

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Second Legislature*

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

## HOUSE

Thursday, March 15, 1945

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Capt. Alley of the Salvation Army, Augusta.

Journal of the previous session read and approved.

### Papers from the Senate

The following Order:

ORDERED, the House concurring, that a Joint Convention be held in the hall of the House on March 28th at 11:30 o'clock in the forenoon for the purpose of inviting His Excellency, the Governor, and his guest, Hon. L. Welch Pogue, Chairman Civil Aeronautics Board of Washington to attend and address to the Convention such remarks as they may be pleased to make (S. P. 384)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

Mr. Rollins of Greenville, was granted unanimous consent to address the House.

Mr. ROLLINS: Mr. Speaker, and Members of the House: The next item, Item 2, on your calendar, is a resolve to create a special joint committee to study wild and fur-bearing animals (S. P. 383) (L. D. 983)

This comes from the Senate, received by unanimous consent, and I would ask the members of this House that since this is the first matter that has come from the other body requiring unanimous consent, and as it is a printed resolve on your desks before you, Legislative Document 983, I would ask that the House concur with the Senate and give its unanimous consent to the introduction of this resolve.

Resolve read by the Clerk as follows:

Resolve to Create a Special Joint Committee to Study Wild and Fur-bearing Animals (S. P. 383) (L. D. 983) which was received by unanimous consent in the Senate on March 13th and referred to the Committee on Inland Fisheries and Game.

The SPEAKER: Does the Chair hear objection to the reception of this resolve? The Chair hears none, and the resolve is received.

Thereupon, on motion by Mr. Wight of Bangor, the resolve was referred to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

### Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to the Houlton Municipal Court" (S. P. 114) (L. D. 228) reporting same in a new draft (S. P. 379) (L. D. 977) under same title and that it "Ought to pass"

Came from the Senate, the Report read and adopted and the Bill passed to be engrossed.

In the House, Report was read and accepted in concurrence, and the Bill read twice and tomorrow assigned.

### Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the University of Maine" (S. P. 75) (L. D. 70)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Licenses for Lodging Houses in city of Lewiston" (S. P. 145) (L. D. 351)

Came from the Senate the Reports read and adopted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice and tomorrow assigned.

### Non-Concurrent Matter

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Permits for Digging Into and Opening Streets and Highways" (H. P. 1143) (L. D. 792) which was accepted in the House on March 7th.

Came from the Senate recommitted to the Committee on Legal Affairs in non-concurrence.

In the House, on motion by Mr. Ward of Millinocket, the House voted to recede and concur with the Senate and the Bill was recommitted to the Committee on Legal Affairs in concurrence.

### Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act relating to the Salaries of the Police Department of the city of Lewiston" (S. P. 270) (L. D. 617) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate the Report read and adopted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill was read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 270, L. D. 617. Bill "An Act Relating to the Salaries of the Police Department of the City of Lewiston."

Amend section 5 of said bill by striking out in the fifth line thereof (5th line of bill as printed) the underlined figure "\$1,920", and inserting in place thereof the underlined figure "\$2,100".

Further amend said section 5 of said bill by deleting (drawing a line through), in the sixth line thereof (5th line of bill as printed), the figure "5" and inserting in place thereof the underlined figure "3".

Further amend said bill by striking out all of section 6 thereof and inserting in place thereof new section 6, which shall read as follows:

**'Sec. 6. Limitation.** The changes in salaries indicated in this chapter shall be retroactive as of April 1, 1945, and shall be in effect for a period of 2 years only until March 31, 1947, after which the laws as existing prior to the passage of this act shall again become of full force and effect.'

Committee Amendment "A" was adopted in concurrence and tomorrow assigned for third reading of the Bill.

Report of the Committee on Legal Affairs on Bill "An Act relating to Term of Office of Chief of Police of the city of Lewiston" (S. P. 253) (L. D. 631) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate the Report read and adopted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill was read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 253, L. D. 631, Bill, "An Act Relating to Term of Office of Chief of Police of the City of Lewiston."

Amend said bill by striking out in the tenth line thereof (9th line of the bill as printed) the underlined words "to serve at the pleasure of said commission" and inserting in place thereof the underlined words "and shall not be removed except as provided in section 9".

Further amend said bill by striking out all of section 3 thereof and inserting in place thereof the following new section:

**"Sec. 3. P. & S. L., 1939, c. 8, Art. XI, §26 repealed and replaced.** Section 26 of Article XI of chapter 8 of the private and special laws of 1939, as enacted by section 12 of chapter 86 of the private and special laws of 1943, is hereby repealed and replaced to read as follows:

**'Sec. 26. Pension provisions for chief of police.** The chief of police, after having served 25 years as such, or if permanently disabled while in the performance of some duty devolving upon him as a member of the department, shall be retired upon his petition; whereupon he shall be entitled to a pension equal to  $\frac{1}{4}$  of the pay which he received at the time the disability occurred or at the time his application was filed with the commission petitioning for retirement benefits. Nothing herein shall be construed to deprive the incumbent chief of the years of service presently accrued as chief of said department.'

