

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-second Legislature



Special Session

July 8, 1946

SENATE

Friday, July 26, 1946

The Senate was called to order by the President.

Prayer by the Reverend David Hickland of Gardiner.

Journal of yesterday read and approved.

From the House:

The Committee on Military Affairs and Appropriations and Financial Affairs, jointly, on bill, An Act to Provide for the Payment of a Bonus of \$100 and \$200 for Maine Veterans of World War II, (S. P. 1508) (L. D. 1222) reported that the same ought not to pass as it is covered by other legislation.

Comes from the House, the bill having been substituted for the report, and the bill passed to be engrossed as amended by House Amendment A.

In the Senate:

Mr. BATCHELDER of York: Mr. President, I move the substitution of the bill for the report and I might say in relation to that, that we have a House Amendment A which I would like to offer a little later, at which time I will make an explanation on that.

The motion prevailed, and the bill was substituted for the "Ought Not to Pass" report of the committee, and was given its first reading. Thereupon, the Secretary read House Amendment A.

Mr. BATCHELDER of York: Mr. President and members of the Senate, I might say that this bill, now House Amendment A, carries practically the same features that were in the previous bill which we have been considering. It provides for the bonus to an extent of \$150, it leaves out the question of the insurance program and I might say with relation to that, it was felt that only a small portion of the veterans might avail themselves of this particular part of the program and would probably take advantage of the \$150 bonus payment, and we felt that part of the bill, leaving that out that it probably would not affect many of the veterans and most of them would be willing to accept it on the other basis.

This bill takes care of the pro-

gram for the state technical and vocational institutes and also for the plant science and engineers buildings and also for the three dormitories at the University of Maine and the restoration of the funds back to the post war planning program. It also provides for the bond issue and brings us down to the question of the tax.

Now that is a part of the program that has been talked over here for some little time. It seems that there is quite a little sentiment against passage of the sales tax at this time, hoping that the next legislature when it met might have an opportunity for more time to work out some sales tax that they might be able to go along on.

I might say that this bill does not take into consideration anything, probably, as to the passage of legislation pertaining to an increase in state employees' salaries, also it does not take into consideration anything with relation to providing additional funds to take care of any deficiency in the Welfare Department which we are planning to do at an increase of five hundred thousand dollars, thinking that those particular matters could probably be disposed of at the next legislative session through the enactment of some other form of tax.

It is felt that these different items of taxes suggested in this bill, although they might not provide all the necessary funds we might need, yet they would go a long way in helping to provide for this veterans' program. This provides for an additional tax on cigarettes which would probably bring in an income of a million seven hundred thousand dollars. Of these other items mentioned in this particular bill, the admission tax, luggage tax, jewelry tax, fur tax which is practically a five percent tax, it was felt that on these particular items, they would produce somewhere in the neighborhood of \$700,000 and that practically all these articles would provide funds of two million four hundred thousand dollars.

It carries the referendum feature. I might say we will have before us for consideration if this bill is finally adopted, a Resolve so amending the Constitution as to go along with an additional cigarette and liquor tax and miscellaneous taxes which we will have a little later for consideration.

We have been here in session for approximately three weeks trying to work out some form of legislation to take care of the veterans' program. I hope that although this might not be just what some of the members want or feel is necessary in order to take in all of this particular program, it will go a great way toward doing that and I hope it will be possible for this bill to have passage at this time, and I so move.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Batchelder, that the Senate adopt House Amendment A in concurrence.

Mr. HOWES of Penobscot: Mr. President and members of the Senate, I being one of the "lame ducks" I have stated frankly from start to finish just what I really thought. I have been in favor of a luxury tax and that is the way I have spoken on it always. I have been against the sales tax and I have been very outspoken against it. I would like to explain one thing. I voted for the sales tax committee report right along several times and I wish to mention it because I don't want you to think that I shifted for any other reason only I thought we had better keep it alive awhile. I thought perhaps the committee would see fit to make amendments to that and change it so we could all vote for it. However, the last of it I voted against it. That is the only reason I changed my mind. I have been around here since 1937 and I guess you fellows know I have never done much whispering.

I am for this bill and I hope when we vote Amendment A will be adopted and I say to you fellows that voted with me all along and have felt the way I have, that I feel as if the committee tried to please everybody and I doubt very much if we stayed here another month we could get a bill more satisfactory to everyone. I hope the vote will be unanimous for the luxury tax.

Mr. LEAVITT of Cumberland: Mr. President and members of the Senate, I understand that since we have been here they have formed the "I Am Confused" club. I would like to ask through the Chair a question of the Senator from York, Senator Batchelder.

Are we to assume from the legislation which has come here this

morning that the Governor has already vetoed 1245 which this gentleman espoused yesterday?

Mr. BATCHELDER: I might say, Mr. President, that the bill as I understand it is before the Governor for his action. What he may do with that particular bill, I don't know but I think it is within our province, if we wish to consider some other legislation, that that bill can be recalled from the Governor before it goes to a passage.

Mr. LEAVITT: Mr. President, I would say, on the answer that I have just heard, that there is no possibility of our considering 1255 until 1245 has been recalled.

Mr. BISHOP of Sagadahoc: Mr. President and fellow Senators, yesterday we passed to be enacted Legislative Document 1245 which provided for a \$150 cash bonus and the Act also provided to propose a two per cent sales tax and there are other provisions pertaining to the extended educational program. That passed both houses and was enacted and is now on the Governor's desk. Now we have coming before us another bill that will provide for another \$150 cash bonus and another spotty sales tax. So with two cash bonuses we shall need two sixteen million dollar bond issues and as it has been suggested several times already, it is doubtful if one bond issue could get by the people in the fall and doubtful if a sales tax would be accepted. Now, how can we expect to get two of those measures by? It seems to me that this bill, or this amendment, is entirely out of order. Until the other one is cleared up or taken care of we have no business going on with this one.

Mr. CROSS of Kennebec: Mr. President and members of the Senate, I don't think we need to go into any very great detail or into much debate on this matter. I hope that in the past few days, my stand on this bonus issue has been clear to you. I have been from the start opposed to any bonus of this kind. I don't feel that the State is in any position or that the veterans are in any situation such as would require that legislation.

However, I have said that I would go along with a reasonable bonus plan that would not blow up the state's bonded debt. I proposed such an amendment several days ago. That amendment failed. Since that time there has arisen some doubt as to its constitutionality. I

don't propose to argue that particular point at this time. But in regard to this Document 1255 I can see very little difference between this and the previous document. It still raises the bonded debt of the state by sixteen million dollars. It still proposes a tax which every veteran will pay although, I will admit, to a lesser degree. And it still, if we are to believe the proponents of the previous measure, inadequately finances the whole situation. They have repeatedly told us that the thing could not be done, it was absolutely insufficient, from these sources to probably finance the sixteen million dollar bond issue. Are we to assume that they didn't have proper figures at the time they argued the other bill? If so, I don't think they have any better figures today because they are the same ones we have heard around the halls of this Senate for the past two weeks.

If this form of financing wasn't sound ten days or a week ago, it is no less unsound at the present time. In the language of an old colloquialism, I do not think that this is "a horse of a different color". It has a different name and a different number but in order for me to go along with this bill, there are two things which possibly might answer some of my objections—and I am only speaking for myself.

I am still opposed to the principle of a bonus. I think it is a federal proposition and I shall continue to argue against it, as a principle, but if we must have a bonus, we should put in a fairer method than this bill proposes. It proposes a straight cash bonus. I do not believe that this Senate thinks that is a fair proposition for the veteran. It gives a man who was in the Service for four months the same amount as a man who has been in for six years, and the man who has been there for six years certainly has much more to face than the man who has been there for six months. I cannot see any basis for a straight cash bonus. If we must have one let's be fair and put it on a sliding scale.

Furthermore, if we must have a bonus let's also keep within reasonable bounds; let's keep it within the bounds the Governor first suggested in his budget message, ten million dollars. If this could be done, and it should be done easily if the Senate sees fit, you could

strike out many of the miscellaneous taxes which are in this bill and which would produce very little revenue compared with the nuisance of collecting. I believe if the Senate would go along on this amendment striking out from the miscellaneous taxes all but the cigarettes, liquor and admission taxes, that we would have a far better bill to offer to the veterans, and I still maintain that in the last analysis we have no right, the Senators here, to vote any such bonus and to incur a debt against the state of sixteen million dollars.

Therefore, I would like to offer Senate Amendment A to House Amendment A and move its adoption but first I would ask that this amendment be reproduced so that the Senators may have an opportunity to consider it.

The PRESIDENT: The Senator from Kennebec, Senator Cross, offers Senate Amendment A and moves its adoption. The Chair will ask the Senator which amendment he intended to present. He has apparently presented two.

Mr. CROSS: Mr. President and members of the Senate, I think you will all agree that we have had very little time to prepare amendments. I discussed with the Revisor of Statutes what I intended to do and I presume he has it in there. I myself have not had a chance to read it. That is why I moved that it be printed. I would like to look it over myself.

The secretary read the amendment.

Mr. CROSS: Mr. President, I will request that this lay upon the table pending investigation of that amendment.

The PRESIDENT: The Senator from Kennebec, Senator Cross, moves that Senate Amendment A to House Amendment A to Legislative Document 1222 be laid upon the table pending motion to adopt Senate Amendment A. Is this the pleasure of the Senate?

A viva voce vote being doubted

A division of the Senate was had.

Fifteen having voted in the affirmative and thirteen opposed, the bill and accompanying papers were laid upon the table pending motion by the Senator from Kennebec, Senator Cross, to adopt Senate Amendment A.

Mr. DOW of Oxford: Mr. President—

The PRESIDENT: The Chair will inquire for what purpose the Senator rises.

Mr. DOW: Mr. President, I rise to a point of order.

The PRESIDENT: The Senator may state his point of order.

