax also would produce more money than this boost is now estimated at \$7,990,000 a year — an increase of about \$660,000."

I read that only to show that we are having trouble now making sure that our guess estimates are right with just a few months involved, and we know how at the last legislature there was a great deal of concern not only amongst the legislators and the Governor but the people as well when we heard charges up and down the State that in one case the legislature was spending too much and the Governor would surely be in a hole, and the legislature saying to the Governor, "No, you are wrong in your estimate; we are going to have much more than you think we have."

Well, fortunately it turned out that the legislature was right. Again, I say that may not always be the case.

I will rest my case there for sound budgeting, because I do not think I need to belabor the point. I have yet to find very many people that argue with me on that point or offer any objections. It is good common-sense. We have got a big business here with a lot of money involved and other peoples' lives at stake, and we cannot treat it as though it were some off-hand thing and we could come in here once every two years and set up some estimates and if it happens to go short call a special session to take care of it.

There is another point which I think is important that perhaps we have not considered seriously enough. I would like to see more flexibility in the legislature in meeting and adapting to what I call

urgent needs. As it is now, we have to put some of our very important issues over. I wish we could regulate all of them so that they would fall due on that off year here every two years and we could come here in January and clean it all up in a couple of months and we would be all right. But unfortunately emergencies do not occur that way. Every now and then our cities, our towns, our citizens have some difficulties that ought to be taken care of as soon as possible, and not all of them are of such an emergency nature that they need a special session to take care of them, but they are serious to the people involved, and money is something which I think we all admit is a very serious subject today to everyone of us.

We have sudden drops in revenue that ought to be taken care of. Yes, I agree that a special session could be called, but in the way in which I have seen State government work it seems that when revenues start to drop everybody looks for an increase, nobody gets too excited, a couple of months slip by and suddenly we see we are going behind. I suppose the tax bureau could go to the Governor and say, "This thing looks serious" and there would be some discussion back and forth and around the state and probably another couple of weeks might go by, and then somebody says, "I guess we will call an emergency session." That takes a little time, and by the time you get up here and discuss the issues and get going three, four or five months could slip by, and a million or two, three or four million dollars could have gone down the drain, and that would mean drastic curtailment of many of our state services.

I think we have to look at this realistically. There is always a new approach coming up by the federal government for state needs and local needs, and they provide programs which many times could be utilized quickly if we had annual sessions, rather than put them over for two years or try to decide whether they are important enough for us to do something about them. Of course research is going on, and there are many things that would very well stand a yearly check-up by the State government.

Thirdly, and perhaps most important of all: I do not feel that our people's welfare should be left to chance or guesswork, and, gentlemen, I insist that many times that is exactly what happens, that we are short-changing the voters who sent us up here by putting over their problems on a two-year basis rather than every year.

As I said before, I have gone into quite a bit of research on this, and I would like to pass along very briefly an outline of what I have found, because I think it is pertinent to the problem.

Perhaps the greatest objection I have heard so many times is "It won't work in Maine. We don't need it. It won't work." Well, I hope to be able to refute some of those statements with these facts.

Fourteen of our forty-eight states now have annual sessions. That is not too large a number, but I might say it is growing very rapidly, particularly in the last ten years. The fourteen states that now have annual sessions are: Arizona, California, Michigan, New Jersey, New York, Rhode Island, So. Carolina, West Virginia. Now the last three states to adopt the annual session were West Virginia in 1954, Louisiana in 1955 and Kansas in 1956. The last three years have seen three states coming right along, a state a year. Now California and Maryland also, plus these three states, making five states, have adopted fundamentally the very same idea that this bill proposes, namely, limited annual budgeted sessions, limited to thirty calendar days. That was not a figure that I just pulled out of the hat. It seems that after much research by these states that they all came to the conclusion that annual budget sessions were necessary and that limiting them to thirty calendar days was the proper approach.