Committee Amendment "A" was adopted in concurrence and tomorrow assigned for third reading of the Bill.

From the Senate: The following Communication:

STATE OF MAINE  
SENATE CHAMBER

Augusta

March 14, 1945

Honorable Harvey R. Pease,  
Clerk of the House of Representatives,  
Ninety-second Legislature  
Sir:

During the morning session of the Senate on Tuesday, March 13, 1945, the Honorable Waldo H. Clark of Jefferson was duly elected Assistant Secretary of the Senate to

fill the vacancy caused by the resignation of the Honorable Chester T. Winslow. Subsequently Mr. Clark tendered his resignation as Sergeant at Arms of the Senate.

Respectfully,

CHESTER T. WINSLOW,  
(Signed)

Secretary of the Senate.

Communication was read and ordered placed on file.

From the Senate: The following Communication:

STATE OF MAINE  
SENATE CHAMBER

Augusta

March 14, 1945

Honorable Harvey R. Pease,  
Clerk of the House of Representatives,  
92nd Legislature

Sir:

Wednesday morning, March 14, 1945, the President appointed the following members on the part of the Senate to serve on the Committee on Conference on the Disagreeing Action on "Resolve Authorizing the Kennebec Towage Company to Bring Suit at Law Against the State of Maine," (S. P. 331) (L. D. 145);

Senators BROWN of Aroostook  
DORR of Oxford  
HALL of Franklin

Respectfully,

(Signed)

CHESTER T. WINSLOW,

Secretary of the Senate.

Communication was read and ordered placed on file.

On motion by Miss Longstaff of Crystal, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

### Orders

On motion by Mr. Rankin of Bridgton, it was

ORDERED, that there be printed 250 extra copies of the following Public Bill: Bill "An Act to Create a Legislative Research Committee" (H. P. 1272) (L. D. 915)

On motion by Mr. DeSanctis of Madison, it was

ORDERED, that Mr. Meloon of Portland, be excused from attendance Friday because of business; and that Mr. Gross of Jefferson, be excused because of illness.

On motion by Mr. Ela of North Anson, it was

ORDERED, that Rev. Paul Muder of North Anson, be invited to act as Chaplain of the House on Tuesday, March 27th.

### House Reports of Committees

#### Ought Not to Pass

Mr. Dicker from the Committee on Federal Relations reported "Ought not to pass" on Bill "An Act Amending the Unemployment Compensation Law as to Definitions" (H. P. 1252) (L. D. 877)

Mr. Carpenter from the Committee on Indian Affairs reported same on Bill "An Act relating to Vital Statistics in Indian Tribes" (H. P. 1125) (L. D. 672)

Mr. Leathers from same Committee reported same on Bill "An Act relating to Overseer of Poor and Other Special Officers of the Penobscot Tribe of Indians" (H. P. 1065) (L. D. 661)

Mr. Heanssler from the Committee on Sea and Shore Fisheries reported same on Resolve relating to Taking of Salmon in Machias River (H. P. 1293) (L. D. 939)

Same gentleman from same Committee reported same on Resolve relating to Dipping of Salmon in Machias River (H. P. 1282) (L. D. 925)

Mr. Emerson from same Committee reported same on Resolve relating to Dipping of Alewives in Certain Waters in Machias, Washington County (H. P. 1004) (L. D. 603)

Mr. Baker from same Committee reported same on Bill "An Act relating to Regulation of the Lobster Industry" (H. P. 863) (L. D. 439)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft

Mr. Ames from the Committee on Sea and Shore Fisheries on Resolve relating to Dipping of Alewives in Machias River (H. P. 1005) (L. D. 554) reported same in a new draft (H. P. 1336) under same title and that it "Ought to pass"

Mr. Gay from same Committee on Bill "An Act relating to Bounty on Seals" (H. P. 1218) (L. D. 768) reported same in a new draft (H. P. 1337) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

**Ought to Pass**

**Printed Bills**

Mr. Smith from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Dumping of Waste Potatoes" (H. P. 1285) (L. D. 932)

Mr. Haskell from the Committee on Federal Relations reported same on Bill "An Act Amending the Unemployment Compensation Law as to Court Review of Commission Decisions" (H. P. 1243) (L. D. 868)

Same gentleman from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Charges Against Employers' Experience Rating Records" (H. P. 948) (L. D. 604)

Mr. Jennings from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Act as to Employer's Experience Rating Classifications" (H. P. 950) (L. D. 606)

Same gentleman from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classifications" (H. P. 1250) (L. D. 875)

Mr. Legard from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Employer Coverage" (H. P. 1241) (L. D. 866)

Mr. Meloon from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classifications" (H. P. 1249) (L. D. 874)

Same gentleman from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Filing Pay Roll Reports and Penalty" (H. P. 949) (L. D. 605)

Mr. Cousins from the Committee on Indian Affairs reported same on Bill "An Act relating to Ferry Between Indian Island and Old Town" (H. P. 319) (L. D. 141)

Mr. Palmeter from same Committee reported same on Bill "An Act Authorizing the Governor to Appoint Special Officers to Enforce Police Regulations Among the Indian Tribes of the State" (H. P. 320) (L. D. 142)

Mr. Morneault from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to Insurance for Children by Fraternal Beneficiary Societies" (H. P. 341) (L. D. 119)

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned.