Mr. DOW: I understand, Mr. President, that the Senator from Kennebec, Senator Cross, has offered Senate Amendment A to House Amendment A. Am I correct in assuming that it is not proper to offer that amendment until we have adopted House Amendment A?

The PRESIDENT: The Chair will rule that the Senator is not correct. The pending question was on the adoption of House Amendment A and an amendment having been offered to an amendment, the pending question is on the adoption of the amendment to the amendment.

From the House:

The Committees on Military Affairs, and Appropriations and Financial Affairs, jointly, on "Resolve Proposing an Amendment to the Constitution to Provide for a Bonus 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) reported that the same ought not to pass as it is covered by other legislation.

Comes from the House, the Resolve substituted for the report, and the bill passed to be engrossed as amended by House Amendment "A".

In the Senate, on motion by Mr. Batchelder of York, the resolve and accompanying papers were laid upon the table pending consideration.

The same Committees on Bill "An Act Providing for Additional Cigarette and Liquor Taxes," (H. P. 1517) (L. D. 1234) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

On motion by Mr. Brown of Aroostook, out of order and under suspension of the rules it was

ORDERED, the House concurring, that (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," be recalled to the Senate, from the Governor. (S. P. 481)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

The Committee on Engrossed bills reported as truly and strictly engrossed the following bill:

Bill "An Act Providing for Construction of Dormitories at the University of Maine and Appropriating Moneys Therefor." (H. P. 1430) (L. D. 1245).

Mr. BROWN of Aroostook: Mr. President, in view of the fact that we have had to recall one bill from the Governor and in view of the fact that this carries a large appropriation, and in view of the fact that we do not know yet what kind of a bill we are going to pass, I move that this bill lay upon the table.

The motion prevailed and the bill was laid upon the table pending passage to be enacted.

Orders of the Day

On motion by Mr. Cross of Kennebec, the Senate voted to take from the table Senate Amendment A to House Amendment A to bill An Act to Provide for the Payment of a Bonus of \$100 and \$200 for Maine Veterans of World War II (S. P. 1508) (L. D. 1222) tabled earlier in today's session pending motion by that Senator that Senate Amendment A to House Amendment A to be adopted.

Mr. CROSS: Mr. President and members of the Senate, I have no desire to hold up the Senate at this time in order to have this amendment printed. I would much prefer it printed because I think we should study it but it is a short amendment and I think I can explain it to you, or already have, what I hope to accomplish with it. If you like the intent of the amendment you will go along with me. If you don't like it, that will settle it.

As far as the time element goes, I think we have seen in the past few days more time spent in delay of one kind and another than there would be in printing this amendment. I find that the Revisor of Sta-

tutes did do a good job and that the amendment is in good form. I would now like to elaborate very slightly on what I said a few minutes ago. I thought I covered the situation very thoroughly and unless in debate something else arises, I assure you I will say nothing more.

This merely tries to accomplish what I pointed out to you, to set up a sliding scale for veterans, paying seven dollars per month of service but in no event any more than \$150. This would, in my opinion, cut down the total amount necessary to a figure comparable to that of the Governor in his message for not over eleven and a half million. This has also accomplished the same desirable results which we wish to accomplish in this bill, the University of Maine, vocational training and the other features which seem to me most of us favor. As far as the taxes go, if we can believe the arguments of those who are for the original House Amendment A, by cutting down this amount to eleven and a half million dollars, we will be able to strike out the so-called nuisance taxes from this bill and leave in only the major items of cigarettes, liquor and amusements.

If this bill passes, I think it would be a much fairer bill for the veterans and certainly a much better business proposition for the State of Maine and its citizens. If you do not see fit to accept it, I have no personal feeling in the matter whatever, and I shall continue my stand, as I have said before, against any bonus measure.

The PRESIDENT: The Secretary will read Senate Amendment A to House Amendment A.

The Secretary read the amendment:

"Senate Amendment A to House Amendment A to H. P. 1508, L. D. 1222, bill an Act to Provide for the Payment of a Bonus of \$100 and \$200 to Maine Veterans of World War Two, House Amendment A being L. D. 1255.

"Amend said bill by striking out in the title thereof, the words, 'miscellaneous taxes' and inserting in place thereof, the words, 'an admission tax.' Further amend said bill by striking out in the head note of Section One of Title One the words, 'of \$150.' Further amend said bill by striking out at the end of Section One of Title One thereof, the figures '\$150' and inserting in

place thereof the following, '\$7 for each month of service but in no event more than a total payment of \$150.' Further amend said bill by striking out all of Title Six thereof and inserting in place thereof the following, 'Title Six. Admission Tax. R. S., c. 14, Sec. 244 Admissions. Chapter 14 of the Revised Statutes is hereby amended by adding thereto the following new section to be numbered 244, to read as follows: "Section 244. Tax on Admissions. A tax is hereby imposed at the rate of 5% of the amount paid for admissions exclusive of federal taxes to any place, including admission by season ticket or subscription." Further amend said bill by striking out in Titles Nine and Ten, the word 'miscellaneous taxes' wherever they appear and inserting in place thereof, the words, 'an admission tax.'"

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that the Senate adopt Senate Amendment A to House Amendment A.

Mr. HOWES of Penobscot: Mr. President, I may not understand this right. I have always liked a bonus bill, \$100 for those who didn't go overseas and \$200 for those who did. The way I understand this, and I may be wrong, the boys who went over would not receive \$200. I still think it is only right that the boys who went over should have the most money. I hesitate to speak on this because I may be wrong and perhaps I don't understand it correctly. The boys who went across never got their hands into big money. They went over and they came home with nothing. Our boys who were kept here deserve something. It has never been so outstanding in my mind whether they got anything or not, but I should hate to see the boys who went over and suffered and died, a good many of them, and a good many came home with disease and crippled—perhaps \$100 is all we can afford to pay, but I wish we could pay more. If this amendment is to cut down those fellows who went overseas, I shall vote against it.

Mr. BATCHELDER of York: Mr. President, I attempted to try to follow the amendment as it was read, but as I understand from the Senator who has just spoken, he felt as though this particular bill we have before us didn't provide

the necessary revenue to carry out the features of the bill. Now, I understand he proposes to drop some of the items we have in this particular bill, these miscellaneous items. In order to do that, he further attempts to change the payment on the question of a bonus, that is, by using a sliding scale. After much consideration, it is the opinion of the committee after hearing those who appeared before the committee, that although we would like to do considerable for the veterans, no amount of money could actually repay them for the time they were actually in the Service. Recognizing the financial condition of the State and the burden it would place upon the people, we felt possibly we should not do much more than extend to them a token of appreciation for the services they have rendered. We further realized in the first World War an item of \$100 was paid to the veterans, and due to the increase in the cost of living today, if we did something along the same plan, we felt an item of \$150 would be somewhat in line with the payment to the boys in the first World War. We felt they were entitled to the same consideration that was given to the other boys. I hope the motion does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that the Senate adopt Senate Amendment "A" to House Amendment "A".

Mr. DENNY of Lincoln: Mr. President and Members of the Senate, I heartily agree with Senator Bishop's remarks that we should act on only one thing at a time. I think we are entirely too confused as to what is going on. You have asked for the recall of a bill from the Governor, and until that bill is brought back here and we know we have recalled it, I cannot see that we have business passing any other measures.

It is the privilege of this legislature to determine what we want to do and what we want to pass or not pass, and it is not the privilege of anyone else to have alternate bills in order to pick out whichever one they think is best.

I cannot agree with the remark made a few minutes ago, "We have been here three weeks. Let's settle down and pass something and go

home." I want to go home and should be at home just as much as any other Senator in this Chamber, but I don't intend to pass something, as far as I am concerned, just for the purpose of getting out of here and going home. If we cannot decide on something, some one of these measures, after giving it the consideration it warrants, and let each measure stand on its own merits and not be pushed around because we have got to vote for this if we want to get that, if we have got to do that we are making a tremendous mistake. By all standards of just plain politics or party politics or good sound business judgment or good sound statesmanship, we have no business just acting on something, letting something go by, and getting out of here.

We have not had a hearing on the luxury tax, on a luggage tax, on miscellaneous taxes. We have not had a hearing on the cigarette tax. I cannot see that we are ready or that we have a right to act on these types of taxes any more than we had a right to act on a sales tax.

You realize what we have done already. We passed a bill authorizing the levying of a sales tax, a tax that would affect every man, woman and child in the State of Maine. We have already passed that and there has not been a question by one member of this Senate as to whether it is the best type of sales tax we might have in this State, as to whether the exemptions cover everything that should be exempted, or whether they cover too much. We just have not given these things proper consideration.

I want to repeat what I said the other night. I would prefer going home after doing nothing than going home after passing a piece of loose legislation which is going to be thrown back in our faces. Someone is going to ask, "What good did you do when you went down there? Look what you passed." We haven't given this proper consideration and we cannot unless we stay here and fight the thing out. I am not in favor of going ahead without giving proper consideration to any of these measures.

Mr. CROSS of Kennebec: Mr. President and Members of the Senate, I have listened very carefully to my colleague from Lincoln

County, Senator Denny, and I am inclined to agree with him 100 percent. I think we should have that other bill back here before we proceed with any legislation. I think we should decide here and now whether we want that bill, and for that purpose I ask the Senate to lay this amendment upon the table until later in the day when we will have legislative document 1245 returned to us.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that Senate Amendment "A" be laid upon the table pending its adoption.

A viva voce vote being doubted, a division of the Senate was had. Fourteen having voted in the affirmative and sixteen opposed, the motion to table did not prevail.

Mr. BOUCHER of Androscoggin: Mr. President, it seems as though the longer we stay here the more confused we become. I don't like any of the bills that have been presented up to this time or that have been debated, but I must differ with the opinion of the two Senators who preceded me, that we cannot present to the people but one issue. I am of the mind that if we are confused the people might enlighten us if we sent several questions to them. I have discussed it and have been told that it would confuse the people. To that I don't agree. I believe when we send the liquor referendum to the people, my recollection is that there are six questions in the referendum and I notice very definitely that the cities and towns answer those questions in a different manner, those local option questions. In the large cities they have the right to sell liquor in every way, shape and manner. Other places restrict the sales and some have only one way of dispensing liquor or malt beverages. Your very next city, Hallowell, has only one way—package store, malt beverage at that.

