

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

Tuesday, April 29, 1947.

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

Prayer by the Rev. Irving Monroe of Bridgton.

Journal of yesterday read and approved.

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

Report of the Committee on Salaries and Fees on Bill "An Act relating to Automobile Travel by State Employees" (S. P. 299) (L. D. 794) reporting same in a new draft (S. P. 537) (L. D. 1456) under same title and that it "Ought to pass"

Report of same Committee on Bill "An Act relating to Boards of Registration" (S. P. 371) (L. D. 1036) reporting same in a new draft (S. P. 536) (L. D. 1457) under same title and that it "Ought to pass"

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

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

Non-Concurrent Matter

From the Senate: Bill "An Act to Create the Penobscot Valley Water Commission" (H. P. 1697) (L. D. 1421) which was passed to be engrossed in the House on April 18th as amended by House Amendment "A."

Came from the Senate passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" (L. D. 1473) in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

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

Mr. McGLAUFFLIN: Mr. Speaker, I move that the House reconsider its action taken yesterday on House Paper 1171, Legislative Document 847, Resolve, Permitting Fly Fishing in Certain Waters of Franklin County.

I am informed that there were some men who were absent yester-

day who would like to say something upon this measure. I therefore move, in order to give them a chance to be heard, that we reconsider the action taken on this bill yesterday.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the House reconsider its action of yesterday whereby it accepted the majority "Ought not to pass" report of the Committee on Inland Fisheries and Game on Resolve, Permitting Fly Fishing in Certain Waters of Franklin County (H. P. 1171) (L. D. 847). 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 of the House was had.

The SPEAKER: Forty-nine having voted in the affirmative and forty-two in the negative, the motion prevails.

The Chair understands that the same gentleman now moves that the House reconsider its action of yesterday whereby it failed to accept the "Ought to pass" report of the committee on Resolve, Permitting Fly Fishing in Certain Waters of Franklin County. Is the House ready for the question?

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Members of the House: I am not going into any lengthy discussion of this this morning. I did feel it was not a fair vote. There were very few here; only seventy-two voted. I had tabled this twice for the opposition. I thought I should have a reconsideration.

This bill is very important to my community. It is something that we urgently need and I hope that those who did not vote yesterday will vote. This is all the time I am going to take. I think there are one or two others who have something to say on this matter. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Byron.

Mr. BYRON: Mr. Speaker and Members of the House: If we go back to the 1943 Legislature, we will find that the Committee on Inland Fish and Game started revising the fish and game laws. They worked hard and diligently at this task and it was worked out by counties. Now the representative from our district consulted me, as well as neighbors

of mine, and I think they did a swell job. Everybody in the towns were consulted and they abided by the laws that were set up. They worked hard at it, as I have said before they did a good job. Now my friends, Mr. Carville, comes along with this bill, says it is a conservation measure and a propagation measure.

In some instances, especially on the brooks, tributaries, he is reducing the limit of the catch. In other places, he is increasing it where, he claims, his people would like to fish, which is on the large streams, ponds, and lakes. It seems to me that if this is a conservation measure, that you would be reducing the limit instead of increasing it on some of those large bodies of water.

There is another thing that we have to take into consideration when we are considering the fishing today. Years ago, we used to go fishing for pleasure; when it came a rainy day why we would go fishing. That was about the only time that we had; no licenses to bother with. But since the last war, fishing licenses have more than doubled. I think that is one reason why we have not the fishing today that we had twenty, twenty-five, or even thirty years ago. Then we come to the bill which Mr. Carville has, with only a few changes in it. In this bill there are twenty-seven bodies of water so there must be twenty-seven changes, otherwise they would not be in the bill. You will notice that seventeen of them say "tributaries". Well, now, that does not mean just one tributary, it may mean two, three, four, or five. If you will look at your map and follow these out, these tributaries, with the bodies of water proper plus the tributaries, you will find that there are more than one hundred changes in this bill.