**Passed to be Engrossed**

Bill "An Act relating to Cigarette Tax Licenses" (S. P. 153) (L. D. 371)

Bill "An Act relating to Taxation of Property of United States" (S. P. 222) (L. D. 462)

Bill "An Act relating to Operating Motor Vehicles at Grade Crossings" (S. P. 329) (L. D. 822)

Bill "An Act relating to Greeley Institute" (H. P. 317) (L. D. 100)

Resolve in favor of the Maine Historical Society (S. P. 70) (L. D. 62)

Resolve Designating the White Pine Tree as the State Official Tree (S. P. 181) (L. D. 381)

Resolve relating to Ice Fishing in Kezar Lake (S. P. 312) (L. D. 839)

Resolve in relation to Teacher-Pension Status of Carrie M. Wight of Bethel, Maine (H. P. 725) (L. D. 397)

Resolve Designating Hospital Building at State School for Girls as "Stevens Building" (H. P. 1327) (L. D. 971)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

**Amended Bills**

Bill "An Act to Provide a Town Council and Manager Form of Government for the town of Mechanic Falls, in the county of Androscoggin" (H. P. 426) (L. D. 189)

Bill "An Act relating to Retiring Allowances or Life Insurance for Officers and Employees of Savings Banks" (H. P. 1163) (L. D. 700)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

**Orders of the Day**

The SPEAKER: The Chair now lays before the House the first

tabled and today assigned matter, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election" (H. P. 960) (L. D. 546) tabled on March 8th by the gentleman from Lewiston, Mr. Jalbert, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. Speaker and members of the 92nd Legislature: I move the acceptance of the Minority Report "Ought to pass."

Of the 1,614 measures presented before the present 92nd Legislature, hundreds of them were asking for the spending of money but few, if any, were for the saving of money.

Needless to say, this measure has been presented before. Some of the arguments that have cropped up against this change were: (1) That an attempt should be made to keep National politics out of State politics. That being the case, why then should our United States Congressmen and United States Senators be elected in September? Also why should the Speakers' Bureaus of both parties seek the aid of National Speakers, United States Senators, Vice Presidential and Presidential candidates to campaign on the issues in Washington during the September elections? Another argument has been the ideal weather conditions prevailing in September. Might I state, to cope with that argument, that the last seven election years since the general use of automobiles—four November elections have exceeded by an average of 77,000 votes the September election, and in the three years that the September election vote exceeded that of the November election vote it was by an average of only 28,000.

Another argument that has been presented at prior hearings on a resolve similar to the one which I have presented has been the publicity value to the State of Maine of this election. However, if the Maine Development Commission, with its staff of expert advertising men, were given these funds which are now needlessly expended for this additional election, certainly the recreational and commercial interests of this State would be immeasurably advanced.

Throughout the country we see in eating places on the menus, "Roast Native Vermont Turkey." I have always been of the opinion that "Roast Native Maine Turkey" tasted very good. We see "Vermont Maple Syrup" and I know how much we love Maine maple syrup. We see advertised, "Idaho Potatoes." Maine is the "Potato Empire" of the United States and we should shout that fact from the rooftops at any and every opportunity we have. I bring this out merely to point out that any and all money that could possibly be spent to advertise our famous products would be more important to us, as I have previously stated, than an item in a newspaper that Maine is holding an election in September.

The big objection is the so-called "feed bag", enjoyed by certain leaders of each party. May I, for the moment, get away from this so-called "feed bag" and shatter conclusively the argument that there is no demand for a change. I have conducted a poll of town managers, selectmen, and mayors of the different communities in our State, asking them if they favored the change, or not. I received 195 answers.

May I, for the moment, read to you the questions on the card I sent out? "Do you favor having our State election in November instead of September, thus doing away on Presidential year with the September election cost? How much did the September, 1944, election cost your city or town?" 176 answered "yes", 17 "no", and 2 gave no opinion, showing a percentage of 90% in favor of the change. Besides this, I present petitions, sent to me, showing thousands of signatures giving support to the plan. I am receiving, daily, more of these cards and more of these petitions.