It might interest you to know that the Massachusetts Constitution, just as our Constitution, originally called for annual sessions and annual budgets. In 1938 an amendment was introduced and passed which changed them to biennial sessions. The reason for it was that they were going through a financial condition, income was down, and they felt that this might save some money and might bring in better men and so

on. In 1944, just six years later, it was repealed and annual sessions and annual budgets reestablished. The fact is in the return, according to a report which I read, was that the adoption of the biennial sessions did not bring material benefits or improvements. Biennial sessions were found to be longer, did not reduce the volume of legislation, and the making of the State budget on a biennial basis was found to be far less satisfactory than on an annual basis, and they did not attract "better men" because of the so-called "half the time."

Now does it work? Do annual budget sessions limited to thirty days work? Well, New Jersey, New York, Rhode Island, South Carolina have all operated under a system of annual budgets for many, many years. After a six year trial, as I have already told you, Massachusetts returned to annual sessions. Only two states have changed from annual to biennial sessions since 1880. Georgia and Massachusetts both have since changed back to annual sessions. Neither one of them found that biennial sessions were satisfactory in today's world.

Now I would like to explain very briefly what the bill is. It is very simple, except for the length of the back part here which amends and changes some of the Constitution. It says: "Beginning with the year 1960 budget sessions of not to exceed thirty calendar days in duration shall be held, commencing on the first Wednesday of January, and each even-numbered year thereafter, at which the Legislature shall consider only appropriation bills for the succeeding fiscal year, revenue bills necessary therefor, and such acts, resolves, resolutions or motions as may be necessary to provide for the expenses and conduct of the budget session."

This was copied almost word for word from the Kansas law, which became effective, as I told you, in 1956. Incidentally, Kansas went in with their first session,—and I do not think that the people of Kansas are necessarily any brighter than people in the State of Maine—with a thirty-day limit, and they came out in thirty days. In fact,

they went in January 10th last year and came out February 9th. How did they do it? Well, to be sure, they might have had to change some procedure, they might have had to speed up some processes and drop off some of the inefficient methods which are used so often to use up time, but they did it.

Now as to the cost of the session. Well, it is awfully hard to come up with any real statistics until you have gone through it. The average session cost for the last ten years has run around \$417,893. The last full session, 1955, cost \$423,462.41. Well, that is the full legislature running with all its committees and so on for a long period of time. The special session in 1956 cost \$13,080.07 for three days. I went to the budget department and they came up with an estimated cost of a four-weeks legislative session limited to appropriation and tax matters, which means that it would drop off all of the other matters that were not concerned with appropriations and revenue, therefore many of the committees would not be active and many of the things that are now needed would not be needed in this session—they came up with a total with salaries unknown, and at the present time we have not changed the salaries so they would stay the same, printing and extra cost of the executive council, the salary of the House Clerk and Senate Secretary and so on—\$30,320, about \$1,000 a day. I am inclined to think that perhaps they were a little cautious, or maybe I should say overly-optimistic. I dare say it might run closer to \$50,000, and I feel very certain it would run less than \$100,000. So, considering the total budget, the cost is very small. And in this particular case I am not sure but we might better spend a dollar or two to save thousands, and that very well could be the case.

The objections that I have heard to this bill run along this line, and I would like to give you very briefly some of the answers that I think are pertinent. "We don't need it." Well, I hope that some of the things I have said will convince

you that we do need it. I could show you records which prove that we have missed the boat as far as appropriations or estimated revenue for the second year. I think there is very definitely a need for it in this modern day and age; and for us to insist that just because we have done this since 1880 is a reason for continuing to do it runs completely counter to the thinking of today that new ideas are not necessarily bad, and new responsibilities and new problems require new approaches.

In just a few minutes I will tell you what has happened in our State government since the beginning. Some people say that it wont work to limit it to budget only. Well, I cannot quite buy that. If it works in other states why will it not work in Maine? Is there something at the border which chops off our intelligence or chops off our ability or makes us strangers to the rest of the country? I do not believe it. It can work if we want it to work, and we have demonstrated that it will work. I feel that the budget is one of our major problems. It is too important for us to overlook. I feel that we cannot wait for two years or four years or six years or eight years and say, "Well, some day it will probably come." The time for decisive action is now.

