

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**Ninety-second Legislature**



**Special Session**

**July 8, 1946**

## HOUSE

Friday, July 19, 1946

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

Prayer by the Rev. Mr. Poole of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The Chair wishes to state at this time that important matters are coming up during this session, which will probably require a division, and the Chair will therefore call the members' attention to Rule 10, which reads: "The seat which a member draws at the commencement of a session shall be his during the session, unless he shall, by leave of the Speaker, change it, and no other person shall be permitted to occupy a member's seat at any time during a session of the House."

### Papers from the Senate

Report of the Committees on Military Affairs and Appropriations and Financial Affairs jointly reporting "Ought to pass" on Resolve in favor of Ricker Classical Institute and Junior College (S. P. 467) (L. D. 1212).

Report of the Committee on Ways and Bridges reporting "Ought to pass" on Resolve in favor of the town of Charleston (S. P. 472) (L. D. 1228).

Came from the Senate the Reports read and accepted and the Resolves passed to be engrossed.

In the House, Reports were read and accepted in concurrence, and the Resolves had their first reading. Under suspension of the rules the Resolves were given their second reading and passed to be engrossed in concurrence.

### House Committee Reports Divided Report

Majority Report of the Committees on Military Affairs and Appropriations and Financial Affairs jointly on Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the

Payment of Other Veterans' Benefits and to Provide for such Payments by a Sales Tax or an Income Tax" (H. P. 1516) (L. D. 1240) reporting same in a new draft (H. P. 1528) (L. D. 1245) under title of "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax" and that it "Ought to pass."

Report was signed by the following members:

Messrs. BATCHELDER of York  
OWEN of Kennebec  
CLEAVES of Cumberland  
SAVAGE of Somerset  
— of the Senate.  
BREWER of Presque Isle  
CROSBY of Farmington  
JENNINGS of Strong  
JORDAN of So. Portland  
ELA of Anson  
BOWKER of Portland  
SOUTHARD of Bangor  
WILLIAMS of Clifton  
POULIN of Rumford  
DOW of Eliot

— of the House.

Minority Report of same Committees reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. BOUTIN of Lewiston

— of the House.

The SPEAKER: The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move you, Sir, the acceptance of the Majority "Ought to pass" report

The SPEAKER: The gentleman from Clifton, Mr. Williams, moves acceptance of the Majority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, I move that the committee report be laid on the table pending acceptance, and that it be assigned to a time certain next Monday.

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

Mr. WARD: Mr. Speaker, I ask for a division on the vote.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, moves that the bill, with accompanying papers, be tabled and specially assigned for next Monday. The question on time is debatable. The gentleman from Millinocket, Mr.

Ward, has asked for a division. All those in favor of the motion of the gentleman from Augusta, Mr. Peirce, to lay this matter on the table will rise and stand in their places until counted and the monitors have made and returned the count.

In order that there may be no misunderstanding, because this is an important matter, the Chair will again state that the question is on the motion of the gentleman from Augusta, Mr. Peirce, that the reports of the committees lie on the table until next Monday. All those in favor of that motion 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.

Twenty-six having voted in the affirmative and 64 in the negative, the motion did not prevail.

The SPEAKER: The question is now on the motion of the gentleman from Clifton, Mr. Williams, to accept the Majority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I would like to now move that this matter be laid on the table until ten o'clock Saturday morning.

The SPEAKER: The gentleman from Augusta, Mr. Carpenter, moves that the matter lie on the table until ten o'clock Saturday morning.

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

Mr. WARD: Mr. Speaker, I request a division.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, requests a division.

The Chair will state again that the question of time on the assignment for a time certain is debatable.

The Chair recognizes the gentleman from Sanford, Mr. Pascucci.

Mr. PASCUCCI: Mr. Speaker, it is very apparent that this particular report covers a great many pages and the information contained in it is strange to me and other members of the House. I feel that this report should be given considerable study by the members of the House, and, therefore, some time is required. I think it is only fair that we should be allowed the time to study this report and consider the action by the committee.

The SPEAKER: The question is on the motion of the gentleman

from Augusta, Mr. Carpenter, that the reports of the committees lie on the table and be specially assigned for ten o'clock Saturday morning.

The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, as to the matter of time, it seems to me there is no object in putting off the evil day of trying to make a decision. We have had printed matter from very nearly the first of this session before us and have had the opportunity to study it. Why be the small boy running by a cemetery? I do not agree with waiting until Saturday morning.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I did not see this bill until about ten minutes ago and I do not believe that there are very many members in this House who have any more than scanned it over. This is a bill that will affect us all the rest of our lives. I think we should think it over at least until tomorrow morning.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, it is apparent what we are all trying to do, and the time element, as the Speaker says, is debatable. I think it only fair, perhaps, even with our rushing the program, that we should give it proper consideration. Perhaps the gentleman from Augusta, Mr. Carpenter, would agree to have it tabled until later in the day.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I think this bill is of a very serious nature and I think we should be given ample time to study it and give it some thought before rushing into it head over heels to see whether or not we can possibly get home this week-end.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker, my personal opinion is that we are here to fulfill a moral obligation to the veterans. That is the purpose of this session. I cannot go back and face my people - - -

The SPEAKER: The gentleman will confine his argument as to

whether or not assignment should be made to a time certain.

Mr. GAY: Mr. Speaker, I beg your pardon. I am in favor of assigning the matter for Saturday morning.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, may I ask the Chair if we are to have an afternoon session.

The SPEAKER: The Chair is no Houdini. You members are the judges of when we shall adjourn. The Chair does not know.

Mr. JALBERT: I realize, Mr. Speaker and Members of the House, that this is a very important measure, and I found out also a very few minutes ago what this was all about. I want to go home too, just as quickly as I can, and I do not want to hold this up personally or hold anyone up if there is a possibility of finishing up and going home this week. I would therefore suggest that where possibly we will adjourn this morning around eleven or eleven-thirty and reconvene this afternoon, that inquiry be made through the Chair of the gentleman from Augusta, Mr. Carpenter, if he would be willing to amend his motion to permit consideration of this matter when we reconvene this afternoon.

The SPEAKER: A motion to adjourn is in order at any time. Does that answer the gentleman's question?

The question is on the motion of the gentleman from Augusta, Mr. Carpenter, that the reports lie on the table and be specially assigned for Saturday morning at ten o'clock. The gentleman from Millinocket, Mr. Ward, has requested a division. All those in favor of the motion 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.

Thirty-seven having voted in the affirmative and 57 in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I move that this matter lie on the table until four P. M. Daylight Saving Time this afternoon.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the reports lie on the table and

be specially assigned for three o'clock Eastern Standard Time this afternoon.

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

Mr. WARD: Mr. Speaker: I request a division.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, requests a division. All those in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the reports be tabled and specially assigned for three o'clock Eastern Standard Time this afternoon 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.

Fifty-nine having voted in the affirmative and 35 in the negative, the motion prevailed, and reports, with accompanying papers, were so tabled and so assigned.

#### Divided Report

Majority Report of the Committee on Education on Resolve to Authorize State Board of Vocational Education to Approve and Supervise Industrial Training Program (H. P. 1502) (L. D. 1210) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. OWEN of Kennebec  
BISHOP of Sagadahoc  
LEAVITT of Cumberland  
—of the Senate.  
BLAKE of Dexter  
Mrs. ROBERTS of Westbrook  
Messrs. MARSANS of Monmouth  
RUSSELL of Gorham  
LORD of Camden  
—of the House.

Minority Report of same Committee on same Resolve reporting that it be referred to the 93rd Legislature.

Report was signed by the following member:

Mrs. DEERING MOFFATT  
—of the House.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Deering Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: I move the acceptance of the Minority Report in order to refer this matter

to the next session of the Legislature.

Briefly I will try to sum up what the bill is and my idea in referring it to the next Legislature. This bill pertains to the veterans who have returned and are working in industries and being paid by the Government and the employer. At the present time the Federal Government is supervising this work. They have fifty-four men trained to supervise this work. Commissioner Gilson, testifying before the committee yesterday, recommended the amendment which strikes out the request for sixty thousand dollars in order to carry out the work. Sixty thousand dollars would not pay the bill for supervising this work. At the same time Mr. Gilson stated that they knew nothing about this work, that they had not trained men in the state to take over the work. At the present time they are struggling to get a vocational training course through for the State. This is a separate affair from your vocational training program which the State is trying to set up.

The Government representative was there and they asked him his opinion and, taking neither side, he said it is definitely a headache and they would rather the State would take over the headache.

In talking with different men who have followed up this vocational program, and have seen it in practice with the veterans, it seemed wise to study the course more thoroughly before the State tried to assume this obligation. The amendment states that the State Board will assume the work of supervising this course when the Federal Government provides funds. Sixty thousand dollars will not do the job. Mr. Gilson said he guessed perhaps they better ask for a quarter of a million, he did not know.

Therefore in fairness to our veterans who are trying to get this course, who are trying to learn this work through practical experience, and through fairness to our employers who have gladly stepped out and said: "We will gladly help our veterans; we will take them into our businesses," it seems wiser to let it go along and find out what it is and how it should be done, rather than to step in and the State try to take it over when they have not the men, when they have not the

experience, nor do they claim to have any knowledge of how it should be done.

In fairness to our boys and in fairness to this new program, I hope it will be referred to the 93rd Legislature which will be convening in a comparatively short time.

The SPEAKER: The question is on the motion of the gentlewoman from Bath, Mrs. Deering Moffatt, to accept the Minority Report of the Committee. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, the Minority Report, reporting that the Resolve be referred to the 93rd Legislature, was accepted, and sent up for concurrence.

#### Ought to Pass in New Draft Tabled and Specially Assigned

Mr. ELA from the Committees on Military Affairs and Appropriations and Financial Affairs jointly on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus to or Insurance Premiums for Maine Members of the Military and Naval Forces in World War II and for the Payment of Other Veterans' Benefits and to Provide for the Payment of Such Bonds by a Sales Tax or an Income Tax (H. P. 1512) (L. D. 1238) reported same in a new draft (H. P. 1529) under title of "Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus to or Insurance Premiums for Maine Members of the Military and Naval Forces in World War II and for the Payment of Other Veterans' Benefits and to Provide for the Payment of Such Bonds by a Sales Tax" and that it "Ought to pass"

On motion by Mr. Ela of Anson, tabled and specially assigned for three o'clock Eastern Standard Time this afternoon.

On motion by Mr. Ward of Milinocket,

The House recessed for ten minutes.

#### After Recess

The House was called to order by the Speaker.

The **SPEAKER**: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. **JALBERT**: Mr. Speaker, in moving that we reconsider the time for assignment of H. P. 1516, L. D. 1240, New Draft H. P. 1528, L. D. 1245, I feel that we will have ample time to study and discuss these measures among ourselves. I now move that the new time be set at twelve o'clock Eastern Standard Time.

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

Mr. **WARD**: Mr. Speaker and Members of the House: Ordinarily, I believe that I would oppose the changing of time when a matter has been specially assigned, but, in view of the existing circumstances, and feeling that perhaps three hours will give us sufficient time to look this matter over before at least starting in to deliberate, and, feeling that all the members are still present who were here a few minutes before when we assigned this matter for three o'clock, I am in favor of the motion of the gentleman from Lewiston, Mr. Jalbert.

The **SPEAKER**: The question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House reconsider the special assignment of time for taking up the matter tabled by him earlier this morning. The gentleman has indicated that if the vote to reconsider carries, he will then make a motion to assign the matter for twelve o'clock Eastern Standard Time, which will be one o'clock Daylight Saving Time. All those in favor of the motion to reconsider will say aye; those opposed no.

A viva voce vote being taken, the motion to reconsider prevailed, and, on further motion by Mr. Jalbert, a viva voce vote being taken, the matter was specially assigned for twelve o'clock Eastern Standard Time.

On motion by Mr. Ela of Anson, a viva voce vote being taken, the House voted to reconsider its action taken earlier in today's session whereby it voted to table H. P. 1512, L. D. 1238, New Draft H. P. 1529, and specially assign the bill for three o'clock this afternoon Eastern Standard Time; and on further motion by the same gentleman, a viva voce vote being tak-

en, the House voted to table the matter and specially assign it for twelve o'clock today Eastern Standard Time.

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

Mr. **WARD**: Mr. Speaker, in order to facilitate the business before us this morning, I ask that by unanimous consent we change our regular order and proceed to Bills in the Third Reading.

The **SPEAKER**: The gentleman from Millinocket, Mr. Ward, moves that the House take up at this time, out of order, Bills and Resolves reported by the Committee on Bills in the Third Reading and on their passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

#### Passed to be Engrossed

Bill "An Act relating to Control of Rentals" (H. P. 1527) (L. D. 1242)

Resolve in favor of the town of Greenville (H. P. 1526)

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

#### Ought To Pass

Mr. Bowker from the Committees on Military Affairs and Appropriations and Financial Affairs jointly reported "Ought to pass" on Resolve in favor of the University of Maine (H. P. 1493) (L. D. 1200)

Report was read and accepted and the Resolve having already been printed was read once under suspension of the rules and tomorrow assigned.

Report was read and accepted, and the Resolve, having already been printed, was read once, and under suspension of the rules, was given its second reading, passed to be engrossed and sent up for concurrence.

#### Ought To Pass With Committee Amendment

Mr. Blake from the Committee on Education on Bill "An Act relating to Additional Training by Normal Schools (H. P. 1498) (L. D.

1208) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 1498, L. D. 1203, Bill "An Act Relating to Additional Training by Normal Schools."

Amend said Bill by adding at the end of that part designated subsection "I" of section 1 thereof the following sentence:

**"The provisions of section 188 shall apply only to the regular teacher education courses, and the state normal school and teachers' college board may in its discretion establish special tuition charges for other post-high school work."**

Committee Amendment "A" was adopted, and under suspension of the rules the bill was given its third reading, passed to be engrossed and sent up for concurrence.

Mr. Brown from the Committee on Public Utilities on Bill "An Act to Incorporate the Brewer Water District" (H. P. 1497) (L. D. 1204) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 1497, L. D. 1204, Bill "An Act to Incorporate the Brewer Water District."

Amend said Bill by striking out the 1st paragraph of section 3 thereof and inserting in place thereof the following:

**"Sec. 3. May exercise eminent domain.** The said district, for the purposes of its incorporation, is hereby authorized to take and hold, as for public uses, by purchase or otherwise, including by right of eminent domain, in the city of Brewer and the towns of Holden, Eddington, Dedham and Orrington any lands or interests in land or water rights necessary for erecting and maintaining dams, for flowage, for power for pumping its water supply through its mains, for reservoirs, for preserving the purity of the water and watershed, for laying and maintaining aqueducts and

other structures for taking, distributing, discharging and disposing of water and for rights of way or roadways to, its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures and lands."