On these petitions I have before me are the names of thousands of legal voters of Maine who ask that this proposed amendment be placed before them. May I, Mr. Speaker, ask for unanimous consent of the House to insert into the record the names of the 176 towns and cities in favor of this, those two cities not giving any opinion, and those 17 towns who are against the measure, and also the amounts of the election costs of each individual town or city. I ask that this request be granted, Mr. Speaker, merely as a time saver, again being motivated

by economy, because we all know that time is money, and should this not be granted I would needlessly take up a great deal of your time by reading these cards individually. I would, however, be very happy to read off every card individually if the members so wish.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, asks unanimous consent to insert into the record a list of the names of towns and the answers of the town clerks to the questionnaires. The Chair hears no objection and they may be inserted in the record.

		Livermore Falls	50.00
		Grand Falls Plant.	29.41
		Rangeley	25.00
		St. Agatha	76.50
		Mt. Desert	83.00
		Princeton	28.00
		Coplin Plant.	6.00
		Turner	25.00
		Stockholm	25.00
		Hiram	45.00
		Burlington	24.00
		Shirley	10.00
		Danforth	45.00
		Bancroft	3.00
		Rockport	41.00
		Plant. No. 21	25.00
		Orient	36.00
		Pownal	50.00
		Parkman	25.00
		Sherman	21.00
		Medway	40.00
		Millbridge	20.00
		Littleton	28.00
		Ripley	15.00
		Lebanon	63.50
		Sanford	539.71
		Thomaston	65.00
		Harrington	15.00
		Fairfield	50.00
		Crawford	40.50
		Minot	100.00
		Portage Lake	40.00
		Baileyville	16.40
		Skowhegan	100.00
		Whitefield	39.00
		Fort Kent	75.00
		Perham	20.00
		Avon	50.00
		Perry	25.00
		Amherst	14.88
		Pittsfield	42.00
		Machias	25.00
		Madison	77.00
		Solon	25.00
		No. Yarmouth	70.00
		Raymnd	6.00
		Brunswick	500.00
		Jay	100.00
		Phillips	28.00
		Glenwood Plant.	24.80
		Masardis	40.00
		Bowdoinham	40.50
		Vassalboro	60.00
		Palmyra	40.00
		Gilead	10.00
		Orneville	25.00
		Lake View	35.00
		Mechanic Falls	75.00
		Carthage	25.00
		Lewiston	969.98
		Poland	75.00
		Dexter	43.00
		Ashland	50.00
		Dover-Foxcroft	56.00
		Sangerville	36.80
		Benedicta	15.00
		Belmont	26.88
		Gouldsboro	24.00
Towns and Cities	"Yes"		
	Amounts		
Buckfield	\$25.00		
Arrowsic	13.00		
Winthrop	37.05		
Liberty	25.00		
Brooklin	45.00		
Bradley	23.00		
Hancock	25.00		
Bridgton	65.00		
Waldoboro	75.00		
Oakfield	15.00		
New Limerick	11.50		
Falmouth	92.20		
Albion	35.00		
Alexander	42.00		
Deer Isle	79.00		
Monroe	20.00		
Sumner	20.00		
New Gloucester	60.00		
So. Thomaston	35.00		
So. Portland	671.57		
Stoneham	30.00		
Winter Harbor	35.00		
Houlton	125.00		
Aurora	25.00		
Greenville	No amount		
Hampden	50.00		
Naples	No amount		
Lincoln Plant.	13.50		
Bristol	38.00		
Van Buren	50.00		
Haynesville	10.00		
Carroll	45.00		
Hodgdon	15.00		
Newcastle	35.00		
Hudson	29.00		
Wade	14.00		
Holden	30.00		
Stockton Springs	20.00		
Dyer Brook	9.00		
Bar Harbor	76.29		
Cutler	25.00		
Springfield	40.00		
Eddington	25.00		
Milford	24.65		
Alfred	40.00		
Westfield	20.00		
Grand Lake Stream Plant.	15.00		
West Bath	18.00		
Glenburn	16.00		



