

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Third Legislature*

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Wednesday, April 9, 1947.

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

Prayer by the Rev. Cornelius E. Clark of Portland.

Journal of yesterday read and approved.

Mr. Mills of Farmington, was granted unanimous consent to address the House.

Mr. MILLS: Mr. Speaker and Members of the House: Last summer, during the special session, there was a measure presented for the consideration of that Legislature, an emergency measure. The subject matter was considered important enough so that it was put through as an emergency measure. That measure was the act which created the North Haven Port District. Now it has developed, recently, that that act is going to be of little value to the inhabitants of North Haven and Vinalhaven unless an error can be corrected, not exactly an error but an omission, something which failed to appear in that act, so they have prepared an act which would include their control over air transportation on the islands. Without the control of air transportation, they would lose a good deal of revenue and probably be unable to maintain their boat service. I understand the inhabitants of the islands of North Haven and Vinalhaven are practically unanimous for this thing and to fix it up, quite a number of us have talked it over — we have been several days in discussing it, and we find that it can be perhaps referred to the Legal Affairs Committee, and can be heard next week, and would not effectively delay the Legislature.

So I ask your indulgence in offering this bill under unanimous consent.

The SPEAKER: The gentleman from Farmington, Mr. Mills, presents a measure and requests unanimous consent for its introduction. The Clerk will read the title.

CLERK: (reading) Bill "An Act Relating to the North Haven Port District."

The SPEAKER: Is there objection to the introduction of this bill. The Chair hears none, and it has

been received by unanimous consent.

On motion by Mr. Mills, the bill was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

The SPEAKER: The Chair at this time notes in the balcony the presence of Troop Number 102, from St. Joseph School, Portland, and on behalf of the members of this House, the Chair bids you welcome here this morning. (Applause)

### Papers from the Senate Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Taxation on Bill "An Act relating to Privately Owned Airports" (S. P. 237) (L. D. 659) reporting same in a new draft (S. P. 497) (L. D. 1361) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

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

### Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act Concerning Agricultural Cooperative Association" (S. P. 405) (L. D. 1154)

Report of the Committee on State Lands and Forest Preservation reporting same on Resolve to Continue the Interim Commission to Study Methods to Assure Greater Productivity of the Forest Lands of the State (S. P. 442) (L. D. 1235)

Report of the Committee on Temperance reporting same on Bill "An Act relating to Privileges of Club Licenses" (S. P. 411) (L. D. 1159)

Report of same Committee reporting same on Bill "An Act relating to Control of the Sale of Alcohol" (S. P. 429) (L. D. 1214)

Report of the Committee on Ways and Bridges reporting same on Bill "An Act relating to Permits for Digging Into and Opening Streets and Highways" (S. P. 165) (L. D. 404)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence and

the Bills read twice, the Resolve read once, and tomorrow assigned.

**Ought to Pass with Committee  
Amendment  
Tabled and Assigned**

Report of the Committee on State Lands and Forest Preservation on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lot and Building in Somerset County to H. S. Lorenz, of Seboomook (S. P. 236) (L. D. 646) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

(In the House, on motion by Mr. Legard of Bath, tabled pending acceptance of Committee Report and specially assigned for Friday, April 11th)

**Orders**

On motion by Mr. Holt of Bar Harbor, it was

**ORDERED**, that Mr. Silsby of Aurora be excused from attendance because of business.

Mr. Brewer of Presque Isle was granted unanimous consent to address the House.

Mr. BREWER: Mr. Speaker and Members of the House: You will see on your desks this morning a complete report of the Appropriations Committee. If you will take your first small page, I will attempt to analyze what we have done and what we can do with your help. If you will read the summary, you will notice that this is revised to the 8th day of April, 1947.

Now under your sheet there you will find every bill listed, in most cases what we have recommended as ought or ought not to pass, but I will say to you at this time that anything involving appropriations outside of what your budget has already recommended is not there and new money will have to be raised to take care of it.

Turning back to our small sheet, the note on the headline says, "Summary of pending legislation requiring appropriations for the next biennium, showing estimated revenues available for appropriations under present laws, and the esti-

mate of the Committee on Appropriations and Financial Affairs of the new revenue necessary."

Under the appropriation bill which we put in and have on the table—and most of those that involved money are on the table, either in the House or in the Senate—under your appropriation bill, L. D. 295, you will find it asking for an appropriation of \$19,572,702 for 1947 and 1948, and for 1948 and 1949, \$19,919,880. The Appropriations Committee estimates a probable final adjustment to the appropriation bill, that is even in our recommendations over and above the budget we have gone overboard practically \$850,000 that we have not got. That includes—and I will go over those roughly—that includes \$278,000 that we feel the departments should have to run, \$218,000 to hospitals, that is the general hospitals of the State that are now taking care of cases that nobody are responsible for—and we feel that appropriation should be doubled because we are paying them about two dollars a day and in most cases it costs them nine dollars a day. \$126,000 of that would be added for increase on board and care of children, and, over and above that, we feel that we must have a cushion to make an adjustment, which would leave \$850,000 we feel we ought to have over the present nineteen million, which brings the adjusted appropriation bill up to \$20,422,702.

Now to this is added other pending bills charged to other accounts, and if you will look over your sheet you will find whether they are charged to unappropriated surplus, post-war or current revenue. Those chargeable to current revenue—that is the revenue that you have coming in, that you anticipate are \$6,313,404. Those are bills that are charged to your current revenue. Charged to your surplus which you may have on hand is \$997,000. Under pensions, our best estimate is that these will be \$6830. Under claims, \$347,256. Chargeable to your post-war reserve is \$1,250,000. Under bills pending, if you will notice on the bottom of your page, the total other pending bills amount to \$13,414,290 for the biennium. The various committees have reported \$4,280,692 ought not to pass, \$6,288,000 ought to pass, and \$4,645,220 have not been reported out. But, in the aggregate, those bills that are on the bottom there, which we speak of,

eventually will mean about the same figures that you have at the bottom of the page there, \$5,019,000 and \$3,515,469.

Now all those things total up to \$29,336,992, less revenue available for appropriations, we have \$19,967,371 in new revenue required if all pending bills are passed. Now some of these will pass and some will not pass, but if we pass them all it would be \$9,369,000 that we would need for 1947 and 1948. You see that drops off in the next year to \$5,765,000, leaving a balance to be financed the first year of \$5,019,621 and \$3,515,049. Now if any bills go through that involve money which does not appear in your budget report we have to have the money.

Now I will go a little farther and tell you that at the end of the year July 1st, 1946, we had a surplus of approximately three million dollars, and to that there has come in to us—it was apparently underestimated—approximately \$500,000, or a half million more, which would have made our surplus in July three and a half million dollars. Out of that three and a half million dollars—you ask what became of that? There was paid out for bonds approximately three-quarters of a million dollars. Then you have a Liquor Commission working capital which was increased to half a million more, you have your \$7.20 cost of living increase which runs to about \$317,000, \$52,000 which we gave the Maritime Academy, \$105,000 that was given out in the Special Session—and that included Normal School education and promotion of new industry—so it leaves approximately now one and three-quarters million. Now out of that one and three-quarters million, you have already passed \$225,000 for Health and Welfare, so you have approximately a balance today, or a reserve, we call it, a working capital, which we feel we do not dare go any lower with the business that we do, or approximately a million and a half dollars, which we just forget about and leave there because it is absolutely necessary that we leave some reserve for contingencies.

I do not know of anything else that I could say at this time that might be of interest. I can break down our revenues that we have. You may say to me: Where does our revenue come from and where does it go? You have not these figures, but I have them broken down, and

they are, in general, where our money comes from, and then I will tell you where it goes.

Where our revenue comes from: The State tax on cities and towns, \$4,797,978; inheritance tax on real estate, \$900,000; cigarette tax \$2,167,790; public utility taxes, \$1,863,200; insurance taxes, \$911,830; bank taxes, 131,500; gasoline taxes \$234,980; hunting and fishing licenses \$516,052; federal grants, \$4,594,174. That is education; all those federal grants come under education; Fish & Game get some; that is any federal grant that comes in. City and town grants, \$678,000. Private contributions—I won't read the figures—but in the aggregate they add up to \$26,593,192.

Now where your revenue goes out of that twenty-six million is this: General funds to be allocated by the Legislature is \$20,170,000, dedicated by law to the various State departments as listed below. You may see those listed as dedicated accounts, but I like to think of them as "ear-marked accounts." We will say for instance, Fish & Game, the money that they take in for licenses, the department is allowed to keep and it goes towards their expenses. As I say, dedicated by law to the various State departments, there is Public Buildings, \$4,000, Public Utilities Commission \$1000, Agriculture \$23,000, Fish and Game \$584,000, Forestry \$33,000, Sea and Shore Fisheries, \$5000, Bureau of Health \$40,000, Health & Welfare \$4,873,000, Institutions \$321,000, Education \$6,469, State Parks \$2000. So, in the aggregate, there is where your \$26,000,000 goes.

As I say, I want to impress upon you that we have not any surplus that we can give out, and any bill that is passed involving revenue must have an appropriation for it. A little later on I believe a bill comes off the table that asks that your Appropriations Committee be afforded the privilege of laying any bill having an appropriation on a special calendar. This is for several reasons. If we do not raise revenue, it must be the policy of your Appropriations Committee to attempt to kill every bill which involves an appropriation. We might as well do it as have the Governor veto it. And, over and above that, it will save a lot of work to the Clerk and the Speaker of the House. For that reason, you have seen an amend-

ment to the order that asks that these bills be turned over every so often.

I will say to you that if your Appropriations Committee ever needed protection they need it now, and I hope when this order comes off the table that you will bear with us and give us the consideration and protection that we must have if we are going to carry on. I thank you.

Mr. McGLAUFLIN of Portland:  
Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McGLAUFLIN: I would like permission through the Chair to ask the gentleman from Presque Isle, Mr. Brewer, one question.

The SPEAKER: The gentleman may ask the question.

Mr. McGLAUFLIN: I would like to ask Mr. Brewer how the highway expenditures fit into this picture.

The SPEAKER: The gentleman may reply if he wishes.

Mr. BREWER: Mr. Speaker, your highway figures are an entirely separate appropriation from general appropriations. You have your two appropriations; your highway funds will run about \$18,000,000 a year and your general appropriations will run about \$26,000,000, and one is separate from the other, your Ways and Bridges and highways and your general appropriations.

#### House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to the Registration and Licensing of Dogs" (H. P. 1256) (L. D. 928)

Report was signed by the following members:

Messrs. Tabb of Gardiner  
Adams of Kennebunkport  
Sweetser of Cumberland  
Johnston of Jefferson  
Smith of Exeter  
Prout of Lubec  
Dorsey of Fort Fairfield  
—of the House

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1674) under same title and that it "Ought to pass".

Report was signed by the following members:

Messrs. Bishop of Sagadahoc  
Denny of Lincoln  
Greeley of Waldo  
—of the Senate

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Prout.

Mr. PROUT: Mr. Speaker, I move that the House accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Lubec, Mr. Prout, moves that the House accept the Majority Report, "Ought not to pass". Is this the pleasure of the House?

Calls of No.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Lubec, Mr. Prout.

Mr. PROUT: Mr. Speaker and Members of the House: This bill relates to the registration and licensing of dogs. Under the present law, in regard to damage to poultry and other domestic animals, farmers receive payment if the damage is done by dogs or wild animals, foxes, weasels, skunks, and so forth. This bill puts it back to damage by dogs only. Who can tell, if a farmer loses poultry or sheep, whether a dog does it or a bear or other wild animals? As I see the bill, we felt in the committee that in the case of a farmer losing sheep or poultry, you cannot tell, and nobody else can tell, after the damage is done, whether it is a dog that does the damage or foxes or bears, or what have you. That is the way we felt in the committee.

I hope the House accepts the "Ought not to pass" report and I ask for a division.