Further amend said Bill by striking out all of section 5 and inserting in place thereof the following:

**"Sec. 5. Procedure if public utility must be crossed.** In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the crossing within 30 days after such consent is requested by said district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district."

Further amend said Bill by striking out section 6 thereof and inserting in place thereof the following:

**"Sec. 6. Board of trustees.** All the affairs of said district shall be managed by a board of 3 trustees, residents therein, who shall be appointed by the city council of the city of Brewer. They shall hold office for the term of 3 years and until their respective successors are appointed and qualified, except, however, as hereinafter provided."

Further amend said Bill by striking out all of section 13 and inserting in place thereof the following:

**"Sec. 13. Property tax exempt.** The property of said district shall be exempt from all taxation in the city of Brewer."

Further amend said Bill by striking out the 1st sentence of section 16 thereof and inserting in place thereof the following:

"This act, subject to the provisions of section 20, shall take effect when approved by a majority vote of the legal voters of said district, voting at an election specially called and held for the purpose, by the city of Brewer, to be held at the voting places in said city, but only if the total number of votes cast for and against acceptance of this act in said special election equals or exceeds 20% of the total number of names on the check list of voters of said district provided for herein; the date of said election to be determined by said city council but to



be not later than the 1st day of November, 1946, but failure of approval shall not prevent a second election held within the time limitation of section 17 hereof.

Committee Amendment "A" was adopted.

Thereupon, Mr. Thompson, of Brewer, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1497, L. D. 1204, Bill "An Act to Incorporate the Brewer Water District."

Amend said Bill by inserting in section 9 after the 1st sentence, a new sentence to read as follows:

'Nothing herein contained shall authorize the taking by right of eminent domain of any properties, franchises, rights or privileges owned by the Penobscot County Water Company and situate, used or exercised or which may be used or exercised by it west of the Penobscot River, except so much of the pipeline crossing in the Penobscot River from Veazie to Brewer as extends the water main of the Penobscot County Water Company to and into the City of Brewer; nor shall it authorize the taking of any of the property, rights, franchises or privileges of the Penobscot County Water Company situate on the east side of the Penobscot River situate, used or exercised or which it may use or exercise on the east side of the Penobscot River, outside of the territorial limits of the Brewer Water District as hereinbefore defined.'

Further amend said Bill by inserting in section 10 thereof, after the sentence which ends with the words "so that said water company shall receive just compensation for all and the same.", a new sentence to read as follows:

'In fixing such valuation, the appraisers shall make full allowance to the Penobscot County Water Company for all damages occasioned to it by the severance of the plant, property and franchises so taken from the plant, property and franchises which are now owned, enjoyed and exercised by the Penobscot County Water Company under its present charter.'

House Amendment "A" was then adopted, and under suspension of the rules, the bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and House Amend-

ment "A" and sent up for concurrence.

On motion by Miss Longstaff of Crystal, the House voted to suspend House Rule 25 for the remainder of today's session, in order to permit smoking.

Mr. Morrison from the Committee on Public Utilities on Bill "An Act to Incorporate the Sullivan Water District" (H. P. 1503) (L. D. 1207) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A", being L. D. 1243, was then read by the Clerk by title only.

Committee Amendment "A" was adopted, and under suspension of the rules the bill was given its third reading, passed to be engrossed as amended and sent up for concurrence.

Mr. Ela from the Committee on Appropriations and Financial Affairs on Resolve to Create an Educational Surplus Property Pool (H. P. 1509) (L. D. 1223) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the resolve, having already been printed, was read once under suspension of the rules.

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

Committee Amendment "A" to H. P. 1509, L. D. 1223, "Resolve, to Create an Educational Surplus Property Pool."

Amend said Resolve by striking out the period at the end thereof and inserting in place thereof the following: '; and be it further'

Further amend said Resolve by adding at the end thereof a new paragraph to read as follows:

'Resolved: That the provisions of this resolve shall be effective only until February 1, 1949, at which time such sum of \$50,000 hereby appropriated shall be repaid into the general fund of the state.'

Committee Amendment "A" was

then adopted and under suspension of the rules the resolve was given its second reading, passed to be engrossed as amended and sent up for concurrence.

Mr. PASCUCCI of Sanford: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? There is nothing before the House at this time. What does the gentleman's motion relate to?

Mr. PASCUCCI: Mr. Speaker, I wish to make a motion to adjourn and to state my reasons therefor.

The SPEAKER: The gentleman wishes to move to recess?

Mr. PASCUCCI: Yes, Mr. Speaker.

The SPEAKER: The gentleman is in order. To what time does the gentleman wish to recess?

Mr. PASCUCCI: Until twelve o'clock noon, I believe—I have forgotten the time you stated, Mr. Speaker.

The SPEAKER: The gentleman from Sanford, Mr. Pascucci, moves that the House now recess until twelve o'clock Eastern Standard Time. All those in favor of the motion that the House now recess until twelve o'clock Eastern Standard Time will say aye; those opposed no.

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

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

Mr. WARD: Mr. Speaker, I move that we now recess until twelve o'clock.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, moves that the House do now recess until twelve o'clock Eastern Standard Time.

Mr. WARD: Mr. Speaker, I ask for a division.

The SPEAKER: All those in favor of the motion that the House now recess until twelve o'clock Eastern Standard Time will rise and stand in their places until counted and the monitors make and return the count.

A division of the House was had.

Sixteen having voted in the affirmative and 40 in the negative, the motion did not prevail.

Mr. Ward was then granted unanimous consent to address the House.

Mr. WARD: Mr. Speaker and

Members of the House: The major bill has been assigned for twelve o'clock Eastern Standard Time. We do not now have a great deal of time in which to go over this measure, eat our lunch and be back here. The remaining items on this morning's calendar all relate to the same subject matter, and, without doubt, if we proceed with them, motions will be made to lay these items on the table, and this procedure will considerably increase the work for our clerical force. We will really be just as far ahead if we do recess at this time and start at twelve o'clock noon. For that reason, I am going to move that the House recess until twelve o'clock.

The SPEAKER: The Chair will have to rule that there having been no intervening business since the last vote was taken, that the House will have to take up one more matter, and then the Chair will entertain the motion.

#### House Committee Report Refer to 93rd Legislature

Mr. BOWKER from the Committees on Military Affairs and Appropriations and Financial Affairs jointly on Bill "An Act Creating the Department of Veterans Affairs" (H. P. 1488) (L. D 1195) reported that same be referred to the 93rd Legislature.

Report was read and accepted and sent up for concurrence.

On motion by Mr. Ward of Millinocket,

The House then recessed until twelve o'clock (E.S.T.)

#### After Recess

12:00 o'clock (E. S. T.)

Called to order by the Speaker.

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

Mr. WARD: Mr. Speaker, I move that the regular order of business be dispensed with and that we now proceed under Orders of the Day.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, asks, by unanimous consent, that the or-

inary procedure be dispensed with and that the House proceed at once to Orders of the Day. Is there objection? The Chair hears none.

#### Orders of the Day

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Elizabeth Deering Moffatt.

Mrs. MOFFATT: Mr. Speaker, with your kind permission, I wonder if it is possible for us to recognize the change in the atmosphere, which was rather cool when we came in here this morning, but is quite warm at the present time. With the calendar ahead of us, there is the prospect of it becoming a little warmer, and I wonder if the members would think kindly toward granting the gentlemen of the House permission to remove their coats and ties if they so desire.

The SPEAKER: The gentlewoman from Bath, Mrs. Elizabeth Deering Moffatt, moves that the gentlemen of the House be permitted, if they so choose, to remove their coats and ties during the remainder of today's session. Is this the pleasure of the House?

The motion prevailed. (Applause)

The SPEAKER: The Chair now lays before the House H. P. 1516, L. D. 1240, New Draft H. P. 1528, L. D. 1245 and the accompanying reports which were tabled this morning pending the acceptance of the majority "Ought to pass" report and specially assigned for twelve o'clock Eastern Standard Time.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I would like to explain the reason why I tabled this matter this morning. The reason was two-fold: I felt that I wanted to study the bill and I thought that I possibly would want to present an amendment. I am seeking counsel from the Chair. Is it usual, Mr. Speaker, to present an amendment after the second reading?

The SPEAKER: The gentleman wishes to present his amendment after the second reading of the bill?

Mr. JALBERT: Not that I wish

to, Mr. Speaker, but I thought that might be the easiest way. It is a lengthy amendment and I would like to present it now.

The SPEAKER: The bill is not before the House at the present time. The only question we have to act on at this time is the acceptance of the majority report, on motion by the gentleman from Clifton, Mr. Williams.

Is it the pleasure of the House to accept the majority "Ought to pass" report of the committee?

The motion prevailed, and the report was accepted.

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

Mr. JACOBS: Mr. Speaker, I rise to a point of personal privilege, and ask unanimous consent to address the House.

The SPEAKER: The gentleman does not need to rise to a point of personal privilege.

Thereupon, Mr. Jacobs was granted unanimous consent to address the House.

Mr. JACOBS: Mr. Speaker, on the report this morning from the Military Affairs and the Appropriations Committees in regard to the bonus question, my name did not appear on either the majority or minority report, due to the fact that I did not know last night that the report was coming out of the committee. Had I so known, I would have stayed and signed the minority report, believing that the majority report was out of line. In order that I may be placed on record, I want to go on record before the House that I favor the minority report and object to the majority report.

Thereupon, under suspension of the rules the bill was given its two several readings.

Mr. Jacobs then offered House Amendment "A" and moved its adoption.

The SPEAKER: The amendment, not having been printed and distributed, will be tabled pending its printing and distribution.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I offer an amendment to H. P. 1516, L. D. 1250, New Draft H. P. 1528, L. D. 1245, and move its adoption.

The SPEAKER: Would the gentleman be willing to wait until his

amendment is printed and distributed and then offer it?

Mr. JALBERT: Surely, Mr. Speaker.

The SPEAKER: The Chair lays before the House the next tabled and specially assigned matter, House Report from the Committee on Military Affairs and the Committee on Appropriations jointly, on Resolve Proposing a Constitutional Amendment, H. P. 1512, L. D. 1238, New Draft H. P. 1529, L. D. 1244, tabled this morning by the gentleman from Anson, Mr. Ela; and the Chair recognizes that gentleman.

On motion by Mr. Ela, the "Ought to pass" in New Draft report of the committee was accepted, and under suspension of the rules the resolve was given its two several readings, passed to be engrossed and sent up for concurrence.

#### House at Ease

Called to order by the Speaker.

On motion by Mr. Ward of Millinocket, the House voted to take from the table the second tabled and unassigned matter, H. P. 1501, L. D. 1209, Bill "An Act Adjusting the Salaries of All Full-time State Employees and Appropriating Money therefor," tabled by that gentleman on July 18th, pending second reading; and on further motion by the same gentleman the bill was given its second reading.

Committee Amendment "A," was then read by the Clerk as follows:

Committee Amendment "A" to H. P. 1501, L. D. 1209, Bill "An Act Adjusting the Salaries of All Full-Time State Employees and Appropriating Money Therefor."

Amend said Bill by striking out all of section 1 thereof and inserting in place thereof the following:

**Sec. 1. Salary adjustment.** Beginning August 5, 1946, all full-time state employees, except those whose salaries are set by either the legislature or by the governor and council, shall be granted an increase in salary of \$7.20 per week, which sum shall be in addition to the salary now being received by such em-

ployee, less the amount of increase that such employee is now receiving under the provision of chapter 135 of the private and special laws of 1945.'

On motion by Mr. Ward Committee Amendment "A" was indefinitely postponed.

Mr. Ward then offered House Amendment "B", and moved its adoption.

House Amendment "B" was then read by the Clerk as follows:

House Amendment "B" to H. P. 1501, L. D. 1209, Bill "An Act Adjusting the Salaries of All Full-Time State Employees and Appropriating Money therefor"

Amend said Bill by striking out all of section 1 thereof and inserting in place thereof the following:

**Sec. 1. Salary adjustment.** Beginning August 5, 1946, all full-time state employees shall be granted an increase in salary of \$7.20 per week, which sum shall be in addition to the salary now being received by such employee, less the amount of increase that such employee is now receiving under the provisions of chapter 135 of the private and special laws of 1945. With the exception of troopers, sergeants and commissioned officers of the state police, the provisions of this act shall not apply to those whose salaries are set by either the governor and council or by the legislature.'

House Amendment "B" was adopted and under suspension of the rules the bill was given its third reading, passed to be engrossed as amended, and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Weeks.

Mr. WEEKS: Mr. Speaker, I move we reconsider our action taken previously in this session today whereby we accepted the Minority Report of the Committee on H. P. 1502, L. D. 1210.

I believe that it is germane to this motion that I pass on to you a few reflections; things that have been on my mind for some time, which seem to me is illustrated very forcibly by the action which we have taken on this bill earlier in the day's session. It has been my observation that on too many occasions a bill has been presented to the Legislature; we had hearings

before a committee when representative citizens from all over the State, supposedly experts on this particular piece of legislation, have come to Augusta and presented their information, and the committee, in their wisdom, has digested this and supposedly would be much better informed than the average members in the House in regard to the merits of the bill. In such cases this bill would come before the Legislature with a divided report, which has happened several times; someone has moved the Minority Report be accepted, and speak upon it, and often the minority report is carried. You did not hear a word from the majority of those signing the majority report. It seems to me it is a legislative defect. I will not qualify it with adjectives but will leave it at that. It is a legislative defect due to the fact that the House is not informed upon the nature of the bill. I do not believe we spend enough time in here explaining to each and every member of the House what he is voting upon. Too often, I believe — I include myself—we have been voting in a twilight of information, in the blackness of ignorance, and sometimes we were voting in an intellectual mental void. To some extent I believe the House can be better informed upon these matters if it becomes more a practice for the committee, whether majority or minority, to defend and explain to the House the reason for their particular report. That is the reason why I am very pleased to move that we reconsider our action in order that we may have an opportunity to hear from some of those who signed the majority report and who can explain to us the meaning of this particular bill and the reasons why they signed it.

