

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-second Legislature



Special Session

July 8, 1946

HOUSE

Saturday, July 20, 1946.

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

Prayer by the Rev. Mrs. Knowlton of Augusta.

Journal of the previous session read and approved.

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

Mr. WARD: Mr. Speaker, I ask unanimous consent that when we adjourn today we adjourn to meet on Monday, July 22nd at 3:00 P. M., E. S. T.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, asks unanimous consent that when the House adjourns it adjourn until Monday, July 22nd at 3:00 o'clock, E. S. T. Is there objection? The Chair hears no objection.

House Reports of Committees Ought Not to Pass

Mr. Bowker from the Committees on Military Affairs and Appropriations and Financial Affairs jointly reported "Ought not to pass" on Bill "An Act Creating a State Lottery Commission" (H. P. 1518) (L. D. 1233)

Same gentleman from same Committees reported same on Bill "An Act relating to Running Horse Races" (H. P. 1519) (L. D. 1235)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Report Tabled

Mr. Brewer from the same Committees reported same on Bill "An Act Establishing a State Technical and Vocational Institute" (H. P. 1507) (L. D. 1221) as it is covered by other legislation.

On motion by Mr. Ela, of Anson, the report was tabled pending acceptance.

Ought Not to Pass

Same gentleman from same Committees reported same on Resolve Proposing an Amendment to the

Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus or Bonus Certificate to Maine Veterans in World War II (H. P. 1513) (L. D. 1237)

Same gentleman from same Committees reported same on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Providing a Revolving Fund for Loans to Maine Members of the Military and Naval Forces in World War II (H. P. 1491) (L. D. 1198)

Same gentleman from same Committees reported same on Bill "An Act to provide for a Revolving Fund for Loans to Maine Veterans" (H. P. 1489) (L. D. 1196)

Mr. Crosby from same Committees reported same on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$200 to Maine Veterans in World War II (H. P. 1514) (L. D. 1232)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Report Tabled

Same gentleman from same Committees reported same on Bill "An Act Providing for Additional Cigarette and Liquor Taxes" (H. P. 1517) L. D. 1234)

On motion by Mr. Poulin of Rumford, the report was tabled pending acceptance.

Ought Not to Pass Report Tabled

Mr. JENNINGS from same Committees reported same on Bill "An Act to Provide for the Payment of a Bonus of \$100 and \$200 for Maine Veterans of World War II" (H. P. 1508 L. D. 1222) as it is covered by other legislation.

On motion by Mr. Poulin of Rumford, the report was tabled pending acceptance.

Ought Not to Pass Report Tabled

Same gentleman from same Committees reported same on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus of \$100 and \$200 to Maine Members of the Military and Naval Forces in World War II (H. P. 1510) (L. D. 1224) as it is covered by other legislation.

On motion by Mr. Poulin of Rumford, the report was tabled pending acceptance.

Ought not to Pass

Mr. Jordan from same committees reported same on Bill "An Act to Provide for the Payment of a Cash Bonus of \$200 to Maine Veterans in World War II and Revenue Therefor" (H. P. 1515) (L. D. 1239)

Mr. Southard from same committees reported same on Bill "An Act to Provide for the Payment of a Cash Bonus or Bonus Certificate to Maine Veterans in World War II" (H. P. 1511) (L. D. 1236)

The reports were read and accepted and sent up for concurrence.

Ought not to Pass Report Tabled

Mr. Williams from same committees reported same on Resolve in favor of the University of Maine (H. P. 1492) (L. D. 1199) as it is covered by other legislation.

On motion by Mr. Bowker, of Portland, the report was tabled pending acceptance.

Orders of the Day

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Gowell.