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

Mr. SWEETSER: Mr. Speaker, as a member of this committee and one who signed the report "Ought not to pass" I wish to support the contention of the members who signed that report and to say that this bill changes the program of reimbursing those people who suffer loss from injury to domestic animals or poultry from dogs or wild animals by substituting a program whereby the town takes over the responsibility instead of having that responsibility continue with the Commissioner of Agriculture.

This bill provides that when the dog tax is collected by the Town Clerk, that that money be held in the town treasury, and that the damage be paid by town officers. It seems quite important that we continue the present program where the Commissioner of Agriculture has an opportunity to be represent-

ed in determining the amount of the claim, and also that the surplus money which remains shall be in the hands of State officials instead of in the hands of town officials. I believe that this bill should not pass and that the present program is quite satisfactory.

The **SPEAKER**: Is the House ready for the question? The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. **ROLLINS**: Mr. Speaker, as I read this report, it says that House Paper 1674 is a new draft, and I don't seem to find the new draft, and I move that this matter be laid on the table until later in the day until we have the new draft before us.

The **SPEAKER**: The gentleman from Greenville, Mr. Rollins, moves that this matter be laid on the table until later in today's session, pending the motion of the gentleman from Lubec, Mr. Prout. Is this the pleasure of the House? All those in favor of the matter being laid on the table will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Forty having voted in the affirmative and sixty-four in the negative, the motion fails of passage. The question before the House is on the motion of the gentleman from Lubec, Mr. Prout. Is the House ready for the question.

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

Mr. **ROLLINS**: I would request the Clerk to read the new Draft of the Bill.

The **SPEAKER**: The Clerk will read the New Draft.

New Draft read by the Clerk.

The **SPEAKER**: The gentleman from Farmington, Mr. Mills, now moves that both reports lie on the table pending the motion by the gentleman from Lubec, Mr. Prout, that the House accept the Majority "Ought not to pass" Report, and that the new draft be ordered printed. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A division of the House was had. Sixty-one having voted in the affirmative and fifty-two in the negative, the motion prevailed, and the reports, with accompanying papers, were so tabled.

Crystal, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

The **SPEAKER**: The Chair notes in the balcony the presence of the Civics Class of the Old Orchard Beach High School, in charge of Miss Alice Arnold, Teacher, and on behalf of the members of this House, the Chair bids the class welcome here this morning.

#### Ought Not to Pass

Mr. Haskell from the Committee on Federal Relations reported "Ought not to pass" on Bill "An Act Amending the Unemployment Compensation Law as to Disqualification for Benefits" (H. P. 1381) (L. D. 1000)

Mr. Jennings from same Committee reported same on Bill "An Act to Amend the Unemployment Compensation Law to Eliminate Double Penalties" (H. P. 1058) (L. D. 669)

Mr. Muskie from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification" (H. P. 1378) (L. D. 996)

Mr. Robbins from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law as to Benefit Eligibility Conditions" (H. P. 1379) (L. D. 997)

Mr. McGlaulin from the Committee on Judiciary reported same or Bill "An Act to Authorize the Treasurer and County Commissioners of Kennebec County to Procure a Loan, and Issue Bonds of Said County therefor for the Purpose of Adding to the Present Court House" (H. P. 1662) (L. D. 1360)

Reports were read and accepted.

#### Ought to Pass in New Draft

Mr. Haskell from the Committee on Judiciary on Bill "An Act to Incorporate the Public Loan Corporation of Augusta" (H. P. 914) (L. D. 612) reported same in a new draft (H. P. 1675) under same title and that it "Ought to pass"

Mr. Peirce from same Committee on Bill "An Act to Incorporate the 'Family Finance Corporation'" (H. P. 919) (L. D. 616) reported same in a new draft (H. P. 1676) under same title and that it "Ought to pass"

On motion by Miss Longstaff of

Mr. Williams from same Committee on Bill "An Act relating to Pollution of Streams" (H. P. 1440) (L. D. 1044) reported same in a new draft (H. P. 1677) under same title and that it "Ought to pass"

Mr. Peirce from the Committee on Temperance on Bill "An Act relating to Liquor Licenses in Unorganized Territory" (H. P. 1597) (L. D. 1251) reported same in a new draft (H. P. 1679) under same title and that it "Ought to pass"

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

#### Ought to Pass With Committee Amendment

Mr. Jordan from the Committee on Inland Fisheries and Game on Resolve Appropriating Money to Repair Fish Screen at Meduxnekeag Lake (H. P. 1159) (L. D. 768) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 1159, L. D. 768, "Resolve Appropriating Money to Repair Fish Screen at Meduxnekeag Lake."

Amend said Resolve by striking out in the 5th and 6th lines thereof the words: "selectmen of the town of New Limerick" and inserting in place thereof the words: "commissioner of inland fisheries and game".

Committee Amendment "A" was adopted, and the Resolve was assigned for second reading tomorrow morning.

Mr. Haskell from the Committee on Judiciary on Bill "An Act relating to Bonds of State Officials and Employees" (H. P. 440) (L. D. 259) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 440, L. D. 259, Bill "An Act Relating to Bonds of State Officials and Employees."

Amend said bill by striking out

all of section 3 thereof, and inserting in place thereof the following:

"Sec. 3. R. S., c. 14, § 4, repealed and replaced. Section 4 of chapter 14 of the revised statutes is hereby repealed and the following enacted in place thereof:

"Sec. 4. Notice of cancellation. The insurance commissioner is expressly authorized to accept a cancellation notice from the surety on any bond, canceling said bond in full or as to any individual, provided the surety gives written notice to said insurance commissioner of such desire and intent, and that said cancellation notice is received by the insurance commissioner at least 30 days before the effective date of such cancellation."

Thereupon, Committee Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

Mr. McGlaflin from the Committee on Judiciary on Bill "An Act to Incorporate the 'Willco Finance Co.'" (H. P. 1295) (L. D. 902) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 1295, L. D. 902, Bill "An Act to Incorporate the 'Willco Finance Co.'"

Amend said bill by striking out in the 1st and 2nd lines thereof the following punctuation and words: ", Milan J. Smith."

Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Perkins from the Committee on Judiciary on Bill "An Act relating to Payment of Expenses of Wife Pending Libel for Divorce" (H. P. 918) (L. D. 615) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 918, L. D. 615, Bill "An Act Re-



lating to Payment of Expenses of Wife Pending Libel for Divorce.”

Amend said bill in the 5th line of that part designated as “Sec. 59” thereof, by inserting after the word “support” the following underlined words:

**‘, on petition for which costs and counsel fees may be ordered’**

Further amend said bill in the last line thereof, by inserting after the word “costs” the underlined words **‘and counsel fees’**.

Committee Amendment “A” was then adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Hayward from the Committee on Ways and Bridges on Bill “An Act Permitting Towns to Appropriate Money in Anticipation of State Appropriations” (H. P. 195) (L. D. 140) reported “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

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

Committee Amendment “A” read by the Clerk as follows:

Committee Amendment “A” to H. P. 195, L. D. 140, Bill “An Act Permitting Towns to Appropriate Money in Anticipation of State Appropriations.”

Amend said bill by adding at the end thereof, the following underlined sentence:

**‘Provided, however, that the state highway commission may at any time, from appropriate funds, reimburse towns for expenditures previously made for the improvement of state aid roads, provided such expenditures have been made with the consent of the state highway commission and under its supervision, and that such reimbursements in any year shall not exceed the apportionments made to such towns for the improvement of state aid roads under existing statutes.’**

Committee Amendment “A” was adopted, and the Bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair at this time recognizes the gentleman from Brunswick, Mr. Lacharite, and appoints him Speaker pro tempore, and requests the Assistant Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, the gentleman from Brunswick, Mr. Lacharite, was escorted to the rostrum, where he assumed the Chair amid the applause of the House, and Speaker Ward retired.

#### Passed to be Engrossed

Bill “An Act relating to Registration of Motor Vehicles” (S. P. 130) (L. D. 283)

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, in regard to Item 1, Bill “An Act relating to the registration of motor vehicles,” (S. P. 130) (L. D. 283) I move the indefinite postponement of this bill, and, in support of that motion, I have a few remarks to make. As a matter of personal privilege, Mr. Speaker, the remarks that I intend to make will take about an hour. Do you want me to table the bill until later in the session or do you want me to take it up now?

The SPEAKER pro tem: The gentleman has the floor and may proceed if he wishes to.

Mr. SLEEPER: Mr. Speaker and Members of the House: As regards Bill “An Act Relating to the Registration of Motor Vehicles,” (S. P. 130) (L. D. 283) I think we have made a great mistake. Yesterday this bill was passed, read and accepted. I do not think that we realize just what we have done. What is our duty here? Why are we elected and why are we here? We are not elected to be the masters of the people we represent, we are elected to represent the people from the section from which we come. I have not had one person ever tell me that they wanted this bill passed. The bill has been lobbied and logrolled through this Legislature until I understand yesterday we only had nine votes against the bill.

I cannot understand why the citizens of Maine would allow such a bill to pass this House. I am not a paid lobbyist; I do not represent any vested interests; I am not a trucker; I am just a representative of the Legislature, and I am still very much opposed to the passage of this bill. Why? I have several reasons.

The principal reason is that John Q. Citizen is entitled to some consideration. I would like to adjourn this House and have everyone here follow the steps down to the road and watch the trucks go by. Who is

it that highway belongs to? Does that highway belong to the St. Johnsbury Trucking Company, Alger Brothers and these other Massachusetts concerns? No; that highway belongs to you and I and to the person who pays his registration fee, to use it. And in support of that idea I have a judgment of the Supreme Court of the State of Maine. A private citizen happened to have been run into and damaged considerably by a truck. The truck company said that he did not have any right on the highway and that they did not have to pay the damage. So the Supreme Court of Maine said, in the case of John M. Stanley, Exceptant, etc., 133 Maine, in which the validity and constitutionality of the motor truck law as it applied to common carriers was upheld, the opinion of Justice Dunn, unanimously approved by the other justices, was as follows:

"The exceptant, the truck company, has no vested right to use the highways and other roads to carry freight for hire: the streets, highways and country lanes belong to the public and to the people and are primarily for use in the ordinary way. No one has any inherent right to use such thoroughfares as a place of business."

Who is it that owns these highways? Is it you or I, or is it the trucking companies?

Mr. Speaker, I made a fool of myself here the other day when I brought forth this pamphlet. Mr. Speaker, while I am looking this over, we have a House rule that says that any piece of publicity such as that is supposed to have someone sign it, and there is no signature attached to that piece of publicity. I imagine that costs twenty-five or thirty cents. I imagine it cost four or five hundred dollars to have all these pamphlets printed. No one signed it. As I said before, the only thing true about it is that on the page in the back it shows a long row of trucks going one way and a long row of trucks going the other, no pleasure cars, and that is the only true thing about that pamphlet.

Now, Mr. Speaker, could I have the Sergeant-at-Arms bring me a drink of water?

I do not entertain any high hopes of defeating the bill at this time, but I will venture to say that this

will be the most costly bill that the State of Maine has ever passed.

We have before us measures which ask for \$600,000 more for the teachers—\$1,000,000 more for teachers and other things. We cannot afford to do that, but we can afford, apparently to grant three or four hundred thousand dollars to these out-of-state trucks to take your highway and mine and use it for a roadbed. I will say that this reciprocity bill, so called, costs the State of Maine one million dollars, and if the House insists on passing this bill, if the State of Maine is so wealthy they can give one million dollars away, we certainly do not need any further tax measure and I will not vote for any increased taxation until I am assured that the State of Maine is trying to economize in other directions.

The thing that riles me the most is that last Monday—I am a citizen of Maine and pay my taxes and live here and vote here—last Monday I registered a truck and I had to pay \$120 to register that truck to use on the highways of Maine. These other companies do not register it; these other companies do not pay. If I pay, why shouldn't they?