It seems to me that the people living in the State of Maine should have a chance to go up in Franklin County and do a little fishing if they please. If they want to fish with bait, fish with bait; if they want to troll, troll; if they want to fly fish, fly fish. But under this bill and the laws that are set up regarding the other waters, you would have to travel miles and miles before you could even drop anything in the water except a fly. It seems to me that this is discriminatory legislation. I hope that the motion

of the gentleman from Eustis does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House reconsider its action of yesterday whereby it failed to accept the Minority "Ought to pass" report of the Committee.

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

Mr. SLEEPER: Mr. Speaker and Members of the House: I do not think that I am the last word on fly fishing, but I know that for six, eight or ten years all of us members from the coast have been coming up here and telling all you members to close certain flats to clam digging and close certain areas for scallop fishing and dragging.

We are always imposing our wills on the members of the Legislature. The Legislature has always gone along and helped us on these purely local matters, so until I am convinced that a majority of the people up in that section are not in favor of the bill, I intend to support the motion to reconsider. It is the only fair thing that we can do. It is purely local. I would guarantee that one hundred twenty-five of you members do not know whether clam digging ought to be closed in the towns of Waldoboro and Nobleboro, but you go along because you take our word for it. I am going to take the word of the gentleman from Eustis, Mr. Carville, and vote with him.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Members of the House: Like my colleague from Rockland, Mr. Sleeper, we do not have any fly fishing down our way. I am not as good a harpooner as he is, I have not had as much experience, but I will go along with him on his suggestion. Not knowing anything about Franklin County, I would go along with my colleague from Franklin County on this vote.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Morison.

Mr. MORISON: Mr. Speaker and Members of the House: I would just like to say a word on this bill. Speaking of what they want in Franklin County, I know that a

great majority of the people that I have talked with anyway are in favor of this bill. They believe it is a good bill for Franklin County. Only last weekend I went home and was talking with a friend of mine in Farmington who is an ardent fisherman, who fishes Chain of Ponds a great deal. He spends a lot of time there every summer. He says, "Has that Franklin County fishing bill come up yet?" I said, "No." He says, "I understand Carville has got a bill in there to limit fish to one fish per day." I immediately asked him where he got his information and learned that that like many other things was one of those occasions when somebody knew so much that was not so. I told him that it did not limit the fishing to one fish a day but changed it to six. He says, "That is a good bill; I would like to see it go through." As I say, that is a man who fishes Chain of Ponds regularly. I think that it is a good bill and I hope the motion to reconsider will prevail.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: We have heard quite a lot of debate in this House about home rule.

I think this is a fair example. The gentleman from Hollis, Mr. Byron, refers us to a map. I would refer you to a map. You do not need to have a map in front of you either; just look across the top of the State of Maine. There is Aroostook, Piscataquis and Somerset Counties with no representation on the fish and game committee. There is half of the State of Maine and half of the waters of the State of Maine.

If the people in Franklin county want fly fishing in these ponds I believe they know what they want more than the coastal people. I hope the motion prevails.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I signed the Minority Report on this bill. I do not know anything about the particular conditions in that particular area, but as a rule I am in favor of limiting a great many of these ponds and streams to fly fishing. Also I believe this bill would

close many of the tributaries where these fish spawn. That is also a good idea. There were two or three other bills before our committee limiting certain small ponds to fly fishing, and I believe they were reported "Ought not to pass." Afterwards I regretted agreeing with those reports. I hope we will vote to reconsider this bill.

The SPEAKER: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Members of the House: I would just like to say another word. I understood them to say there was a change in some twenty-seven waters, and somebody yesterday told me it was fifty. As I told you yesterday, the changes mostly are in streamlining certain sections. This is a section that is away from the towns and away from the little boy with the alder pole. It makes a six fish limit on this whole circuit. A lot of these waters will be the same as they are now. Practically all these waters, except three or four, are now fly fishing. But I have listed them here in this bill so that a stranger on these waters may interpret what the law is on these waters. I could go over this whole list and show you the changes; there have been more fish added than taken away, but it has streamlined it to six. You can fish, as I told you yesterday, on Chain of Ponds, which had a four fish limit. This makes it six. It has increased the limit on all the larger waters.