The SPEAKER: The question is on the motion of the gentleman from Waterville, Mr. Weeks, that the House reconsider its action taken earlier in the day whereby it adopted the minority report of the Committee on H. P. 1502, L. D. 1210, Resolve to Authorize State Board of Vocational Education to Approve and Supervise Industrial Training Program. The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker, I understood this special session of the Legislature was called by our

Governor to pass a Soldiers Bonus Bill. We have been in session two weeks and now we are about to pass a bill to raise the salaries of our State employees. This bill calls for an expenditure of sixty thousand dollars and in another year double that to carry on this work. We are short of funds. I believe that we should indefinitely postpone this bill and put our attention on the Soldiers Bonus Bill.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mrs. Deering Moffatt.

Mrs. DEERING MOFFATT: Mr. Speaker and Members of the House: It looked on the face of it this morning as though one person of the committee had a definite attitude on the bill and all the others felt differently. That may be true pertaining to the Committee on Education. Perhaps many of you are unaware of the fact that this very bill was presented before the joint committees on Military Affairs and Appropriations and Financial Affairs and was unanimously turned down, which means that twenty people considered the bill and turned it down.

At the hearing yesterday afternoon, if my memory is not too far wrong, two people spoke on the bill: Mr. Gilson in trying to explain the bill, and I believe the other gentleman's title is Colonel Reed. Colonel Reed was there and said he could not say pro or con, but this was a terrific headache and he had just as soon the State would take it over. As I stated this morning, he said there were now fifty-four people working to supervise this type of work. Commissioner Gilson said, "I won't be able to have more than ten, if I have ten, and we know nothing about it." One of the members of the committee said, "Would it be very detrimental if the bill was referred to the 93rd Legislature?" Mr. Gilson replied, "I think probably that would be a good move" or words much to that effect. In other words he stated it probably would be just as well if it was referred to the 93rd Legislature.

I hope the gentleman from Waterville, Mr. Weeks, will understand now the reason for the action that I took. I have not asked that the bill be definitely killed or turned down, but this bill can come up at the regular session of the Legislature at a time when we have more time

to look into the matter and to understand the work they are trying to do. One remark was made before the committee, as the pressure was turned on to get this bill through, if the Committee on Education passed the bill, the Committee on Appropriations will have to raise the money. We do not know how much it is going to cost. Commissioner Gilson has no idea and Colonel Reed gave us no idea. I think it is too much to ask us to buy something we do not know the cost of; that we do not know the value of. I think we should wait until we find out the value and find out the cost and see if we want to buy it. The work will continue and the veterans will get the service and get the vocational work just the same. Our action will not stop a thing. If we take action it may stop it; it may hurt it. We are here to help the veterans and do all we can. Therefore I hope the motion will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker and Members of the House: I would like to just clear up a certain amount of misapprehension and sort of misunderstanding that seems to be creeping into this. In the first place, I would like to notify the gentleman from Bethel, Mr. Boyker, and also the gentlewoman from Bath, Mrs. Deering Moffatt, that this bill does not call for any expenditure whatever from the State of Maine, either sixty thousand dollars or any other amount. At the time it did come before the other committee, where it needed funds, it was turned down. At the present time it asks for no money at all, and any money that would be forthcoming would be coming from the Federal Government, which now has a bill before it to give money to the States for this particular thing. It is not going to cost the State of Maine one red cent. I simply wanted to clear up that particular point. If you pass this bill it does not mean that one dollar is to be expended from State funds; it is all to come from Federal funds. Also, the Federal Government is now in our State here running something that should be of an educational nature with fifty-four employees, but that does not mean that the State of Maine cannot do with less. We know, from

the workings of the Government, that they oftentimes use five or ten times the number of people necessary. Our whole Department of Education, taking care of the entire education program of the State, has only thirty odd employees. Certainly this should not take more than ten or twelve.

At the present time the Federal Government is spending close to a quarter of a million dollars for these fifty-four salaries here. If we can get that money and the State of Maine can administer it and see that they are getting proper training service, I believe it is our duty to do so. The Government recognizes; the Governor recognizes that it should be and that it is our duty. If we do not have any law on the books to say when it is available, we can make use of it and administer our own program. If we want the Federal Government in here all the time to tell us what to do, then all right.

The SPEAKER: The question is on the motion of the gentleman from Waterville, Mr. Weeks, that the House reconsider its action taken earlier in today's session on H. P. 1502, L. D. 1210. All those in favor of the motion will say aye; contrary minded, no.

A viva voce vote being doubted,

A division of the House was had. Thirty-four having voted in the affirmative and 57 in the negative, the motion to reconsider did not prevail.

#### Passed to be Enacted Emergency Measure

An Act to Incorporate the Town of Hampden School District (S. P. 458) (L. D. 1229)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 114 voted in favor of same and none against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair will state at this time that there is nothing further that the House can act on right now, and the Chair

does not know just when there will be anything, so the Chair will ask the members to please not go beyond the sound of the gong.

The House may be at ease.

### House at Ease

3:15 (E. S. T.)

The House was called to order by the Speaker.

The SPEAKER: During the recess we have just had the Speaker has had at least a dozen inquiries as to why the House could not proceed with its work, so a word of explanation on that score may be in order at this time.

We had several very long amendments offered, and it takes at least an hour to print those amendments. It is simply a matter of mathematical computation that if there are one hundred and forty-eight members here, and if each member presents a long amendment and it takes an hour to print them, and they get them in properly, we may be here until Labor Day, just getting them printed. We cannot proceed until they are printed. There are now six amendments that have been offered.

On motion by Mr. Ward of Millinocket, the House voted to take from the table the first tabled and unassigned matter, House Order Relative to Committee to Investigate the Department of Education, tabled by that gentleman on July 9th pending passage.

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

Mr. DONAHUE: Mr. Speaker, I offer House Amendment "A" to the House Order which has just been taken from the table, and I wish to state at this time that in the event this order receives passage by the House, I do not desire to be a member of the committee, and I ask the Speaker to follow that request.

House Amendment "A" was read by the Clerk as follows:

House Amendment "A" to House Order Relative to Committee to Investigate the Department of Education.

Amend said Order by striking out in the 10th, 11th, 12th, and 13th lines thereof the words: "make public its findings relative thereto after its report has been made to each member of the House of Representatives in writing" and inserting in place thereof the words: "file its report with the Clerk of the House who shall furnish each member of the House with a copy thereof."

The SPEAKER: And now the Clerk will read the order as it is proposed to be amended.

ORDERED, that the Speaker of the House be authorized and directed to appoint a committee of three members, not more than two of which shall be members of the same political party, to investigate the conduct of the Commissioner of Education in refusing to approve the election of Philip H. Woodworth of Biddeford as Superintendent of Schools for School Union No. 4, composed of the towns of Dayton, North Kennebunkport and the City of Biddeford. Said committee shall have the right to summons witnesses, employ counsel and to file its report with the Clerk of the House who shall furnish each member of the House with a copy thereof. The expenses of said investigation shall not exceed \$200 and shall be payable from the appropriation for Legislative expenses.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker I would like to make a remark or two on this order if it is in order.

The SPEAKER: Is the gentleman speaking on the amendment?

Mr. MARSANS: I will wait, Mr. Speaker.

Thereupon House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, regarding this particular order, were this a mock session I would say that this order was in order. Because of its being based on anything but fact, it might possibly bring a laugh or two, but that it should be introduced here at this session is, to my mind, more or less of an insult. It is certainly a slap in the face of the Attorney General's office and shows a certain amount of disdain for the laws of the State of Maine.

Now this order says in effect that the city of Biddeford having seen fit to have an illegal election and the Attorney General's office having once declared it was an illegal election and having informed the Commissioner of Education what to do in the case, to refuse to accept the nomination of this Mr. Woodworth, and the Commissioner of Education having seen fit to obey the Attorney General's office and the Commissioner trying to perform the duties of his department, the city of Biddeford wants to have an investigation about that. That is the sum and substance of that particular order. I believe it is unwarranted, uncalled-for, and, to my mind a purely malicious and vindictive attempt to smear a person who in the past has not seen fit to follow along with the desires of Biddeford. How my worthy colleague, the gentleman from Biddeford (Mr. Donahue), being an able and sound legislator, and a capable and well-versed lawyer, could be induced to put any such measure in is beyond me.

They are trying to pin this back on the Commissioner of Education. The law from which this particular thing stems was introduced ten years before the Commissioner came into office. It was not even an education measure; it was a budget measure. I have a notation from the Attorney General's office that Biddeford did have an illegal election where a quorum of six was necessary in an eleven-man joint board, and only five were present when they elected the superintendent. Naturally the Attorney General's office refused to admit it was a legal election. They insisted it must be legal regardless of the findings of the Attorney General's office, and because of that they now want the Commissioner of Education looked into.

Now if you members want to take the trouble to make inquiry, let us turn that investigation in the direction where it might be needed. Let us investigate the methods whereby Biddeford insists on an illegal election and insists on keeping that particular man in office serving as superintendent, again disdaining the laws of the State of Maine. They have been informed what to do through the Department of Education who got their rulings through the Attorney General's office. Biddeford will not take any of that, and, because the Com-

missioner of Education sees fit not to fall in with their hand, they want him investigated. In other words, they care not for the Attorney General's rulings or the statutes of the State of Maine. I think if an investigation is going to be had it should be had where it is most needed.

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

Mr. DONAHUE: Mr. Speaker, I want to assure my colleague, the gentleman from Monmouth, Mr. Marsans, that if the investigation was not warranted, the order would never have been put in. He speaks about a ruling from the Attorney General. I wonder if he saw the letter that was sent out by the Commissioner of Education about two weeks ago from the Department of Education and on the bottom was a notation that a copy of that letter was being sent to the Attorney General's office. I think he got the cart before the horse. The thing that I referred to when I presented this order was the unwarranted interference by the Commissioner of Education with the election of a superintendent of schools for School District Number Four, and I say the facts are there. If they are not there I am sure the committee will so report. From what I have seen of it and from the correspondence I have seen, I felt then and I feel now that I was amply justified in presenting that order and I believe it should be passed.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I dislike very much to take any further time on this, but if the gentleman from Biddeford (Mr. Donahue) would drop down to either the Attorney General's office or the Department of Education he will find the entire brochure on this subject and will find that the whole thing started July 1st, which was the day they should have elected a legal superintendent and failed to do so.

I would like to take the time here to read the Attorney General's notation on this matter. That is on July 1st, not two weeks ago, but July 1st.

"The meeting called by Mr. Cheney"—and on the following day they had a previous illegal meeting, or two illegal meetings—"was attended by the five members com-



prising the school committee of the City of Biddeford. Any action that this Committee took, in so far as the attempt to name a superintendent is concerned, would be ineffective, since five would not constitute a quorum for the transaction of business. The committee being composed of eleven members, any legal action to be taken by this committee would require the attendance of at least a majority of the membership, which is a minimum of six."

If they had six members there, well and good, but they can only produce five that were there. The Attorney General's office has ruled, and it is in writing, that it was an illegal meeting, and the date of that is July 1st when the Commissioner of Education asked the Attorney General's office for a ruling on this case. It is not the Commissioner of Education's doings at all; it is merely the Attorney General's duty to see that the statutes of the State of Maine are adhered to, the will of the people of Biddeford to the contrary notwithstanding.

The SPEAKER: The question is on the passage of the order. All those in favor of the passage of the order will say aye; those contrary-minded no.

A viva voce vote being taken, the order failed of passage.

The following papers were taken up, out of order and under suspension of the rules:

**Passed to be Enacted  
Emergency Measure**

An Act relating to the Packing of Sardines (S. P. 470) (L. D. 1214)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 112 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Incorporate the North Haven Port District (H. P. 1495) (L. D. 1202)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Incorporate the Town of West Gardiner School District (H. P. 1522) (L. D. 1225)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Incorporate the Pittsfield School District (H. P. 1523) (L. D. 1226)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 111 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Incorporate the Canaan School District (H. P. 1524) (L. D. 1227)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to be Enacted**

An Act Waiving Certain Requirements for Veterans in State Employment (S. P. 466) (L. D. 1215)

An Act Enlarging the Powers of the West Paris Village Corporation (S. P. 471) (L. D. 1217)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Paper From the Senate**

(Out of Order)

From the Senate: Report of the Committees on Military Affairs and Appropriations and Financial Affairs jointly reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Sliding-Scale Bonus to Maine Members of the Military and Naval Forces in World War II (S. P. 469) (L. D. 1211)

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

The SPEAKER: There is another matter which will be ready to be acted upon right away. Meanwhile, the House may be at ease.

**House at Ease**

Called to order by the Speaker.

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate: Report of the Committee on Welfare and Appropriations and Financial Affairs jointly reporting "Ought to pass" on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations" (S. P. 460) (L. D. 1191)

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.

Mr. Bowker of Portland, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 460, L. D. 1191, Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations."

Amend said Bill by striking out in the last line before the emergency clause the figures "\$500,000" and inserting in place thereof the figures '\$400,000.'

Thereupon, House Amendment "A" was adopted, and under suspension of the rules the bill was given its third reading, passed to be engrossed in non-concurrence, and sent up for concurrence.

**Non-Concurrent Matter**

From the Senate: Bill "An Act to Provide and Operate Permanent Housing with Preference for Veterans" (H. P. 1500) (L. D. 1205) which was passed to be engrossed in the House yesterday as amended by Committee Amendment "A."

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I introduced this bill because I thought it might be of service to five or six communities in the State, feeling it had some beneficial aspect and that it could do no harm, but, in view of the action taken on it, to save time and not create any more heat, I move that the House do now recede and concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House recede and concur with the Senate. Is this the pleasure of the House?

The motion prevailed.

From the Senate: Resolve to Authorize the State Board of Vocational Education to Approve and Supervise Industrial Training Program (H. P. 1502) (L. D. 1210) on which the House accepted the Minority Report of the Committee on Education earlier in the day re-

porting that the Resolve be referred to the 93rd Legislature.

Came from the Senate with the Majority Report of the Committee reporting "Ought to pass" as amended by Committee Amendment "A" accepted and the Resolve passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move that the House adhere.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the House adhere. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The House may be at ease for approximately fifteen minutes.

#### House at Ease

4:20 (E.S.T.)

Called to order by the Speaker.

The SPEAKER: The Chair now lays before the House House Amendment "A" to H. P. 1529; L. D. 1244, Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus To or Insurance Premiums For Maine Members of the Military and Naval Forces in World War II, and for the Payment of other Veterans' Benefits and to Provide for the Payment of such bonds by a Sales Tax, tabled pending reproduction under the House Rules. The Clerk will read the amendment.

The CLEAK: This amendment has been printed and distributed to the desks of the members. It is Legislative Document 1248.