I imagine I sound rather dramatic but I am really sincere about this thing. That is the only thing that riles me in the entire session of the Legislature, because I know there is no popular demand for the bill. I am willing to bet with every man and woman in this Legislature: You have never had one of your people back home tell you to vote for that bill unless they had a personal interest in the bill. If they run a trucking company, they probably said, "Pass the bill." If they operated some sort of service to carry freight into Massachusetts, they probably said, "Vote for the bill." But I doubt that, because I come from a large town and no one has told me to vote for this bill. I asked several people, and every one I asked said, "Vote against the bill." I am getting so tired of all those trucks on the highway that I think we ought to have a change.

So, Mr. Speaker, in support of my motion for the indefinite postponement of this bill, I feel that in so moving that I am representing nine-tenths of the citizens of the State. I will admit that perhaps I do not represent some trucking concerns. I imagine that the average trucking concern wants to see this bill passed.

Perhaps I do not represent the Maine State Chamber of Commerce, of which I am a member, but I did not vote for the passage of this bill.

And so, Mr. Speaker, I feel that in the passage of this bill we are doing ourselves and our citizens an injustice: the person who has a private pleasure car, the person that pays his registration fees to operate his truck, because I feel that man is entitled to some consideration.

It is very easy for Massachusetts to grant reciprocity because the State of Massachusetts has five millions of people and they have a potential wealth eleven times greater than the State of Maine and a road mileage approximately one-ninth of the State of Maine. For every mile of highway the Commonwealth of Massachusetts maintains they have eighty vehicles registered and paying their way on it. For every mile of highway the State of Maine has we have 9.6 vehicles registered upon it. We cannot afford to pass this bill.

At the hearing — and I sat here from about ten minutes past two to about half past four in order to be heard, we had the greatest array of legal talent, lobbyists, lawyers, that I ever saw; but I did not see the Highway Commission there, and the Highway Commission ought to know whether they want to grant reciprocity to trucks. I did not see the Public Utilities Commission at that hearing, and the Public Utilities Commission is the department in this State that handles the registration of trucks. I did not see anybody there except somebody that had a personal selfish interest. The Department of Agriculture was represented by an assistant who read a feeble letter. The Department of Sea and Shore Fisheries was represented by an assistant who read a feeble letter. But the two departments who are most involved, the Highway Department and the Public Utilities Commission were conspicuous by their absence.

I know that the Highway Department does not favor the passage of this bill. I know that the Public Utilities Commission of this State does not favor the passage of this bill because they know that the State of Maine cannot afford to pass out one million dollars to these out-of-state truckers.

The thing is very simple, very easy to comprehend. It has been lobbied through, worked through,

bought through — but not me! I still feel the way I feel.

I talked with one of the principal proponents of the bill, and I says, "What was the vote?" He said, "One hundred and something to nine." He said, "If you had been there" — and I expected to get a compliment — but he said, "If you had been there the vote probably would have been one hundred to ten." But when the vote is taken my vote will be in opposition to this bill.

I want you members to think about this. I am not going to try to table the bill. I want every member of this House to analyze the whole thing. Look over that pamphlet, see how expensive it is. Somebody drew it up, somebody paid for it. Who paid for it? The Maine Chamber of Commerce? Naturally not. Somebody that had a selfish motive paid for that pamphlet. The pamphlet is not signed, and we have a rule and regulation in this House that says that every piece of information that is placed on our desks has to be signed by someone so we will know who signed it. I want to tell you people that something is going on here that is not cricket.

I do not have any idea that I will gain a vote. I don't know as I mind, but I want to know just how the members of the House really feel. I want to know whether you people are representatives of the people you represent or whether you feel you come up here to do just as you want to do. If you can conscientiously and truthfully say that the majority of the people you represent want the passage of that bill I will say, "Vote for the bill."

If you analyze the thing, you will find that your average citizen is the poor devil who drives a pleasure car on the highway, the fellow like myself that operates trucks inside the State — and I am not in the commercial trucking business, I am in the fuel business, and I pay very well to operate my trucks, I pay almost \$1100 in registration fees to provide the roadbed for Alger Brothers, the St. Johnsbury Trucking Company and others. I am not trying to tell a story. I would like to adjourn this House for about twenty minutes and have everyone go down and sit on those steps there and watch those trucks go by. I will bet my salary here that of the first hundred trucks that

go by eighty-five will come from outside of the State of Maine. They will be riding for free and you and I will be paying the bill: it won't be the Maine State Chamber of Commerce that is paying the bill either; it will be you and I — and I don't like it. I feel that the Maine citizen, the Maine trucker, the Maine business man, is entitled to protection, and under that bill he is not getting it.

The State of Maine will soon be swamped with these out-of-state trucks coming in. One of the principal arguments of the proponents of this measure was that this provided an easy method of transportation, it tore down the State boundaries and took away the isolation features and made transportation cheaper, so I investigated that too. The St. Johnsbury Trucking Company—they had a big article in the Boston Herald last Sunday—the St. Johnsbury Trucking Company used to run a truck into Rockland, Maine every Thursday, and a Rockland concern, the B. & R., the Boston and Rockland trucking concern, used to handle the bulk of the outgoing freight in and out of Rockland. Since the passage of reciprocity, the St. Johnsbury Trucking Company and Juliano Brothers and other truck companies outside the State have increased the work that they take into Rockland so that they are running two trucks a day into Rockland, and the B. & R. and other local truckers will soon be driven out of business.

I asked a merchant in Rockland who has stuff come from Boston. I was impressed and almost astounded. I was almost halted in my tracks by the number of merchants at the hearing who said they favored reciprocity because they felt that it would expedite the movement of freight in and out of the State, make it easier and cheaper and more efficient. So I happened to ask a man in Rockland, the town that I represent,—and I represent Rockland: I do not feel I am the master of Rockland, but I represent Rockland. If the citizens of Rockland wanted this bill passed I would vote for it, but the citizens of Rockland do not want it passed. I happened to ask this man, and I said "How is it I saw a St. Johnsbury Trucking Company truck in front of your store unloading a package? I suppose the rates are much cheaper now, because I

heard the Maine State Chamber of Commerce and other philanthropic organizations that have no selfish interest in this thing, say that it would benefit the State. I imagine your service is much better, packages arrive in much better condition, arrive faster and at less expense?" He said, "That is not the case." He said, "Up until one year ago I paid fifty-four cents for a minimum charge for a package. Since three months ago I am paying \$1.08. They have doubled the fee." And I heard them say right here at this hearing that if they could make this a permanent thing it would redound to the benefit and profit of everyone doing business in the State. It doubled the fees, and I will guarantee that when nothing operates but these out-of-state trucks the fee will be quadrupled.

I see several smiles here. I imagine you all think that I do not know just what I am talking about, but I do. I have studied the thing ever since I have been here and I know, I know that the State of Maine is not in a position to grant reciprocity to Massachusetts.

The thing irons out to "Maine vs. Massachusetts." They will tell you that all the other states have reciprocity, Maine must have reciprocity. All the other states have their election in November, and I heard several intelligent men say we ought to have ours in November, but this Legislature saw fit to maintain our independent feeling and still vote in September. The average member in this House laughed when several brother patriots in this House got up and said "We must do as other states do." But we did not choose to do what other states do in regard to elections and we still should not do as other states do as regards reciprocity. Why? Pick up the map and you will see. The State of Maine has a unique position. We are not in the center of the country, we are on the extreme easternmost point of the country. Geographically, the State of Maine is very much different than any other State. I want you to realize all that.

Coming back to this voting question, I imagine that several of you people are wondering just how and why and where that I have the temerity to vote against the one hundred and some odd vote against nine. I feel that I have the right

to vote the way I want to, because I feel I have a right to that seat just as much as everyone of you have a right to the seat in which you sit.

I also feel that I have a duty, Mr. Speaker, to the people that I represent, and if I felt that the people of Rockland want that bill — I do not personally like it, I will admit that—I am going to throw away part of my bombshell and say that I personally do not like reciprocity—but I say the people in Rockland, a small town of nine thousand people, do not like reciprocity either.

Why do I feel I have the right to vote the way I want to, the way I should vote? Because the other day we had a yea and nay vote here. Several persons vanished through the chains and were not here. I personally am rather favorable to the labor movement. I belong to two labor unions and I have never found it hurt me any, and I found I had very nice working conditions by working in closed shops; but I found out that the people that I represented in Rockland, the farmer, the banker and the small businessmen, who are the backbone of our Republican Party, wanted the Tabb bill passed, so, against perhaps my own motives, I voted "Yes" because I felt I had to represent the people from where I came. I felt on a matter of state policy I had to represent them as a representative. I was not the master of the people, so I voted "Yes." And that is the real reason, the principal reason, that I am voting "No" on the passage of this bill, "An Act (camouflaged) Relating to Registration of Motor Vehicles." The bill should read, "An Act to Sign the Death Warrant of every Maine Trucking Concern in favor of Out-of-State Truckers." The bill reads, however, "An Act Relating to Registration of Motor Vehicles."

I am going to vote "No." I wonder just how many people here feel that they represent—and they cannot use the wine and dined feeling they had all during this session—and they have been wine and dined on this measure. If there has ever been any wining and dining done, it has been done on that bill there. I want to know just how many people there are in this Legislature that represent John K. Citizen, the little fellow who pays his registration fee to the registra-

tion board and registers his truck? I pay my way on the highways of Maine. I do not ask for anything. I am going to tell you this: that in the event this bill is passed I certainly feel entitled to ask for an amendment which will exclude me from paying any registration fee. I am not going to pay eleven or twelve hundred dollars a year for the St. Johnsbury Trucking Company and these other companies that tear the roads to pieces. I feel as a citizen of Maine, as a taxpayer of Maine and as a business man of Maine, that I have a right to the same things that these other companies have. I am not being carried away, but I am talking the absolute truth. Now think, Mr. Speaker! I urge the indefinite postponement of this vicious bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Naples, Mr. Bove.

Mr. BOVE: Mr. Speaker and Ladies and Gentlemen of this House: I am certainly opposed to the indefinite postponement of this bill, and for the simple reason that yesterday afternoon for over an hour the members of this House intelligently argued about the bill, and when the vote was taken, the vote was cast one hundred and sixteen yes and nine no.

I believe that the State Highway Department does not own the roads: I believe, Mr. Speaker, that we, the people of the State of Maine, own the State highways, and I believe that the vote which was taken yesterday was an accurate one, and I hope that this motion for indefinite postponement will not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I appreciate the talk which Mr. Sleeper gave us on this particular bill, but on the day of the hearing, when he appeared before the Committee on Motor Vehicles, he estimated that day that we would lose \$500,000. Today he has jumped the ante.

The only thing that I can think of—to give you a description of the position we might find ourselves in, if we did not have reciprocity—is the modern version of "The Three Bears". There were Papa Bear and Mamma Bear and Baby Bear. By the way, they were living in Texas—they were not living in Maine. As

you know, the old story goes that while their porridge was cooling in the morning they went out to walk, but instead of the little girl coming in and finding the three bowls of porridge, they walked there in the hot sun until Papa Bear got very tired. He sat down and he sat on a cactus and he immediately got up and rubbed himself. Mamma Bear, by that time, was exhausted and she sat down and she sat on a cactus; that wasn't comfortable, so she got up rubbing herself. Baby Bear was completely exhausted; he sat down and he, too, sat on a cactus, but he sat right there. Mamma Bear noticed the tears were running down Papa Bear's eyes. She said to him: "What's the matter, Papa Bear?" He said: "Mamma Bear, do you suppose we're bringing up our kid to be one of those 'Dead End Kids'?" (Laughter)

Now I believe that applies to us in the State of Maine, and I believe that if we don't have reciprocity, we are on the dead end, and I hope the motion does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Fowler.

Mr. FOWLER: Mr. Speaker and Members of the House: I did not intend to say anything regarding this bill. However, I must agree with a lot of things my good friend, the gentleman from Rockland, Mr. Sleeper, says. I probably have had as much experience with the out-of-state truckers registering their trucks as any man in this House. I have seen them at the border, lined up—thirty-five, forty and fifty of them—held up for registration. I have been damned and cursed and all but shot and hanged for holding them. Nevertheless, that was the law. I honestly believe that there was more hard feeling created by that law whereby we had to hold up truckers from out of the State to collect registration and they didn't have it, than any law that I know regarding trucks.

