

# MAINE STATE LEGISLATURE

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OF THE

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The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Lincoln, Senator Palmer, that the Senate accept the Ought to Pass report of the committee. Is this the pleasure of the Senate?

Thereupon the Ought to Pass report of the Committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Palmer of Lincoln the Senate voted to take from the table Senate Report "Ought to Pass as amended by Committee Amendment A" from the Committee on Highways on bill, An Act Relating to Use of Joint Funds for State Aid Road Construction (S. P. 320) (L. D. 726) tabled by that Senator on April 25th pending acceptance of the report.

Mr. PALMER of Lincoln: Mr. President and members of the Senate, I will say just a few words in explanation of this bill which is the second part of the program which I mentioned previously. This bill merely makes it possible for the towns, if they so desire, to take state aid allotment and expend it under the general improvement fund. The advantages to be gained by it I have already mentioned so I will not say anything more in that regard now. Mr. President, I move acceptance of the Ought to Pass report of the committee.

Thereupon the Ought to Pass report of the committee was accepted and the bill read once, Committee Amendment A was adopted without reading, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Palmer of Lincoln the Senate voted to take from the table Senate Report "Ought to Pass as Amended by Committee Amendment A" on bill, An Act Relating to Construction of State Aid Highways (S. P. 354) (L. D. 869) tabled by that Senator earlier in today's session pending acceptance of the report.

Mr. PALMER of Lincoln: Mr. President and members of the Sen-

ate, this bill refers to the third part of the program which I outlined earlier this morning and I think it needs no further explanation at this time. Mr. President, I move the acceptance of the Ought to Pass as amended by Committee Amendment A report of the committee.

Thereupon the Ought to Pass as Amended by Committee Amendment A report of the committee was accepted and the bill was read once.

Committee Amendment A was read: "Amend said bill by inserting at the beginning of the first line thereof the underlined abbreviation and figure 'Sec. 1.' Further amend said bill by striking out the underlined words 'joint fund' in the 12th line thereof and inserting in place thereof the underlined word 'proportion.' Further amend said bill by inserting a comma after the underlined figure '25' in the 13th line thereof. Further amend said bill by adding at the end thereof the following section: 'Sec. 2. Limitation. The provisions of the amendment in Section One hereof shall not apply to towns which have already anticipated future state aid apportionments until such towns shall have been reimbursed in accordance with the provisions of Section 109, Chapter 20, of the Revised Statutes as amended. This act shall become effective July 1st, 1952.'"

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

On motion by Mr. Haskell of Penobscot the Senate voted to take from the table Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation (H. P. 1114) (L. D. 694) tabled by that Senator on April 13th pending final passage.

Mr. HASKELL: Mr. President and members of the Senate, this resolve being up for final passage requires, I think, amendment and after explaining what the amendment is I will move reconsideration of engrossing to permit a motion that the bill be amended.

The reason that I tabled it was that as written, and properly written, it tied in with the Constitution

as then in effect. Since that time there has been amendment to the Constitution so that a technical amendment to the resolve is necessary to tie it into that document, and the first part of the amendment does that. The second section of the amendment deals with the percentage required to initiate a bill. In 1908 when the initiative and referendum amendment went into the Constitution, it provided that 10,000 signatures were required to invoke a referendum and 12,000 to initiate a bill. At the last session of the legislature a Constitutional resolve had its passage and was accepted by the people whereby that 10,000 requirement for referenda was increased to ten percent of the gubernatorial vote in the last previous gubernatorial election. When this resolve was presented it proposed to change from 12,000 electors to ten percent of those voting in the last previous gubernatorial election, the number required for initiating a bill. The Judiciary Committee by Committee Amendment A stepped that ten percent up to twelve percent, thinking that the original 10,000 and 12,000 ought to be maintained by the same comparison of ten percent and twelve percent.

I have talked with two members of the Judiciary Committee and have their approval. The third one by a nod of his head indicates that he does not disapprove, so the Judiciary Committee have now indicated they think if we make it ten percent for both initiative and referendum bills it will be reasonably fair.

The third part of the amendment is a change that all of you may not approve. The question that would come before the people in the resolve is this: "Shall the Constitution be amended as proposed by a resolution of the legislature providing for additional signers for direct initiative legislation?" I don't think that is a bad question. I don't think that is misleading. I think it is well written. On the other hand, I know all of us have had criticism for putting these things out so that they were confusing and maybe this question I have in the amendment is even more confusing, but at least it does take the words out of the resolve and put this question

in: "Shall the Constitution be amended as proposed by resolution of the legislature provided that direct initiative of legislation shall require not less than ten percent of the total vote for governor as cast in the next previous gubernatorial election?" It seems to me that that is telling the voters when it comes to them, if it does, for final passage that that is exactly what it means. So with that explanation, which is altogether too long, I move that we reconsider our action whereby the resolve was passed to be engrossed and I offer Senate Amendment A.

Thereupon, under suspension of the rules the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed, Senate Amendment A was adopted without reading, and the resolve as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

#### Emergency Measure

From the House, out of order and under suspension of the rules,

Bill "An Act to Revise the State Civil Defense Law." (H. P. 152) (L. D. 84)

Which bill being an emergency matter, and having received the affirmative vote of 31 members of the Senate, and none opposed, was passed to be enacted.

#### Orders of the Day

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table House Reports, Report A Ought to Pass; Report B Ought Not to Pass, from the Committee on Legal Affairs on bill, An Act Relating to Running Horse Racing in the Daytime (H. P. 1021) (L. D. 580) tabled by that Senator on April 26 pending acceptance of either report.

Mr. WEEKS of Cumberland: Mr. President, I now move to accept Report B "Ought Not to Pass". I will make a few remarks in support of that motion and when the vote is taken I request a division. This matter of horse racing has been before this Senate a good many times and I doubt if anything I have to say today is going to change the mind of any of you gentlemen one way or another.