The SPEAKER: The Chair rules that the amendment is out of order, because it is not an amendment to the bill under consideration, but rather an amendment to the constitutional resolve that was passed.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, for the purpose of offering an amendment.

Mr. Jalbert then offered House

Amendment "B" and moved its adoption.

The SPEAKER: The Clerk will read the amendment.

The CLERK: This amendment has been printed as L. D. 1247.

Mr. JALBERT: Mr. Speaker and Members of the House: In presenting this amendment I feel that it is an easy way not to hurt those who cannot afford a sales tax. We give in Maine assistance to thousands of our elderly people. I have always felt that in some ways at times it was not enough. We give them Old Age Assistance with one hand and say let's have some of it back. People in Maine have voted a sales tax down before and there is no reason to assume that the same thing would not happen should it come before them again. Luxuries are luxuries. People can afford to go to the movies and I do not believe you have any fear of paying an additional five per cent tax. I know that a great many of you love fishing and I do not think we have any objection to paying five percent more for a fishing rod. Footwear and clothing are all dire necessities; certainly not luxuries. When anyone is ill and under the doctor's care and needs prescriptions, medicines, tablets or capsules or any form of medicine, and is unable to work, I feel they have enough worries without a sales tax being imposed upon them. Now the luxury tax which this amendment proposes is a tax of five per cent on luggage, jewelry, furs, cosmetics, amusements and recreation. The figure of \$650,000 was arrived at by dividing by four the amount that the present Federal tax brings. The sporting and athletic goods tax of \$150,000 is, you might say, a guess but it is a fair estimate of what this would bring in. Thousands of people throughout the State and throughout the nation, for that matter, have made deposits on new radios and new phonograph machines and musical instruments that they cannot get now and I assume that would bring in approximately \$300,000. The two cent cigarette tax per pack figure of two million dollars was arrived at from last year's tax. Assuming since then that thirty to thirty-five or forty thousand of our boys have returned and other people who went away from Maine are now back into Maine, the revenue would be greater, therefore bringing in enough to approximate two million dollars.

I believe the amendment is self-explanatory; I know there is a lot of work to be done. I move, Mr. Speaker, that the amendment be adopted.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Southard.

Mr. SOUTHARD: Mr. Speaker, I would call to the attention of the members of the House that this amendment provides for payment of a two hundred dollar bonus to men who served in the United States Army for fifteen months while this country was at peace with the nations of the earth. This bill provides from September 16, 1940, but we did not go into the war until December 8, 1941. It also provides we shall pay \$200 to every man who enlists in the Army—and there are a lot of them who have enlisted, drawn there by the good pay they are receiving — up until the time that the President of the United States or the Congress declares that the war is ended, which may be one, two or three years. I do not think that it is right for this Legislature to ask the people of Maine to pay a man a \$200 bonus that it going into the armed service because the pay attracts him.

The SPEAKER: The question before the House is on the adoption of House Amendment B. The Chair recognizes the gentleman from Bangor, Mr. Wight.

Mr. WIGHT: Mr. Speaker, this bill is supposed to be a tax on luxuries. It will not raise the revenue which it is supposed to do, and it is not a tax exclusively on luxuries, it is a tax on necessities.

Now in this State, for instance, I call your attention to Title III, Section 1, Item 5, which says 5% on athletic and sporting goods. Who can determine what are sporting goods in this State of ours? In some states sporting goods might be sleeping bags. Are they sporting goods? Lumber companies buy plenty of them. I know one lumber company that recently bought fifty.

This act is going to be very difficult of administration and very confusing so far as sporting goods are concerned.

Under Item VI there is 5% on furs. This is a fur state and there are many trappers here and we purchase a lot of furs. As you know, probably, furs are taxed by the Federal Government 20% already. Now this bill proposes an additional 5%,

and that 5% is not going to be absorbed by the manufacturers or retailers of these garments; it is going to be handed right back to our trappers in the State of Maine. At the present time, if a muskrat brings \$3, and it takes forty skins to make a coat, that is \$120. That coat would probably sell for about \$395 at retail, and there would be on that coat approximately \$20 in tax which would be handed right back to the trapper at the rate of fifty cents a skin. That doesn't seem fair. Besides, in this country a fur coat selling from one to three or four hundred dollars is no luxury as everyone in the State of Maine knows. Therefore I object and hope this amendment will not be adopted.

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

Mr. JACOBS: Mr. Speaker and Members of the House: If I am barred from speaking on my amendment to the bill in regard to a bonus for the service men and women who served faithfully our State and nation, I believe that the people of the State of Maine are against a sales tax. That manifested itself at the polls just a short time ago very strongly.

I did not sign the Majority Report of the Committee on Appropriations and Financial Affairs, believing when I did not sign it that I was voicing the people's choice not to have a sales tax. And I do not approve also of the \$150 bonus. I believe that the veterans of Maine who have served us on the fields of battle and the preparatory fields of battle are entitled to more consideration than \$150 to reward them as we should by this Legislature; \$100 was proposed by the administration here and I feel, as I think you all feel, the majority at least, that \$100 is not enough, under present day conditions when a dollar is worth only about fifty cents in ordinary times; \$500 has been mentioned, but I believe that the people of Maine would not sustain at the polls in September a \$500 bonus. I believe that they would sustain a \$200 bonus to these boys and girls who have served us.

In the First World War I remember distinctly we sent our boys off to war under strains of martial music, telling them that when they came home they could have anything they wanted. They believed

it, and those who did come home, what did they get? They were forgotten men in a short time. The promises and obligations we made to them at that time were forgotten.

Now it has come down twenty-five years and another war has crossed and passed the horizon of humanity, and now we are confronted with another problem which we were ordered here to settle.

I do not believe but what you men and women, after careful consideration, will believe that \$200 is a fair price as a gift to these boys and girls, and not limit it to \$150. I believe you are against a sales tax to finance this proposition. This amendment proposed by the gentleman from Lewiston, Mr. Jalbert, is a fair tax. We have similar taxes on our books now. The administration of that tax would cost about \$20,000, I am told by good authority. From the same authority, a sales tax would cost \$100,000 to administer.

I believe, ladies and gentlemen of this Legislature, that we can afford \$200 to our boys and girls. It is only just a short rise from \$150 to \$200 and it will look to the people of Maine and outside that we are trying to repay as a gift these men and women who have served us faithfully and well.

Out in Illinois they have passed a bonus bill representing three hundred eighty-five million dollars to their veterans. It seems to me that we in this Legislature assembled could afford \$200 and have it financed by a luxury tax, as presented, and let the sales tax go, because I believe, with the temper of the people of the State of Maine, that not only will the boys lose the bonus but the other benefits if you pass a sales tax.

The SPEAKER: The question is on the adoption of House Amendment B. The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: It is with great difficulty, after three sessions on the floor of this House, that I have to oppose the gentleman from Auburn, Mr. Jacobs, but it appears today that he was not, as usual, on the Majority Report

of the Committees on Military Affairs and Appropriations.

I have heard some people in this body speak as though they thought that committee tried to do a good job for this legislative body. I will remind you that for three days we had intense hearings. While a lot of the members of the Legislature did not attend, we did arrive at a program. It is true there were many proposals advanced before that committee. As far as I have gone over them, we are now at this time having similar proposals advanced as amendments to the bill which finally came from that committee. I do not believe I could add one word to the thoughts of that eminent member, the gentleman from Auburn, Mr. Jacobs, as to wishing to pay the veterans of World War II a large bonus, but I believe it was the thought of that committee, as expressed many times by members of this Legislature and by veterans and others, that regardless of how much money we could give, that we would never put a price tag upon the service which they gave to you and I. I think it is ridiculous to say that we should pay them off with \$150 or \$200 or a million dollars for that matter. There is not money enough in the State of Maine to ever pay them off. If we took the wealth of the United States you could not pay off the veterans who fought in this war for the State of Maine alone, so I think you will have to forget that proposition. There is only one thing we can do, Members of this House, and that is to give them a little token of appreciation. I know, as you know, that the vast majority of our 93,000 service men in the State of Maine have never come on bended knees to any member of this House or to any committee or to the Legislature asking for a pension. We did see a little demonstration here which some of you criticized strongly. I am going to say that it was only the result of boys who had come here for the first time and they wanted us to know they were alive. Probably within a short time many of those same boys will occupy the seats which you and I now occupy and you will find they will be good legislators for the State of Maine. They will not be Communists; they will not be Socialists; but citizens of the State of Maine. So if anyone has anything to say

against a few of the veterans who spoke before us, I think it is wholly unjustified.

As far as this amount of money is concerned, we can only give a slight tribute of our appreciation and I think if we give it in that spirit that it will be received in the same spirit in which we give it.

It is the same proposition, Mr. Speaker, as if you did an outstanding favor for me; one I could never repay. What if I took you out for dinner or gave you five dollars and said "Here, George, take this as a little token of appreciation of what you did for me." That is the only spirit in which we can offer our service men anything. If we did otherwise, they should throw it at us, if we try to pay them off in dollars and cents, whether it be five thousand or ten billion. As far as this program is concerned, we all want to do all we can. Even \$100, speaking of the bonus, is a matter of around ten million dollars for the State, which is a large sum on that end but a very small amount for the veteran who receives it as a gift.—\$150 is a small amount, as is \$200.

Now it appears from the figures presented to us in this amendment that we can pay \$200 as well as we can pay \$150. There is only one little catch in it and that is, they would extend it over twenty years instead of ten. They would extend the interest on that amount of money, and the service men we are speaking of and their sons and daughters will be paying for it. Under this amendment, it increases the interest from \$700,000 to over \$2,260,000 in extending it over that long period of time. They have also proposed a method of collecting this money. They tell us what it will produce but it is a long guess as to what it actually will produce for a bonus program for the veterans of the State.

Certainly if we are going to pay a bonus, we do not want to repeat the past history of Old Age Assistance, that is, say we will pay a certain obligation and then not appropriate enough money. That is just what this stop-gap method is of putting a law to pay a bonus on our statute books and for a veterans program and then not appropriating enough money to complete that program. So it seems to me that if

we are going to do anything along this line, let's accept our responsibility and enact a major tax method. That is the only way we can adequately finance any program of this type. You do not like a sales tax. I do not like a sales tax. Today we are halting between many opinions. We do not know whether to pay a bonus or not. We wonder if we do not pay it if we will lose a few votes in September. If we do pay it, we wonder if we are going to offend a few big interests in this State. We do not know whether to pay a sales tax or not. I know you do not like it. None of us like a sales tax, but if we are to provide the money we must adopt some source of tax revenue which has been proven that it will produce the necessary revenue. The former speakers spoke of how the great state of Illinois is paying the bonus. They greeted their service men with a bonus measure, but that state collects over ninety-two million dollars in sales taxes and was collecting it before the war. If we had had the foresight of the State of Illinois, no doubt we could have greeted our service men when they returned with \$500 as a gift of appreciation from the money we had siphoned off during the prosperity of the war period. That is what we should have done, but we cannot go back. Now is the time to pass a sales tax or a tax measure that has been proven will produce the revenue.

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

Mr. WEBBER: Mr. Speaker and Members of the House: My people as a whole I feel are in favor of giving some benefits to the veterans. I have talked with a great many of them. It seems to me that as the bill is drawn it contains features which meet the opposition of a great many classes. I have sensed growing opposition to it. I should hate for us to go away, after spending all the time we have in consideration during this summer, without doing anything for the veterans. I think it is a very fine thing we are doing indirectly in the way of the education program and advancing the interests of education in the State, but I think there are people who definitely want a bonus, and it seems necessary to have some amendments put in in order to meet the objections. It seems to me that the

amendment presented by the gentleman from Lewiston, Mr. Jalbert, takes away more of the objection than any other amendment. Therefore at the present time, with what time we have had to consider it, I feel I should support the amendment of the gentleman from Lewiston, Mr. Jalbert.

The SPEAKER: The question is on the adoption of House Amendment B presented by the gentleman from Lewiston, Mr. Jalbert. The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker and Members of the House: It would seem to me that in the new draft of the bill that came out of the committee, stating that it should pass, there are other things as essential as the bonus. There is the bonus. There is the payment of three years insurance if they wish to take it. There are additional benefits in technical and vocational education. It seems to me at this time that it would be a shame to so amend this bill that those benefits would be lost by any of the veterans who wish to avail themselves of any of those benefits.

The SPEAKER: The question is on the adoption of House Amendment B offered by the gentleman from Lewiston, Mr. Jalbert. All those in favor of adopting House Amendment B will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Forty-three having voted in the affirmative, and 55 in the negative, the motion did not prevail.

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

Mr. DONAHUE: Mr. Speaker: I offer House Amendment "C", being L. D. 1249 to H. P. 1528, L. D. 1243 and move its adoption.

The SPEAKER: The gentleman from Biddeford, Mr. Donahue, offers House Amendment "C" and moves its adoption. The Clerk will read the amendment.

The CLERK: House Amendment "C" has been printed as L. D. 1249.

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

Mr. DONAHUE: Mr. Speaker and Members of the House: I think that

the question should first be determined by the voters whether or not they are willing to pay a bonus to the veterans. My amendment takes from the bill reported by the Joint Committees the provision relative to the sales tax. The amendment likewise proposes a bonus of \$500.

Now it has been said in the Hall of the House earlier this afternoon that the proponents who appeared for the \$500 cash bonus were not many. During the past nine months veterans organizations all over this State have met and discussed the bonus issue. Two years ago at the Special Session I proposed at that time a payment of a \$200 cash bonus and the bill was rejected. At that time \$200 would go considerably farther than what \$200 will today. Those who heard the arguments of the proponents for the \$500 cash bonus, and I think you were practically all there, know they like it. You can talk about a token payment if you want to, but I feel that if we are going to pay the soldiers a bonus to do them some good, let's give them a good bonus.

The SPEAKER: The question is on the adoption of House Amendment "C" offered by the gentleman from Biddeford, Mr. Donahue. All those in favor of adopting House Amendment "C" will say aye; those opposed no.

A viva voce vote being taken,

The motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Pascucci.

Mr. PASCUCCI: Mr. Speaker, I have prepared House Amendment "D" to H. P. 1528, L. D. 1245—

The SPEAKER: The gentleman from Sanford, Mr. Pascucci, presents an amendment and moves its adoption.

Mr. PASCUCCI: No, Mr. Speaker, at this time I would like to have it tabled as I am having language changed.

The SPEAKER: The gentleman from Sanford, Mr. Pascucci, moves to table House Amendment "D". The amendment has not been offered. The gentleman from Sanford, I assume, wishes to table the bill.