Richmond	60.00	Patten	30.00
Searsmont	50.00	Greene	40.00
Presque Isle	No amount	Northport	27.50
Newport	66.00	Island Falls	12.00
Sullivan	55.00	Litchfield	42.00
Mapleton	25.00	Webster	20.00
Brewer	655.00	Troy	30.00
Wallagrass Plantation	50.00	Easton	20.00
Westbrok	250.00	Charleston	20.00
Corinna	12.00	Cumberland	93.39
Livermore	30.00	Sidney Harnes	37.72
Madison	50.00	Augusta (No opinion)	1,429.82
Steuben	25.00	Portland (No opinion)	1,939.00
Eagle Lake	50.00	Now let us go into the cost of	
Veazie	25.00	these elections. When I sent these	
Harrison	51.00	cards I asked the mayor, town man-	
Wales	50.00	agers or selectmen to give me the	
Edgecomb	40.00	cost of the last September election.	
Abbot	40.00	The 176 affirmative answers show a	
Mariaville	21.00	composite cost of \$15,730.50, the	
Belgrade	32.00	"no's" \$830.94; the two giving no	
Farmington	85.00	opinion, those being the cities of	
Biddeford	758.00	Portland and Augusta, amount to	
Dennysville	50.00	\$3,368.82, making a total of \$19,-	
Dixmont	19.84	920.26. The approximate figure of	
Unity	46.00	the cost to the towns, cities, and	
Crystal	40.00	plantations, not heard from,	
Palermo	50.00	amounts to about \$25,000.00. The	
Industry	36.00	added amount, as many stated	
Southwest Harbor	51.00	to me, for erection of polling	
Lee	36.00	booths, loss of time to selectmen,	
Gardiner	468.64	town clerks, et cetera, and the hir-	
Mars Hill	30.00	ing of voting places would easily	
Monmouth	75.00	amount to \$10,000.00. The cost to	
Freeport	50.00	the election department of the Sec-	
Rockland	584.75	retary of State's office for this last	
Fort Fairfield	65.00	September election was \$14,561.62,	
Calais	500.00	making a grand total of \$69,481.88.	
Frenchville	42.00	It is generally assumed that there	
Ellsworth	350.00	are approximately 400,000 voters in	
Mexico	47.37	Maine. If time is money, with the	
Rangeley	12.00	use of the automobiles, tires, gas,	
Winslow	60.00	and oil, no one can deny that the	
Hebron	40.00	approximate cost to each voter is	
Friendship	41.00	easily 50c, so that we can tack on	
Plymouth	35.00	an additional \$200,000.00 needlessly	
Lubec	No amount	thrown away.	
Orono	33.34	Now back to the famous "feed	
Auburn	1000.00	bag". These certain leaders of both	
Enfield	40.00	parties shiver at the thought of a	
Dallas Plantation	No amount	change because they feel that cer-	
Jackson	36.00	tainly money would be handed down	
Blaine	22.00	to them only once instead of twice	
Cushing	25.00	should this amendment be voted	
Waterville	1500. Plus	upon favorably. From the figures	
Blue Hill	75.00	quoted it seems that a quarter of	
Appleton	35.00	a million dollars is a lot of money	
Guilford	50.00	to spend uselessly to satisfy a few	
		somewhat selfish political leaders	
		of both parties.	
Towns and Cities	Amounts	I have here the record of the 1911	
Southport	\$34.00	Legislature. In 1911—this is the	
Kingfield	18.00	record—the Legislature, the House	
Windham	36.00	and the Senate, had a Democratic	
Hallowell	320.33	majority. The unanimous report	
Wells	(Very little)	on the resolve providing for the	
Madrid	40.00	election on the Tuesday next after	

the first Monday in November biennially for Governor, Senators, Representatives, and other officers, was reported "Ought not to pass".

I have here the record of the 1913 Legislature: "Mr. Speaker, the next matter for consideration is majority and minority report of the committee on Legal Affairs, to which was referred "Resolve relating to changing date of State election from September to November, majority reporting "Ought to pass."

The 1913 Legislature, both in the House and in the Senate, was Republican, had a Republican majority. Mr. E. J. Newbert, of Augusta, the Democratic floor leader, made a motion that the minority report be substituted for the majority report, and his motion prevailed.

This proved conclusively—and if I do not win any other point, I will win that one—that it is the feed bag and nothing else.

The State of Vermont, in 1913, adopted this change. I wish I could say for a moment, speaking as a Democrat, that the State of Vermont had gone Democratic. Only a moment is needed to pass over the slogan "As Maine goes so goes the Union." That, I think, has long been shattered. Instead of having a paper in California carry an item stating that Maine is holding an election in September, let us advertise our products, let us advertise Maine as a vacation land.

For the purpose of economy, in the event that there are no measures either enacted by this Legislature or suspended, by petitions of the citizens of this State, by referendum authorized by our State Constitution requiring a submission of such measures to the voters of the State at a special State election, I would suggest to the Members of the 92nd Legislature that this Resolve be referred to the people of the State to be voted on at the next regular biennial State election.

This proposed change of election date measure has been hashed and re-hashed. I ask the support of two-thirds of this Legislature to allow this to be placed before the electorate of Maine. The point of tradition has been brought out in a way that what is good enough for our fathers, our grandfathers, and our great-grandfathers should be good enough for us. Our forefathers were carried to church, town meetings, etc., by horse and

buggy. We now go by automobile, and our children and their children will go via the airplane route. Times change. I hope the Legislature will, and I know that people agree THAT IT'S TIME FOR A CHANGE.