I believe if we sent Number 1245 and 1255 and possibly one or two more, they would decide, themselves if they want a bonus and how large a bonus and what taxes they want to pay, lottery, horse racing or whatever you have before the legislature at this time.

We are here to represent the peo-

ple and to legislate for them. Apparently we can't agree, or have not agreed in the last three weeks on one measure, and I say to you, to my mind at least, we should let the people decide. The people of the State of Maine are going to pay for this bonus in one way or another, and I say to you if we send back to the people in September a referendum on several questions, I at least, believe the people of Maine, the voters of Maine, are intelligent enough to pick out the way they want the bonus question handled. I believe they will tell you and tell me what they want to do about it. I, for one, don't believe in a sales tax and I don't believe the people of Maine will vote for a sales tax. I don't believe the people of Maine will vote for Legislative Document 1255 because of the good and simple reason that the veterans themselves will have to pay for this bonus, and I again repeat, why try to kid the veterans and kid ourselves by telling them we are going to give them \$100 like the last amendment proposes, and ask them to pay it back in taxes, because the veterans are like you and like me. They go to the theatre, drink liquor and buy cigarettes, and they will have to pay for the bonus. Let's be fair. Let's be fair with the veterans and be fair with the people of the State of Maine. Let's ask them in September several referendum questions, and find out how they want to handle this bonus question.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that the Senate adopt Senate Amendment A to House Amendment A.

Mr. BATCHELDER: Mr. President, I ask when the vote is taken it be taken by the yeas and nays.

The PRESIDENT: The Senator from York, Senator Batchelder, has requested the vote be taken by the yeas and nays. Under the Constitution, a vote shall be recorded by the yeas and nays upon the request of one fifth of the members present. All those in favor of the vote being taken by the yeas and nays will rise and stand until counted.

Obviously more than one-fifth of the members having risen, the yeas and nays were ordered.

The PRESIDENT: The question before the Senate is on the motion

of the Senator from Kennebec, Senator Cross, that the Senate adopt Senate Amendment A to House Amendment A. A vote of Yes is in favor of the adoption of Senate Amendment A. A vote of No is against the adoption of Senate Amendment A to House Amendment A. The Secretary will call the roll.

The Secretary called the roll.

YEA: Senators Cross, Dorr, Dow, Hopkins, Leavitt, Noyes, Sterling, Willey—8.

NAY: Senators Batchelder, Bishop, Boucher, Brown, Cleaves, Clements, Clough, Currier, Denny, Dunbar, Good, Gould, Hall, Howes, McKusick, Morrill, Owen, Savage, Sayward, Smith, Spear, Townsend, Washburn, Welch—24.

The PRESIDENT: Eight having voted in the affirmative and twenty-four in the negative, the motion is not carried. The question before the Senate is on the adoption of House Amendment "A".

Mr. BATCHELDER: Mr. President, I move the adoption of House Amendment A, and I ask when the vote is taken it be taken by the Yeas and Nays.

Mr. BISHOP of Sagadahoc: Mr. President, may I inquire if Legislative Document 1245 has been returned to the Senate?

The PRESIDENT: The Chair is uninformed whether the order has been acted upon in the House or not.

Mr. BISHOP: Mr. President, I still think we are trying to work on two bills.

The PRESIDENT: The Chair will state that Legislative Document 1245 is now in the possession of the Senate. The question before the Senate is on the motion of the Senator from York, Senator Batchelder that the Senate adopt House Amendment A. That Senator has asked that the vote be taken by the yeas and nays. Under the Constitution a vote shall be recorded by the yeas and nays upon request of one fifth of the members present. All in favor of the vote being taken by the yeas and nays will rise and stand until counted.

Obviously more than one fifth of the members having risen, the yeas and nays were ordered.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Batchelder, that the Senate adopt

House Amendment A. A vote of Yes is in favor of adoption of House Amendment A. A vote of No is against adoption of House Amendment A. The Secretary will call the roll.

The Secretary called the roll.

YEA: Senators Batchelder, Brown, Cleaves, Clements, Dorr, Dow, Dunbar, Hall, Hopkins, Howes, McKusick, Noyes, Owen, Savage, Sayward Smith, Sterling, Townsend, Washburn, Welch—20.

NAY: Senators Bishop, Boucher, Clough, Cross, Currier, Denny, Good, Gould, Leavitt, Morrill, Spear, Willey—12

The PRESIDENT: Twenty having voted in the affirmative and twelve in the negative, the motion to adopt House Amendment A is carried.

Thereupon, under suspension of the rules, the bill was given its second reading and passed to be engrossed as amended by House Amendment A, in concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table, Report 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 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) tabled by the Senator earlier in today's session pending consideration; and on further motion by the same Senator, the resolve was substituted for the report of the committee in concurrence, and given its first reading.

House Amendment A was read and adopted in concurrence; and under suspension of the rules the resolve was given its second reading and passed to be engrossed as amended by House Amendment A, in concurrence.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

Mr. DUNBAR of Washington: Mr. President, I hope this is in order. It is the first time I have asked for a recess. I move we recess until one

o'clock Standard Time, two o'clock Daylight Saving Time

The motion to recess prevailed.

After Recess

The Senate was called to order by the President.

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

Communication

STATE OF MAINE
House of Representatives
Augusta
Office of Clerk

July 25, 1946

Honorable Chester T. Winslow,
Secretary of the Senate of the
Ninety-second Legislature.
Sir:

In accordance with Joint Rule 8, notice is hereby given that in the House today the following Resolve:

"Resolve Proposing 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. 1529) (L. D. 1244)

failed of final passage.

Respectfully

HARVEY R. PEASE

Clerk of the House

Which communication was read and ordered placed on file.

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

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Resolve:

"Resolve, Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus to Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for the Payment of Such Bonds by Additional Cigarette and Liquor Taxes and Miscellaneous Taxes." (H. P. 1510) (L. D. 1224)

Comes from the House, passage to be engrossed, reconsidered, adoption of House Amendment "A" reconsidered; House Amendment "A" to House Amendment "A" adopted, and the bill as amended by House Amendment "A" adopted, and the bill as amended by House Amendment "A" with House Amendment

"A", thereto, passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Brown of Aroostook, the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed and further voted to reconsider its action whereby House Amendment A was adopted.

The Secretary read House Amendment A to House Amendment A.

The PRESIDENT: Is it now the pleasure of the Senate to adopt House Amendment A to House Amendment A in concurrence?

Mr. BISHOP of Sagadahoc: Mr. President, I believe the intent of this amendment is to clarify it so that the voters next fall will have a true picture of what they are voting upon. I am afraid the amendment does not present a true picture. They have left out, intentionally or otherwise, the amount of the bond which they are authorizing and it seems to me those figures should be present. And because of that I am having an amendment prepared which should be here in just a few moments. May I inquire, Mr. President, when would be a proper time to present it?

The PRESIDENT: The Chair will state that the question now before the Senate is on the adoption of House Amendment A to House Amendment A and the motion to present another amendment is not in order at this time.

Mr. BISHOP: With your permission, Mr. President, I would like to read the contents of the amendment that I have had prepared. Then we may act accordingly as we see fit.

The Senator from Sagadahoc, Senator Bishop, read the amendment:

"Shall the Constitution be amended as proposed by a resolve of the legislature providing for the issuing of state bonds not exceeding the amount of sixteen million dollars for the purpose of paying a bonus of \$150 to Maine veterans of World War II and for the payment of other veterans' benefits and to provide for the payment of such bonds by additional cigarette and liquor taxes and miscellaneous taxes?"

Mr. BISHOP: I simply present that, Mr. President, but I will not offer it at this time. I think it has merit and if we are going to en-

lighten the people, we should give them a true picture.

The PRESIDENT: The question before the Senate is on the adoption of House Amendment A to House Amendment A.

A viva voce vote being had House Amendment A to House Amendment A was adopted in concurrence.

Thereupon, House Amendment A as amended by House Amendment A thereto was adopted in concurrence, and the resolve as so amended was passed to be engrossed in concurrence.

On motion by Mr. Brown of Aroostook

Recessed until this afternoon at six o'clock Eastern Standard Time.

After Recess

The Senate was called to order by the President.

Passed to be Enacted

Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by Additional Cigarette and Liquor Taxes and Miscellaneous Taxes." (H. P. 1508) (L. D. 1222)

Mr. MORRILL of Cumberland: Mr. President, I move that when the vote is taken, it be taken by the Yeas and Nays.

A division of the Senate was had The Yeas and Nays were ordered.

The PRESIDENT: The question before the Senate is on the passage of this bill to be enacted. The Secretary will call the roll.

Mr. BISHOP of Sagadahoc: Mr. President—

The PRESIDENT: For what purpose does the Senator rise?

Mr. BISHOP: To speak on the measure, Mr. President.

Mr. President and members of the Senate, I have made a tremendous effort to study some of the features of this bill. I do not want to be a "lone wolf" nor do I wish to be obstinate. We have turned down or apparently rejected the other sales tax because it was not sound and now we propose another tax which is more unsound. The

cigarette tax, it seems to me, is another method to tax the veteran to pay for his own bonus. Cigarettes are not a luxury. Cigarettes are a necessity. In battle the soldier depended more on his cigarette than he did upon his dried lunch of K ration. A cigarette is the poor man's smoke. We would tax the veteran and the poor man for his smoke while the Senator from Penobscot, Senator Howes, chews his tobacco without a tax, while you and I smoke our untaxable cigar. I think we are just a wee bit selfish to impose a tax on cigarettes.