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

Mr. WARD: Mr. Speaker: I request a division.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, requests a division. All those in favor of the motion of the gentleman from Sanford, Mr. Pascucci, that the bill be tabled will rise and stand in their places until counted, and the monitors will make and return the count.

A division of the House was had, Nine having voted in the affirmative, and sixty-three in the negative, the motion did not prevail.

The SPEAKER: Does the gentleman from Sanford wish to offer his amendment.

Mr. PASCUCCI: I do, Mr. Speaker.

Mr. Pascucci then offered House Amendment "D" and moved its adoption. House Amendment "D" was read by the Clerk as follows:

House Amendment "D" to H. P. 1528, L. D. 1245, Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

Amend said Bill by striking out all of Title III thereof and inserting place thereof the following:

### "Title III

#### State Technical and Vocational Education

**Sec. 1. R. S., c. 37, sec. 177-A, additional.** Chapter 37 of the revised statutes is hereby amended by adding thereto a new section to be numbered 177-A, to read as follows:

**"Sec. 177-A. State technical and vocational education; purpose; supervision. The vocational education board is authorized and empowered to promote specialized training for veterans of World War II and other persons who give evidence of special aptitude or need and who desire specialized preparation designed specifically to train for service in trade, industry or commerce. Such training shall be established in the various high schools throughout the state and shall be under the supervision and administration of the vocational education board."**

**Sec. 2. Appropriation.** There is hereby appropriated from the bonds issued under the provisions of title V the sum of \$700,000 to carry out the provisions of section 1 of this title.

Filed with the Clerk of the House to be presented by Mr. Pascucci of Sanford.

Reproduced and distributed under direction of the Clerk of the House.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Pascucci.

Mr. PASCUCCI: Mr. Speaker and Members of the House: This amendment was filed primarily to carry out the wishes of the legislators whereby the benefits that we may give to the veterans will be available to all. You will note under Title III which this bill amends it is proposed that a State institution be set up, which means that some institution is some certain part of the State will be set up for taking care of our vocational program as provided for in that bill.

Now that particular program can mean only this: For instance, let us suppose an institution of that sort was set up in Augusta or Waterville or some central spot in the State: I would like to ask the members of the Legislature how they can expect a veteran to travel from one end of the State to Augusta, either from Fort Kent, to put an extreme to it, or from Kittery, to go to the other extreme, and take up this particular course and, on top of that find housing for him? And how is he going to live? On what money is he going to subsist?

Massachusetts recognized that particular need for vocational training for veterans and has instituted a program similar to this, not by state institutions where it can only reach a few, but by a stepped-up program in its high schools so that the veteran student can remain in his home town and take up this program without any undue hardship for himself or his family.

Let us realize we are out to help the veterans, not a particular few, but all of those who want to avail themselves of any particular program we may set up here. One of these days, if we set up this particular, institution, there will be a saturation point in the veterans' education program. What are we going to do with the institution? Are we going to appropriate other money to keep it up, or are we going to write it off as a total loss?

Under the stepped-up program, where your high schools can take care of it, if the saturation point has been reached by the veterans it would be there for their children and grandchildren. They can avail themselves of that course, so the



program will remain in force not only temporarily for the veterans but for future generations.

We know, and it is no use hiding the fact, that our educational program is slightly—if I may be polite—in arrears. We should do more for our educational program state-wide than what we do now. Our high schools do not compare favorably with many states. This is an opportunity to put our high schools on a par with other states who are adopting the same type of program.

Let us be fair about this thing, let us give equal right, equal opportunity, to every veteran, not just a few who can come down here and take up this particular course at that particular institution. Visualize, if you can, in your mind the veteran who wants to take advantage of this and who is married. What is he going to do? Is he going to come down here in a box car? Where is he going to live?

We are faced with the same situation regarding the University of Maine, and, recognizing that need, we appropriate money to take care of dormitories. Under that particular program they have set up you are going to be faced with the same situation. I know it can be done. I know this amendment that has been proposed could be instituted and your high schools could carry out the program. It has been done and is being done in Massachusetts. Therefore I trust that this amendment will have passage.

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

Mr. WARD: Mr. Speaker, I move that we recess until seven o'clock, E. S. T.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, moves that the House recess until seven o'clock E. S. T. Is this the pleasure of the House?

The motion prevailed and the House so recessed.

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#### After Recess

(7.00 P. M., E. S. T.)

The House was called to order by the Speaker.

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The SPEAKER: The House is proceeding on H. P. 1528, L. D. 1245, "An Act Providing for the Payment of a Bonus to or Insurance Pre-

miums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

The pending question is on the motion of the gentleman from Sanford, Mr. Pascucci, for the adoption of House Amendment "D".

The Chair recognizes the gentleman from Anson, Mr. Ela.

Mr. ELA: Mr. Speaker, I appreciate the fact that the gentleman from Sanford, Mr. Pascucci, has no idea of through an amendment trying to kill or hurt this bill. He is a sincere supporter of vocational education and a technical system of training. However, I must point out that in this amendment he proposes to do things which in my opinion and in the opinion of a committee which studied the question all last winter, and in the opinion of the committee which studied the matter through this session and had an adequate and full hearing—the solution which he suggests is not wise, feasible or possible.

The suggestion which he makes through his amendment is this: that instead of one technical and vocational institute being started on a post high school level—one, I say—he proposes, through assistance to various high schools throughout the State which have vocational schools in existence, to spread that thinly, we might say, over the State.

If we were a large state with many large vocational plants in the various high schools and large centers of population within a close distance of those schools, if the plant were in existence, I say, sufficiently large to be expanded, and some personnel there, such a program might be possible. It would not replace the program which is proposed, but such a program might have value.

However, it is utterly impossible to take the same amount of money with which we propose to start one post high school institute and spread this all over the State. You would have many, ten or fifteen, or maybe eight or ten duplicate plants. There would be so much money involved that \$700,000 would not touch it. There would be so few students in a place that it would be unwise and impossible to duplicate the plants, machinery and personnel in all these different places. You need numbers to make an institute or a school of this type go. You cannot have a university spread out all

over the State in small cliques or groups.

Now, too, a very important part of this plan is to enroll veterans under G. I. assistance. I am very sure that with the limited, meager facilities which would be available through spreading this all around through the State through the various high schools, there is very grave doubt as to whether the courses could possibly be adequate enough to have them approved for G. I. assistance.

These schools need practically all the facilities which they have now. They are used all day long in their high school courses in the various cities and towns, and it would be very questionable whether they would wish to turn their plants over to such a program. It could only occur after hours. To institute a proper program in one spot, it requires approximately 50,000 feet of space and a great deal of equipment. To do otherwise would be to spread your resources so thin that an adequate course would be out of the question.

You would run into grave problems of law, probably. A considerable duration of time would elapse before you could convince those various cities and towns that they should enter upon such a program to take over possibly a state function, as it were. You certainly could not spread all over this State of Maine sufficient shops, machinery, personnel, test equipment and so forth. It does not exist today. These facilities, even for the high school courses, in almost every instance are meager.

I move that the amendment be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Elizabeth Deering Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: I am very much interested in vocational training. I think that this bill here, this amendment, is something that will reach a need which is felt all over the State. I think we are beginning to realize that our educational system must be revised in order to reach our young boys and girls who do not find a program in high school which fits their aptitude. We must provide a program which will interest those boys and girls and keep them in school. If you put this on a post high school

plan, you will not reach those boys and girls. It must be brought down into the high school level. At the same time, we would like to reach some of the people who have gone beyond the chronological age of school and have missed out on their high school training. Especially during the war, it was possible for them to go into industrial plants and make money, and they slipped up on their schooling. If possible, we must reach these people and educate them in the things they are best fitted for. At the same time, there is an adult group which we should reach and interest in education. I believe if we can reach those people we will reach two groups: we will reach the parents and we will reach the children.

If this program could be set up in our schools in their program, it could be done much more economically than if you set up one large school or had two or three schools. For instance, the interests of the people in Caribou are not the interests of the people in Bath, the people in Bath probably being more industrially inclined, more mechanically inclined than those in Caribou.

This would reach other groups throughout the State. If you take this money which will be appropriated for vocational training and fit it into the program which they are planning to give to the State now—and they are setting up the machinery for it—and put it into our schools, you will reach a much larger group, many more people than you will if you put all of that money into one school. You are very apt, if you put it in one school, to put in one type or two types of work which will reach a certain number, whereas if you can put it into these schools and the people in the town know what they need, probably you have industrial plants that can cooperate with you and lend their buildings to assist in the program. This would help the people in many more communities than if you put it in just one city or possibly two.

The gentleman from Sanford, Mr. Pascucci, has brought out the facts in regard to veterans with their children. It is the same with many families and their children trying to go to one location to get an education. If it can be brought to them, they will take it, but if they have to go for it they are very apt

not to be able to take it or not get it. If they can see it they will be more interested than if they read about it.

I believe there is an amendment which Mr. Pascucci would like to introduce. I do not know the exact procedure he would like to take at this time, but I do hope this amendment will not be killed, because, if this is laid upon the table or postponed until tomorrow, he can get that ready and probably give us something that will give us a very good program to work on. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker, at the executive meeting of our joint committee a plan of this kind was never mentioned, and, although I am greatly in favor of a school of this kind, I think a plan like this is certainly worth considering. We are not asking for additional money: we are asking for part of this \$700,000 to conduct this particular thing. We do not know how much it will cost. No one does. We have not had figures in regard to what this would cost, in fact we have no knowledge of what they consider except perhaps buying some little mill somewhere and installing machinery. Some of these schools we have in the State of Maine have equipment and machinery costing \$200,000. The small town of Rumford has at least \$10,000. That is all equipment that we could use. In the past, the NYA conducted an experiment of this kind. They did not put it in one place only; they put it all over the State, so people were able to learn trades in the machinery line. Why confine yourself to only four hundred which would perhaps take one year to get started on? A State like Massachusetts, which is noted for its industries along mechanical lines, has not got one school they run themselves. They are all private schools. A school of this kind would be a mighty nice thing.

I, for one, think this \$700,000 should be allocated and some part of it could be taken and distributed to some of these schools that will lay a program out and give the use of some of their machinery if someone cares to use it. In that way, some of these 90,000 veterans will get some help: you will not limit it to 400. Under this plan as outlined,

only 400 can benefit. It was said at the meeting that this program would take care of about 80 per cent of the veterans for about two years, and after that perhaps it would drop down to as low as 40 per cent of the citizens as well as veterans.

For these reasons, I hope that the amendment proposed by the gentleman from Sanford, Mr. Pascucci, prevails.

The SPEAKER: The question before the House at this time is on the motion of the gentleman from Anson, Mr. Ela, for indefinite postponement of the amendment.

The Chair recognizes the gentleman from Pittsfield, Mr. Vickery.

Mr. VICKERY: Mr. Speaker, it strikes me that this is not a wise amendment. I know in the institution in which I am interested that for two years we have been studying this vocational proposition and we estimate it will cost us \$75,000 to enter into a vocational proposition that is worth while and which will be adequate, and even then you will find that your enrollment for such a course will not be large. That means that your cost per capita is almost prohibitive unless the State wants to assume a large portion of the share of the expense of conducting such a course. To duplicate that expense throughout the State in the various institutions, strikes me as a very unwise proposition. If we centralize our efforts in one location, we will be helping the veterans. It is more or less of a veterans' proposition, and to install a course of this kind in the high schools of the State of Maine, and to try to meet that demand, to do it successfully, and to find the proper personnel to conduct it, it strikes me it is a very unwise thing to tackle.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, I would like to go on record as in favor of this amendment for the reasons which have already been given and for two other reasons which have not yet been brought to your attention. The first is this: If this school is set up under the committee redraft plan, it will be located in Augusta, as I understand it. I also understand the Augusta housing situation. In my opinion, there is absolutely no more room for any more people in Augusta, to

say nothing of a high school for veterans which would necessitate their moving to this community and, in some cases, bringing their families with them.

Another feature of this bill which I like is that it enables youngsters while going to school to pick up a trade. In the old days it used to be possible for a young man to go into various shops and factories in or near his community. He had to start in perhaps doing some of the dirty work, but eventually he worked himself into the position of an apprentice and gradually worked his way up through until he became a master mechanic.

That situation has been abolished; it does not exist today; it is not possible at all. Under the Pascucci amendment, I believe young men and women could receive a great deal of valuable training.

Now the general trend nationwide today on about everything is decentralization. Here is this committee redraft recommendation which would have one centralized school. Let us keep in step with the times and decentralize, make this proposition available to everyone who is interested in it. I hope the motion to indefinitely postpone will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Weeks.

Mr. WEEKS: Mr. Speaker and Members of the House: It seems to me that the first essential is to define your objective. As I understand, the original objective of this bill is quite different from what would be carried out under this proposed amendment. It seems to me that it was the idea we were to have a vocational school which would be somewhat above the high school level. If the money is distributed in the fashion as indicated by this amendment, it seems to me that all you are going to do is to slightly improve the courses in manual training in the high schools which already have them. In order to have a comprehensive program and have the proper level, I believe it will have to be concentrated in one place, therefore I hope that the motion of the gentleman from Anson, Mr. Ela, to indefinitely postpone this amendment will prevail.

The SPEAKER: The question is on the motion of the gentleman from Anson, Mr. Ela, to indefinitely postpone the amendment.

The Chair recognizes the gentleman from Sanford, Mr. Pascucci.

Mr. PASCUCCI: Mr. Speaker and Members of the House: I want to thank my colleague, Mr. Ela, for referring to my honesty of purpose in this particular measure. Believe me, this amendment was not brought for any dilatory purposes, to hinder or delay any matter now pending before the House. I am coming to you with this amendment in all sincerity of purpose, with the firm conviction in my mind that my amendment and all it stands for will do everything that the members of the House want to do for an over-all program for the veterans.

Now we have been talking more or less in platitudes about this particular amendment. I want the members of the House to know one or two things, for instance, about myself. I am a graduate from a trade school. I know what the trade school program means, I know whereof I speak because I have had practical experience and have even taught those various trades. I know it can be done. I have studied the program very carefully which has been set up by Massachusetts, Massachusetts, for instance, with the multitude of trade schools they have there, they could easily have set up a program to designate some particular school where veterans could go, but they are scattered all over the state for training under this particular program.

It has been brought to my attention during the last few minutes by the various speakers that this would not take care of the G. I. bill coverage. In Sanford we have a vocational program, limited as it may be, to help out the veterans, and the instructors therein are partly paid by federal funds because they cover a vocational program. The high schools are trying to step up their programs so that they can meet these various so-called trade requirements.