I do feel that eventually there will be some sort of legislation passed whereby we will be able to collect from the out-of-state trucks. I don't think it is going to continue to be free. As the gentleman from Rockland says, he does not feel right about paying heavy taxation for his trucks that he operates in this State, as a resident, when the out-of-state man can come in for considerably

less money. According to the laws of this State, he has paid his just registration there, and if this bill is passed, he would be entitled to operate on our highways.

I can well see the point the gentleman from Rockland (Mr. Sleeper) has brought up, and I have to agree with him along the majority of his statements. However, I do not think anyone realizes the ill feeling unless they have been through it. I have seen, Mr. Speaker, the State House grounds covered with saddle horses; I have had to act as wet nurse to saddle horses, elephants and tigers; I had a circus on my hands for a week from Lewiston held up for a week for registration, and I was responsible for it. I say "I,"; I and some of my boys working as inspectors for the Secretary of State, and I was told that if anything happened to any of those animals, we would be responsible. Fortunately, nothing happened. I don't pretend to be a lion tamer or an elephant trainer, but I know we had them on our hands. I have seen horses out here in vans when it was 110 in the shade and we had to water them and graze them here on the State House lawn and over across the way.

I do feel that this matter was well argued yesterday, and I would like to say that I hope the motion made for indefinite postponement of this bill does not prevail, and I do feel that some method of taxation will be found before we adjourn this Legislature, to take care of the situation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. McGlauffin:

Mr. McGLAUFFIN: Mr. Speaker, I want to say just a word or two. I rather admire a man who has the courage to come in here and buck the vote that passed yesterday. I want to assure the gentleman from Rockland (Mr. Sleeper) that I am one of those measly five that were with him, and I am speaking now, Mr. Speaker, because I remember when I was fighting for my life for a bill in this House some years ago, the gentleman from Rockland, Mr. Sleeper, came to my assistance. I am with you, Mr. Sleeper, in this vote.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: I said yesterday

that the State of Maine received no revenue from these out-of-state trucking concerns. I have information now from the Department of State Police that they do receive some revenue. I will read you one paragraph from this letter: "This is to advise that as the result of our weighing activities at the Wells Barracks, 437 operators appeared before the courts for operating overloaded trucks. The courts assessed fines in the amount of \$10,050.70 and costs of \$2,435.69 last year. That is some revenue from those trucks, at least.

The SPEAKER pro tem: Is the House ready for the question

The Chair recognizes the gentleman from Auburn, Mr. Bickford.

Mr. BICKFORD: Mr. Speaker, I have just one or two little points that I would like to bring out. In the first place, I want to say that I am in favor of reciprocity, but on the other hand, there are certainly things we have to recognize in Mr. Sleeper's talk and we have to do something in regard to this situation. Our railroads that we have running through our State pay taxes to haul merchandise, and it seems to me that somehow we should get more revenue from these outside trucks.

Now we have to do something to protect our Maine truckers. There was one large trucking concern that was not represented here yesterday that was represented at the hearing, and that was the Fox Company of Bangor. That makes me think some of our old Merchant Marine. At one time, as we all know, the United States carried to a large extent their goods in foreign boats, but the competition got so keen on account of foreign labor that in our Merchant Marine we found in the war that we did not have anywhere near enough boats to carry our soldiers or anywhere near enough boats to carry our goods.

Now if we want to turn this business over to Massachusetts and kill our truckers in the State of Maine, that is what we will do if we do not do something to relieve the situation. Still I will say I do not want to see it done in this manner. I want to see reciprocity because I believe it is the right way to do in regard to trucking. We have to do something to protect the truckers.

The SPEAKER pro tem: The

Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker, just in rebuttal to the remarks made by the gentleman from Portland, Mr. Cole, I wish to say that if he had checked up the amounts of fines paid by our own local truckers as far as the pulp industry is concerned, he would find that they exceed those of out-of-state truckers.

The SPEAKER pro tem: The Chair recognizes the gentleman from Belfast, Mr. Clements.

Mr. CLEMENTS: Mr. Speaker and Members of the House: I am not going to talk about trucks, but I wish to say that Belfast is in an enviable position due to the fact it has a very low rate on freight coming from out of the State. The reason for that is we have a railroad that is owned and controlled by the city. For that reason, our rates are down; but if we should lose that railroad I do not know what would become of Belfast. I go along with the gentleman from Rockland, Mr. Sleeper.

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

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Bird.

Mr. BIRD: Mr. Speaker, due to the population of the City of Rockland, they have two representatives in the Legislature. My colleague and I have always been very good friends, and, as far as I know, we talked with the same people at home. In my conversations with the people in Rockland who are in a position to be interested in this matter I find they are in favor of it. We have a large industry which has just come to Rockland, the General Seafoods, and they plan to invest some million or two million dollars in enlarging their plants and facilities there. That alone is going to mean a great deal to the City of Rockland in the matter of taxes. They are already up to their legal debt limit. I believe last fall they had a small bonfire in the City Hall where they burned up some bonds they retired. Those bonds were originally issued to bring the railroad into Rockland. I understand that the only reason that the railroad continues to offer service to

Rockland is because in the summer time they get enough summer business to keep the scales in balance in favor of keeping the railroad there.

If the railroad should go, I do not know where we would be, being exporters of seafoods and other products of that type. Those items are highly perishable and it is very necessary that they get to market as rapidly as possible. That is why we business men in Rockland who are concerned with it are very much interested in seeing reciprocity pass.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House: I spoke here yesterday in favor of this bill as a farmer. I am sorry that my good colleague, Mr. Sleeper, who operates eleven trucks, does not go into the State of Massachusetts. Perhaps if he did he might forget the people in Rockland and vote for reciprocity because it would be of financial value to him. He tells you about the picture on the back of the catalogue. That is all true what he has told you; it is all cluttered up with trucks. We all agree, there is no way of getting around that. But if we do not pass reciprocity here we are going to take one of the biggest lickings we ever got, not only from Massachusetts but New Hampshire and Vermont, and do not let anyone tell you anything different. We have to pass it here to protect the interests of this State, the farmer, who is the backbone of the State, as I stated yesterday. We are the people that are the backbone of the State of Maine and not industry; and when you take that away from us you are hurting a great many people, thousands of them that want reciprocity to protect their farms and to protect the living that we will get by having reciprocity.

I hope that the motion of my good friend from Rockland will not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Woodland, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I think if we go back in history to the time of our thirteen struggling colonies here in the United States we will find that those people recognized at that time that the only way they

could survive was that those thirteen struggling colonies should unite and tie themselves together for the mutual welfare and good of them all. Now as we are set up today—forty-eight separate states, or forty-eight separate countries, you might say—if each one of us starts in building up trade barriers and those things which hinder the free flow of goods and services between one state and the other, I am afraid that in a short time the United States of America will be split up into forty-eight separate states. So let us look at it from the broad angle, let us remove any trade barriers if we have any, and let us see that no trade barriers are built up that will separate our states.

The rest of the states of the Union might say to Maine, "Well keep your potatoes up there, keep your paper up there, keep your textiles in the State of Maine. We can raise potatoes down here, we can manufacture paper. We do not need your services. If you want to build up barriers, go ahead and stay up there in that isolated section of the United States. We can get along without you."

So I think that the freer we can have our goods flowing to keep down the barriers that would prohibit the free flow of goods, I think we are on the right track, and I think that is the only track we can be on to keep the forty-eight separate "countries" of these United States happy and united and working for the benefit of all.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I did not intend to ask the indulgence of the House to speak again, but there are several little questions that I must answer. The other representative from the small town which I represent has said that interests — and he is right — "interests," the selfish motive, favor reciprocity. I noticed those same interests — and I imagine I am losing a sizeable slice of my coal business and a sizeable slice of my ice business, which I sell to that same company, when I say that their motives are selfish.

Undoubtedly the General Seafoods of Rockland would prefer that they did not register their trucks in New Hampshire and in Maine when they take our fish products to Bos-



ton and other places: but I say that they should do that, because I have noticed — and I happen to have my business on the same street that they are on, — and, by the way, Mr. Tabb, I operate eleven trucks, and, thank God, I do not have to leave the State of Maine. If I did have to leave the State of Maine in order to put a few more dollars in that pocketbook which has no money of any kind in it except my own, undoubtedly I would go for reciprocity. But my interests are principally in the State of Maine. Like my motives, everything I have is in the State of Maine and that is the reason that I want to do what I think is best for the State of Maine.

Now to get back to this General Seafoods of Rockland, undoubtedly they would prefer the present system. They will save the sixty dollars they pay in Massachusetts and the two or three hundred dollars they pay in New Hampshire. But I have noticed that since the passage of reciprocity, that our mutual friend, Mr. Bird, Mr. Upham who operates the Boston and Rockland Express, a local concern, his trips are getting less and less, and I never see his trucks leaving the town now. The trucks I see now are the Juliana Brothers, St. Johnsbury Express and these other out-of-state trucks. That is the reason that I feel the way I do. I am trying to think of the Maine trucker, and I know that he cannot stand the competition of these out-of-state trucks. I know that everyone does not feel the same as I do, you are trying to think up reasons why you will vote for reciprocity, but, down deep in your hearts, you feel the same as I do: you want to protect the State of Maine man, you want to protect the State of Maine trucker. You are not in favor of these out-of-state trucks. You do not enjoy the scenery of the great mechanical monsters traveling by here; you do not enjoy these rubber-tired freight trains traveling down the road any more than I do; but, for various and sundry motives, you feel you must vote for reciprocity.

I am not going to argue about it; I do not care how anyone votes, but by God when I go to sleep tonight I know I will be able to sleep because I will feel that I voted as my conscience dictates, the way I really feel and the way the majority of

my people want me to feel. My vote is not dominated by any motive.

We were greatly entertained by the potato shipper, Mr. Brewer, with a story. If Mr. Brewer shipped his potatoes inside of the State he might not be in favor of reciprocity, and the other potato shippers might not be in favor of it. I am going to tell you another story. I told it at the hearing. It had something to do with rabbit pie. A man invited some friends into his house for some rabbit pie, and these different people came in and one of them was sort of skeptical, a man like myself, and he wanted to look underneath the crust and see what was really in that pie. He said, "That doesn't look to me like rabbit pie." His host said, "Oh yes, it is rabbit pie." The other fellow said, "It doesn't taste like rabbit pie; it tastes to me like horse meat." And the host, whom I can draw a comparison with, said, "That is rabbit, but of course there is a little horse meat in it." He says, "How much horse meat is there in it?" The host says, "The rabbit pie is fifty-fifty, half horse meat and half rabbit." And the fellow says, "I still say it tastes like horse meat and I still say there is more horse meat in that pie." The host said, "I will take my oath that pie is fifty-fifty — one rabbit and one horse." (Laughter)

I am going to warn each and every one of you—you are all laughing—it doesn't make the least bit of difference to me, it won't cost me one cent if this bill is passed, but eventually it will cost the State of Maine quite a lot. If we feel so wealthy here that we feel that we can tell all these men to come in here and tear our roads to pieces, come in for free—and they do come in for free because they do not buy any gas; they come in with auxiliary tanks and do not buy a quart of gas in the State of Maine; they tear our roads all to pieces, take our business away. What do we get out of it? Nothing!

Do these truckers patronize these farmers that Mr. Tabb so eloquently upholds? Do they pay top prices for their products, their hay and their poultry? No. They pay the lowest possible price they can pay. I want to see every possible cent saved for the State of Maine.

New Hampshire, Massachusetts, New York, Detroit and Chicago can-

not compete with Maine when it comes to raising lobsters, and, Mr. Brewer, they cannot compete with Maine, with the possible exception of Idaho, when it comes to raising potatoes. If Aroostook insists on shipping their potatoes in Massachusetts trucks, perhaps I will eat Idaho potatoes.