I cannot imagine any man wanting to troll on Chain of Ponds, where we have only small trout. Seldom do you ever get a trout there that weighs over a pound. I had a fellow come into my dock a year ago. I says, "How is the fishing?" He says, "Rotten. I have been clear around the lake and I haven't had a bite." He reeled in and comes in with one of those Christmas trees with nine spinners on it; one of those Grand Lake spinners. Here was a trout about nine or ten inches long and it was all white and dead; he had been dragging it. That is about what happens when you troll for small trout.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker and Members of the House: I stood here yesterday and named off waters in Franklin County until I

was black in the face. All those waters are closed to all kinds of fishing except fly fishing, except in a few where you can troll. I forgot to mention yesterday that that included in almost every case the tributaries to those waters.

This is nothing more or less than an effort of a few guides and a few members of the Megantic Club to close all fishing, except fly fishing, in Franklin County. They want to make that a streamlined fly fishermen's paradise.

Now there are many people down my way who go up there fishing. It is on the direct route through to Canada. I hope the members of this House will not be fooled into thinking that there is nothing but six, seven and eight inch trout in those waters. I was talking with a man Saturday morning who caught a two and one-half pound trout in Chain of Ponds. He did not catch it on a fly; he caught it trolling. He thought it was good sport.

I did not know there were so many fly fishermen in the State of Maine. It is too bad we couldn't take into consideration the young folks who have not the equipment to fly fish. Perhaps they would not fly fish if they did have it, but it is too bad we cannot take into consideration how they might feel about this.

Over the week end, because this matter was coming up, I took the pains and the time to contact at least thirty people. I did not go up into Franklin County, but around North Anson and North New Portland and in all those sections there are people who go up there fishing. I contacted not less than thirty people and not one of them was in favor of this bill. I have not the right to discuss the question of reconsideration I guess, but I think there were just as many people here to vote yesterday as there are today. I see just as many vacant seats.

When the vote is taken, I move for a ye and nay vote.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: I think when a man buys a fishing license he should have a right to fish in all the open waters in the State that is open to fishing; whether he wants to fish with a fly or with a worm or whatever he wants to

use. There is nothing any more provoking than to be out fishing and run up against one of these "fly fishing only" signs. Personally, I do not think there should be one in the State.

I cannot see any reason for denying a man a right to fish with bait. Therefore I am not in favor of reconsidering 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. McGlauffin, that the House reconsider its action of yesterday whereby it failed to accept the minority "Ought to pass" report of the Committee on Inland Fisheries and Game on Resolve, Permittin^g Fly Fishing in Certain Waters in Franklin County.

The gentleman from Anson, Mr. Sharpe, has requested a ye and nay vote. A ye and nay vote is in order at the desire of one-fifth of the members present. Those in favor of a ye and nay vote will please rise.

Obviously less than one-fifth having arisen, the ye and nay vote is not in order.

All those in favor of the motion of the gentleman from Portland, Mr. McGlauffin, that the House reconsider its action of yesterday on this matter will please say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

The SPEAKER: Sixty-one having voted in the affirmative and fifty-three in the negative, the motion to reconsider prevails.

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, I now move acceptance of the minority report.

The SPEAKER: The gentleman from Eustis, Mr. Carville, moves the pending question, which is the acceptance of the minority "Ought to pass" report of the committee. 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 of the House was had.

The SPEAKER: Fifty-eight having voted in the affirmative and forty-seven in the negative, the motion prevails.

Thereupon, the Resolve, having already been printed, was read once, and was assigned for second reading tomorrow morning.

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

House Reports of Committees Ought Not to Pass

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in favor of the city of Biddeford (H. P. 482) (L. D. 315)

Same gentleman from same Committee reported same on Resolve in favor of Stewart L. McGlinchey, of Portland (H. P. 159)

Same gentleman from same Committee reported same on Resolve to Reimburse the town of Stetson for Support of Sanborn Family (H. P. 1372) (L. D. 994)

Mr. Dufour from same Committee reported same on Resolve in favor of Olin R. Beal, of Durham (H. P. 1021)

Same gentleman from same Committee reported same on Resolve in favor of Willis C. Foster, of Reading, Massachusetts (H. P. 44) (L. D. 56)

Reports were read and accepted.