This particular bill, or my amendment, is not based on the high school level, it is based, as I said before, on a stepped-up program whereby veterans and their sons and grandsons can take up these programs which will fill that gap between a student who cannot go to college and who would like to learn something to carry him on through life.

We do not need the time to convince the veterans about this particular program. The facts are so apparent, the issues are so clear that we cannot go along on platitudes and take a long time to convince them about it. It does not seem to me we should base our argument on what seems to be a guess. Let us take the facts of these particular programs.

Now it has also been brought out that this particular program would cover a great deal of territory and as such would involve a great deal of money. I think if anybody here is familiar with their high schools they will find that each high school has what they call an industrial arts program, and many have got a vocational education program. All they need, if I may use the term, is a shot in the arm. It will require very little expense. All we have got to do is give them a chance to do something so this particular program can be reached by every veteran in the State of Maine. Therefore, I ask you in all sincerity to consider this carefully and weigh it carefully, because I believe it is something we all should consider carefully when we come to vote on this particular amendment.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: There are several points which I would like to emphasize in connection with this proposal. I would like to say, possibly in an introductory statement, that I would like to call your attention first to the fact that we have spent considerable time in discussing the problem of school districts. School districts in almost every instance have been proposed to take care of centralized schools. Some of the speakers have mentioned the fact that schools should be decentralized. I believe they should be centralized and that it is not practical to set up a program in a small school such as this might provide for. I have for a long time been closely associated with high school work, and I am satisfied that it is not a practical thing, particularly now with so many problems facing the town and the high school educational problem, it is not practical to bring to them a proposal for a small group vocational training program. The gen-

tleman from Anson, Mr. Ela, has presented facts which I think should be emphasized. The fact that once your program is set up, the calls for equipment and personnel are far beyond what we could hope to reach with this set-up and this plan of financing. Certainly the Federal Government, if it is to O. K. this plan, and it must, is going to require a set-up that not many schools can meet, particularly in the way of equipment.

Furthermore the vocational program as planned should have available industrial plants where work practice programs can be carried out. After a man or woman has had training in a postwar educational program, he or she should have, if possible, an opportunity to go into an industrial plant and take apprentice training following this vocational training. Not many of our small towns would have such an opportunity. I certainly feel that we should confine our activities to veterans needs.

Considerable argument has been presented on this matter in arguing that the high school scholars would benefit from this program, but we are not here for the purpose of bettering the program for high schools age groups. This is a veterans program, a post high school program. The program is for these boys, some of whom have not finished high school but who now want an educational program above the high school plane. I feel there is no question but what one industrial vocational school properly located in an industrial center, as I believe this would be under a proper set-up, would be a valuable program for veterans, and the veterans will find a way to get to it when it is offered them.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Bowker.

Mr. BOWKER: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves the previous question.

It might be in order at this time for the Chair to refresh the recollection of the members of the House on the motion made by Mr. Bowker. The question is put by the Chair as: Shall the main question be put now? It requires a vote of one-third of the members present.

The motion for the previous question, the Chair assumes, was directed to the amendment and not to the main bill?

Mr. BOWKER: That is right, Mr. Speaker.

The SPEAKER: The question is: Shall the main question be put now?

In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor of the motion will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the main question is ordered. The question before the House is upon the motion of the gentleman from Anson, Mr. Ela, that House Amendment "D" be indefinitely postponed.

Mr. BOWKER: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Portland, Mr. Bowker, asks for a division.

The Chair will re-state the question. The question is on the motion of the gentleman from Anson, Mr. Ela, for indefinite postponement of the amendment. All those in favor of the motion will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

Fifty-eight having voted in the affirmative and 48 in the negative, the motion prevailed and House Amendment "D" was indefinitely postponed.

Mr. ROLLINS of Greenville: Mr. Speaker - -

The SPEAKER: For what purpose does the gentleman rise?

Mr. ROLLINS: To offer an amendment, Mr. Speaker.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, offers an amendment.

Mr. ROLLINS: Mr. Speaker, I offer House Amendment "E" to H. P. 1528, L. D. 1245, and move its adoption.

The SPEAKER: House Amendment "E" has already been filed with the Clerk, in fact the letters go as far as "E" at the present time. House Amendment "H" will lie on the table pending reproduction and distribution.

### House Committee Report (Out of Order)

Mr. Bowker from the Committees on Military Affairs and Appropriations and Financial Affairs jointly on Bill "An Act Providing for Construction of Dormitories at the University of Maine and Appropriating Moneys Therefor" reported same in a new draft (H. P. 1530) (L. D. 1197) under same title and that it "Ought to pass".

Report was read and accepted, and the bill, having already been printed, was read three times under suspension of the rules, passed to be engrossed and sent up for concurrence.

### Finally Passed Emergency Measure (Out of Order)

Resolve in favor of the town of Charleston (S. P. 472) (L. D. 228)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

### Emergency Measure

Resolve in favor of Ricker Classical Institute and Junior College (S. P. 467) (L. D. 1212)

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Weeks.

Mr. WEEKS: Mr. Speaker, I move that this item, S. P. 467, L. D. 1212, lie on the table.

The SPEAKER: The gentleman from Waterville, Mr. Weeks, moves that this Resolve lie on the table pending final passage. Is this the pleasure of the House? All those in favor will say aye; contrary minded, no.

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

The SPEAKER: This resolve was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of the entire elected membership of the House is necessary. All those in favor of the final passage of this resolve will rise and stand in their places until counted and the monitors have made and returned the count.

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

Mr. WARD: Mr. Speaker, I request a yea and nay vote.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, has requested the yea and nay vote. All those in favor of taking a yea and nay vote on this question will rise and stand in their places until counted and the monitors have made and returned the count.

Mr. WEBBER of Mapleton: Mr. Speaker, will you please tell us the purpose of this request?

The SPEAKER: The request is that the vote be taken by the yeas and nays, sometimes referred to as a roll call vote.

The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, will you repeat the request, please, so we will know all what we are voting on?

The SPEAKER: The Chair does not wish any misunderstanding on the matter. The gentleman from Millinocket, Mr. Ward, has asked for a roll call vote. I will further add that it requires one-fifth of the members present to call the roll. All those in favor of the motion of the gentleman from Millinocket, Mr. Ward, for a roll call vote 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.

The SPEAKER: More than one-

fifth of the members having demanded the yeas and nays, the Clerk will call the roll.

Any members in the hall who have not taken their seats will do so.

The Chair will state the question. The question is on the final passage of S. P. 467, L. D. 1212, Resolve in Favor of Ricker Classical Institute and Junior College. The Chair will repeat, that this, being an emergency measure, requires the affirmative vote of two-thirds of the entire elected membership of the House.

The Clerk will call the roll.

YEA—Adams, Ames, Anderson, Baker, Bell, Benn, Berry, Bird, Rockland; Bird, Washington; Blake, Brownfield; Blake, Dexter; Boulter, Boutin; Bowker, Boyker, Brown, Brunswick; Burton, Byron, Carpenter, Augusta; Carpenter, Skowhegan; Chase, Cobb, Bangor; Cobb, Gardiner; Cole, Casco; Cole, West Gardiner; Collins, Conant, Connellan, Crosby, Cyr, Dean, Deering-Moffatt, DeSanctis, Dicker, Dow, Downs, Dutton, Edwards, Ela, Elliott, Emerson, Forhan, Gay, Gillies, Gowell, Haskell, Bangor; Haskell, Portland; Hawes, Hayward, Hemphill, House, Jennings, Jewett, Jordan, Saco; Jordan, So. Portland; Judkins, Knight, Clinton; Knight, Jay; Lackee, Leathers, Lee, Legard, Lombard, Longstaff, Lord, Camden; MacKinnon, Marsans, Marshall, McFee, Meloon, Morrison, Winter Harbor; Morse, Moulton, Nadeau, Patterson, Payson, Peirce, Perkins, Plummer, Poulin, Pratt, Prout, Rankin, Roberts, Rollins, Ross, Sanborn, Sargent, Savage, Smart, Smith, Snow, Southard, Springer, Stillings, Thomas, Thompson, Tozier, Vickery, Ward, Warren, Webber, Wells, Weston, Wight, Williams, Auburn; Williams, Clifton; Williams, Topsham; Wood, Barnes.

NAY—Donahue, Grenier, Hanson, Jalbert, Ouellette, Pascucci, Russell, Sweetser, Weeks.

ABSENT—Allen, Brewer, Brown, Milford; Brown, Unity; Christensen, Coombs, Corson, Cousins, Daigle, Dorsey, Ellingwood, Gallant, Hamilton, Heansler, Jacobs, Jones, Lacharite, Letourneau, Lord, So. Portland; Martin, Morneau, Morrison, Rumford; Palmeter, Renouf, Thorndike, True, Walsh, Welch, Wright.

Yes—110.

No—9.

Absent—29.

The SPEAKER: One hundred and ten having voted in favor of final passage and nine against, twenty-nine being absent, the resolve has been finally passed. It will be signed by the Speaker and sent to the Senate.

### Passed to be Enacted

An Act to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945 (S. P. 465) (L. D. 1216)

An Act Amending the Charter of the City of Portland (H. P. 1496) (L. D. 1203)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Vassalboro, Mr. Hawes.

The Chair asks the members and guests to be as quiet as they can, as we all know the acoustics are bad in this hall anyway, and it is important that all members should be able to hear the member who is speaking.

Mr. HAWES: Mr. Speaker I move that the House reconsider its vote whereby we passed to be engrossed S. P. 460, L. D. 1191, "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations," which was passed to be engrossed as amended by House Amendment "A".

The SPEAKER: The gentleman from Vassalboro, Mr. Hawes, moves that we do now reconsider our action taken earlier in the day whereby we passed to be engrossed S. P. 460, L. D. 1191, "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations."

Does the gentleman wish to speak on the motion?

Mr. HAWES: Yes, Mr. Speaker, at the proper time.

The SPEAKER: the Chair recognizes the gentleman.

Mr. HAWES: Mr. Speaker, in his message to the Legislature at the beginning of the session the Governor very clearly explained the legal obligation upon the State for assistance to certain persons in need. In accordance with that recommendation, a bill was presented providing a sum which it was hoped would be sufficient to meet those requirements. The joint Committee on Appropriations and Financial Affairs and Welfare went into this matter very thoroughly and unani-

mously reported a bill in accordance with the Governor's recommendation.

At the present time there are more than 1000 applicants for Old Age Assistance whose applications cannot be considered because of lack of money. The fund for aid to dependent children is in a similar condition. Unless adequate provision is made at this time, there will be hundreds of people suffering for the necessities of life.

I feel inclined to further observe that we are in the process of increasing the salaries of State employees receiving less than \$5000 a year by approximately \$30 a month. The average grant for recipients of Old Age Assistance is less than \$32 and no one receives over \$40. I am not arguing for or against these salary increases, but I am pointing out that I do not believe the people of this State will approve salary increases and at the same time deny to these hundreds of needy people the small amounts necessary to support existence.

The SPEAKER: The question is on the motion of the gentleman from Vassalboro, Mr. Hawes, that the House reconsider its action taken earlier in the day whereby it passed to be engrossed S. P. 460, L. D. 1191. All those in favor of the motion will say aye, contrary-minded no.

A viva voce vote being taken, the motion prevailed.

On further motion by Mr. Hawes, a viva voce vote being taken, the House voted to reconsider its action whereby it adopted House Amendment "A" to S. P. 460, L. D. 1191.

Mr. HAWES: Mr. Speaker, I now move the indefinite postponement of House Amendment "A."

The SPEAKER: The gentleman from Vassalboro, Mr. Hawes, now moves indefinite postponement of House Amendment "A". All those in favor of the motion will say aye, contrary-minded no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was indefinitely postponed.

The SPEAKER: The question now is whether or not the bill will be passed to be engrossed in concurrence. Is this the pleasure of the House?

The motion prevailed and the bill was passed to be engrossed in concurrence.



The SPEAKER: The House may be at ease.

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**After Recess**

(8:40 P. M., E. S. T.)

Called to order by the Speaker.

The SPEAKER: The question is on the adoption of House Amendment "H" offered by the gentleman from Greenville, Mr. Rollins. The Clerk will read the amendment.

House Amendment "H" was read by the Clerk as follows:

House Amendment "H" to H. P. 1528, L. D. 1245, Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

Amend said Bill by adding at the end of Title VIII thereof two new sub-sections to be numbered X and XI, to read as follows:

'X. Such sum to be paid into the general fund to equal the 7¼ mill rate state tax on real estate;

XI. The remaining proceeds derived under titles VI and VII which have not been used to carry out the provisions of sub-sections I to X, inclusive, shall be reallocated to the various cities and towns in the state on the basis of the last state valuation.'

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

Mr. SWEETSER: Mr. Speaker, I rise for information. On Page 18 of L. D. 1245, do we understand that these items are to be paid in the order as they appear?

The SPEAKER: Does the gentleman from Cumberland ask the gentleman from Greenville, Mr. Rollins, to answer that question through the Chair? The gentleman may answer if he chooses.

Mr. SWEETSER: Mr. Speaker: Some member of the Committee possibly could answer that.

The SPEAKER: As the Chair understands, this is not a Committee Amendment. This is a House Amendment offered by the gentleman from Greenville, Mr. Rollins.

Mr. SWEETSER: Mr. Speaker, I rise for information in regard to the original question as it refers to this

amendment. The wording of the language does not state that they shall be paid in this order. Rather than to introduce an amendment, it seems to me the stenographic copy of this conversation should be sufficient to determine whether they are to be paid in this order or not.

The SPEAKER: Any member of the Committee may answer the question if he wishes to do so.

The question is on the motion of the gentleman from Greenville, Mr. Rollins, to adopt House Amendment "H."

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

Mr. WEBBER: Mr. Speaker: Inasmuch as L. D. 1245 already has ten titles, is it not the purpose of the amendment to say "Title X" and add XI and XII.

The SPEAKER: The amendment is not mine.

Mr. WEBBER: Mr. Speaker: It seems to me we already have ten titles and we ought to go on numbering eleven and twelve.

The SPEAKER: The question is on the motion of the gentleman from Greenville, Mr. Rollins, to adopt House Amendment "H."

All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken,

The motion did not prevail.

The SPEAKER: The House may be at ease for just a moment pending the return of the Clerk.

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**At Ease**

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker, I offer House Amendment "E" to L. D. 1245, and move its adoption.

The SPEAKER: The gentleman from Windham, Mr. Pratt, offers House Amendment "E," which has been reproduced and distributed under Filing Number 264, and moves adoption. The Assistant Clerk will read the amendment.