Think it over now. It all depends on you. I am not trying to tell a story, I am just trying to appeal to the innate commonsense every Yankee has, and we are all Yankees, it does not make any difference whether our fathers lived here or our grandfathers. If you live in this State you love it, you are Yankees and you love it. Don't sell it short. I say if these trucks want to come in here make them pay a tax. I urge the indefinite postponement of this bill.

The SPEAKER pro tem: The question is on the motion of the gentleman from Rockland, Mr. Sleeper, for indefinite postponement of the bill. A division has been asked by the gentleman from Portland, Mr. Bowker.

All those in favor of the indefinite postponement of the bill will rise and remain standing until counted and the monitors have made and returned the count.

The SPEAKER pro tem: Nineteen having voted in the affirmative and ninety-six in the negative, the motion does not prevail.

Thereupon the bill was given its third reading and passed to be engrossed in concurrence.

#### Passed to be Engrossed

Bill "An Act relating to Tuition for Pupils from Towns Contracting for Secondary Education" (S. P. 382) (L. D. 1095)

Bill "An Act to Extend the Open Season for Hunting Migratory Birds" (S. P. 448) (L. D. 1273)

Bill "An Act relating to Taxation of Savings Banks" (H. P. 692) (L. D. 467)

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

#### Tabled

Bill "An Act relating to Indebtedness of Wholesalers of Liquors" (H. P. 1673) (L. D. 1378)

(Was reported by the Committee on Bills in the Third Reading, and

on motion by Mr. Jalbert of Lewiston, tabled pending third reading)

Resolve Closing Farmer's Brook in Franklin County to Smelting (S. P. 362) (L. D. 1031)

Resolve in favor of the town of Baileyville (H. P. 1557) (L. D. 1379)

Resolve in favor of the town of Trenton (H. P. 1558) (L. D. 1380)

Resolve Reallocating Road Resolve Money Previously Allocated to Road in Bucksport (H. P. 1658) (L. D. 1381)

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

#### Amended Bills

Bill "An Act relating to Issuance of Capias Execution in Divorce Cases" (S. P. 258) (L. D. 720)

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

#### Tabled

Bill "An Act Regulating Lights on Motor Vehicles" (H. P. 1628) (L. D. 1300)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Mr. DeSanctis of Madison, tabled pending passage to be engrossed)

At this point, Speaker Ward assumed the Chair.

The SPEAKER: As a remembrance of this occasion, Mr. Lacharite, the Chair takes pleasure in presenting you with this gavel.

Thereupon, the gentleman from Brunswick, Mr. Lacharite, was escorted to his seat, amid the applause of the House.

#### Passed to be Enacted

An Act Increasing the Salary of the Judge of the Calais Municipal Court (S. P. 162) (L. D. 401)

An Act relating to Taxation of Domestic Powl (H. P. 1096) (L. D. 708)

An Act relating to Removal of Superintendents of State Institutions (H. P. 1176) (L. D. 849)

An Act to Incorporate the Town of Strong School District (H. P. 1279) (L. D. 947)

An Act to Incorporate the Town

of Gray School District (H. P. 1290) (L. D. 949)

An Act to Incorporate the Town of Dixfield School District (H. P. 1446) (L. D. 1051)

An Act Concerning Medical Examiners (H. P. 1486) (L. D. 1087)

An Act relating to Obstructions of Snow and Ice on Traveled Roads (H. P. 1505) (L. D. 1130)

An Act relating to Excise Taxes on Liquors (H. P. 1562) (L. D. 1191)

An Act relating to Application of Penalty for Liquor Violation to Subsequently Issued Licenses (H. P. 1569) (L. D. 1198)

An Act relating to Unclassified Service in Department of Agriculture (H. P. 1584) (L. D. 1237)

An Act Exempting from Taxation the Property of Indians (H. P. 1660) (L. D. 1357)

#### Finally Passed

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Viola Grass, of Lambert Lake (H. P. 1659) (L. D. 1358)

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

Mr. THOMPSON of Brewer: Mr. Speaker, I move that the House recess until four o'clock this afternoon.

The SPEAKER: The gentleman from Brewer, Mr. Thompson, moves that the House recess until four o'clock this afternoon. All those in favor will say aye; those opposed no.

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

Mr. RANKIN of Bridgton: Mr. Speaker - - -

The SPEAKER: For what purpose does the gentleman rise?

Mr. RANKIN: Mr. Speaker, I rise to ask if House Paper 669, Legislative Document 1373, Bill "An Act Creating the Bridgton Utilities District," is still in possession of the House. I wish to offer an amendment.

The SPEAKER: The Chair will state that the bill is in the possession of the House.

Thereupon, on motion by Mr. Rankin, the House voted to reconsider its action of yesterday whereby it passed to be engrossed

H. P. 669, L. D. 1373, Bill "An Act Creating the Bridgton Utilities District," the new draft being H. P. 1578, L. D. 1240.

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

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

House Amendment "A" to H. P. 1669, L. D. 1373, Bill "An Act Creating the Bridgton Utilities District."

Amend said Bill by adding after the word "officers" in line 7 of Sec. 16 the words "but the said election shall be held not later than April 1, 1949."

Thereupon, House Amendment "A" was adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion by Mr. Fowler of Augusta, the House voted to reconsider its action of yesterday whereby Bill "An Act to Create the Augusta Parking District" (S. P. 203) (L. D. 594) was passed to be engrossed.

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

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

House Amendment "A" to S. P. 203, L. D. 594, Bill, "An Act to Create the Augusta Parking District."

Amend said Bill by striking out in the third line of section 19, the words "ninety days after its passage by the legislature" and inserting in place thereof "January 1, 1948".

Thereupon, House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and was sent up for concurrence.

On motion by the gentleman from Dover-Foxcroft, Mr. Lee, the House voted to reconsider its action of yesterday whereby it passed to be engrossed H. P. 621, L. D. 382, Bill "An Act Relating to Membership of the Maine State Office Building Authority".

On further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action of April 7th whereby it adopted Committee Amendment "A".

On further motion by Mr. Lee,

Committee Amendment "A" was indefinitely postponed.

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

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

House Amendment "A" to H. P. 621, L. D. 382, Bill "An Act Relating to Membership of Maine State Office Building Authority."

Amend said Bill by striking out in the ninth and tenth lines thereof the underlined sentence:

**"The members shall elect one of their number to be chairman."** and inserting in place thereof the underlined sentence:

**"The commission shall elect one of its members chairman, who shall receive such compensation as shall be approved by the governor and council."**

House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion by Mr. Cousins from Fort Kent, the House voted to reconsider its action of yesterday whereby it passed to be engrossed H. P. 1667, L. D. 1372, Bill "An Act Providing for Giving Complimentary Hunting and Fishing Licenses by Governor to Congressional Medal of Honor Holders".

On further motion by Mr. Cousins, the bill was tabled pending passage to be engrossed.

#### Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Report "Leave to Withdraw" of the Committee on Towns on Bill "An Act Authorizing Towns to Expend Money on Cottage Roads" (H. P. 1526) (L. D. 1119) tabled on April 3rd by the gentleman from Madison, Mr. DeSanctis, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. DeSANCTIS: At the request by several members of the Committee on Towns, I move this bill be recommitted to the Committee on Towns.

The motion prevailed, and the bill was recommitted to the Committee on Towns and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second tabled

and today assigned matter, House Majority Report "Ought not to pass" and House Minority Report "Ought to pass" of the Committee on Judiciary on Bill "An Act Relating to Inheritance and Estate Taxes" (H. P. 1391) (L. D. 1010) tabled on April 4th by the gentleman from Portland, Mr. Haskell, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. HASKELL: Mr. Speaker and Members of the House: The matter now under consideration is L. D. 1010.

If the members care to examine that document, they will find that although it contains some nine pages of printed matter, almost without exception the changes are occasioned by striking the word "Commissioner" from the present law and inserting in this proposed Act the words "State Tax Assessor." That is the entire matter right there in a nutshell.

Currently under the law as it is today, and as it has existed for some time, the collection of inheritance and estate taxes has been a function under the department of the Attorney General. Under the law the Attorney General designates an Assistant Attorney General, who is known as the Inheritance Tax Commissioner, and it is his function to collect the taxes and to administer the law.

Under this proposed change, nothing is done to change in any manner the tax structure of the State; it simply provides that in place of the Commissioner, the collection and administration of this tax will be in the hands of the State Tax Assessor.

Now doubtless many of you wonder why such an act was introduced, particularly at this time. It is not in any sense of the word a criticism in any manner of the functioning of the present system. The real reason behind the introduction, the real reason behind the proposal of this act, is that it was discovered that if this consolidation could be effected, that in the next biennium, over the departmental requests, the adoption of this measure would result in the savings of \$21,380 in the next two years.

I think that it has been something of a common experience of the members of this House, when they go back week-ends and talk with

their constituents, to find a very real confusion in the minds of the people of this State as to what this Legislature proposes to do in regard to raising revenue funds. That issue is and must be constantly in our minds. I think that probably most of you have found, as I have found, a rather disturbing influence in the minds of a great many people that all we think of here in Augusta is the matter of more taxes. Many people, sincere business men, the people who are interested, have said to me: "Don't you fellows ever think of saving any money?"

Now I honestly believe most sincerely that if it becomes necessary for us to pass a major tax measure or to ask the people to pass on a major tax measure, the least we can do before we do that is to make some effort to show the people that we have sincerely considered cutting and consolidating and saving their money wherever we can.

Now it is true, and I will be the first to admit it, that over a two-year period a savings of \$21,000 is very slight, but by the same token I think it is a sincere effort on our part if we elect to do this, and to show the people that we have given consideration to saving wherever we can without adversely affecting the public interests.

Now needless to say, there are arguments and there will be arguments on the other side of this question. I am not going to attempt to answer all of those arguments, but I would like to point out, so that this House may perhaps have a better understanding of the problem, what the collection and administration of these taxes mean. In every estate which passes through the Probate Court, there are certain forms which are required, in order that there may be a determination made of the amount of tax due from the beneficiaries to the State of Maine.

In a great majority of the instances, these are routine matters. The inventory is filed, and information is given as to beneficiaries, and if there is no will, a list of the heirs is filed and, based on that, it is a routine matter to determine that tax. There are certain complicated questions that do come up at times; I am sure you all appreciate that. Now I wouldn't advocate for one moment a consolidation in this manner if it meant that it was go-

ing to be harmful to the members of the bar who practice and do their estate work before the Commission, under the current law, or before the Tax Assessor under this proposed change. I wouldn't advocate in any manner at all a proposal which would adversely affect the public interests, but you will note here, under Section 1, which is very important in my opinion in regard to this proposed act, that if this consolidation is made, the Department of the Attorney General will still assign an Assistant Attorney General, specifically for the matter of inheritance taxes. Now that means, under all conditions and all circumstances, that any person, be he lawyer or not, who has a legal problem to do with this Department, still would confer with a man who is trained. I point that out because I think that it is very important and that without it we should not advocate the proposed change. With it, I can see no harm.

The only other change at all in the act that is new would provide that if this becomes law, that the State Tax Assessor shall pay over all receipts from such taxes, interest and penalties, to the Treasurer of State daily. I think, if you will analyze that change, you will see that it has very practical merit. You have a department handling checks and money and turning them over daily to the Treasurer. But beyond that there is not a single change here except to strike out the word "Commissioner" and place the collection and administration of taxes—and this is a tax—you can't get away from that—in the hands of the State Tax Assessor.

For the reasons stated, Mr. Speaker, I would move at this time the acceptance of the minority "Ought to pass" report of the Committee.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Members of the House: I wish to endorse the statements that the gentleman from Portland, Mr. Haskell, has just made. It seems to me, in this matter, that the savings that can be effected are real economy for the State, and the collection of inheritance taxes will be just as well done and we will be performing a service to the State in making this consolidation.