"You can't do it in thirty days." I have heard that from more people, but when you get right down and start talking about it you think that maybe you can. I might say that even the Governor thought that, but after we talked he decided it could be done. I have talked with other people on the Appropriations Committee and they say, "Yes, with certain changes it could be done." I wont go into the outline of it now, but I am sure that we have minds that can copy these other states or work out our own procedures that will make it possible.

Let's look at the record. California, with a budget tremendously larger than ours, many, many times the size of our small budget, went in last year on March 5th and came out on April 3rd. Those are wonderful-sounding words, are they not? I wish we could do it. Kansas, January 10th to February 9th last year; Louisiana, May 9th to June 7th;

Maryland, February 1 to March 1; West Virginia, January 11th to February 10th. My goodness, it does work, and these states have proven it.

Now again they say, "This will mean actually two long sessions, because what we will probably do is come in and the next thing you know this wont work for thirty days and we will have to change it and we will have two long sessions." Well, that is why the limitation was put on, that is why we tried to cut it off and set it up so that we can take care of this problem without running into two long sessions. In fact, I do not see any reason why we cannot cut time off our regular session, and I dare say that both sessions probably need not last any longer than the one now. And for my particular case — I don't know about yours — it would be an awful lot easier for me if I could come up here in January and go out maybe in March or April and come back the next year for January to February, for one month. It would make a terrific difference to me, because what I have done is compounded my problems, and problems of January are set over until February and set over to March and set over to April, and now I am trying to still clean up January and January is getting pretty pressing. I think we all run into the same kind of problem. If we could come in here and discuss just a one-year budget, a one-year appropriation, go out in thirty days and come back the next time and only have to discuss one, and tighten up just a bit on our closure dates and so on, we could very well cut a month right off this session.

They say, "Many legislators cannot serve if we have the two years." Well, I recognize that might possibly be a problem, although it would seem to me that if you could make arrangements to get away in one year in January, February or March, then you could do it in the other year too with the same kind of arrangement. And if you cut it off, actually a shorter regular session and the short budget session, it would mean less time actually away from your business and more time to consider problems. And they have found in these states that

actually plenty of good, sound men have been willing to run and in some cases more were willing to run with this kind of a set-up than the one we have now.

Now many people say, "Well, this has worked all right. Why change?" I think we only have to look at the facts. This government is big business and it cannot be run as it was once when it was a small business. Now the first session in 1822 lasted from January 2 to February 9th. These are annual sessions. In 1833 they came in January 11th and left February 11th; in 1877, the last annual session, they ran from January 3rd to February 9th. From 1822 to 1877 they ran just about a month. The session in 1881, which was the first biennial session, ran from January 5th to March 18th. It was the 60th Legislature. They began to pick up a little bit when they went onto a biennial basis. By the 80th Legislature in 1921 they were running from January 5th to April 9th. The 90th Legislature in 1941, they were running from January 1st to April 26th. It was beginning to creep up, you see. The 93rd Legislature in 1947 ran from January 1st to May 14th, and of course the 97th Legislature in 1955 ran from January 5th to May 21st.

Some people talk about you don't want it to become a regular job. I think we have frightening statistics here which prove that if we keep it up at this rate it will be a regular job; it will take a whole year out of two years if we keep it up.

Budgets went like this: The year ending 1881 — incidentally we have some trouble going back to 1822 because they did not keep very adequate records — but in the year 1881 we had receipts of \$1,577,865 and we spent \$1,435,000. We were in the black. In 1900 the budget had gone up slightly and receipts were \$1,807,000 and expenditures \$1,807,000, with actually a red figure of \$643.15 at the end of the year in 1900. By 1920 we began to really roll. Good or bad, we started to expand state government at least from the money standpoint. Receipts were \$16,677,000. By 1927 they had gone up to \$23,000,000; by 1940 they had gone up to \$45,000,000, and you

know what happened in the last two years. Talk about big business! This is it.