House Amendment "E" read by the Assistant Clerk as follows:

House Amendment "E" to H. P. 1528, L. D. 1245, Bill "An Act Providing for the Payment of a Bonus

to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

Amend said Bill by striking out, in Titles I and II thereof, the figures "\$150" wherever they appear and inserting in place thereof the figures '\$100.'

Further amend said Bill by adding at the end of that part designated "Sec. 247." of Title VI thereof a new sub-section to be numbered X, to read as follows:

'X. Sales of and the storage, use or other consumption of food products for human consumption.

Food products include cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery.

Food products do not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, medicines, tonics and preparations in liquid, powdered, granular, tablet, capsule, lozenge and pill form sold as dietary supplements or adjuncts; meals served on or off the premises of the vendor or drinks or foods furnished, prepared or served for consumption at tables, chairs or counters or from trays, glasses, dishes or other tableware provided by the vendor.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker and Members of the House: No one has a greater love for the American way of life than I do. No one realizes more keenly the things that the flag of our country stands for and the benefits that we enjoy beneath its folds. No one has a greater appreciation for the young men and young women who gave all that they could to keep for us the American way of life. I believe that it is impossible for us to show in dollars and cents in any way our appreciation for that which they have given and that which they have done, but we are endeavoring to show in some manner our appreciation, and may I say

that it is not going to be an easy thing for the State of Maine to raise the funds necessary to carry out that which we desire to do. Notwithstanding that, I feel that we should do something and that we should do it a way and manner that will hurt the least.

I need only to look back a few short years to a time when I had a family of small children. I know what it was to feed and clothe those children, and today there are standing literally thousands upon the threshold of that experience. I believe by exempting food from the list of that sales tax that we can help materially many, many of our veterans in this which we are trying to do. Therefore I trust that this amendment will prevail.

The SPEAKER The question is on the motion of the gentleman from Windham, Mr. Pratt, to adopt House Amendment "E". The Chair recognizes the gentleman from Farmington, Mr. Crosby.

Mr. CROSBY Mr. Speaker and Members of the House: I believe I realize the seriousness of the food problem to those who have a small income as well as anyone. In fact I think the most of the people in the State of Maine realize it because we have spent thousands and millions of dollars for people who are unable to provide food and shelter for themselves.

Now any sales tax with these exemptions is bound to create a tremendous administrative expense, also a burden on the small retailer. The large retailer has a system to pass on the sales tax to the consumers, he has his records but the small retailer, and there are very few food merchants in the State of Maine but what handle a large number of items that would be taxable, it would put a tremendous burden on them.

I believe also, if we are going to pay a bonus, that \$150 is none too large.

The SPEAKER: The question is on the motion of the gentleman from Windham, Mr. Pratt, to adopt House Amendment "E". All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken,

The motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker, I move we adjourn to 9:30 tomorrow morning.

Mr. WARD: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. WARD: Mr. Speaker, to debate the matter of time.

The SPEAKER: The gentleman is in order.

Mr. WARD: Mr. Speaker and Members of the House: If we stay on and adjourn at a later hour this evening, we may be able to get home this weekend. If we adjourn until 9:30, which would be 10:30 Daylight Time, I am afraid that will not give us sufficient time to complete the amount of work we have to do. If we are getting tired at this time, I would suggest we take a short recess.

The SPEAKER: The gentleman can debate only the matter of time to which we will adjourn tomorrow morning.

Mr. WARD: Mr. Speaker I suggest when we adjourn that we adjourn to an earlier hour then 10:30.

The SPEAKER: The question is on the motion of the gentleman from Rumford, Mr. Poulin, that we adjourn until 9:30 tomorrow morning.

Mr. POULIN: Mr. Speaker, I meant 8:30 E.S.T.

The SPEAKER: All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken,

The motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I present House Amendment "F" to L. D. 1245, and move its adoption.

The SPEAKER: The gentleman from Augusta, Mr. Carpenter, presents House Amendment "F" and moves its adoption. The Clerk will read the amendment.

House Amendment "F" read by the Clerk as follows:

House Amendment "F" to H. P. 1528, L. D. 1245, Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

Amend said Bill by striking out the title thereof and inserting in place thereof the following:

'An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Tax on Cigarettes and Liquor.'

Further amend said Bill by striking out all of that part designated as title VI and inserting in place thereof the following:

#### "Title VI

##### Tax on Cigarettes

Sec. 1. R. S., c. 14, Sec. 190, amended. Section 190 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 190. Two mill tax imposed. A tax is imposed on all cigarettes held in this state by any person for sale, said tax to be at the rate of 2 mills for each cigarette, and the payment thereof to be evidenced by the affixing of stamps to the packages containing the cigarettes, as hereinafter provided. Any cigarette on which a tax has been paid, such payment being evidenced by the affixing of such stamp, shall not be subject to a further tax under the provisions of sections 186 to 205, inclusive. Nothing contained in said sections shall be construed to impose a tax on any transaction, the taxation of which by this state is prohibited by the constitution of the United States.'

Sec. 2. R. S., c. 14, sec. 191, amended. Section 191 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 191. Assessor to provide stamps. The tax assessor shall secure stamps, of such design and denomination as he shall prescribe, suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by the provisions of sections 186 to 205, inclusive. He shall sell such stamps to licensed distributors at a discount of 3½% of their face value and to licensed dealers at their face value. The face value of the stamps when affixed shall be considered as part of the cost of the merchandise. The assessor may, in his discretion, permit a licensed distributor or licensed dealer to pay for such stamps within 30 days after the date of purchase, provided a

bond satisfactory to the assessor in an amount not less than the sale price of such stamps shall have been filed with the assessor conditioned upon payment for such stamps. He shall keep accurate records of all stamps sold to each distributor and dealer and shall pay over all receipts from the sale of stamps to the treasurer of state daily."

Further amend said bill by striking out all of that part designated as Title VII and inserting in place thereof the following:

**"Title VII  
Tax on Liquor**

**R. S. c. 57, sec. 12, amended.** Section 12 of chapter 57 of the revised statutes is hereby amended to read as follows:

**'Sec. 12. Consumers' tax on spirituous and vinous liquor.** All spirits and wines shall hereafter be sold by the commission at a price to be determined by the commission which will produce a state liquor tax of not less than 64% based on the less carload cost f. o. b., state liquor commission warehouse, excepting only that spirits and wines sold at wholesale under the provisions of section 41, may be sold at wholesale prices established pursuant to the provisions thereof. Any increased federal taxes levied on or after April 1, 1941 shall be added to the established price without mark-up. All net revenue derived from such tax shall be deposited to the credit of the general fund of the state.'

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker and Members of the House: I want to compliment the committee, the three committees that put this bill together, L. D. 1245. Those of us who were privileged to be here for two days and listen to those hearings realize they did a wonderful job. With such a hodge-podge of ideas, I do not see how they ever arrived at such a nice bill. But there is one thing in the bill I do not like, and that is the sales tax. It does not seem right to me that we should put a sales tax riding on a servicemen's bonus. We heard what some of these boys said, and I think that would be the sentiments of the citizens of this State,

that we should not put a sales tax on and have it go in as a bonus bill.

Now in regard to the objections raised to some of the amendments that came in. The gentleman from Bangor, Mr. Southard, objects to one amendment as to the time. In this bill here the time is the correct time that a man should have been in the service, from December 8, 1941 to August 14, 1945.

The gentleman from Bangor, Mr. Wight, objects to certain things in the luxury tax, but there is no luxury tax in this bill. If the members do not think enough money will be raised from this, amendments could be put on for some luxury tax if they thought it should go in.

Now the first tax we take up is the cigarette tax. The general fund review and expenditures by the Legislative Research Committee estimates the 1946 revenue from the cigarette tax at two cents a package, the present tax, will be \$1,845,536. Now by adding two cents more on this tax — and by the way Massachusetts charges four cents a package — by adding two more cents on this tax we would take in, if these figures are correct, \$4,791,072. I think that figure is perhaps high. The Tax Assessor for the State figures it would be more nearly two million dollars.

There is another feature in this amendment, the mark-up on liquor of 3%. It would not bring in a large sum; \$300,000 would be the top perhaps. If anybody objects to this, I would not mind an amendment taking it off and substituting something else.

Now the beauty of these two taxes is that it will not cost anything to collect them; we have agencies to do it now. The expense to do it would be very, very small. Some people say any more liquor tax would lead to bootlegging, but I do not believe 3% more will make very much difference to anybody. I do not think it would lead to any more bootlegging.

Another criticism of this amendment has been that it will not raise enough money. Well, in five months and twelve days we will be back here again, most of us, and if it does not raise enough money, it will raise enough money for that length of time.

There is another element and there will be an amendment put in, if this passes, to take care of it, and that is the length of time for paying. I have an amendment here which has not been printed in which it would take twenty years instead of ten years to pay it off at \$800,000 a year instead of \$1,600,000. You might say the interest rate would eat it up. The State can borrow at 7/8 of 1%. Now my colleague, the gentleman from Clifton, Mr. Williams, says the rate of interest will be more on a long term; he figures 1-1/4% for a long term bond. It does not seem to me it would be as much as that. Perhaps I am wrong; I am not a banker.

You all know about what this bill is. If we have a sales tax and if we do not accept some amendment like this, it will go to the people and they will turn it down. I think it would be much better to give the boys \$150, something the people will accept.

I do not know why it is, I have lived in Augusta quite a while, and as long as I can remember somebody has always been trying to throw a sales tax down the throat of the Legislature. Every time we have to fight it. I hope this amendment is adopted.

The SPEAKER: The question is on the motion of the gentleman from Augusta, Mr. Carpenter, to adopt House Amendment "F". The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker and Members of the House: I rise in support of the amendment offered by my colleague, the gentleman from Augusta, Mr. Carpenter. I think the large majority of the members of the Legislature are in favor of a bonus for the veterans of World War II. I am. The amount does not mean so much, whether it is \$100, \$150 or \$200. Those matters are immaterial. But that is not the whole of the Administration's veterans program. There are large appropriations for the University of Maine, the setting up of vocational programs and numerous other benefits. I think it is a fine program and I want very much to see it enacted. I want very much to see a tax bill connected with it which will be acceptable to the people of the State of Maine. I do not have to remind you that it was less than ten years ago that the people of Maine voted on another sales tax

and turned it down overwhelmingly. I do not believe the thinking of the people of the State of Maine has changed a great deal on that issue in the last ten years. I am very strongly opposed to a sales tax to finance the bonus and other veterans benefit program. The chief reason I am opposed to it is that the veteran himself will have to pay for it. I do not see any reason why we should give the veterans and the people of the State of Maine a chance to vote on a proposition whereby they will be voting themselves a new tax which they will have to pay in order to cover the bonus they are going to receive.

Now figures are sometimes misleading and if we can stay clear of them it is better to do so I believe. However, it has been estimated that the average person in the State of Maine under this sales tax which is presented by the Committee will pay from \$25 to \$35 per year. That is the minimum of what the average man will pay in sales taxes. Now it is not going to take very long—you can figure it out—it is not going to take long for him to pay back his bonus in the form of sales taxes. As a matter of fact, he is going to pay back in sales taxes the bonus he receives long before the bond issue is retired. He may be paying from three to five years after he has already paid back his bonus. I do not believe that is a fair proposition for our veterans.

Now the veterans who testified before the committee said they did not want a sales tax. I think we can take their word for that. Not only are the veterans concerned in this, but there are thousands of other people in the State of Maine who must subsist on small incomes, and their tax is going to be increased in order to live. There would be taxes on clothing, food and all the necessities of life. That would not be quite as objectionable, ladies and gentlemen, except for the fact that we are now in the middle of the greatest inflationary period in the history of our country. Why should this Legislature add further to this tremendous inflation that is already fast becoming unbearable? A sales tax at some other time might have a great deal of merit. During the Special Session there has been a great deal of talk of a general review of the entire tax structure of the State of

Maine. It has been suggested it will occur during the next regular session. If that is going to be the case, ladies and gentlemen, let's leave this sales tax available to the next Legislature for their use if they are going to need it to fit into their program. It should not be enacted now and then be readjusted by a later Legislature with the risk of losing the entire thing.

I believe the tax proposal presented by my colleague, the gentleman from Augusta, Mr. Carpenter, is a very sound and practical one under the present circumstances. Nobody has to smoke; nobody has to drink who does not want to. This would be more in the nature of a voluntary tax to be paid by smokers and by drinkers. If they do not want to contribute to the veterans bonus in that way they do not have to. If the veterans themselves want to help the program along, it will bring additional revenue into the State.

The measure is sound. Tax experts say that it will bring in adequate revenue to cover the administration's program. I have not heard that disputed. The plan is that the bond issue will be for a twenty year period, and certainly in that length of time, on the revenue that will be raised by these additional taxes, the State of Maine will have an easy time financing the program.

I believe the Governor called us into session to enact a practical measure that would be acceptable to the people of the State of Maine. We know the people have already turned down a sales tax. Do you think it good business to ask them to vote on it again? Let's give the people of the State of Maine a proposition which they have not voted on before which is not as vicious at this time as a sales tax would be and which has a far better chance of being passed at the September referendum than I believe a sales tax would have. I strongly urge the adoption of the amendment presented by my colleague, the gentleman from Augusta, Mr. Carpenter.

The SPEAKER: The Chair recognizes the gentleman from Etna, Mr. Conant.

Mr. CONANT: Mr. Speaker, I ask for a division when the vote is taken.

The SPEAKER: The gentleman from Etna, Mr. Conant, asks for a

division. The question is on the adoption of House Amendment "F". The Chair recognizes the gentleman from Bangor, Mr. Southard.

Mr. SOUTHARD: Mr. Speaker and Members of the House: To the best of my knowledge, it is the wish of the public, the citizens of the State of Maine, that we work up here at this Legislature some program of benefit to the servicemen who served in World War II. If that is so, and I believe it is, it seems to me that that same general public should pay the expense. It does not seem to me that it is fair for this Legislature to come in here and put the burden of some sixteen or seventeen million dollars on the people and then say: "You birds that smoke cigarettes and drink rum pay the bill." I hope the amendment is not adopted.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I smoke cigarettes and I sometimes drink liquor, and I do not believe that one man who smokes cigarettes in this State or who takes a drink in this State will object to a tax on either one of these things.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I am not going to argue against this amendment. Perhaps it has some merit. I simply wish to call attention to one statement made by the gentleman from Augusta, Mr. Peirce, which I believe is in error. He said, as I understood, that the average man—and that certainly means the average individual—would pay about \$35 under a sales tax. As a matter of fact, two years ago, in 1944, our State Assessor put out a brochure which showed that a sales tax similar to that which is proposed now would cost in the neighborhood of \$18 for every family.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, I would like to correct the record. What I intended to say was that the average man would spend between \$25 and \$35 a year on a sales tax. The \$18 figure which the gentleman from Bridgton, Mr. Rankin, mentions was based on 1942 income. I think we all recognize the tremendous increase in cost of living at the present time over 1942. I

think that the estimate given of the present tax is a very conservative one.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, when the vote is taken I would request a roll call vote.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, requests a roll call vote.