Then the amusement tax. Here again would be a tax on the veteran for his leisure hours and for his amusement. I understand that over 60% of the people who attend theatres and who attend the amusement places are people under thirty years of age and the majority of those are veterans. So there again we would tax the veteran.

Now I cannot fight against a tax on liquor nor can I fight for a tax on liquor because I couldn't pay my share. I do not use the bitter weed.

Cosmetics and extracts and baby powders and oils are essential. They are a necessity. What veteran would care to go out with a young lady who didn't look pretty, who didn't smell nice? Any selective or spotty tax is unsound. Any tax that doesn't affect every citizen in proportion to his ability to pay is not a just tax. So we have a stop-gap tax such as the one proposed here and this will only postpone the day when we must revamp and revise our whole tax structure. And that is a job for the Committee on Taxation.

The cash bonus at this time is not necessary. There is a day coming however, when it may be. Day by day I am receiving more and more requests to vote against any cash bonus plan, especially if it carries a sales tax with it.

Yes, the hour is late. My hay stands dead and dying in the meadow. But now I have ceased to be in a hurry. I once heard a former state Senator, Gratz Jackson, say—and I quote: "When the members of the legislature get impatient to adjourn they would vote to hang their grandmothers."

Now are we going to vote, not to hang our grandmothers, but vote to hang our grandchildren? I hope that this bill does not receive passage.

Mr. CURRIER of Androscoggin: Mr. President, this bill, and in spite of all the amendments, is that eight legged monstrosity that might be called a horse, that for three weeks has been whipped and whipped, and last night was whipped so he couldn't stand on his feet. So the grooms and the swipes get to work, possibly with the needle.

I think that Document 1255 after this session is over should possibly have the saliva test and see if this is the winner. Now, what have we here? To whom are the taxes being thrown? Who is going to pay for the bonus? If you have a fair miscellaneous tax — you have got the admission tax and the GI and his girl friend, the GI and his wife, after he has been away three or four years is going to take his wife to the movies. So he is going to pay.

On the luggage tax—well, maybe he will get a job as a salesman. And then he is going to need a sample case. O. K. It is a luxury. Then we get down to jewelry. Now get this. Here is something that is insidious, the tax on jewelry: "There is hereby imposed upon the following articles sold at retail, a tax equivalent to 5% of the price for which it is sold exclusive of federal taxes." If I am ever so fortunate as to have a girl friend and I am still fortunate as to have the price of a piece of jewelry, it is going to be good. But there are a lot of little people, little mill workers, who are going into the low priced shop and they are going to pick out a little piece of jewelry. Maybe it doesn't cost more than ten cents but five percent of ten cents—well, that doesn't work out. Supposing five cents — well that doesn't work out either. That affects those little people again, those little people who are paying for this expensive special session that has been going on here for two or three weeks longer than it should and that is probably costing this State five or six or seven thousand dollars a day. That would pay a lot of bonuses and do a lot of good among the veterans.

Then we get down here to pearls, precious and semi precious stones and imitations thereof. I cannot buy, you cannot buy—well, you cannot buy anything I think without a tax so far as that goes. Then we come to furs. Twenty years ago

furs were a luxury. You tell any woman today that a fur is a luxury and she will blow her top and call you a liar.

Here is what I mean: Right now the GI veterans, 90 thousand heroes of Maine, are going to pay for their bonus. Furthermore, here is where the big pay-off is going to be. The women of the State of Maine are the ones who are hit with this bill, the ladies of Maine. This is aimed directly at the ladies of Maine, the ladies of Maine, the ninety thousand heroes of Maine somewhere in the service. They made sacrifice enough. They have paid their price. They deserve a little courtesy. They deserve everything that we can give them. This bill is aimed directly at the ladies of Maine, but the ladies of Maine are big enough that they can take it and they will gladly pay the price of the bonus, they will gladly sacrifice as they have sacrificed during the war years. And the GI of Maine will sacrifice as they gladly sacrificed during the war years, for the bonus.

A bonus at this time is unnecessary. I grant you that. But there are cases tonight in the State of Maine where a bonus—and I don't mean this insult of \$150, I mean a fair, good substantial bonus is necessary—where people who are wives or veterans tonight cannot go to a hospital for a needed operation—and I can back that up with an instance—because they haven't got the money. And the State of Maine is too penny ante to give them that break.

So that is what this bill is. It is a vicious, rotten bill, conceived behind closed doors and executed behind closed doors. That is what the State of Maine is giving to the veterans. So the word goes around: "Take it and like it or we will go home; take it and like it, GI, take it and like it, ladies of Maine." So they will take it and they will like it—they won't like it but they will take it—and they will laugh at you and they will wait for a day, and some day that day will come. If this 92nd Legislature, this special session, jams this down the throat of the GI's of Maine and the ladies of Maine who went through mental and physical torture during the long war years, that is your responsibility. That means the difference between the GI's getting \$150 or something that would at

least give them a little let down, a little time to enjoy themselves, a little vacation. Yes, they will take it.

I have consistently fought for a bonus as no other man in Maine has fought for a bonus since the 28th day of last January. I can be a good loser and I can be a gracious loser, and tonight it means that this special session is going to give \$150 or nothing. I am a gracious loser and I will go along with the \$150. Thank you.

Mr. DUNBAR of Washington: Mr. President and members of the Senate, I assure you that at this late hour I shall be brief. I did not intend to speak upon any tax measure but I feel I should say just a word.

I am convinced from the opposition to this tax measure as well as all tax measures that have been presented that the opposition is because you are not against the tax measure as much as you are against giving a bonus to the soldiers of Maine, the soldiers of Maine who made it possible for you and me to sit in this Senate this evening. Think it over. When I hear some of the Senators say that the soldiers in their County do not want a bonus, that ninety percent of them are against it, and that some of the Senators have taken straw votes—we have recently heard of two men on a railroad train, mellowed with liquor to such an extent that they didn't want a bonus. Why, in the condition that those men were at that time, I have no doubt they would both have been willing to give the state a bonus. But if he had required of those same two men the next morning, he would probably have found that they wanted a bonus and that they would have been willing to pay all of the tax upon liquor in order to get it.

I say to you that from the straw votes I have received in my County, I am satisfied that the soldiers of that County want a bonus. I want Senator Denny and Senator Savage and Senator Cleaves to bear witness, and if I make a statement here that is false I want them to correct me. They met in my town of Machias when they traveled about the state in their research work. I believe they will tell you they had an afternoon meeting. I attended the meeting. It was a very well attended meeting, for that time of year, by the soldiers of that locality and of other surrounding towns in the

County. And every single soldier at that meeting requested of the Research Committee a soldiers' bonus and when asked as to what they would advocate for a tax they said, "We don't know, we want the bonus, it is up to you to find the way to pay the bonus."

I have felt, as I have sat here and listened in regard to the tax, that you didn't want to tax this because this was going to hit the soldiers, you didn't want to tax that because that was going to hit the soldiers, and you didn't want to tax something else because something else was going to hit the soldiers. And I couldn't help from thinking what this Senate needed was not Senators but a magician, because you cannot pass any tax measure but what you are going to hit somebody.

I made my stand clear at the very outset of the debate upon the bonus and I did it briefly. I stated that I was for a bonus, for a cash bonus, and I stated that I was for a general sales tax because I believe that was the fairer tax because it hits everybody. Everybody participated. But I came to the conclusion that the Senate did not want a sales tax. Then this new draft was made and I am still for the bonus and I shall vote for the bonus if I have to stand here alone, and I know that I won't have to do that.

I could make certain personal allusions but I won't make them. We have done something for the soldiers. I don't think many of you know what you have done for them. This legislature did it in general session. Yes, we have given them a free hunting and fishing license for two years amounting to \$4.30 and when that measure came into the Senate I tabled it and I was going to make a speech against it because I thought it was an awful sop to give to the returning soldiers, that is you were going to give them anything, give them a license for ten years. But my friends asked me to let it go along and I did. And I was assured that at the proper time something much bigger than that would be given to the soldiers. But up to now this legislature, in its generosity, is giving them the equivalent of \$4.30.

In closing I want to give you a little poem that I remember having read after the end of the last World War. It speaks volumes. It is brief. And with that poem I shall cease speaking:

"They give us all they never had

Wives, children, comrades myriad
 And all we've got we can never
 give
 To make those unborn pleasures
 live."

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I think that my stand regarding the bonus has been made very plain. If this bill were a bonus I would change my position and vote for it. To my viewpoint this bill is not a bonus bill for the veterans, but a bonus bill so well referred to by the Senator who preceded me, for the state. \$150 is the munificent sum proposed in this bill for our veterans. During my supper hour I made a few figures. I am not going to appeal to your sentiment; I am going to talk to you of cold business facts. I will talk of the single veteran at this time, the man who has nobody to take care of but himself. I think it is agreed that the average cigarette smoker will smoke about one pack of cigarettes a day. At two cents tax per pack, every day, that means \$7.50 a year which for ten years, according to this bill, is \$75. There is half of your bonus collected directly back from your G. I.

I imagine that a good percentage of G. I.'s have taken liquor, will keep on taking liquor, and as far as I can find out the average liquor drinker will buy one Fifth a week. On the figures that I have, at five percent for ten years that means another \$75. And there goes your \$150 bonus. Then you have your admission tax in here. For the sake of the argument let's say that your veteran will spend a dollar a week to go to shows or other places of amusement where admission is charged. That is two cents a week which is a dollar a year, and that is ten dollars more. Now, if you figure all the rest of the taxes I say to you that you are not offering to give the veteran a bonus, you are asking him in this bill to give a bonus to the state of Maine. And if you take the married soldiers with a family and multiply that by the number of his family, which might be three or four, or ten in some cases, you will arrive at a sum, in certain families, close to a thousand dollars that the G. I. will be paying to the state for the privilege of receiving this \$150 dollars as a bonus from the state of Maine.