Bills entered in 1881: we had 112 Senate papers and 169 House papers for 281 bills and resolves total. How wonderful it would be if we had that kind of work today. By 1941 we had 1177 total and in 1955 we had 1563 total. So you see what has happened there. Since 1822 we have had tremendous gains in time, work and money. In 1881 vs. 1955 the length of the session has doubled, from two to four months; the budget is fifty times or more; the bills and resolves seven times as many as we had then. And yet they say it is perfectly all right to use the same old machinery; it worked all right in those days, we might just as well use it today.

I would like to read just a few of the special comments that I have come across in these studies made by other states.

Now in Massachusetts, their Special Committee on Legislative System and Procedure, had this to say: "The Committee wishes to point out that the change from annual to biennial legislative sessions not only was a retrogressive step in our democracy, but signified a cataclysmic decline in the scope, value, integrity and importance of our legislature. As a matter of fact, if biennial sessions had always been the rule in this Commonwealth now would have been the time to change to annuals."

In California, Assemblyman Julian Beck had this to say: "The arguments for annual sessions are sound. Annual budgets are the proper method to budget for a state. It is the best way for a state to adequately meet the needs of its people in these changing times."

In Maryland — this is from the Maryland Law Review, J. Kemp Bartlett discussing this very problem: "With the trend toward extended governmental activity manifesting itself in the past two decades and because of continually fluctuating economic conditions, the task of accurately estimating the State's budgetary requirements for such a protracted period became increasingly more difficult. Despite an adequate and experienced bud-

get staff, this problem of predicting financial condition and revenue needs for a period in excess of thirty months did not lend itself to sound State fiscal policy."

Now in Arizona they changed in 1950 for two reasons: First, to reduce the number of special sessions that were being called — and incidentally we are getting rapidly into that position where we are calling special sessions every odd year; and, secondly, they felt that preparing a budget on an annual basis was more satisfactory than appropriating money on a biennial basis.

In Colorado in 1950 the main reason for changing to annual sessions was to allow the drafting of a more realistic budget on an annual basis.

Well, I have read you some of the comments, some of the facts that I have managed to get from the library and other sources, and, frankly every single source that I have gone to has pointed to annual sessions. Everywhere the argument has run that this is sound, this is flexible, this is working in the right direction.

I sometimes feel as though we are trying to run this State with procedures that are so outmoded that it is just like setting up a new supermarket with a glistening outside and all kinds of services and yet the proprietor tries to run it with the old kerosene lamps and the old counters and the old money-drawer instead of the fast check-outs and so on. He would be out of business in no time. And in many ways that is exactly what we are doing here. We concern ourselves with laws, we concern ourselves with the problems of our people, but I do not think we have given adequate concern to the machinery under which we operate, and particularly with this particular problem of budgeting.

Now I point out to you that this is a referendum issue, and I think it is about time for us to ask the people how they feel about it, because I for one have heard this comment so many times: "No wonder you make so many mistakes up there on your budget." And it irritates our people so many times to see come out that second year

“Legislature Missed the Boat. Revenues More Than Anticipated,” and so on. We have moved forward and modernized almost everything else but the mechanics of running our legislature and doing business of state government. I feel as though we are the board of directors, and if we persist in our old-fashioned, out-moded, inefficient and impractical methods of managing the affairs of our corporation, if you will, then the stockholders have a duty to urge a change of practice or personnel. Well, I am hoping for all of our sakes that they won't urge a change of personnel now; but I think we might go to them to find out if they want us to change our practices. I think it is time that we took due note of all this, and whether you agree with it or you disagree with my comments, I think we had best at this time send it along to the people and let them speak, and if they decide that they would rather have this on a biennial basis, fine, they have made the decision and the responsibility is no longer ours; but at the present time we are labeled with the responsibility and we have that duty. I think it is up to us to pass this measure along, let it go to a referendum and find out what our people want. And so I would move the acceptance of the minority “Ought to pass” report of the committee, and when the vote is taken I request a division.