I sincerely hope that the mem-

bers of the House will go along in accepting the minority "Ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, we have been asked in many instances where we could save some money. I am just going to tell you briefly that everything that the gentleman from Portland, Mr. Haskell, has said, is true. You can, by the transfer of this from one department to another, and by cooperations of services already set up, save \$21,000, and I am heartily in favor of this bill, and so is every member of the Appropriations Committee, and I hope the "Ought to pass" report is accepted.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I want to heartily endorse the thoughts of the previous gentlemen who have spoken. I took it upon myself to get figures on this department from the Finance Commissioner. They requested \$25,493 for the years 1947 and 1948, \$23,887 for the years 1948 and 1949. If this change comes about, the Bureau of Taxation figures and requests for the accomplishment of this, \$14,000, for each year, combining the figure \$25,493 and \$23,887, subtracting the \$28,000 for the two years that they can do it, leaves us a saving of \$21,380.

Very rarely we have measures before us that call for the saving of money. We have to cut the cloth. I heard the gentleman from Portland (Mr. Haskell) make the remark that if we pass a major tax measure or if the people are asked to vote on a major tax measure—members, I don't think we are passing any major tax measures, I don't think the people would vote "yes" on any major tax measures; I don't know what sort of tax measure can be passed, although I might say here, reading an editorial in last night's paper, after witnessing a week ago Monday the Republican steamroller coming down the isle, I think the gentleman who wrote the editorial should be highly commended. For the benefit of those of you who did not read it, the gentleman said in effect: It is not my business or the newspaper's business to tell the members of the Legislature what to do, but he suggested that a Republican caucus be called,

and that some mode of raising money be attained.

After getting these figures, and I know the gentleman who has done the work with the Attorney General very well, and he has done a commendable job,—it says here, though, that they can still consult with them, and I am hoping that the minority report "Ought to pass" will be accepted by this House. I might also say that the four members, if I am properly informed, who signed that minority report, should certainly be highly commended for their action.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker and Members of the House: It happens that I am also a member of the Judiciary Committee and signed the majority report "Ought not to pass." This is not a tax measure; it is a legal proposition, and the only thing that could take it into the Tax Assessor's office is the fact that it was the word "tax," assessment of inheritance tax. It is a legal proposition, and not an administrative one.

For some nearly forty years I have done business with that office, and I do not think it is good policy to turn over to a layman's office the administration of a tax which is so complicated as the inheritance tax.

Furthermore, this bill is an instance of one department raiding another department. Two years ago the State Tax Assessor's office raided the Treasurer of State, and took over from the Treasurer of State not only the assessment of the tax, but its collection, under a law which, in my opinion, is of very doubtful constitutionality. We have here at the present time another raid upon another department to which I do not agree.

I do not know where these figures come from, as to the money that is going to be saved. It was stated before the Judiciary Committee that the amount of money that would be saved would be \$17,000. I was also informed that no member of the present staff of the Inheritance Tax Commissioner would be discharged. If that is so, there is no saving at all. I have taken the salary list that is given in the little book that was passed to us, and the total salaries of that Department are \$19,806.00, and if

they are to save any money—save \$17,000—they will take over simply one member of that staff, and if they take over the works in the Tax Assessor's office, and if they have help up there now to do it with, it would simply indicate that they have a lot of staff up there which are not doing the work which they should. All the figures that I have are what were given to me at the hearing before the Judiciary Committee. If what they said was true, they are not going to save any money if they take over that entire staff. If they save any money, it will be by discharging the entire staff with the exception of one person, and I hope the motion of the gentleman from Portland, Mr. Haskell, does not prevail.

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

Mr. McGLAUFFIN: This bill has been lobbied in this House, I am informed to such an extent that I have no doubt that many of you have made up your minds already how you are going to vote, and so anything that I might say probably will not affect your minds at all.

I have heard some members of the House say they are going to vote for this bill because it saves the State \$17,000. I have tried to learn where it is going to save the money, and I am informed that the only possible way of saving anything is to discharge some of the help who are now employed, and I am further informed by what I believe to be good authority, that every last member of that force is necessary, and I am further informed that the lobbyists who have been coming to you and telling you how much you are going to save by this change are telling the employees that they are not going to lose their jobs.

Now that isn't why I am opposing this bill. I am opposing it for two good reasons. First: I have had a great deal of experience with the present Department, and it has been very satisfactory. I want to remind you that that Department takes in a whale of a lot of money during a year and it is a responsible department.

My second and chief objection to passing this bill is that you are giving too much power in one department. The State of Maine, during Governor Gardiner's administration, did that once and they

have not ceased to regret it. I was in this Legislature in 1939, and this House was so stirred up that they were ready to remove any man from any office without a sound reason; they were crazy when they first came here; it took weeks to cool down to normal, sane judgment. I do not propose to be one to lay the foundation for such a situation again. I am against changing if you can save \$17,000 in two years. I am not going to be a party to have another Runnells case in this State, and that is no reflection on the man who is now in, but Runnells was trusted too, and the State suffered because of it—for a long time. I am definitely against this bill. I don't expect that I am going to win because I think you have been lobbied to death, but I am going on record as being definitely and decidedly opposed to this bill, with all the energy I possess. You are not going to change it with my consent.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, if my understanding is correct, this Department would merely be absorbed by the Taxation Department. There is some question of one man, whether they would have full-time work for him, but I do feel that even that fellow would eventually be assigned to something to keep him on the job. I don't believe it means discharging anybody, and I do feel that it means that we could save some money. They can call it a raid of one department on the other, but any time one department in the State can save money by doing that, I will subscribe to it, and I do want to tell you that so far as I know, it doesn't mean that anybody loses their job and it is a chance to save \$20,000.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I yield to no member of this House in my desire to stop raising money, which you well know, but I would like to have some member of this House inform me where they are going to save their \$17,000 or \$21,000 by consolidating these two departments.

Now the information which I had came right from headquarters. They said they were going to save \$17,000 and they said they were not going

to discharge any of their help, and according to the figures, if my arithmetic means anything, they must discharge them in order to save the money, and I would like to know where they are going to save any money.

The gentleman from Presque Isle, Mr. Brewer, was granted permission to speak the third time.

Mr. BREWER: Mr. Speaker, As I understand it, these men can be assigned on other work, and, when working on other work, the cost would be assigned to that department. That is my understanding. For that reason, it would be a saving.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, in answer to the statement of the gentleman from Boothbay Harbor (Mr. Perkins) that he wants to know just where this money is going to be saved, first of all I would like to point out that under the requests made by the department involved, that money would not be available, but he is cutting himself down to that extent in his requests.

As far as the employees are concerned, I understand that two would be eliminated.

Now the mortality of employees in the State service is such that you don't have to wait very long, in a department of any size in this State, before you find them dropping off. It would not be outright severances immediately at the effective date of the act, but new employees would not be employed as vacancies occurred.

Now there has been some temerity expressed in regard to turning over to a Layman's Bureau, so called, an office of the Attorney General. If you will look back into the history of the State, only a few years, say fifteen, you will find that the Attorney General's office of the State—one of its activities, it appears, has been a spawning ground for deputy Attorney Generals, and that they have branched out and gone into many so called Laymen's Bureaus in divisions of the State. You will find them in the Liquor Commission; you will find Deputy Attorney Generals in the Highway Commission. I venture to say that any commission or any department of any size in the State has one of the deputies from the Attorney General's office assigned to it.

This is a new thing so far as Maine is concerned. I understand there are only three states in the United States which have the collection of inheritance taxes in the Attorney General's office. Granted there are legal points that have to be considered in assessing properly the inheritance taxes, it is just as logical to have a Deputy Attorney General appointed by the Attorney General. Under this act you will notice that he is the Attorney General's man—he is his appointee, assigned to the State Tax Assessor's office for the handling of those specialized legal problems which do come up under the inheritance tax collections.

The legal aspects of inheritance tax work are small in proportion to the overall volume of the work concerned. There are many things—a great percentage of the work that can be done by the other employees of the department. I say that when we have a State official who has performed as the State Tax Assessor has performed in this State, it is more fitting for us here to give him a "well done" and to encourage him in his activities of saving money for the State, rather than to drag smelling herrings across the trail and resurrect scandals of by-gone years in attempts to prejudice and influence the minds of this body. I say that when we have a State official who has performed as this man has, that we should go along with him in his attempt to save money for the State of Maine.

I hope, certainly, that the minority report will be accepted.

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

Mr. PEIRCE: Mr. Speaker and Members of the House: As a signer of the minority report, I would like to state briefly why I take that position.

I have the impression that the man on the street who opposes new taxes does so, for one reason, because he believes that great economies can be effected in the administration of the various State departments. He thinks that by the study of operations that various savings can be made.

We have before us an example of a departmental head making a study, and coming before the Legislature and telling us how we can effect at least a small saving. I think a department head who has



the interests of the State of Maine at heart to such an extent to do that should be commended for it, and other department heads should be encouraged to take similar action. It is my opinion, although I represent the city of Augusta, where the great part of the State employees live, that it is not my duty to come to this Legislature to create new jobs for State employees or preserve their present jobs if the welfare of the entire State would be adversely affected. I certainly hope that the motion to accept the minority report will prevail.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: You have heard from three members of the Judiciary Committee who signed the minority "Ought to pass" report. I am the fourth member. I rise merely to make that statement and to say that I see nothing particularly vicious in consolidating departments, particularly where it all has to do with the assessing of taxes. We all know that in assessing any taxes there are certain matters of routine. There are others that involve legal problems and those should probably be referred to the legal department of the city, if it is a municipal problem, or of the State, if it is a State problem.

Under this bill that would be done, A Deputy Attorney General would be assigned to that duty. In the matter of investigation on the outside, I believe it could well be co-ordinated with the work that the Assessors' Department is now doing in checking real estate transfers in connection with the equalization of the tax burden. Therefore, I hope that the motion of the gentleman from Portland (Mr. Haskell) to accept the "Ought to pass" report, prevails.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Elliott.

Mr. ELLIOTT: Mr. Speaker and Members of the House: If my memory serves me correctly, the Tax Assessor's Department did raid one other department two years ago and said he could make a saving. I think his word held good. And if we make another raid on a department and save us \$17,000 or \$21,000. I think, as taxpayers, we should compliment him on the fact. I understand that the Tax Assess-

or's Department is the only one that came to the Appropriations Committee and asked for less money than your Budget Committee allocated. I think that is another thing for him to be complimented upon. I am glad we had four members who signed the minority "Ought to pass" report, and I hope the motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Burton.

Mr. BURTON: Mr. Speaker and Members of the House: I want to bring up something that has happened in the past, and, so I will not get off the track, I will just read this to you. I will take only a couple of minutes.

Two years ago I was a member of the Taxation Committee, as I still am, and at that time we had before us four bills, introduced by the gentleman from Presque Isle, Mr. Brewer, which provided for the streamlining of tax administration at State levels. These bills were given a unanimous report by the committee, were enacted in the law of the Legislature for 1945, and we were told by the sponsor, the State Tax Assessor that these measures would provided for simplification of tax administration, would result in more satisfactory relations between the taxpayers and the State, and would probably save some money in the cost of administration.

Those of us who checked this matter upon our return to this session of the Legislature have satisfied ourselves that the claims made by the sponsors of those bills were not unfounded and are gratified to learn from the Bureau of Taxation the agency concerned with these laws is now doing business with three less employees than it had a year ago and is asking for less money from all sources for each year for the next biennium than was allocated to the bureau for the current year.

We are now told by the same individual who sponsored the legislation in 1945 that if the Inheritance Tax Division is combined with the Bureau of Taxation a saving in the cost of administration will result.

Based on the record of the Bureau of Taxation for the past two years, and also upon this one of these very few cases that have been brought to our attention whereby a saving may be effected, it would

seem reasonable and desirable for us to provide an opportunity for such a saving to be made.

It is therefore my hope that the motion of the gentleman from Portland to accept the minority report will prevail.