Members of the Senate, I cannot vote for such a measure because my logic tells me that it is unfair and

a very deceiving way of trying to tell that we appreciate what they have done for us during the last world war.

The PRESIDENT: The question before the Senate is on the passage of this bill to be enacted.

Mr. CURRIER of Androscoggin: Mr. President, here are the names of the heroes of Maine that "the man" has referred to as the "unserious minded", and they want the bonus. I, the lone political wolf of the State—and I resent any infringement on that title because I have earned it through blood, sweat and tears. I have been sold down the river. You know it. Senators, you know better than I do that there is not a day goes past that I don't get some new angle that bears it out.

Here are the boys who put their faith in Lee Currier, the gray, fighting, snarling lone wolf can go back to the boys and say, "That's all there was. There wasn't any more, because you cannot buck the administration." There is no man in the State of Maine that hates the administration any more than I do. "Boys, you cannot buck him. Take a little. Take a little. It is their shame, but take it. You are bigger than they. You are bigger than a certain man and you are bigger than every member of this legislature that gives you \$150. Take it and come back."

Therefore, Senators, I hate to say this, but I can lose. I have had three great losses this year. This is the third. I am letting the boys down. They are going to say plenty to me. From now on I am going to live my life. I tried and fought and I did everything I possibly could. When I am beaten, I am beaten. I will admit it. I have been beaten many times. I have had people try to beat me so many times in certain wards in Lewiston I can take beatings and never expect to win. But boys, I have tried. I hope this will come to a vote soon, and let the old political wolf go into oblivion. I tried, boys.

Mr. GOOD of Aroostook: Mr. President, I didn't intend to speak on this bill again but I feel it my duty to state my position. I am much surprised at some of the things that have already been circulated around the corridors of the State House about being bewildered. I don't think this legislature is bewildered. I don't think that the people don't know what they are doing. I think this Senate has

showed as much statesmanship in this special session as they ever showed. They have not been afraid. They stood on their own feet. They have not been persuaded, but have thought for themselves. I don't think it is fair to say they are bewildered. They are not bewildered.

We were called here by the Governor of the State of Maine to consider legislation for the veterans' interest. I think it is as much in the veterans' interest to protect them from indebtedness that they will have to bear for 20 years as it is to come down and enact some law to give them on one hand \$150, and with the other hand take it back in taxation.

There have never been any evidence in this State House, any concrete evidence to show these boys have ever come here and said "We are demanding a bonus." The Research Committee made a tour over the State of Maine. They were in Houlton and I was there the night they were there and had a meeting. They had a good representation there and the chairman of the committee was very fair with them. He asked them if they wanted a bonus and asked how they wanted it paid for. They answered the same as all the boys would, the same as you or I would. They said, "Sure, we want a bonus. Give it to us." When asked how it would be paid for, they said, "We don't know." Some said, "We don't want a bonus if we have to pay for it."

Now, in the second place, they are not in need of it at this time. If we give them a bonus today and they become in need in ten years time, I have confidence enough in the people of the State of Maine to come here and give them a bonus, another one if they need it.

Third, there are plenty of jobs so any of the boys can go out in three weeks—I will say four weeks to be more liberal—in four weeks time these boys can earn more than the bonus we are offering them at the present time without loading upon them a cigarette tax. Most of them smoke cigarettes and most of them consume a little liquor. Most of them go to shows. The young people are the ones who do that. The young people are the ones who buy baby powder and baby oil. It won't be us fellows by any means. All these things will cost the boys a lot, and the boys

have got to pay for them. We come in and say we will put another cigarette tax on them. If I figured it right with the tabulation I have made, it will cost the boys in ten years time \$104 for the cigarette tax, and if they have wives, and they generally have one, and generally they smoke as much as the boys. That would be another \$104. In ten years time that would be \$208. We say we want to help the boys and give them something.

I am converted to a general sales tax when the sales tax is to relieve the mill tax or property tax and take some off the boys' heads, but to place a sales tax or some other tax on top of the ones we have on those boys and girls coming up who will be the people, who will pay the bills, I am opposed to it. I naturally think my program is right. I said if we would come and pass a school program, if we would take care of the vocational training, and so forth and so on with \$4,700,000—all we can possibly use—set aside an accumulating fund, a revolving fund, and abate taxes for the boys for five years up to a thousand dollars or two thousand dollars—it would be taxing taxes off instead of putting them on. If we could abate taxes for five years it would give them more than what they can earn if they reach the thousand dollar valuation, more than what we can give them. Then you add it on top of the taxes you are going to make them pay, and there is probably \$300. I think this legislation is sound and sane. I think they are going to vote and they are going to vote right.

We have heard it again that we have no right to bond the State and put on more debt. Now, here tonight we hear that we should bond the State \$16,000,000 when no one is asking us to. We say, "Let's bond the State because someone made a political gesture and they capitalized on it and spread over the country and State of Maine that someone wanted a bonus and someone said that we want to pay a bonus." I am for a bonus and we cannot give them consideration enough.

There is one boy never mentioned and that is the boy who has been incapacitated, and we hope the federal government will take care of him. I am telling you, my good Senators, we cannot pay the boys

in dollars and cents. I say if we were to give them a thousand dollars it would be only a token of our appreciation, but I am not in favor of putting a greater load on them, and therefore, I am going to vote against this bill, and I am not going to be afraid to go home and tell the boys how I voted. I never saw a boy yet who had any idea where the money was coming from. Many of them have said, "We don't want a bonus now. Build up a fund so we can have it when we need it."

My good friend, the Senator from Washington, Senator Dunbar — I don't know whether he referred to me, but I do want to make my position clear. I was riding on the train and seated across from me were three boys. Two were sitting at a table on one side and the other boy was opposite them. I was talking with a man I was eating with and I slid across the aisle. The boy I sat beside was from Massachusetts and the other two were from Sherman. I said, "I take it you are veterans." One of them said, "Yes. I take it you are a legislator." I said, "I want to get your reaction to the bonus. We are there trying to settle the problem. I want to know what you boys think about it." The boys from Sherman—I don't think they had been drinking but the other had had liquor—they said, "Yes, we are in favor of a bonus if you don't put a tax on us. If you have the money to give away we will take it, but if you are going to tax us, we don't want it. Build up a fund so if we ever need it the State will have it on hand to help us whenever the time comes that we need it." I believe we can do something constructive. I believe it will be constructive if we go out of here and not levy another heavy tax upon the veterans of the State of Maine.

Mr. HOWES of Penobscot: Mr. President, I am not going to speak on this at any length. I didn't intend to speak at all. I don't want to give the impression, sitting in these seats, we are passing an emergency measure. I don't agree with all there is in this bill. When they took \$50 away from the boys this afternoon I had hard work to sit still. I wanted \$100 and \$200, but it is all right. They will vote on it in September. If they don't want it they certainly have not got to

take it. I am voting for it. I think we have helped the boys as much as we possibly can. Maine is a poor State and we have not the taxable property to give a large bonus. \$150 will certainly pay for the taxes on cigarettes for some time, when it comes to that. If nobody wants this bill—in September if you don't want it and the ladies don't want it and nobody wants it, you haven't got to have it. Turn it down. The legislature can come back and perhaps get a better idea of what they want and a better idea of what the people want. I think the committee has done the very best it can in the closing hours of this session.

Mr. BATCHELDER of York: Mr. President, I have listened with quite a lot of interest to the remarks made by the various Senators. I might say we are taking into consideration that this bill is only a bonus measure. I believe there are many other features which this bill provides along educational lines and also the core of the disabled veterans. Now, some of us have come here and said, "We don't want this bill. We would like to help the disabled veterans." I say to you if we are not willing to do anything under this particular act, we are doing nothing more than saying we don't care to do anything for our disabled veterans.

I might say if you will refer to Title VIII, under Section IV it says, "Such sum as may be necessary to carry out the provisions of sections 199 to 306-A inclusive, of chapter 22 of the revised statutes of 1944, relating to support of dependents of veterans of World War I and World War II. I think under that particular section at the present time we are paying benefits to the extent of \$850,000 a year for care of our disabled veterans, which sum as years go along is going to increase to such a sum that we can't possibly know what we may be paying for the aid of the disabled veterans.

Now, there are some veterans, possibly, who don't want a bonus. I agree there are some, but I say that the largest majority of the veterans that possibly can be aided under the vocational training part of the bill, and also a small proportion can be taken care of under the educational program. There are some who may be deprived from enjoying that part of the bill. Because of their training in life they are not able to take advantage of that pro-

vision in this particular bill. I don't think we need to kid ourselves that we are not going to be helping the disabled veteran without doing something for them. I think every veteran of World War I and World War II recognizes that fact. I believe the various organizations representing veterans are willing to be taxed to pay these benefits.

Now, we are willing to help a lot of these boys. What are we doing? We say we are willing to pass out something but not willing to accept taxes. We demonstrated it by action on the sales tax. I think it was the means of some of us giving a little so the boys might have something.

I might say I hope this bill will have passage in its present form

Mr. CROSS of Kennebec: Mr. President and Members of the Senate, I have no desire to speak on this bill tonight. I don't think it should be necessary. The issues have been discussed thoroughly and the only thing that brings me to my feet is the request of a disabled veteran, and I want you to know this is a fact. He told me this last night when I discussed with him the different angles of the bonus. He said "There is one favor you can do for me. If anyone stands up on the floor of the Senate and tells you gentlemen that there is any necessity, any crying need, any use whatsoever that a disabled veteran would make of a bonus, don't let him kid you." He told me the only thing the government could not do was make him whole again, but aside from that they were doing everything in their power, everything from every angle, and the amount of the bonus which we were offering, or considering offering, would be but a drop in the bucket compared to what he was receiving from the federal government.

I think we should consider that and not allow ourselves to be stampeded on that angle.

I call attention to one sentence in Title I of the bill, Section I, "In order to promote the spirit of patriotism and loyalty" veterans are entitled to \$150. Now Senators, if you feel that the spirit of patriotism and loyalty of the veterans of this State will be more by paying them \$150, you should vote for this bill.