Mr. BUTLER of Franklin: Mr. President, I rise in opposition to the motion of the Senator from Cumberland, Senator Curtis in accepting the ought to pass minority report of the committee. The remarks which he has made are true but we must keep in mind that from the time that we first came into this session we have been holding public hearings on measures presented to us by the people of the State of Maine. They are the ones who are asking for certain measures to be included and for that reason we must of necessity adhere to their requests and pass upon them. Accordingly the length of time which we have spent thus far has been based upon their needs. As to the appropriations measure, we in this legislature,

aside from the Appropriations Committee, have not as yet discussed that point. When we look at our balance sheet—and it is not a question of modernization because from time immemorial the method of balancing the budget has been the same—we have been here to give the people an opportunity to come before the committee to express their wants and have an open hearing.

If we are going to change this, many of the things which we now enjoy, the privileges which we have had, must of necessity be curtailed. We in the legislature I feel are the ones to determine the problems which we have, and it is not fair to ask a person on the outside to say whether or not we should or should not meet in an off year budget session. The problem is only one thing and that is from the monetary point of view. We feel we will arrive at a better solution to our problems. Thus far the credit of the State of Maine has been unimpaired and it ranks as high as any in the nation. The Committee felt that we had not arrived in that state where this type of legislation was essential and therefore the majority of the committee voted that this ought not to pass. I trust you will keep these thoughts in mind as applied to your own selves, as applied to your own locality and as applied to your own understanding of the situation.

Mr. CURTIS of Cumberland: Mr. President, just a moment to answer the good Senator from Franklin, Senator Butler. In the first place, I do not see how this bill will change our methods of balancing the budget at all. I do not anticipate we would hold budget hearings without public hearings. That is of course no concern of the bill and is not specified in the bill but I would certainly urge it. In the second instance I take exception to his remarks that the people are on the outside. We must never forget that our people are very much on the inside and that we are only representing them. I feel they have a stake in this legislature, perhaps even greater than our own and where it is their money that we are spending and their lives we are dealing with, they have a right to speak as to the mechanics of the

legislature. Again I hope that my motion will prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Curtis, that the Senate adopt the minority ought to pass as amended report, and that Senator has asked for a division.

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

Thereupon, on motion by Mr. Butler of Franklin, the ought not to pass report was accepted.

Sent down for concurrence.

On motion by Mr. Dow of Franklin, the Senate voted to take from the table bill "An Act Relating to Methods of taking Clams and Marine Worms." (H. P. 689) (L. D. 957) tabled by that Senator on April 25 pending passage to be engrossed and that Senator presented Senate Amendment A to Senate Amendment A and moved its adoption.

Thereupon, the rules were suspended and the Senate voted to reconsider its former action whereby it adopted Senate Amendment A. Senate Amendment A to Senate Amendment A was adopted: Senate Amendment A as amended by Senate Amendment A thereto was adopted, and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: At this time the Chair will appoint as Senate Conferees on the Conference Committee on the disagreeing action of the two Bodies on Joint Resolution memorializing congress to enact legislation concerning unjustified price increases in crude oil and petroleum products, Senators: Parker of Piscataquis, Cole of Waldo and Sinclair of Somerset.

As Senate Conferees on the Conference Committee on the disagreeing action of the two Bodies on bill, An Act Concerning Liability of Parents for Damage by Children (S. P. 33) (L. D. 35), the Chair will appoint Senators: Lord of Cumberland, Parker of Piscataquis and Dow of Lincoln.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table Senate Reports from the Committee on Transportation: Majority report ought to pass as amended by Committee Amendment A; Minority report ought not to pass; on bill, "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations." (S. P. 139) (L. D. 276) tabled by that Senator on April 26 pending consideration of the reports.

Mr. COLE of Waldo: Mr. President, may I ask the Secretary to read the reports?

The Secretary read the reports.

Mr. COLE of Waldo: Mr. President and members of the Senate, I will try to give you the thinking of the majority of the committee in very brief words.