Tabled and Assigned

Mr. Dufour from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Harold E. Pland, Jr., of Damariscotta, Maine (H. P. 1149) (L. D. 840)

(On motion by Mr. Palmer of Nobleboro, tabled pending acceptance of Committee Report and specially assigned for tomorrow morning)

Mr. Foley from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Alton R. Lawler of Brookton in the county of Washington (H. P. 155) (L. D. 147)

Same gentleman from same Committee reported same on Resolve in favor of Eugene Jorgensen, of South Windham (H. P. 421) (L. D. 251)

Same gentleman from same Committee reported same on Resolve in favor of Arthur F. Bowie of Auburn (H. P. 891) (L. D. 597)

Mr. Gray from same Committee reported same on Resolve in favor of Robert C. Benson of Swampscott, Mass. (H. P. 31) (L. D. 26)

Same gentleman from same Committee reported same on Resolve to Reimburse the town of Rangeley for

Support of a Child of Mrs. Alton Brown (H. P. 479) (L. D. 312)

Same gentleman from same Committee reported same on Resolve in favor of T. E. McSherry, of Sweden (H. P. 109) (L. D. 93)

Mr. Hammond from same Committee reported same on Resolve in favor of Robert Russ, of Baltimore, Maryland (H. P. 108)

Same gentleman from same Committee reported same on Resolve in favor of the town of Fort Fairfield (H. P. 814) (L. D. 470)

Reports were read and accepted.

Tabled and Assigned

Mr. Hammond from the Committee on Claims reported "Ought not to pass" on Resolve in favor of E. E. Webber, of Rockland (H. P. 1271)

(On motion by Mr. Sleeper of Rockland, tabled pending acceptance of Committee Report, and specially assigned for tomorrow morning.)

Tabled and Assigned

Mr. Laughton from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Lucy L. Fairchild, of Maplewood, New Jersey (H. P. 26)

(In motion by Mr. Perkins of Boothbay Harbor, tabled pending acceptance of Committee Report, and specially assigned for tomorrow morning)

Mr. Laughton from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the City of Bangor for Board and Care of Alex Bottley (H. P. 645)

Same gentleman from same Committee reported same on Resolve in favor of Woodpecker Farms, Inc., of Barnard Plantation (H. P. 588) (L. D. 361)

Reports read and accepted.

Mr. Jordan from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Open Season for Hunting Deer with Bow and Arrow" (H. P. 1500) (L. D. 1125)

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This bill was introduced at the request of the Archery Club of Auburn, of Lewiston, and was supported by clubs through the State. The matter has

been adopted in other States, that is, the men who wanted to hunt with bow and arrow have been given an opportunity to do so for one week previous to the opening of the regular hunting season. This is because they must approach within close proximity of the game. As an illustration of that, I will refer you to the mock session and the demonstration put on here the other night.

I did receive, - - - and I want to call this to the attention of the Legislature, - - - more letters in connection with that one bill than I ever did with any matter that has been pending before any one of the three sessions of the legislature of which I have been a member. I received numerous bills from non-residents who were very much interested in it; they have hunted in other states and they hoped that we would adopt this law. However, this matter has been given careful consideration by your Committee on Inland Fisheries and Game, although I understand some members of the committee were in favor of the bill. It also received due consideration at the mock session. Therefore, at this time, I move acceptance of the "Ought not to pass" report.

Thereupon, the "Ought not to pass" report was accepted.

Ought to Pass in New Draft

Mr. Rankin from the Committee on Legal Affairs on the following Bills:

Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (H. P. 1511) (L. D. 1111)

Bill "An Act to Provide for Financing of the Costs of Building and Equipping Community Schools" (H. P. 1510) (L. D. 1135) reported a Consolidated Bill (H. P. 1733) (L. D. 1471) under title of "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Bowker from the Committee on Appropriations and Financial

Affairs reported "Ought to pass" on Bill "An Act to Appropriate Monies for the Expenditure of State Government for the Fiscal Year Ending June 30, 1947" (H. P. 1713) (L. D. 1474)

Mr. Anderson from the Committee on Legal Affairs reported same on Bill "An Act relating to the North Haven Port District" (H. P. 1680) (L. D. 1386)

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

Ought to Pass With Committee Amendment

Mr. Burgess from the Committee on Taxation on Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 11) (L. D. 10) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 11, L. D. 10, Bill "An Act Relating to Excise Tax on Motor Vehicles."