Mr. Speaker, I move the acceptance of the Minority Report "Ought to pass," and when the vote is taken I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Machiasport, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I arise to support the motion of the gentleman from Lewiston (Mr. Jalbert), not because of any political phase which this may contain or any political party which it may benefit. My point of view is from the economy of the State of Maine. A dollar saved is a dollar earned.

In 1911 I was present in this House when a measure similar to this was being argued. At that time both branches of the Legislature were Democratic and the measure was turned down. I inquired of some of the leaders of the Democratic party at that time as to why this measure should be defeated and they assured me it was for political reasons, whatever that means. Now I have spoken to some Republican members of this House since this measure has been talked of and they have given me the same reason for not supporting the measure, political reasons.

Well now, members of the House, if a measure comes in here defeated by both the Democratic party and the Republican party, I believe that is a pretty good measure for the taxpayers of Maine to be interested in. I am thinking of a class of people, thousands of whom are citizens of Maine, who, on account of their advanced age, have lost their earning power, and what little savings they had at one time has become dwindled and at present they are living on the seedcorn of life, and an increase of one dollar in taxation is a burden for such people. When they complain in regard to skyrocketing taxes, they are informed that everybody's taxes are high; that they are receiving much more for their money today than they received forty years ago. The snow is being removed from the streets and the roads are being surfaced with tar. But this talk does not appeal to this class of people. They have no automobiles, and

should they own an automobile they have not the money to operate it. They have a few hundred dollars possibly in the bank to pay their final expenses and for that reason they are too rich to receive old age assistance and they are too poor to live without it. I have in mind many such people whom I visited during the last campaign, and they went to the polls and cast their vote with the hope that in some way this Legislature might bring about a reduction in taxes or at least keep them from going farther up, as has been the experience year after year.

I do not want those people, Mr. Speaker, to get it in their minds just because I had the good fortune on arriving here in Augusta to be placed upon the Committee on Mines and Mining that I have become a gold-digger and have forgotten about the people back home. Now, Mr. Speaker, I trust that you will not interpret my talk as in any way indulging in personalities because I assure you I am satisfied with my assignment on the committee. According to the rules of the House and long custom I do not see how you could have done any better. Nevertheless, I never expect to be a John L. Lewis. At times I am somewhat worried about my associate miners on that committee who are now going along in the eleventh week of the session and so far as I know that committee has yet to have its first meeting. The boys may be out on a strike. (Laughter)

Now I feel that it is our duty here to do all we can to curtail and to save—to reduce if possible—or at least oppose and check this ever increasing taxation in the State of Maine. For that reason, I hope that the motion of the gentleman from Lewiston (Mr. Jalbert) will prevail.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: First, I would like to compliment the gentleman from Lewiston (Mr. Jalbert) for having dug into the history of this question as far as he has and for having brought to our attention the salient facts that are in the question at issue. It seems to me it boils down to just about two

things: dollars and cents for one thing, and common-sense for the other thing.

I come from a country area just like the most of us here. I find that we are all of just about the same caliber and we all look alike. I do not find that the people from Aroostook look very much different from the people from York or Cumberland: we all have just about the same thoughts. I have an idea that if we took the trouble to talk with our neighbors back home on this particular question that we would all get just about the same response. By all means bring these two elections together. Why mess the thing up twice instead of once?

So I am exceedingly happy to go along as a humble Representative of this 92nd Legislature with the gentleman from Lewiston, and I hope that we can all see eye to eye on this proposition. I hope that the House will vote to support the minority report. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker, as one of the nine members of the Judiciary Committee who signed the "Ought not to pass" report on this resolve. I am going to comment briefly on it. The gentleman from Lewiston, Mr. Jalbert, has without doubt done considerable work on this matter and, as he has stated, he has sent questionnaires into every locality in the State, and in addition, before this matter was brought to a public hearing, he spoke on the subject in different places, particularly in this lower part of the State. I believe he has done everything in his power to arouse an interest in this particular resolve. The significant thing that struck me in this matter was that despite the efforts of Mr. Jalbert and the attendant publicity which came out in our newspapers, at the public hearing Mr. Jalbert was the sole proponent for this measure.

Now I do not know how it is with you people, but in the town where I come from if the selectmen of that town or the citizens learn of a bill which is going to be presented to this Legislature in which they believe they have an interest, I hear about it. Early in this session there was a measure presented to increase the hunting and fishing license and

I heard plenty about it and I do not doubt but many of you did likewise. Now it seems to me if there were a considerable interest throughout our State on this matter that a great many of you people would have learned of that from your constituents and that you would have appeared at the public hearing in support of this measure. Quite the contrary was true, however, and there were a number in there who spoke in opposition to Mr. Jalbert's proposal.