This particular bill was the most heavily supported bill at the hearings of any bill before the Committee on Transportation during the past session. It is not the first time this bill has been presented. The majority of the committee felt that we should give some consideration to this group of amateur radio operators because they have given freely of their time, their money and effort in many emergencies throughout the state and still are ready and willing to continue to do so, and we felt that in case of emergency that with the issuance of these plates which the bill requests, that the call letters of each amateur radio operator shall be as his registration plates. This is similar to our present set up in regard to the legislative plates. They will be required to purchase their annual registration, their normal plates and in addition must pay five dollars annually for the additional call letters.

You have heard me stand here all session trying to protect the highway funds of the state—and I might add not too successfully at times—and here is a measure that will bring into the Treasury at least five thousand per year. It is in line with what we are already doing. You might say that it is another foot in the door but I feel that we, as a legislature, did go along with this type of plate

by passing legislation giving us the permission to carry these very bright tags and I feel it is more than fair that we give this group the same consideration we have given ourselves. You may have heard or seen in the paper this morning where these operators were already helping out at a fire in, I believe, the Fryeburg area yesterday. We have a very explosive condition in our state today. It could be very very much worse in another week. Our Forestry trucks are equipped with two way radios. However, if this situation should get serious and it very well could, the equipment that the Forestry Department has now will not be adequate to take care of the needs.

These amateur radio operators are always willing to assist without pay any time of day or night as proven by the case of the disaster up near the Canadian border last winter of one of our Air Force planes. They are willing to stand by day and night without pay to help the citizens of this state and it seems to me in fairness we should give them this opportunity to have their call numbers on their automobiles. So, Mr. President, I move that the Majority report ought to pass be accepted and when the vote is taken I request a division.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate. I want to support the motion of the Senator from Waldo, Senator Cole on this bill extending to the amateur radio operators the right to use plates with their call numbers on them. I had an occasion to use their services myself at the time my father passed away in Nova Scotia. The telephone lines were down, they couldn't communicate with me here from the remote section of Nova Scotia. They were able to get a message through to a ham operator in Massachusetts and he in turn got in touch with me here. I felt very strongly for this bill two years ago and I still feel very strongly now that this bill should receive a passage.

Mr. REED of Aroostook: Mr. President and members of the Senate just a couple of items in support of the motion of the

Senator from Waldo, Senator Cole. I would like to mention the fact that this plate will be the regular issue, same color and same size as the one now issued to everybody. The only difference will be that the call letters will be inserted instead of the regular numbers. It has already been pointed out that it is very worthwhile service that this group performs in regard to civil defense. Up in Aroostook County within the last month or two we had a big plane crash and for some hours the only communication to the scene of the crash was through the radio operators. It has been pointed out that they are very helpful during forest fires. Another thing I would like to mention is that already thirty-three other states have seen fit to grant recognition to the amateur radio operators and New Hampshire just enacted a similar law and I think that the five dollar fee will certainly reimburse the state many times over the cost of the special plates.

With those remarks, I will complete my comment on it and hope that you will accept the motion.

Mr. DAVIS of Cumberland: Mr. President, I rise to support the motion of the Senator from Waldo, Senator Cole. I received many letters and telephone calls from my constituents regarding this bill—all in favor, not one against. We never know when we are going to be confronted with an emergency in the state such as we have before us right now with the forest fires and I think these people do render a distinct public service. They are willing to pay the price and I think they should have them.

Mr. BOUCHER of Androscoggin: Mr. President, I certainly want to add my word of approval to this bill. I had an occasion to present this bill before and it was refused. I have not changed my mind. I still think it is a good bill and I shall vote for it.

Mr. CHARLES of Cumberland: Mr. President and members of the Senate, I cannot help but stand up in defense of those who want this bill. I voted for it two years ago and will stick with it this year.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo,

Senator Cole to accept the Majority ought to pass as amended report of the committee.