The PRESIDENT: The question before the Senate is on the passage of the bill to be enacted. The Yeas

and Nays have been ordered. A vote of Yes is in favor of the passage of the bill and a vote of No is against passage of the bill to be enacted. The Secretary will call the roll.

The Secretary called the roll:

YEA: Senators Batchelder, Brown, Cleaves, Clements, Currier, Dorr, Dow, Dunbar, Hall, Hopkins, Howes, McKusick, Noyes, Owen, Savage, Sayward, Smith, Sterling, Townsend, Washburn, Welch—21.

NAY: Senators Bishop, Boucher, Clough, Cross, Denny, Good, Leavitt, Morrill, Spear, Willey—10.

ABSENT: Senator Gould—1.

The PRESIDENT: Twenty-one having voted in the affirmative and ten in the negative, the bill is passed to be enacted.

From the House:

"Resolve, Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus to Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for the Payment of Such Bonds by Additional Cigarette and Liquor Taxes and Miscellaneous Taxes." (H. P. 1510) (L. D. 1224)

Comes from the House, having been finally passed.

In the Senate:

Mr. SPEAR of Cumberland: Mr. President, I move that when the vote is taken, it be taken by the Yeas and Nays.

The PRESIDENT: The Senator from Cumberland, Senator Spear has requested that when the vote is taken, it be taken by the Yeas and Nays. To order the Yeas and Nays requires the affirmative vote of one-fifth the members present. Is the Senate ready for the question?

A division of the Senate was had.

Obviously more than one-fifth of the members having risen, the Yeas and Nays were ordered.

Mr. CURRIER of Androscoggin: Mr. President, I rise to a point of order

The PRESIDENT: The Senator may state his point of order.

Mr. CURRIER: Mr. President, would it be possible at this time, before this measure is voted on, to have the amount of the bond issue definitely set in before it goes to

the tax payers in September on a referendum.

The PRESIDENT: The Chair can only reply that the Senator has not raised a point of order.

Mr. CURRIER: Will the Chair help me along, Mr. President? I want to know, is there any method at this time that we can use to put the figures sixteen millions dollars for a \$150 bonus into the referendum.

The PRESIDENT: The Chair will reply that by provision of the joint rules, amendments are not in order after bills have been finally passed to be engrossed in both houses. Therefore, amendments are not in order at this time.

Mr. CROSS of Kennebec: Mr. President and Members of the Senate, it is too bad to inflict myself upon you further but I do feel there are some facts which have been ignored perhaps on this bond issue which should be brought out before we vote upon it. I do not expect to change a single vote by this debate but I would like to point out to you a little of the background of the financial picture of the State of Maine.

We have at the present moment somewhere in the vicinity of \$20,000,000 in bonded debt. We are proposing herein this legislature to add another \$16,000,000 to that public debt. In the last session of the legislature not too many of you were concerned with highway matters but some of the Senators here do know that the State of Maine was unable to match a three year program of federal funds offered by the federal government for road construction. They were able to match only half of that. Facing us in January will be the task of financing \$6,000,000 in matching funds for federal aid. If we fail to produce that money by the end of the fiscal year, that money we are obligated to match to the satisfaction of the federal government, we will lose \$6,000,000 in federal aid funds. This money will be from the pockets of the taxpayers of the State of Maine. We have already paid this in federal taxes. We will pay to get it back, in part only, but in order to do this we must pledge the credit of the State of Maine in some form or fashion to produce \$6,000,000.

At the last regular session the Governor of this State in his mes-

sage to you stated that he was unalterably opposed to any addition in our bonded debt. He said that we were already high up on the lists of states in per capita bonded debt. He pointed to our large area and comparatively small tax-paying population and rightfully said he was against any added bonded debt burden upon the taxpayers of Maine. He was instrumental in opposing any further rise in the bonded debt for highway purposes, and we scraped the bottom of the till of the highway surplus you have heard so much about, to match the \$6,000,000 last January. So there is absolutely no more highway surplus to match federal funds as of next year. We were down below \$1,000,000 in the highway surplus and it is a dangerously low point for the operation of the State in a proper manner.

What will our position be next January, only a few months away, when we meet this deficit? We cannot tax within so short a period to make up this surplus. We cannot possibly meet this \$6,000,000 without issuing or reissuing of new bonds. There will be available bonds we could reissue at that time if we wished to put another \$6,000,000 on top of this we have at the present time. It is a serious situation. Your committee attempted to show at the time they wished the sales tax, that this situation would face us. They told the truth. The picture is very bleak in regard to highway matters and the people of Maine are vitally interested in their highways, and they should be. We are too large a State to ignore that feature. There are in the highway set-up increased revenues, but expenditures are climbing faster than the increases in revenue and we are now facing a quarter of a million dollar overdraft in January, or we will be faced with it, rather, at the end of the fiscal year, in sanding and snow removal. We appropriated \$1,300,000, the highest figure the State has ever known, and it was exceeded by a quarter of a million dollars. Maintenance figures this fiscal year is the highest level ever known, over \$4,000,000. We will be faced with an indicated deficit in that department with another \$200,000 or \$300,000. In other words, just where will we go to get the money? Will the State stand a bonded debt of fifty, sixty or

seventy-five million dollars as the years roll by with the population we have? I don't think so.

I have tried to make this picture clear. It is not an encouraging one but, Senators, that is the basis of my stand today. I cannot see where we can financially obligate ourselves \$16,000,000 for a purpose with which we are rather doubtful of the practicability. Think seriously of this situation before you vote.

Mr. CURRIER of Androscoggin: Mr. President, the Senator from Kennebec, Senator Cross, is getting down pretty close now to something that is important. Before I vote to nearly double the bonded indebtedness of the State of Maine, I'd like to know why the figures I requested a while ago have never been available to me. Why? June 30, 1944 there was a surplus of \$35,000,000. What are your figures on you State's account as of today? As near as I can find out it is between eight and nine million; so between June 30, 1944 and today, or rather the date of the last surplus figures that were available, there has been transferred, expended or possibly—this is an imaginary thought, of course, because no such thing could ever happen—the bottom of the till has been scraped. I'd like to know where the money has gone. I'd like to know why the financial affairs of the State of Maine have been kept in such a fashion by inefficient bookkeeping, poor auditing, that between the dates of June 30, 1944 and the date of the last surplus figure there has disappeared or been transferred that amount of money that would have paid at least the "ten and five" of the State of Maine. As I said before, until the administration can show me just what bookkeeping methods were performed during that period I am not going to vote to double the State's bonded indebtedness and I certainly hope someone will vote for a recess or adjournment until those figures are made clear.

Mr. LEAVITT of Cumberland: Mr. President, this is a very fateful night for the State of Maine. We are here to consider an issue which will double the indebtedness of the State of Maine. \$16,000,000 is involved in the next vote we are going to take. At supper time one of our Senators who was having dinner at the Augusta House told me he was going to be here this evening and was going to vote on this sub-

ject. One vote in this Senate tonight means a great deal. At the beginning of the third speech here tonight he left his seat. I have sent three people trying to find him. I don't know what has happened to him but I believe that this Senate should not at this time consider a matter as serious as this when we the vote of this whole thing may hinge on one vote. I ask for a recess until he returns or we can find where he has gone.

The PRESIDENT: The Chair will rule that a definite motion will have to be made. This one is rather indefinite.

Mr. LEAVITT: Mr. President, I move we recess for half an hour.

A viva voce vote being had, the motion to recess did not prevail.

Mr. LEAVITT: Mr. President, I wish to thank my brother Senators for their courtesy.

The PRESIDENT: The question before the Senate is on the final passage of this resolve. The Senator from Cumberland, Senator Spear requests the vote be taken by the Yeas and Nays. To order the Yeas and Nays, an affirmative vote of one fifth of the members of the Senate is required. All those in favor of the vote being taken by the Yeas and Nays will rise and stand until counted.

A sufficient number having risen, the Yeas and Nays were ordered.

The PRESIDENT: The question before the Senate is on the final passage of this resolve. This being a resolve proposing a change in the Constitution, it requires the affirmative vote of two thirds of the members present and voting. A vote of Yes is in favor of passage of the resolve and a vote of No is against passage of the resolve. The Secretary will call the roll.

The Secretary called the roll.

YEA: Senators Batchelder, Brown, Cleaves, Clements, Door, Dow, Dunbar, Hall, Hopkins, Howes, McKusick, Noyes, Owen, Savage, Sayward, Smith, Sterling, Townsend, Washburn, Welch—20.

NAY: Senators Bishop, Boucher, Clough, Cross, Carrier, Denny, Good Leavitt, Morrill, Spear, Willey—11.

ABSENT: Senator Gould—1.

The PRESIDENT: Twenty having voted in the affirmative and eleven in the negative, twenty being less than two thirds of those present and voting, the resolve fails of passage.

On motion by Mr. Currier of Androscoggin, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on Military Affairs and Appropriations and Financial Affairs on Bill, An Act to Provide for a Sliding Scale Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Races (S. P. 468) (L. D. 1213) tabled by that Senator on July 19th pending acceptance of the report.

Mr. CURRIER of Androscoggin: Mr. President and Senators, before I make a motion I would like, if I have that privilege, to say a few words in support of this bill.

The PRESIDENT: The Chair will state it is in order to speak on the bill, the pending question being acceptance of the "Ought Not to Pass" report.

Mr. CURRIER: Mr. President, the title of this bill is "An Act to Provide for a Sliding Scale Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Races." This is a "Ten and Five" and it is known by that name throughout the length and breadth of this State. It is the only equitable, it is the only fair bonus bill that has been presented to this legislature. Unfortunately I was on the wrong side of the fence. If it had been presented on the right side it would have been hailed with glory and something to write home about, and it would have been passed.