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

Mr. HASKELL: There is just one other thing that has not been touched upon in this discussion to date. I think all of you are familiar with the extremely crowded office conditions in this building, and I would like to point out to the House that if this consolidation is effected I am assured that the present departmental personnel of the Inheritance Tax Division can absorb the Inheritance Tax workers in their own office and thus free what is now during this session the Appropriations room, which is ordinarily used by the Inheritance Tax Commission, for other purposes.

Mr. Speaker, I ask when the vote is taken that it be taken by a division.

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

Mr. MUSKIE: Mr. Speaker and Members of the House: I am still not convinced that the proposed change will effect a tax saving. If the bill did result in such a saving, I would favor it for that reason. If it does not result in such a saving—and I am not convinced that it would—I would oppose it for the very good reasons that have been given.

In looking over this report of the Appropriations Committee, I was interested in comparing the budget of the Attorney General's Department and that of the Bureau of Taxation. I notice in the year 1945 that the Attorney General's department spent \$79,000. I note further that in the department requests the Attorney General's departments that did request an increase, and that the Appropriations Committee has recommended a budget of \$72,750 for each of the next two years, which is a saving from 1945 of almost \$7000. Then I look at the Bureau of Taxation, and I notice in 1945 that bureau spent \$124,000. I note further that they have requested an increase for

1948 to \$136,000, which is an increase of \$12,000.

Now I have heard commendation expressed for a department head who will come in and request steps that will result in savings to the people of Maine. I am wondering now whether we should commend a department head who will recommend those savings at the expense of another department while overlooking his own department which is steadily increasing the money it is spending.

Now I may be wrong; it may be that I have drawn the wrong conclusions from the figures that are before me, but to me they are more convincing than any evidence that has been presented so far this morning to the effect that this bill will result in savings to the people of Maine; and until I have been presented with more convincing evidence I am going to oppose the bill.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I do not arise to drag any red herrings across the road or anybody's path, but I do arise in opposition to this bill, the same as I will stand later in opposition to additional taxes. I would just like to leave one thought with you. As I understand, this Legislature has employed Ernst & Ernst to investigate certain phases of the Welfare Department of our State. We have apparently figured that that concern's judgment was valuable, to step out again and hire them for another job. Last year they audited and checked the State of Maine. That same company, Ernst & Ernst, I would just like to say from their report leave the idea that is foremost in my mind:

"The Tax Commissioner is responsible for the assessment, abatement and collection of certain classes of taxes. Our audit of the Tax Commissioner's accounts and records, included a review of the assessment records, proof of abatements, collection of the accounts, and test check of the unpaid balances by comparison of trial balances of the individual accounts and circularization of a selected list of unpaid balances at June 30, 1946. In our review of the unpaid balances we gave consideration to the age of the balances, and found no accumulation of old accounts. While we found the records and ac-

counts in the Tax Collector's office in excellent condition, we direct your attention to the fact that it is not ordinarily considered accepted practice with respect to internal control to permit the assessment, abatement and collection of tax accounts to be centered within one department."

That is the main objection I have to this bill, that you are centering too much control in one board. I hope that the motion of the gentleman from Portland does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Naples, Mr. Bove.

Mr. BOVE: Mr. Speaker and Members of the House: As I understand this act, if it is transferred from the office of the Attorney General to the office of the State Tax Assessor we can save approximately \$21,000. If that is so, I certainly am in favor of the passage of this bill.

The SPEAKER: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Portland, Mr. Haskell, that the House accept the minority "Ought to pass" report of the committee. The same gentleman has requested a division.

All those in favor of the acceptance of the minority "Ought to pass" report will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and nine having voted in the affirmative and fourteen in the negative, the motion prevails and the minority "Ought to pass" report has been accepted.

This being a printed bill, under suspension of the rules it was given its two several readings, and tomorrow assigned for third reading.

The SPEAKER: The Chair notes in the balcony the presence of the eighth grade from Gray, Maine. On behalf of the members of the House, we bid you welcome here this morning. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, I move that we recess until four o'clock this afternoon.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the House recess until four o'clock this afternoon.

The Clerk will read the notices.

Thereupon the House recessed until 4:00 P. M.

#### Afternoon Session After Recess - 4 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines" (H. P. 1365) (L. D. 987) tabled on April 4th by the gentleman from Monmouth, Mr. Marsans, pending third reading.

Mr. Brewer from Presque Isle, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1365, L. D. 987, Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines."

Amend said Bill by striking out in the 2nd line of that part designated "Sec 156-B" the underlined word "this" and inserting in place thereof the underlined words "the preceding".

Further amend said Bill by striking out all of that part designated "Sec. 156-C" and inserting in place thereof, the following:

**Sec. 156-C. Penalty. Any person violating any of the provisions or any quarantine, or rules or regulations supplemental thereto, issued by the commissioner of agriculture in pursuance of section 156-A shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.**

House Amendment "A" was adopted, and the bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

The Chair lays before the House the fourth tabled and today assigned matter, Bill "An Act Authorizing Cities and Towns to Provide for the Collection and Disposal of Garbage, Rubbish and Refuse, and to Assess a Charge Therefor" (H. P. 1076) (L. D. 732) tabled on April 4th by the gentleman from

Auburn, Mr. Williams, pending third reading; and the Chair recognizes that gentleman.

Mr. WILLIAMS: Mr. Speaker and Members of the House, I note the absence of the gentleman who introduced this bill, and hesitate to proceed except for the fact that he told me that he might not say anything if I spoke against the bill.

This bill is an act to amend chapter 80, section 83 of the Public Laws of Maine, which provides that towns, cities and village corporations may make by-laws or ordinances not inconsistent with law and enforce them by suitable penalties for the purposes and with the limitations following. Then appear the various purposes for which municipalities may make by-laws.

Yesterday afternoon we considered one such measure, An Act Authorizing Cities and Towns to Assess a Charge for the Use of Sewers and Sewer Systems. This bill, Legislative Document 732, is "An Act Authorizing Cities and Towns to Provide for the Collection and Disposal of Garbage, Rubbish and Refuse, and to Assess a Charge Therefor." Now this bill has been amended, and in its amended form the bill itself reads as follows:

"... providing for the collection and disposal of garbage, rubbish and refuse, and" ... note the next few words, "for the assessment from time to time upon any person or persons owning, occupying or using the premises upon which any garbage, rubbish or refuse shall have been produced or accumulated, a charge for the collection and disposal of said garbage, rubbish and refuse ..."

I don't know that it is necessary to continue reading the entire bill, but it further provides that the money be applied to the payment of the cost of this collection and for any debt that might have been previously contracted for that purpose, which I assume might include the purchase of a truck or vehicle for the removal of these items. And by this same by-law you define the person upon whom this charge would be levied.

It is chiefly a question, as I see it, of how we shall pay for these services that we now have come to consider municipal functions. Shall we pay for them through our general assessment on real estate in one tax bill or shall we divide these

services and assess by numerous tax bills for these services, one for sewage, if you will, one for garbage, and one for rubbish.

Personally, I do not see that we are gaining anything thereby. We might conceivably reduce the tax rate in some given municipality by a mill, but the citizens of that municipality would still pay the bill. It would merely mean that they would have to determine how much they should assess me for carrying away a barrel of ashes, and how much they should assess my neighbor for carting away a pile of prunings from his shrubbery. If you believe there is anything to be gained by assessing these items for the specific purposes against various individuals, you should vote for this bill; otherwise you would vote against the bill, and I now move indefinite postponement of Legislative Document No. 732.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that this matter be indefinitely postponed. Is the House ready for the question? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, "House Order Relative to Special Calendar for Matters Carrying Appropriations," tabled on April 7th by the gentleman from Boothbay Harbor, Mr. Perkins, pending passage; and the Chair recognizes that gentleman.

Mr. PERKINS: Mr. Speaker and Members of the House: If you have this order before you I wish you would look at it.

I tabled this order because when it was read it seemed to carry a new method of doing business in this House. It provides in substance that notwithstanding the rules of the House or any other order that any bill that is about to be passed to be engrossed which requires an appropriation shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar, to be called up for consideration only by a member of that committee. And that means that when those go on that special calendar no one

can take them off except a member of the Committee on Appropriations and Financial Affairs.

Not only that, but the second paragraph of the order is as follows: "This order will continue in effect until the end of this regular session." Now under that order, as I understand it, those resolves or bills would go on the table, and, unless some member of the Committee on Appropriations and Financial Affairs took them off, they might be there when this Legislature adjourns. And that is the reason for having this reproduced and calling it to the attention of the House.

I understand, however, that the purpose of this order is simply for the purpose of facilitating the administration of the House and especially the office of the Clerk, to save a great deal of work, and that the matters will be called up after the appropriation bills are in here and we come along to the usual time in the session for considering these matters.

Heretofore, it has been the custom, as I recall it, for the Appropriations Committee to place these matters on the table and then retable them continually until that time came. If I am correct in my understanding of this order, I do not have any objection to it, because I understand the Appropriations Committee will take them off at the proper time. If I am in error I wish the Appropriations Committee would correct me and make a statement at this time.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members of the House: I have had the pleasure of sitting on the Appropriations Committees for the last six years, and in that time I have had the pleasure of sitting on some good ones where the problems were not too difficult; we had some money to play with, demands were not so big, so that we had to say "No" to hardly anybody. But we have reached the point where we are in desperate need of funds. I am going to lay my cards on the table and tell you, as I did this morning, that if new revenue is not raised there is not a bill that has not been considered in your budget that can be considered by this Legislature.

For this reason, we have asked for a departure from the rules we

have worked under, for the simple reason that if your Appropriations Committee ever needed protection they need it now. I hope you will go along with us on this order. It was not our idea to leave bills on the table and let them rot out, so to speak, but it was to facilitate the work in the Clerk's office. Every time one of these bills is taken off and put back again, that means that much more work, and we have a lot of bills that involve appropriations.

As I say, it is too bad for us to have to make more work, for that reason, for the House Clerk and the Speaker. We decided that this was the better way to handle these appropriation bills. For that reason, I asked that they all be laid on the table until you gave us our special calendar.

Now I say to you: unless we get some revenue we cannot consider in this Legislature any bills involving money unless they have already been taken care of in the budget. You can see what happens when you make a cut; you get some squawks on it. I would visualize that if you had to live within the amount of money that we have to work on you would not be very popular by the time you got home. As I say, if you do not give us money before we adjourn, that means we have no alternative as a committee except to recommend that they be killed, and, with your help, step out and do so. I hope that you will let this order receive passage.

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

Mr. MCGLAUFFIN: Mr. Speaker, I understand that we are perfectly safe in passing this proposition because the House itself can redress this rule at any time by a two-thirds vote.

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House that this order receive passage?

The motion prevailed.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, House Amendment "A" to Bill "An Act to Provide a Retirement System for State Employees," (H. P. 1180) (L. D. 837) tabled on April 7th by the gentleman from Boothbay Harbor, Mr. Perkins, pending adoption; and

the Chair recognizes that gentleman.

Mr. PERKINS: Mr. Speaker and Members of the House: I now move indefinite postponement of House Amendment "A". My reason for doing so is this: The bill under consideration to which the amendment is desired to be appended is L. D. 837, An Act to Provide a Retirement System for State Employees. If you have read the bill, you will find it contains twenty-nine pages. This is the bill that sets up the pension system for teachers and state employees, and this is the third session of the Legislature in succession that this bill has been before the committee of which I happen to be a member. We have wrestled with this bill for three terms; it is a complicated bill; it required a lot of hard work, and two years ago your committee was about to report the bill out favorably when we received information that the figures upon which the bill was based, showing how much it would cost the State of Maine, were wrong. Therefore the bill was reported at that time "Ought not to pass," but I signed the minority report "Ought to pass" because I had agreed to go along with the bill. But the majority were right at that time.