Mr. GOWELL: Mr. Speaker, I rise to move the reconsideration of our action whereby we passed to be engrossed H. P. 1528, L. D. 1245 last night. My reason for that is this: I think many of the members who voted for passage of that bill as such did not understand the import of the bill which we were passing. I feel we do not realize that we really did not do very much of anything that we want to get legislation on. The new title we gave the bill is one that doesn't do only half a job. It merely changes the title and does not provide for any of the extra benefits that we, as legislators, are determined, if possible, to give the veterans. Then in the latter part of the bill we struck out several titles; we struck out titles V, VI, VII, IX and X, and, leaving in title VIII, we have made that of no effect because of the fact that we struck out the title to which it refers. Mr. Speaker, I move you that we reconsider the action whereby we passed this bill to be engrossed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: My colleague, the gentleman from Poland, Mr. Gowell, has remarked that we did not do anything on this legislation that we really want. We came up here for a bonus for the boys. That is what we want; that is what we are here for. If that isn't what we want to pass, let's go home. Let's stop kidding ourselves. I am interested in the University of Maine in this way: It is our baby and an expensive one. This is our baby. I have heard remarked that thirty-four states had a sales tax. Let's go back to the last session of the Legislature when I made a remark on a bill I presented that forty-seven states voted in November and not in September and November. Somebody told me that just because other states picked up a program, this is Maine, and let's leave the State of Maine as it is until our boys come back. I have heard plenty of flag-waving. You have not heard me doing too much of it. I will grant that the gentleman from Clifton, Mr. Williams, is right. We cannot pay our boys in dollars and cents. They want and expect something. As far as the University of Maine is concerned, or any of those programs, I went to Mr. Jacobs' store and tried to buy a pound of nails two weeks ago and I could not. I know he would like to sell them to me. So how are you going to set building upon building. They are all set at Dow Field for awhile. I have spoken to some of the boys going into the University of Maine and they are perfectly satisfied to go to Dow Field. You cannot get material. What is the hurry? They are all cramped up in every other college in the country. I think we knew what we were doing last night. We had a roll call and the vote was sixty-five to forty-seven. That is about ten hours ago.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Gowell.

Mr. GOWELL: Mr. Speaker: I do not wish to argue this question in any way. I did not intend to insinuate or infer that we did not wish to pay a bonus to our veterans. That is a foregone conclusion. The statement that I wished to make was that we did not pass, which have not passed the program which a

large number of the members of this Legislature, a large number of the citizens of this State, and I hope the majority of the citizens of this State desire. When we submit a program to the Senate I believe we ought to submit a program to the Senate which we believe the citizens of the State will pass.

I do want to say this however, and not for the purpose of any argument: Before this amendment which was presented by the gentleman from Lewiston (Mr. Jalbert) came into the House last night, I went to him and told him he had not gotten in his amendment many of these things to which I refer and to which he referred in his statement. He told me, "Everything is there. I have had advice which says that everything which you suggest should be in there is there." Those are the things to which he refers this morning and those were the things which were not there when I came to read over the bill afterwards, as I should have in the limited time I had before. I hope my motion will prevail.

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

Mr. WARD: Mr. Speaker and members of the House: Without going into the merits of this particular measure one way or the other, I believe this House is concerned in having its amendments in the proper form before they are passed on to the other body and to have them in such form that they accomplish the purpose which you want them to accomplish.

To my understanding, if the motion of the gentleman from Poland, Mr. Gowell, prevails, this matter would be placed on the table, the House would be requested to give unanimous consent in placing a time limit relative to filing amendments to make such corrections as may be needed, or otherwise, and then pass the matter along in the correct form as it should be.

I call your attention on Page 2 of this amendment to Section 2, and, if you will refer to it, you will see that it states, "The amount necessary to pay said bonds or notes as they mature, and the interest as it accrues, shall be raised from the taxes levied and collected under the provisions of title IV." If you will refer to the main bill L. D. 1245,

you will see that Title IV relates to Plant Science Building and Engineering Building at University of Maine. "Plant science building and engineering building; appropriation for. There is hereby appropriated in favor of the University of Maine the sum of \$400,000 for aid in constructing a plant science building and an engineering building."

If you will refer to Page 3 of the amendment, Section 2, Use of Proceeds of Taxes, it reads, "The proceeds derived from this title shall be devoted to carry out: I. The provisions of section 2 of title III;" If you will refer to Section 2 of title III of the main bill, which that refers to, you will find that it states: "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," which refers to State Technical and Vocational Institute.

I do not believe the gentleman from Lewiston, Mr. Jalbert, when he offered this amendment knew those apparent errors were in this amendment. I believe this House would desire to correct those and have them apply to the proper sections and titles before passing this matter on to the other body, and I hope the motion to reconsider will prevail.

Mr. JALBERT: Mr. Speaker - -

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, to address the House.

The SPEAKER: The gentleman is out of order, having already spoken twice on the measure. Does the gentleman ask unanimous consent to address the House?

Mr. JALBERT: I do, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, asks unanimous consent to address the House. Does the Chair hear objection? The Chair hears none and the gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: In speaking about the other program and the veterans bonus, I will go along with them. I stated that I was primarily interested in the bonus and I still am. I am not attempting, Mr. Speaker, to put anybody on the spot nor am I attempting to have somebody help me along by voicing what I am about to say. I feel I do not know anything about parliamentary

law and what I know about it could be put in a thimble. I can assure you I will correct that.