Now, I am not going into a long dissertation, long drawn out, in telling what the Ten and Five is because there is no one here who doesn't know what the Ten and Five is. Now, here are 17,000 names—and I certainly hope I won't be pushed to reading them into the record, but I have them here with me. Title 2 of the bill is headed "Bonds". I have an amendment prepared where it is not necessary to increase the bonded indebtedness of the State of Maine one cent. In other words, the Ten and Five can be financed, taken over and financed and run by the veterans of World War II. This is not a new method as the precedent has been established by the Maine Turnpike Authority. I have an amendment prepared which would establish a Veterans' Authority, and without involving the State of Maine they

could sell bonds to finance the whole works and the bonded indebtedness of the State of Maine wouldn't be increased. Throw the whole thing in the hands of the veterans. Sign a blank check for them as the legislature signed it for the Turnpike Authority. Give them the same break you gave the road builders and it will pay off. You trusted them through the war years and they didn't let you down. They won't let you down, Senators and they won't let the State of Maine down now. So there is a method of paying it off.

We come to running races. "Here is that man again!" In the State of Maine you have races and you have them operated in a method that is acknowledged throughout the county and in the racing world as being the rottenest conducted races in the country. One of the top-notch drivers has stated to the Associated Press that in order to make a week's pay he has got to conduct crooked races.

Well, this probably is my fourth loss of the evening, so now I am going to make the motion which in all probability will be refused. I am going to make a motion to substitute the bill for the report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Currier, to substitute the bill for the report.

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

Thereupon, the "Ought Not to Pass" report of the Committee was adopted.

Sent down for concurrence.

On motion by Mr. Currier of Androscoggin, the Senate voted to take from the table, Bill, An Act Adjusting the Salaries of All Full-Time State Employees and Appropriating Money Therefor (H. P. 1501) (L. D. 1209) tabled by that Senator on July 23rd pending passage to be enacted.

Mr. CURRIER of Androscoggin: Mr. President, I tabled this matter on July 23rd, 1946, because I felt it was unfair and unjust to those little people. Those little people are always cropping up. I did not feel it was fair to grant a salary increase of \$2.00 a week at the last regular session to those under the \$40 a week limit, and then take

it away from them now. So it means that an employee receiving under \$40 a week instead of getting \$7.20 a week increase will receive \$5.20. I feel that the lower bracket employees should be protected, and if there is this surplus available to grant an increase, that the lower bracket employees of the State of Maine should get the break. However, I realize the difficulty, the improbability of the little people in the State of Maine ever receiving a break. Therefore, I sincerely hope that what small increase they can get will be passed on to them by enactment as speedily as possible. I don't think a motion is necessary.

Mr. BISHOP of Sagadahoc: Mr. President and Members of the Senate, having served on three or four committees that have to do with the State institutions in particular, I have found upon every one of my visits there, that they have a group of very loyal employees. Those people have stayed on year after year when they had a very low salary, but in the past few months there has been a rapid turn-over in labor in those institutions and in other State of Maine employees' jobs. The Commissioner of Health and Welfare, at the hearing stated that normally the labor turnover is four or five percent, but for the last six or eight months it has been over twenty-one percent. That means simply this, that they keep getting in green help, people who are not too competent in their work and who accept these very low salaries because they don't get other jobs. They are not as efficient as are those employees who have been there for years. By this slight increase most of those people, those regular permanent employees, would stay on. That happens all the way up the line from the lowest brackets to the \$3,000 or \$4,000 a year brackets, at least. So I hope this stop-gap which will take care of the situation until sometime in January, will receive favorable consideration. I don't intend to say anything more on that. The departmental heads in particular appeared for this bill, stating that they have several jobs pending and quite a few people who are interested in some of those jobs, but they are not interested unless they are assured of some increase in the present salary. This bill would do it.

The PRESIDENT: The question

before the Senate is on the passage to be enacted of the bill.

Upon motion by Mr. Batchelder of York, the bill was laid upon the table pending passage to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, House Report from the joint Committees on Military Affairs, and Appropriations and Financial Affairs, "Ought Not to Pass" on Bill, An Act Creating a State Lottery Commission. (H. P. 1518) (L. D. 1233) tabled by that Senator on July 22nd pending acceptance of the report in concurrence.

Mr. BOUCHER of Androscoggin: Mr. President and Members of the Senate, at the start of this special session the American Veterans of the second World war, better known as Amvets, requested me to introduce a bill for a \$500 cash bonus. At the time I asked them the same questions that the Research Committee asked of all veterans, that is, how they proposed to pay for such a bonus. Their answer to me was that they did not propose to pay, themselves, for the bonus, because they wanted a cash bonus and not a loan. I thought of ways and means to raise such a large amount of money for the State of Maine. I was satisfied that the State could not pay out of present resources the necessary amount of money to pay such a bonus. I was also satisfied that this legislature would not impose taxes high enough to produce that amount of money, so that there was only one other way it could be raised and that was, to my viewpoint, by a State Lottery. State lotteries have been operated throughout the world. State lotteries are now being operated. I saw a very large advertisement this very week-end in a local newspaper in the city of Lewiston, of some charitable organization in the province of Quebec, asking the citizens of Lewiston if they desired tickets on the lottery.

I realize that there is a lot of opposition to a lottery. I put a proviso in that bill for a referendum on this question. I believe that the citizens of Maine should have an opportunity this September to vote on whether or not they want a State Lottery for one purpose only, for the purpose of paying a \$500 cash bonus to our veterans.

I honestly believe that this is the only way that has been advanced so far in this special session whereby the veterans will not be taxed over and above what they will receive from the State. I grant you that veterans will buy lottery tickets if this law should pass, but they will not be forced to buy lottery tickets. They can buy lottery tickets if they want to. It will not be a tax imposed upon them. It will be a voluntary contribution to that fund.

We have attempted to agree on doing something for the veterans. Apparently at this very late hour nothing will be accomplished. I say to you Members of the Senate, let's not go home without making an attempt to do something for our veterans. Let us give the people of Maine a chance to either approve or disapprove a State lottery in September. Therefore, Mr. President, in order to give them the opportunity of speaking their minds on this question, I move you that we substitute the bill for the report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, to substitute the bill for the "Ought Not to Pass" report of the Committee.

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

Thereupon, the "Ought Not to Pass" report of the committee was adopted in concurrence.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, since apparently you do not wish to give the electorate of Maine the opportunity to vote on this question, I wish to move to take from the table the first tabled and unassigned matter of a cash bonus of \$500 to Maine veterans of World War II, and because I don't know of any other way to pay a bonus, because there is no money available now and I cannot see that there will be any in the near future, I move that the report of the committee, "Ought Not to Pass," be accepted.

The PRESIDENT: The Senator from Androscoggin, Senator Boucher, moves that the Senate take from the table the first tabled and unassigned measure, Senate Report from the joint Committees on Military Affairs, and Appropriations and

Financial Affairs, "Ought Not to Pass," on bill, An Act to Provide for the Payment of a Cash Bonus of \$500 to Maine Veterans in World War II (S. P. 455) (L. D. 1193), tabled by that Senator on July 19, 1946, pending acceptance of the report. Is this the pleasure of the Senate?

The motion to take from the table prevailed.

The PRESIDENT: The Senator from Androscoggin, Senator Boucher, now moves the adoption of the "Ought Not to Pass" report of the committee

The motion prevailed.
Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committees on Military Affairs and Appropriations and Financial Affairs on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$500 to Maine Veterans in World War II (S. P. 456) (L. D. 1194) tabled by that Senator on July 19 pending acceptance of the report; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Currier of Androscoggin, the Senate voted to take from the table House Report "Ought Not to Pass" from the joint committees on Military Affairs and Appropriations and Financial Affairs on bill An Act Relating to Running Horse Races" (H. P. 1519) (L. D. 1235) tabled by that Senator on July 22, 1946 pending acceptance of the report in concurrence; and on further motion by the same Senator, the "Ought Not to Pass" report was accepted in concurrence.

Mr. CURRIER of Androscoggin: Mr. President, may I inquire whether Legislative Document 1224 is in the possession of the Senate?

The PRESIDENT: The Chair will state that Legislative Document 1224 which is the Bond Issue Re-

solve which recently failed of passage is in the possession of the Senate.

Mr. CURRIER: Mr. President, I move that the Senate reconsider its action whereby this resolve failed of passage.

The PRESIDENT: The Senator from Androscoggin, Senator Currier, moves that the Senate reconsider its vote whereby Legislative Document 1224 failed of passage, having failed to receive the affirmative vote of 2/3 of the Senators present and voting.

Mr. SPEAR of Cumberland: Mr. President, I would like to inquire of the Chair if a motion to transmit this forthwith to the House takes precedence over the motion just made to reconsider.

The PRESIDENT: The Chair will rule that a motion to send papers to the House is not in order.

Mr. SPEAR: Mr. President, when the vote is taken, I move that it be taken by a division.

Mr. BOUCHER of Androscoggin: Mr. President, I rise to a point of order.

The PRESIDENT: The Senator may state his point.

Mr. BOUCHER: Mr. President, may a Senator who voted in the negative ask for a reconsideration?

The PRESIDENT: The Chair will rule that it is not a question of whether he voted in the negative; it is a question of whether he voted with the losing side which may have been either the affirmative or the negative.

Mr. MORRILL of Cumberland: Mr. President, I question the ruling of the Chair.

The PRESIDENT: The Chair will state that the Chair has not made any definite ruling on any specific question as yet. The Chair intended merely to answer a question that the Chair understood was asked by the Senator from Androscoggin, Senator Boucher. If some Senator cares to raise the point of order as to the right of the Senator from Androscoggin, Senator Currier, to make the motion, the Chair will then rule on that.

Mr. MORRILL: Mr. President, I raise the point of order.