The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I can be very brief at this time. Any remarks I made previously today would apply to this bill, only more so.

The first objection to it is, as I think you have probably all figured out before this time, that it does not furnish the revenue for the veterans' program. Maybe by stretching the flat bonus question over twenty years and paying a high rate of interest, it would meet just the bonus without the veterans' program which this body has already passed today so far as the educational features are concerned.

As far as the interest rates which I gave, the two gentlemen who provided them for me are experts on finance. These figures did not come out of thin air. I think if you check them you will find the longer term this runs the higher rate of interest you will pay, because today we are on one of the best money markets this country has ever known.

In regard to the matter of a two-cent tax on cigarettes, there is no question but what it will yield a lot of money, probably \$1,600,000 as they mentioned. An additional tax on liquor will not in any respect yield a million dollars or anywhere near it. If anyone doubts that figure they can simply take the revenue of last year from the Liquor Commission, which I think you will all agree was a top year for liquor consumption in the State of Maine. The total income was around seven million, and at least two million of this came from the sale of malt beverages, and licensing of hotels, clubs, and so forth, which probably leaves five million from the straight sale of liquor. We already have a 61 per cent mark-up. You can see what three per cent would do. It

would be less than \$150,000. So two sponsors of this bill apparently did not stop to figure that out.

I think that we are all interested in a veterans' program. We should all be interested in financing it through some safe method of taxation which we know will raise the revenue, and this particular tax measure presented by your committee appeared to them to be the only method they were sure would raise the revenue.

There is one thing about the sales tax: It is a good time to enact it, because in any tax bill that is enacted now or at any time there will be some things that will not work quite right, some things that will be a hardship on the merchant and also on the tax department. This will go into effect November 1st., if passed, and that will give only two months of operation before the Legislature is again in session, and then those difficulties which seem to be made so much of around the halls of the Legislature here can be ironed out.

Certainly, Mr. Speaker, I believe if we are going to pass any tax measure at all we should pass one that will pay the bonus. Apparently this House has decided they want to pay a bonus, and, if we want to pay a bonus, we must accept the disagreeable feature of having to pay the bill. I believe the citizens of Maine, when this is presented in referendum, if they wish to pay a bonus, will be willing to pay the bill behind it. I hope, Mr. Speaker, the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Clinton, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I do not wish to take up any great amount of time. We have decided to pass some kind of a bill, and I would like to see a bill passed that the people will accept. Now I realize how that sales tax as it came from the committee will affect the funds of the dairy farmer who has to buy say \$1000 to \$1500 worth of feed for his cows. He also has to hire help. That bill makes no provision for exemption of labor, as I read it. He has got to pay a tax on that help, and the average dairyman will be paying from \$50 to \$75 tax on top of what he is paying now, and the Lord knows we are paying enough now. It is out of the question, in my mind, and I do not believe the people

will accept it in the September referendum.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Bell.

Mr. BELL: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Thomaston, Mr. Bell, moves the previous question on the amendment.

In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor of the motion will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The SPEAKER: Obviously more than two-thirds of the members having arisen, the main question is ordered.

The gentleman from Greenville, Mr. Rollins, has asked for a roll call. In order to have a roll call vote, it is necessary that at least one-fifth of the members present request it.

All those in favor of a roll call vote on this question will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The SPEAKER: Thirty members having arisen, and 30 being more than one-fifth of the members present, the roll call vote is ordered.

The question is on the adoption of House Amendment "F" to H. P. 1528, L. D. 1245. A vote of "Yes" is a vote for the adoption of the amendment; a vote of "No" is against the adoption of the amendment. The Clerk will call the roll.

YEA—Bell, Berry, Boutin, Boyker, Brown, Brunswick; Carpenter, Augusta; Carpenter, Skowhegan; Cobb, Gardiner; Cole, West Gardiner; Conant, Cyr, Deering-Moffatt, DeSanctis,

Dicker, Donahue, Downs, Edwards, Forhan, Gay, Grenier, Hemphill, House, Jalbert, Jewett, Knight, Clinton; Knight, Jay; Legard, Lombard, Longstaff, MacKinnon, Marshall, McFee, Morse, Moulton, Nadeau, Ouellette, Pascucci, Patterson, Peirce, Perkins, Plummer, Rollins, Ross, Savage, Smart, Snow, Springer, Sweetser, Thomas, Thompson, Tozier, Weeks, Weston, Williams, Topsham; Wood.

NAY—Adams, Ames, Anderson, Baker, Benn, Bird, Rockland; Bird, Washington; Blake, Brownfield, Blake, Dexter; Boulier, Bowker, Burton, Byron, Chase, Cobb, Bangor; Cole, Casco; Collins, Connellan, Crosby, Dean, Dow, Ela, Elliott, Emerson, Gillies, Gowell, Haskell, Bangor; Haskell, Portland; Hawes, Hayward, Jennings, Jordan, Saco; Jordan, So. Portland; Judkins, Lackee, Leathers, Lee, Lord, Camden; Marsans, Meloon, Morrison, Winter Harbor; Payson, Poulin, Pratt, Prout, Rankin, Roberts, Russell, Sanborn, Sargent, Smith, Southard, Stillings, Vickery, Ward, Warren, Webber, Wells, Wight, Williams, Auburn; Williams, Clifton.

ABSENT—Allen, Brewer, Brown, Milford; Brown, Unity; Christensen, Coombs, Corson, Cousins, Daigle, Dorsey, Dutton, Ellingwood, Gallant, Hamilton, Hanson, Heansler, Jacobs, Jones, Lacharite, Letourneau, Lord, So. Portland; Martin, Morneault, Morrison, Rumford; Palmeter, Renouf, Thorndike, True, Walsh, Welch, Wright.

Yes—55.

No—61.

Absent—31.

The SPEAKER: Fifty-five having voted in the affirmative and 61 in the negative, with thirty-one absent, the amendment fails of adoption.

The House may be at ease for a moment.

### At Ease

Called to order by the Speaker.

The SPEAKER: The House will be in order. The Chair will explain at this time that the delay is caused by an amendment which has not yet been printed and distributed. It is expected that the printed amendment will be here within the next fifteen minutes.

### Recess

(10:15 P. M. EST)

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.



Mr. JALBERT: Mr. Speaker, I present House Amendment "G" to H. P. 1528, L. D. 1245, and move its adoption.

The SPEAKER: The Clerk will read the amendment.

CLERK: The amendment has been printed as L. D. 1250 and the document has been distributed on the desks of the members.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: This amendment fits in with H. P. 1528, L. D. 1245, with the exception that a luxury tax is inserted in place of a sales tax to take care of the revenue.

I notice here an error, and I will present an amendment if this amendment is adopted, changing the tax under tax under Titles 6 and 7—an additional Roman II, an additional 2 mill tax on each cigarette, which would be 4 cents instead of the 2-cent cigarette tax.

Now, Mr. Speaker, I realize the hour is late. We have defeated an amendment striking out food, we have defeated a cigarette and luxury tax. It has been mentioned and obviously proven that we do not want a sales tax here, consequently I do not think that the people we represent want a sales tax. I was in hopes that a \$200 bonus would have passage, but it seems that the majority of this body felt that \$150 was sufficient.

On the question of the sales tax, particularly where it pertains to food, you must be mindful of one fact: We need food, clothing and footwear in depression times, but we do not have to go to the movies and buy a new fishing rod in depression times. That is the difference between a sales tax and a luxury tax. So far as furs are concerned, I do not think any young lady here will fail to buy a fur coat because of the fact there is a 5 per cent sales tax on it. I am sure, so far as my partner at home is concerned, 5 per cent will not stop her. If it did I would put on a 30 per cent tax.

Mr. Speaker, I move that my amendment be adopted.

The SPEAKER: The gentleman from Lewiston moves adoption of House Amendment "G".

Mr. JALBERT: Mr. Speaker, may I ask for a division?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, asks

for a division. The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I ask for the yeas and nays.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, asks for a roll call vote.

The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I am sorry I had to be out for a few moments.

I believe if this amendment is adopted it will put this bill in the same position as several of the other amendments we have spoken of would, and that is it will not provide the revenue to carry out the veterans' program. If we are going to carry it through we have got to provide the revenue. I thought maybe they would leave it as it was printed. As I do not smoke, I thought it was a wonderful tax bill, not that I would be for it.

I think the program will require somewhere between four and five million dollars of revenue, and I have not heard any program here that would provide that amount of money.

It has been said in reference to the sales tax that all farm products would be taxed. You will find a section here where all feed, fertilizer and materials going into farm products are removed from this tax, they are exempt. I am sorry that has not been taken up before. You will find it on Page 9 of the bill, Section 247 "D", Exemptions: "Any tangible personal property for use in manufacturing or producing, including seeds, fertilizers, insecticides and fungicides, feeds and other materials purchased by farmers and used in producing farm products for sale, but not including goods or materials that are used in building or repairing buildings."

It would appear that this sales tax has one angle which I have not mentioned before and which has not been mentioned by anyone else, and it is one that the committee gave a lot of weight to, and that is the fact that if a sales tax is enacted a lot of our summer business would help to pay this bill. I think that is a very good point. They would bring in a lot of money to help carry out this program.

This particular bill, or amendment, I say is no better than the one we voted down some time ago. It has the same objection, because

it provides for a bonus without providing for anything to pay for it. In that case, you would probably run into difficulty; part of the bonus would be paid and then you would not have funds to pay the rest of it.

The **SPEAKER**: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. **JALBERT**: Mr. Speaker, I have heard this argument about tourists coming into the State of Maine for years. I am not interested in tourists but I am interested in 20,000 people from my community that work in the mills and shoe shops whom a sales tax will hit. Let us not kid ourselves. A sales tax is not going through here, and, if it did, it would not go past the voters.

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

Mr. **WEBBER**: Mr. Speaker, I believe that this amendment removes much of the danger of having it turned down on a referendum. I have heard so much opposition to the sales tax that I feel some of the members of the Legislature have in mind voting against the bonus. If we can pass this bill and assure passage of the bonus, I think we had better do so.

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

Mr. **BOYKER**: Mr. Speaker, I would like to correct a statement by the gentleman from Clifton, Mr. Williams, in regard to the tourists. The tourists are not going to pay this sales tax: it will be the hotels and restaurants that feed the tourists.

The **SPEAKER**: The question is on the motion of the gentleman from Lewiston, Mr. Jalbert, for adoption of House Amendment "G" to H. P. 1528, L. D. 1245. The gentleman from Boothbay Harbor, Mr. Perkins, has requested a roll call.

The Chair recognizes the gentleman from Portland, Mr. Bowker.

Mr. **BOWKER**: Mr. Speaker, I would like to point out to Mr. Boyker that we do a one hundred million dollar a year recreational business, and under this bill, the sales tax measure, the tax would be passed on to the purchaser.

The **SPEAKER**: In order to have a roll call vote it is necessary that one-fifth of the members request it. All those in favor of the roll call vote will rise and stand in their places until counted and the monitors have made and returned the count.

A division was had.

The **SPEAKER**: Obviously more than one-fifth of the membership having requested a roll call vote, the Clerk will call the roll. A vote of "Yes" is in favor of the adoption of the amendment, a vote of "No" is against the adoption of the amendment.

**YEA**—Adams, Bell, Berry, Bird, Washington; Boutin, Boyker, Brown, Brunswick; Carpenter, Augusta; Carpenter, Skowhegan; Cobb, Gardiner; Cole, Casco; Cole, West Gardiner; Conant, Cyr, Deering-Moffatt, DeSantis, Dicker, Donahue, Dow, Downs, Edwards, Elliott, Forhan, Gowell, Grenier, Hawes, Hemphill, House, Jalbert, Jewett, Knight, Clinton; Leathers, Legard, Lombard, Longstaff, MacKinnon, Marshall, McFee, Morse, Moulton, Nadeau, Ouellette, Pascucci, Patterson, Payson, Peirce, Perkins, Plummer, Prout, Roberts, Ross, Russell, Savage, Smart, Snow, Stillings, Sweetser, Thomas, Tozier, Webber, Weeks, Weston, Williams, Auburn; Williams, Topsham; Wood.

**NAY**—Ames, Baker, Benn, Bird, Rockland; Blake, Brownfield; Blake, Dexter; Boulter, Bowker, Burton, Byron, Cobb, Bangor; Collins, Connellan, Crosby, Dean, Ela, Emerson, Gay, Gillies, Haskell, Bangor; Haskell, Portland; Hayward, Jennings, Jordan, Saco; Jordan, So. Portland; Judkins, Lackee, Lee, Marsans, Meloon, Morrison, Winter Harbor; Poulin, Pratt, Rankin, Rollins, Sanborn, Sargent, Smith, Southard, Springer, Thompson, Vickery, Ward, Warren, Wells, Wight, Williams, Clifton.

**ABSENT**—Allen, Anderson, Brewer, Brown, Milford; Brown, Unity; Chase, Christensen, Coombs, Corson, Cousins, Daigle, Dorsey, Dutton, Ellingwood, Gallant, Hamilton, Hanson, Heansler, Jacobs, Jones, Knight, Jay; Lacharite, Letourneau, Lord, Camden; Lord, So. Portland; Martin, Morneault, Morrison, Rumford; Palmeter, Renouf, Thorndike, True, Walsh, Welch, Wright.

Yes—65.

No—47.

Absent—35.

The **SPEAKER**: Sixty-five having voted in the affirmative and 47 in the negative, with 35 absentees, the amendment is adopted.

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move the House do now adjourn until Saturday morning at 8.30 o'clock E. S. T.

The SPEAKER: Would the gentleman defer his motion until the bill is given its third reading. He does not have to.

On motion by Mr. Ward of Milli-

nocket, the bill was given its third reading, under suspension of the rules, and passed to be engrossed as amended.

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On motion by Mr. Rollins of Greenville,

Adjourned until 8.30 A. M., E. S. T. Saturday, July 20.