Now we have been voting in the month of September in the State of Maine for a long time, and apparently we like it that way. There is no question but once in every four years every locality is subject to some additional expense in connection with an election. Connecting that up with the matter of publicity, in my town perhaps we spend at a November election, the town itself, a matter of sixty or perhaps seventy-five dollars. We could be generous and say one hundred. At every annual town meeting we raise the sum of five hundred dollars for advertising the natural resources of our locality and the State of Maine. In other words, over a four year period we are raising two thousand dollars for advertising purposes against the sum of perhaps seventy-five or one hundred dollars to conduct an election in the presidential year.

Now we are not in accord with our sister states in many matters. Yesterday in this House on two different proposals we were urged to go along with other states, and you people know the result of that vote. I think it proves if we in Maine like a given procedure we stick by it and that we do not change.

On this particular measure I hope you will vote no on Mr. Jalbert's proposal and go along with the majority of the committee.

Now on the matter of changes, I noted an item in the Lewiston Evening Journal last night, and perhaps some of you also read it. It relates to a German flag which was sent to our Governor by a State of Maine boy who is now in Germany. He sent it to our Governor as a souvenir and he wrote a note explaining his gift. I was very much impressed with the last two sentences in the note. It seemed to me that perhaps that State of Maine boy who is now in Germany might be expressing the sentiment

of thousands of Maine men and women who are now scattered throughout the globe. I wish to quote those two lines to you. The boy said: "Good luck to you, sir, and good health. Keep old Maine like it was until we get back."

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, thirty years ago I was a member of the Maine Legislature when this same matter came up and nearly verbatim the same argument was used in favor of the bill as appears here today. I remember a few things as a boy. A lady arranged for me to dispose of a cat. I took the cat and put it in a sack — I didn't examine the sack too closely — I put a brick in the sack and went and threw the whole works in the river. The brick went through the bottom of the sack, the cat came out and went back home. That is just what has happened for thirty years. The brick has gone through the bottom of the sack in the change of election and the same measure has come back to the Legislature so far as I know ever since.

I remember in that Legislature thirty years ago I had in a few road resolves to repair three pieces of road in the northern part of Somerset county. Those measures had been passed to be engrossed and finally passed and went to the Governor for signature. The Governor met me as I was approaching the hall and advised me that it would be to my advantage to recall those measures in the interest of economy; that they could not afford them. I couldn't seem to see it that way and he immediately vetoed those measures in the interest of economy, and the House, being evenly divided between Democrats and Republicans, with five Progressives holding the balance of power, sustained the veto in the interest of economy. You see similar things happening today, not by Governor's veto but by voters' veto. In the interest of economy we turn down small appropriations. In that same Legislature we were asked for two million dollars for the City of Portland and we voted it without a wink. Is history repeating itself today? I wonder! I asked the people at that time, in plain common sense, if they wouldn't give us any money for roads in northern Somerset, to allow us to cast our votes

when we could get to the polls without snowshoes or flying machines. The House sustained my view as it has ever since. I ask the same thing of you members today. Let's hold our election in the good old way continuously until we see something different for a change besides Democratic oratory.

The **SPEAKER**: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. **WEBBER**: Mr. Speaker, at the hearing I expressed myself in favor of the retention of the September date, and there was some psychology that I gave as a reason. It seems to me that all of us who have been candidates, who are candidates, or who are going to be candidates, feel a greater sense of ease and readiness in making our plans for the future when we have a matter settled, say six or seven weeks earlier than we would if the date should be changed to November.

I think that the cost of the September election is not any more than its value to those who participate; and I am not afraid to say that in the matter of economy I believe that our Legislature is as careful about the expenditure of its funds as is our National Congress and our National Administration. I may say that I believe that desperate efforts have been made to make the change in the State of Maine, and thus far the people of the State have felt it to be the advantage of the citizens that the present administration remain a while longer. The administration at Washington is not paying perhaps so much attention to economy—we will leave out the war effort, because we are all patriotic citizens and are going to pay whatever it costs to win the war. I think we all believe in economy, and I think we should all begin now to practice economy on all lines. I believe if we should change the date to November a great effort might be made to swing the whole thing into line, and, if we fall in line with the national administration, I do not believe the principles of economy would be carried out any better in the State of Maine than at present. That is the way I feel about this matter. I feel that the present date is all right and that it is fair to everyone.

The **SPEAKER**: The Chair recognizes the gentleman from Cumberland, Mr. Sweetser.

Mr. **SWEESTER**: Mr. Speaker and Members of the House: I want to add just one argument to the ones which have already been presented against changing the date of our State election.

You are all acquainted with the fact that our laws provide for a meeting of the State-wide Advisory Committee on Budget. This committee meets with the Governor-elect to study the financial needs of the various departments, and those are widespread interests. These hearings have to satisfy the people all over our big State, and, of necessity, require a long time. Last year these meetings began on October 5th, and they were held every week for three days during the week continuously until November 22nd. After that time the report had to be made ready for the incoming legislature.

We need to hold our election in September if we are to carry out the present requirements of this budget law as provided in Chapter 14.

I hope that the motion before the House will not prevail.