The motion prevailed, the Majority ought to pass report was accepted and the bill read once; Committee Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

On motion by Mr. Lessard of Androscoggin, that Senator was granted unanimous consent by the Senate to table in the name of the Senator from Androscoggin, Senator St. Pierre, the following bills now on the table under the name of Senator Lessard of Androscoggin:

H.P. 223, L.D. 318 (Item No. 69)

H.P. 224, L.D. 319 (Item No. 70)

H.P. 222, L.D. 317 (Item No. 71)

Mr. Low of Knox presented the following order and moved its passage:

ORDERED, the House concurring, that when the Senate and House adjourn on Friday next, they adjourn to meet on Monday, May 13, 1957.

Which received a passage.

Sent forthwith to the House for concurrence.

Mr. BRIGGS of Aroostook: Mr. President, I move that the Senate reconsider its former action taken earlier today whereby it accepted the ought not to pass report of the committee on L.D. 1210, "Resolve Proposing an Amendment to the Constitution Providing for Limited Even-Year Budget Sessions of the Legislature."

Mr. BUTLER of Franklin: Mr. President, I move that this lie on the table.

The PRESIDENT: The Chair would note that the motion to table is out of order and refers the Senate to Joint Rule 10 of the Senate which states: "A motion to reconsider any vote shall not be laid upon the table unless a time shall be especially assigned for its consideration."

The question before the Senate is on the motion of the Senator from Aroostook, Senator Briggs, that the Senate reconsider its action whereby it accepted the Majority ought not to pass report of the committee.

The Senator from Franklin, Senator Butler has requested a division.

A division of the Senate was had. Fourteen having voted in the affirmative and thirteen opposed, the motion prevailed.

Mr. Briggs of Aroostook; Mr. President I now move that the Senate accept the Minority out to pass report.

Mr. CHARLES of Cumberland; Mr. President, when the vote is taken I ask for a division.

Mr. BUTLER of Franklin: Mr. President, I move that the resolve be laid upon the table.

Mr. CURTIS of Cumberland: Mr. President, I request a division on the motion to table.

A division of the Senate was had.

Seventeen having voted in the affirmative and eleven opposed, the resolve was laid upon the table pending the motion by Mr. Briggs of Aroostook that the Senate accept the Minority ought to pass report.

On motion by Mr. Pike of Oxford, the Senate voted to take from the table Senate Report from the Committee on Judiciary: Ought not to pass, on bill, "An Act Relating to Appointment and Fees of Registers of Probate." (S. P. 464) (L. D. 1345) tabled by that Senator on May 3 pending consideration of the report.

Mr. PIKE of Oxford: Mr. President and members of the Senate, this bill is something I put in myself at the request of quite a number of the different probate courts of the state. I feel that this is a very good bill. At the present time there is not any chance of anybody being appointed deputy in case of sickness of a registrar. At the present time the fee is three dollars no matter how big the estate. Most of us feel, with the registrars that this is not with thereregistrars that this is not fair, it is back in the one-horse shay days, and an estate of \$100 should pay more than one of two or three thousand. I think it is unwise to go against the report of the committee and I am going to move that we accept the ought not to pass report.

The motion prevailed and the ought not to pass report was accepted.

Sent down for concurrence.

On motion by Mr. Charles of Cumberland, the Senate voted to take

from the table bill, "An Act Relating to Death on Duty of Members of Portland Police Department." (H. P. 752) (L. D. 1066) tabled by that Senator on May 9 pending consideration of the report; and on further motion by the same Senator, the bill was re-committed to the committee on Labor.

Sent down for concurrence.

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

Mr. BRIGGS: Mr. President in regard to our preceding action on the document relating to annual sessions, I would just like to say that since the beginning of this particu-

lar issue, there has been quite some doubt in my mind as to which course I would follow. Originally I favored the matter but then I drifted away from it and as I sat here today and noted the vote on the matter, I could not help but believe that in the minds perhaps of a good many others, there was some indecision and because it was so close a vote, I did feel I would like to take it upon myself to do what I could at least to keep the thing in motion until the next phase that it comes to in our legislative processes.

On motion by Mr. Low of Knox

Adjourned until tomorrow morning at 9:30.