The PRESIDENT: The Chair understands that the Senator from Cumberland, Senator Morrill, raises the point of order as to the right of the Senator from Androscoggin,

Senator Currier, to move for reconsideration at this time, and the Senator bases his point on the fact that the Senator from Androscoggin, Senator Currier, voted "No" when the vote was taken on the final passage of this resolve. The Senate may be at ease pending the ruling of the Chair.

The PRESIDENT: The Chair in ruling wishes to call to the attention of the Senators Rule 12 of the Senate Rules, because the Chair feels that doubtless the Senator from Cumberland, Senator Morrill, had reference to that rule when he raised his point of order. The Chair wishes to point out that that rule, which reads that no Senator shall be competent to vote any reconsideration unless he voted with the majority, applies only in the case of a reconsideration of a proposed amendment. Now this Body has adopted as its rules, Reed's Rules, where not inconsistent with or covered by special rules. Reed's Rules, on a motion for reconsideration, state as follows: "Only the member who voted with the prevailing party has the right to move for a reconsideration, it being a natural presumption that if no one who was of the prevailing party desires to reconsider his action, an attempt to reconsider would be but a waste of time."

The Chair rules that the Senator from Androscoggin, Senator Currier, voted with the prevailing party and is in order in making the motion to reconsider.

Does the Senator from Cumberland (Senator Morrill) desire to appeal from the ruling of the Chair?

Mr. CURRIER: Mr. President, I move that the Senate reconsider its former action whereby it failed to finally pass Legislative Document 1224.

Miss CLOUGH of Penobscot: Mr. President, I rise to a point of order.

The PRESIDENT: The Senator may state her point of order.

Miss CLOUGH: Mr. President, I would ask if Section II, Article 10 of the Constitution where it states the legislature, whenever 2/3 of both Houses shall deem it necessary, if that section has ever been ruled on as to whether the members shall be the elected members of the Senate when it comes to voting on a Constitutional amendment?

The PRESIDENT: The Chair will reply that of course it is not the province of the Chair to interpret the Constitution, but the Chair is willing to state that the Chair understands that that has been interpreted to mean two-thirds of the members present and voting.

Miss CLOUGH: Mr. President, interpreted by what ruling?

The PRESIDENT: The Chair is sorry but he has not the citation here. If the Senator wishes, the Chair would be glad to get it.

Miss CLOUGH: I would move a recess, Mr. President, until that can be decided.

The motion to recess prevailed.

After Recess

The Senate was called to order by the President.

The PRESIDENT: The Chair will state that the pending question is on the motion of the Senator from Androscoggin, Senator Currier, that the Senate reconsider its vote on the final passage of this resolve. In the interest of understanding, the Chair wishes to say that if the Senate votes to reconsider, then the pending question will be on the final passage of the resolve. The motion to reconsider requires but a majority vote. The final passage of the resolve will require a two-thirds affirmative vote of the members present and voting. Is the Senate ready for the question?

Mr. DUNBAR of Washington: Mr. President, I ask for a division.

A division of the Senate was had.

Twenty-one having voted in the affirmative and eight opposed, the motion to reconsider prevailed.

The PRESIDENT: The pending question now before the Senate is on the final passage of the Resolve, being Legislative Document 1224, this being the Resolve Proposing an Amendment to the Constitution, which under the Constitution requires for its passage the affirmative vote of two-thirds of the members present and voting.

Mr. DUNBAR: Mr. President, when the vote is taken, I ask that it be taken by the Yeas and Nays.

The PRESIDENT: The Senator

from Washington, Senator Dunbar, has requested that the vote be taken by the Yeas and Nays. To order the Yeas and Nays requires the affirmative vote of one-fifth of the members present. Is the Senate ready for the question?

A division of the Senate was had.

Obviously more than one-fifth having risen, the Yeas and Nays were ordered.

YEA: Senators Batchelder, Brown, Cleaves, Clements, Currier, Dorr, Dow, Dunbar, Hall, Hopkins, Howes, McKusick, Noyes, Owen, Savage, Sayward, Smith, Sterling, Townsend, Washburn, Welch—21.

NAY: Senators Bishop, Boucher, Clough, Cross, Denny, Good, Leavitt, Morrill, Spear, Willey—10.

ABSENT: Senator Gould—1.

Twenty-one having voted in the affirmative and ten opposed, twenty-one being more than two-thirds of the members present and voting, the Resolve received final passage.

On motion by Mr. Smith of Knox, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the joint Committees on Military Affairs, and Appropriations and Financial Affairs, on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus to Maine Veterans of World War II Based on Length of Service (S. P. 474) (L. D. 1230) tabled by that Senator on July 19 pending acceptance of the report; and on further motion by the same Senator, the Ought Not to Pass report of the committee was accepted.

Sent down for concurrence.

Emergency Measure

On motion by Mr. Batchelder of York, the Senate voted to take from the table An Act Adjusting the Salaries of All Full Time State Employees and Appropriating Money Therefor (H. P. 1501) (L. D. 1209) tabled by that Senator on July 23 pending passage to be enacted.

Mr. BATCHELDER: Mr. President, I move that the bill be passed to be enacted.

A division of the Senate was had.

This bill being an emergency measure and having received the affirmative vote of 30 members of the Senate, and none opposed, was passed to be enacted.

The PRESIDENT: The Chair will state that Legislative Document 1245, 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, which was recalled from the Office of the Governor by Joint Order, is now in the possession of the Senate.

Thereupon on motion by Mr. Batchelder of York, the Senate voted to reconsider its former action whereby this bill was passed to be enacted; and on further motion by the same Senator, the bill was indefinitely postponed.

Sent down for concurrence.

Emergency Measure

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table bill An Act Relating to the Construction of Dormitories at the University of Maine and Appropriating Money Therefor (L. D. 1246) tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. BROWN of Aroostook: Mr. President, I move that the bill be passed to be enacted.

A division of the Senate was had.

This bill being an emergency measure and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

Final Committee Reports

Mr. Batchelder from the Committee on Public Utilities submitted its Final Report.

The same Senator from the Committee on Legal Affairs, submitted its Final Report.

Mr. Bishop from the Committee on Education submitted its Final Report.

Mr. Batchelder from the Committee on Military Affairs submitted its Final Report.

Mr. Good from the Committee on Welfare submitted its Final Report.

Mr. Dorr from the Committee on Ways and Bridges submitted its Final Report.

Mr. Dow from the Committee on Judiciary submitted its Final Report.

Mr. Owen from the Committee on Appropriations and Financial Affairs submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

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

The Committees on Military Affairs, and Appropriations and Financial Affairs, jointly, on Bill "An Act Establishing a State Technical and Vocational Institute," (H. P. 1507) (L. D. 1221) reported that the same ought not to pass as it is covered by other legislation.

The same Committee on "Resolve in Favor of the University of Maine," (H. P. 1492) (L. D. 1199) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and accepted in concurrence.

On motion by Mr. Smith of Knox, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the joint Committees on Military Affairs, and Appropriations and Financial Affairs, on bill, An Act to Provide for the Payment of a Cash Bonus to Maine Veterans in World War II Based on Length of Service (S. P. 473) (L. D. 1231) tabled by that Senator on July 19 pending acceptance of the report; and on further motion by the same Senator, the "Ought to Pass" report of the committee was accepted.

Sent down for concurrence.

Orders

Out of Order

On motion by DOW of Oxford, it was

ORDERED, that a message be sent to the House of Representatives informing that honorable Body that the Senate has transacted all the business before it and is ready to adjourn without day.

The President appointed Mr. Dow to convey the message.

Subsequently that Senator reported that he had delivered the message with which he was charged.

A message was received from the House of Representatives by Representative Ward of Millinocket that that Body had transacted all the business before it, and was ready to adjourn without day.

On motion by Mr. Brown of Aroostook, it was

ORDERED, the House concurring, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon his Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them and are ready to receive any further communications he may be pleased to make.

The Chair appointed as members of such committee on the part of the Senate:

Senators: **BROWN**, of Aroostook
SAYWARD, of York
HOWES of Penobscot

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

The Committee retired, and subsequently Mr. Brown for the Committee reported that the Committee had delivered the message with which it was charged, and that the Governor was pleased to say that he would report forthwith.

The **PRESIDENT**: The Chair has in its possession a Communication from the Governor. The Secretary will read the Communication.

The Secretary read the Communication:

State of Maine
Office of the Governor
July 26, 1946

"To the Honorable Senate
And House of Representatives:-

There is herewith transmitted the eighteen Acts and five Resolves including a proposed amendment to our Constitution, passed by the 92nd Legislature at its first special session, all of which I have approved and signed. This legislature under trying circumstances has ar-

rived at solutions of most difficult problems which I believe the great majority of the citizens of Maine will heartily endorse and approve.

I wish to express my appreciation for the patient and persistent devotion to duty of all the members of the legislature. I know of nothing further to engage your attention. My best and sincerest wishes attend your journey home.

(Signed) Horace A. Hildreth
Governor of Maine.

Which communication was received and placed on file.

The **PRESIDENT**: The Chair wishes to express the gratitude of the Chair for the many courtesies extended to the Chair by the members of the Senate; and in accordance with a long established custom, the Chair recognizes for the purpose of making the motion for final adjournment the Senator from Washington, Senator Washburn.

Mr. **WASHBURN** of Washington: Mr. President, I think this recognition at this moment is a signal for what is probably the last official act in thirty-three and one-half years of service to the State of Maine. And down that long road, all the way, I have met and known many people in the State of Maine, but none of them do I love and esteem more than those at whom I am looking at the present moment.

The pleasures and satisfactions of official life for the people of Maine have many time outnumbered the disappointments. This is no "swan song" because we will meet again somewhere, and down that broad highway known as Number One which leads into Washington County and Canada you will find the Washburn homestead always ready for any of you, and don't you dare pass me by.

Mr. President, I now move that this Senate stand adjourned without day.

The motion prevailed, and the President, at 10:17 P. M., Eastern Standard Time, on Friday, July 26, 1946, declared the first Special Session of the 92nd Legislature adjourned without day.