I went to my good friend Mr. Pease with Mr. Payson and went to the Revisor of Statutes and, by the way, I think both gentlemen and the girls in the office of the Revisor of Statutes have done an excellent job. They drafted amendment after amendment and it was a hard job and late in the evening. I told Mr. Payson as well as Mr. Pease and Mr. Slosberg I wanted the same bill as the original document 1245 only that I wanted a luxury tax inserted instead of a sales tax. I will ask Mr. Payson to speak on it. If I am wrong I would like to be corrected. That is what I want to do. If the motion prevails to reconsider, I would like to put it on the table because according to this I feel I might be tempted to vote for reconsideration myself.

The SPEAKER: The Chair will entertain a motion to table if the motion to reconsider carries.

The question is on the motion of the gentleman from Poland, Mr. Gowell, that the House reconsider its action of last evening whereby H. P. 1528, L. D. 1245 was passed to be engrossed.

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

Mr. POULIN: Mr. Speaker, I presented a bill to this Legislature to pay a bonus. When the bill was presented I thought cigarette and liquor taxes would take care of it. There is no question but what it would take care of that item, but since that time there have been other important facts brought forth about the veterans' program which would include more money than I thought it would need. That is why several members proposed sales taxes and other taxes. Now I do not care for a sales tax any more than anyone else, but I do care for a bonus and I feel the only way we can get a bonus is by having a tax. Now there is something about this amendment that was passed yesterday that I would like to have explained. This is a two mill tax on cigarettes. If you do not want the veteran to pay the tax, why charge four cents on cigarettes. The veteran is going to pay that. That is a lot of tax. You have not got a state in the Union that charges more than four cents. You have got all these different items on the luxury

tax. I do not see any particular luxury about extracts, toilet waters and those things. You will have a sales tax just as if you had a straight two-cent tax and charged everyone equal. For that reason, I hope the motion for reconsideration prevails.

The SPEAKER: The question is on the motion of the gentleman from Poland, Mr. Gowell, that the House reconsider its action whereby this bill was passed to be engrossed. All those in favor will say aye, contrary-minded no.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Gowell, of Poland, H. P. 1528, L. D. 1245,

“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 Payments of Such Bonds by a Sales Tax” as amended by House Amendment “G”, being L. D. 1250, was tabled pending passage to be engrossed.

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

Mr. WARD: Mr. Speaker, I ask unanimous consent that the members of the House be given until 11:00 P. M. E.S.T., Monday, July 22nd, to file with the Clerk amendments to Bill “An Act 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.” (H. P. 1527) (L. D. 1245) and that the amendments so filed shall be laid before the House for consideration in the order in which they are filed, and such amendments shall be filed in duplicate, and a vote shall be taken on passage to be engrossed immediately after the disposal of such amendments.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, asks unanimous consent that the members of the House be given until 11:00 P. M. E.S.T. Monday, July

22nd to file with the Clerk amendments to H. P. 1527, L. D. 1245, and that the amendments so filed shall be laid before the House for consideration in the order in which they are filed, and such amendments shall be filed in duplicate, and a vote shall be taken on passage to be engrossed immediately after the disposal of such amendments.

Mr. PEIRCE of Augusta: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. PEIRCE: To debate the time limitation.

The SPEAKER: Unanimous consent is not debatable. Does the gentleman wish to object to the passage of this order?

Mr. PEIRCE: Yes, I do, Mr. Speaker.

The SPEAKER: Objection is heard.

Does the gentleman have an order to present himself?

Mr. PEIRCE: I would amend that motion, Mr. Speaker.

The SPEAKER: It is not subject to amendment. The House can be at ease if you wish to prepare such an order.

The Chair might state at this time that a great deal of delay was occasioned yesterday by the filing of amendment after amendment, pending which the amendments had to be printed, and this House was kept here until quarter of twelve last night. Now the request for unani-

mous consent by the gentleman from Millinocket, Mr. Ward, simply places the time for filing of these amendments at midnight, Daylight Saving Time, Monday, July 22.

If the gentleman has a unanimous consent order he would like to present, the Chair will place the House at ease in order to give him time enough to do it.

Mr. PEIRCE: Mr. Speaker, I am sorry I misunderstood the order. I thought it was twelve o'clock noon instead of midnight.

The SPEAKER: Does the gentleman withdraw his objection?

Mr. PEIRCE: I will withdraw my objection.

The SPEAKER: Does the gentleman from Millinocket, Mr. Ward, wish to renew his request for unanimous consent in this matter?

Mr. WARD: I do, Mr. Speaker.

The SPEAKER: The gentleman from Millinocket, Mr. Ward, renews his request for unanimous consent. Does the Chair hear objection? The Chair hears no objection.

The SPEAKER: The House is proceeding under Orders of the Day. If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Ward of Millinocket, Adjourned until Monday, July 22, at 3:00 P. M. E.S.T.