Now this bill has been considered carefully by the Judiciary Committee, and, following the session of two years ago, a recess committee was appointed, on which committee served a representative of the State Retirement for Employees, the teachers, and all the other people that were interested in the bill, and I think they did a very fine job.

This bill will cost the State of Maine about \$218,000 to make it operative. Those figures are given to us by Mr. Perkins as an actuary in the insurance department. It is my position that this bill cannot be amended with any degree of safety. The minute you begin to tamper with it you destroy the entire basis upon which this bill is based. I want to see this bill passed as is, and then if somebody wishes to take the trouble to go over it and amend it two years from now, that is their problem. But we have tried the best we could to report a bill that would, and everybody that was on that committee, which contained members from each one of the associations, was satisfied with the bill. They did not come in and say it

was a good bill but the teachers wanted it changed, the Sea and Shore Fisheries wanted it changed and some of the rest wanted it changed.

Now you have a good bill which will take care of this situation that has troubled us for three sessions. I hope this bill will not be amended, because, as I said before, if you amend this bill, the financial structure and everything upon which it is based goes to pieces. I do not care what your amendment is, you destroy everything upon which it is based. If it is amended, although I am very much in favor of the bill I know that it would be destroyed, and eventually I would feel that I had to vote against the bill which I now advocate. I hope that the motion to indefinitely postpone House Amendment "A" will prevail.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, the amendment under consideration is purely to clarify the status of the employees of the University of Maine. The University of Maine is not seeking any advantage by this amendment. The facts are quite to the contrary. We are trying to make it clear that the employees of the University of Maine if they come into the system will come in with their bills paid by the University.

The bill in its present form at the top of Page 2, under the definition of "Department," includes "an agency of the State government," which the University of Maine has been expressly declared to be.

On Page 28, Section 22, under the heading "Special Intent," it reads: "It is the intent and meaning of this chapter that all rights and credits and privileges," and so forth. And, further on, it is expressly provided that "the board of trustees of the retirement system shall in all cases make the final and determining decision in all matters affecting the rights, credits and privileges of all members of the system, whether in participating local districts or in the State service."

If the bill goes through in its present form without this clarifying amendment, it is my opinion that the employees of the University of Maine are included, and if they are included I presume the State will pay the bill. No allowance, however, has been made for including

them in the appropriation which is estimated, therefore the trustees of the University have asked me to make it clear that they should be included under those who may come in if they pay their own bill.

So you see we are not asking for an advantage; the fact is quite the contrary. The amendment is purely for the purpose of clarification, and, beyond this point of clarification, I am entirely in accord with the gentleman who has just spoken, and I am for the bill with that slight clarification.

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

Mr. McGLAUFNIN: Mr. Speaker, I have to support the position taken by the gentleman from Boothbay Harbor, Mr. Perkins. There were innumerable amendments offered to us. Some of them I wanted to favor myself. I wanted to help out the Sea and Shore Fisheries, who had an amendment, and the Inland Fisheries and Game, who had another very reasonable amendment to make; but the teachers and the superintendents sent in one after another, until we decided that if we undertook to make all the amendments they put in there you would never know the bill when it came out. We therefore decided that the bill should go as is.

As stated here by Mr. Perkins, at the hearing the teachers, the different departments, all expressed themselves as being satisfied with the bill, only they felt they might improve it by some amendment. I think the thing for us to do is to pass this bill as is, and if there are any clarifications to be made, let them come up at another time.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

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

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I notice in this Legislative Document 837 that great care has been taken to take care of the Inland Fisheries and Game Department, Deputy Warden, Captain of the Guard, State employees, and also the State Police, and I cannot understand why the Sea and Shore Fisheries Depart-

ment is not just as much entitled to these same benefits. It is just as strenuous, just as dangerous, just as worthy a cause to be a Sea and Shore Fisheries warden as it is to be an Inland Fisheries and Game warden, and I cannot understand the reason they have not accepted the amendment to put in the Sea and Shore Fisheries Department.

I would like to have the House understand that in the event this bill is passed I shall certainly introduce a measure to include the Sea and Shore Fisheries Department to get the same benefits that these other uniformed departments of the State enjoy under this bill. I cannot understand why the Sea and Shore Fisheries Department is not in this bill. I would like to know why. In the event the House passes the bill I will certainly introduce an amendment and I would like to have that amendment acted favorably upon to include the Sea and Shore Fisheries Department. They are just as worthy and just as well qualified to come under the provisions of this act as any of these other uniformed bodies.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I ask the Chair to clarify the issue upon which the House is voting, because the discussion has strayed away from the amendment, the adoption of which is the pending question, I believe.

The SPEAKER: House Amendment "A" has been presented and its adoption has been moved. The gentleman from Boothbay Harbor, Mr. Perkins, has now moved for the indefinite postponement of House Amendment "A," and that is the pending question before the House. The filing number is 228. Is the House ready for the question?

All those in favor of the indefinite postponement of House Amendment "A" will rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Eighty having voted in the affirmative and twelve in the negative, the motion prevails and House Amendment "A" has been indefinitely postponed.

Thereupon the bill was tomorrow assigned for third reading.

The **SPEAKER**: The Chair lays before the House the seventh tabled and today assigned matter, Bill "An Act Relating to Operation of Farm Tractors." (H. P. 253) (L. D. 179) tabled on April 8th by the gentleman from Crystal, Miss Longstaff, pending passage to be engrossed, and the Chair recognizes that gentleman.

**Miss LONGSTAFF**: Mr. Speaker and Members of the House: I feel that the legislation which we now have covering the operation of farm tractors upon the highway is very adequate and it has worked to the advantage of every farmer throughout the State. I made an investigation and found that there were no recorded accidents in regard to farm tractors upon the highways. Therefore, I move the indefinite postponement of this bill.

The **SPEAKER**: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

**Mr. FITCH**: Mr. Speaker and Members of the House: If you will search through the record, I believe you will find that at the time the amendment was introduced to this bill that I suggested that if the members believed that the amendment should pass I thought it would not be a question of accepting the amendment so much as it would be a question of killing the bill as a whole.

This bill was suggested to me by members of the State Police. The gentleman from Crystal, Miss Longstaff, and I discussed it. She tells me she finds there is no record of any accidents. With that in mind, I wish to second her motion.

The **SPEAKER**: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Crystal, Miss Longstaff, that this matter be indefinitely postponed. All those in favor will say aye, those opposed no.

A viva voce vote being taken, the motion prevailed.

The **SPEAKER**: The Chair lays before the House the eighth tabled and today assigned matter, Bill "An Act Relating to Fire, Marine and Inland Marine Insurance Rate Regulation." (H. P. 64) (L. D. 49) (In the House passage to be engrossed reconsidered) tabled on April 8th by the gentleman from Portland, Mr. Bowker, pending passage to be en-

grossed; and the Chair recognizes that gentleman.

**Mr. BOWKER**: Mr. Speaker and Members of the House: I am now going to ask for the indefinite postponement of Committee Amendment "A", and in support of that motion will say that a new House Amendment has been made and distributed and which I will offer. That House Amendment "A" takes into consideration the changes that were made in Committee Amendment "A" plus one other small amendment.

Therefore, Mr. Speaker, I move the indefinite postponement of Committee Amendment "A".

The **SPEAKER**: The gentleman from Portland, Mr. Bowker, moves the indefinite postponement of Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

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

House Amendment "A" to H. P. 64, L. D. 49, Bill, "An Act Relating to Fire, Marine and Inland Marine Insurance Rate Regulation."

Amend said bill by adding after the word "fire" in the first sentence of the part designated "Sec. 274" thereof, the following words:

**"and allied lines"**

Further amend said bill by adding to Section 274 the following:

**"V. To insurance written on an assessment or post-loss basis by domestic mutual insurers."**

Further amend said bill by striking out in the 2nd line of that part designated "Sec. 276" the following words **"and at the request of the commissioner"**.

Further amend said bill by striking out all of sub-section V of that part designated "Sec. 276" thereof and inserting in its place the following:

**"V. Beginning ninety days after the effective date of sections 273 to 290, inclusive, no insurer shall make or issue a contract or policy except in accordance with filings which are in effect for said insurer as provided in sections 273 to 290, inclusive, or in accordance with subsection III or IV of this section."**

Further amend said bill by striking out in the 1st line of that part designated "Sec. 277" the word **"finds"** and inserting in place



thereof the words 'has reason to believe'.

House Amendment "A" was then adopted, and the bill was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, Bill "An Act Relating to Casualty and Surety Insurance Rate Regulations" (H. P. 65) (L. D. 50) (In House, passage to be engrossed reconsidered) tabled on April 8th by the gentlemen from Portland, Mr. Bowker, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. Bowker, under suspension of the rules, the House voted to reconsider its action of March 21st whereby it adopted Committee Amendment "A".

Mr. BOWKER: Mr. Speaker and Members of the House: I now ask for indefinite postponement of Committee Amendment "A", due to the fact that this is a companion bill on the casualty end. The previous bill was a fire bill.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves the indefinite postponement of Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

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

House Amendment "A" to H. P. 65, L. D. 50, Bill "An Act Relating to Casualty and Surety Insurance Rate Regulation."

Amend said bill by adding at the end of subsection IV of that part designated "Sec. 292" the following:

**'The filings required by subsection II of section 6 of chapter 26 may be made on behalf of any workmen's compensation insurer by a rating organization licensed in accordance with the provisions of section 296.'**

Further amend said bill by striking out in the 2nd line of that part designated "Sec. 294" the following words "and at the request of the commissioner."

Further amend said bill by striking out all of subsection V of that part designated "Sec. 294" thereof and inserting in its place the following:

**'V. Beginning ninety days after**

**the effective date of sections 291 to 309, inclusive, no insurer shall make or issue a contract or policy except in accordance with filings which are in effect for said insurer as provided in sections 291 to 309, inclusive, or in accordance with subsections III or IV of this section.'**

Further amend said bill by striking out in the 1st line of that part designated "Sec. 295" the word "finds" and inserting in place thereof the words 'has reason to believe.'

Thereupon, House Amendment was adopted, and the bill was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I move that the House reconsider its action whereby it adopted the committee report on Bill "An Act to Provide a Retirement System for State Employees." The reason I wish the House to reconsider its action is that I am not now a member of the Appropriations Committee—I feel as if I had been, and I was a member of that powerful committee in 1939, 1941 and 1943,—and at the first of this afternoon's session I remember of voting for an order that said that every measure that called for an appropriation would have to be tabled unless the money for said appropriation was forthcoming. I understand that this bill, "An Act to Provide a Retirement System for State Employees," will call for \$217,000 additional, so I now move that we place that bill upon the table.

The SPEAKER: The Chair would state that matter is not before the House at this time, having been assigned for third reading tomorrow morning.

On motion by Mr. Fitch of Sebago, the House voted to take from the table the tenth tabled and unassigned matter, "An Act Relating to Unredeemed Tickets on Pari Mutuel Pools. (S. P. 212) (L. D. 575) tabled on April 8th by that gentleman pending passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker and Members of the House: When this bill was originally presented all of the money for the unredeemed tickets on pari-mutuel pools was to

be turned into the general fund of the State ninety days after the meeting. This bill has now been amended so that any Agricultural Association which receives a State stipend is exempt from the bill. In other words, it leaves only Old Orchard, Bangor and Gorham now affected. The purpose of the bill was to help pay for the auditing which goes on at these race meetings. I can see no reason why Old Orchard, Gorham and Bangor alone should pay for the auditing of all of the pari-mutuel pools in the State, and I move the indefinite postponement of this bill.

The SPEAKER: The question before the House is upon the motion of the gentleman from Sebago, Mr. Fitch, that this matter be indefi-

nately postponed. Is the House ready for the question?

All those in favor will say aye; those opposed no.

A viva voce vote being doubted,

A division was had.

The SPEAKER: Fifty-five having voted in the affirmative and fourteen in the negative, the motion prevails.

The SPEAKER: The House is proceeding under Orders of the Day.

If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Stearns of Hiram,

Adjourned until ten o'clock tomorrow morning.