The **SPEAKER**: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. **DONAHUE**: Mr. Speaker and Members of the Legislature: Having been a member of the Budget Committee in 1937, I very sharply take issue with the remarks of the last speaker as to the necessity of starting budget hearings in October.

If you are acquainted with the duties of the Budget Committee, you will know that this committee acts only in an advisory capacity to the Governor-elect. The budget is the Governor's budget; he has the final say as to what that budget shall contain, regardless of any vote by the advisory committee as to what they think it should contain. So I say that the issue of the necessity of commencing budget hearings in October is merely thrown in here for the purpose of confusing the issue and has no relative value.

The two arguments presented by the spokesman for the committee appear to me to boil down to the fact that he disagrees with the gentleman from Lewiston, Mr. Jalbert, as to the expense of holding the additional election. The fact

that his town only spent \$100 to hold an additional election does not mean and cannot mean that that is the only expense involved in getting voter to the polls, because there is the loss of time by the voters, and the expense of the rallies which are held a long time before the election is held. So he has only taken one item in determining whether or not this is an economy measure. He very eloquently referred to the matter of the soldiers in Germany, and indirectly used the same argument that was presented in the hall of the House before the Legal Affairs Committee on a hearing on a Portland bill, that you should not hold an election during war-time. The proponents for that measure very admirably answered that question. They pointed out that you held an election last September while the war was going on, that you held an election last November while the war was going on, and at the present time you are holding your town meetings and the war is still going on. So I say, as far as anything constructive that has been offered yet in opposition to the motion of the gentleman from Lewiston, Mr. Jalbert, I believe it should not in the least influence you in your vote.

One of the speakers complained about the origin of this bill. If my recollection serves me right, one of your Republican nominees for Governor four years ago and six years ago introduced an identical measure. He made a very careful study of this measure, and, if you will refer to your Legislative Records of 1935 and 1937, you will find that the measure was not introduced by a member of the Democratic Party but was introduced by Roy Fernald. So I say if we are to depend upon the reasons that have been advanced so far this morning as to why the motion of the gentleman from Lewiston, Mr. Jalbert, should not prevail, I am satisfied to go along and vote for his motion.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker and Members of the House: We all know that there has been for many years a divided opinion among the citizens of the State as to the feasibility of holding our State election at the same time as the national election in November. This bill is asking that the citizens of the State of Maine now, once and for all, be given a

chance to vote on that question. I want to still live in a democracy under a government by the people, of the people and for the people.

The SPEAKER: The Chair recognizes the gentleman from Dam-ariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker and Members of the 92nd Legislature: With 80,000 men and women from the State of Maine who are in the armed forces of the United States at the present time and who are out of this country, and with that number ever-increasing, and in view of the fact that the majority of these boys and girls are of legal voting age, it seems to me that we are taking undue advantage of a right that they have.

Now I am going to make one point. In 1918, when we were across, the Legislature plastered onto the men in service at that time the prohibition bill, and the sentiment of the men in the service at that time was that something was put over on them, and they were correct. This is nothing more than a repetition of the same idea. Despite the fact that my colleague, Mr. Jalbert, has done an excellent job and has worked hard and there is some merit to some portions of his bill, I am going to say this: that until these boys are back and our women are back, let us go along as we are for the time being.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, to accept the minority report "Ought to pass" on this Resolve, and the gentleman has asked for a division.

All those in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, to accept the minority report "Ought to pass" on this Resolve will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. Fourteen having voted in the affirmative and one hundred and seven in the negative, the motion did not prevail.

On motion by Mr. Ward of Millinocket, the majority report "Ought not to pass" was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Majority Report "Ought not to pass" and

Minority Report "Ought to pass" of the Committee on Judiciary on Bill "An Act relating to Date of General Elections" (H. P. 954) (L. D. 544) tabled on March 8th by the gentleman from Lewiston, Mr. Jalbert, pending acceptance of either report, and the Chair recognizes that gentleman.

On motion by Mr. Jalbert, the majority report "Ought not to pass" was accepted and sent up for concurrence.

On motion by Mr. Jacobs of Auburn, the House voted to take from the table the seventh tabled and unassigned matter, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Judiciary on Bill "An Act Relating to Small Claims" (H. P. 241) (L. D. 92) tabled on February 22nd by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker and Members of the House: I agreed to take this matter from the table for discussion this morning, but I would like to retable it and have it specially assigned for next Wednesday morning.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, now moves that this bill and accompanying reports be retabled and specially assigned for next Wednesday. Is this the pleasure of the House?

The motion prevailed, and the bill and reports were tabled and specially assigned for Wednesday, March 21st.

The SPEAKER: The House is proceeding under orders of the day.

If there is no further business, the Clerk will read the notices.

On motion by Mr. Jordan of South Portland,

Adjourned until ten o'clock tomorrow morning.