Amend said Bill by inserting in the 29th line thereof, after the word "that," the underlined words 'in respect to non-commercial vehicles'

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

Passed to be Engrossed

Bill "An Act relating to Annual Audit of Towns" (S. P. 532) (L. D. 1442)

Bill "An Act to Effect Certain Changes in Administrative Procedure Under the Unemployment Compensation Law" (S. P. 533) (L. D. 1443)

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

Bill "An Act Creating Woods Products Research Service Center" (H. P. 1725) (L. D. 1453)

Mr. Collins of Caribou, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1725, L. D. 1453, Bill "An Act Creating Woods Products Research Service Center."

Amend said Bill by inserting in the second line of the definition of "Manufacturer" in section 245, after the word "hardwood", the underlined words 'or softwood'

House Amendment "A" was adopted.

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

Mr. SLEEPER: Mr. Speaker and Members of the House: Over the weekend the contents of this bill have been brought to my attention by novelty manufacturers down along the coast. According to this bill, anyone who manufactures novelties of soft wood is subject to a tax and have to join this bureaucratic set-up that this bill establishes. All these men who manufacture lobster buoys and pots, and all that sort of thing, come under this bill. They are very much opposed to it. I do not know why they were not here at the hearing. They cannot tell by the title of the bill just the contents of it, An Act Creating Woods Products Research Service Center. There is more to this bill than the title shows. For that reason, these persons were not represented here at the hearing. They are very much opposed to coming under such a system. I move the indefinite postponement of the bill.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I am very much interested in this bill because I operate a woodworking factory. I know that about thirty-three to fifty per cent of the lumber that I use goes into waste. Anything that can be done to utilize this waste so that we can eliminate this tremendous waste that goes into wood products I am in favor of. Now this bill will not cost the State of Maine one penny. The wood industry is taxing itself for this Service Center. This Center will attempt to find uses for by-products and waste of wood products.

It will also attempt to get some sort of standardization of rules for grading of lumber. It will furnish

information to small manufacturers and to the wood industry whereby they will have some place to turn for a solution to their problems.

I think if you will read the new draft of the bill it exempts a small manufacturing concern and also the small lumber operator, and I do not believe it will create a hardship on those small places. However, they will still have the benefit of the research that will be conducted by this Service Center. I hope the motion of the gentleman from Rockland, Mr. Sleeper, does not prevail, and when the vote is taken I would request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Sleeper, that bill An Act Creating Woods Products Research Service Center be indefinitely postponed. The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I do not wish to impose any hardship on people who are genuinely concerned in the manufacture of novelties. However, I do not see that this exemption for fifty thousand board feet or one hundred cords or less exempts these men who make these lobster buoys, lobster pots and other things having to do with a purely commercial industry. If the gentleman would consider the introduction of an amendment to make this a permissive bill, I think that these people might go along with it. Other than that, it is rather an arbitrary measure to make a man who is earning his living the hard way pay such a tax as this. I still move, unless they are willing to table it and introduce an amendment to make it permissive, the indefinite postponement of the bill.

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

Mr. FINNEGAN: Mr. Speaker and Members of the House: This bill, I have read it over more or less carefully. I am in sympathy with the idea of creating a Research Center, but I question very much this method of doing it.

In the first place, the University of Maine at the present time is so overtaxed for facilities that it will be impossible to locate any more Research Centers there. There are two very distinct problems involved. One is the novelty manufacturers

of hard wood. The other is a long lumber, soft wood or hard wood manufacturer. Their problems are not in common. I have attended a great many association meetings where this matter has been very widely considered on the West Coast. They have been trying to set up in that tremendously productive area some sort of a research center whereby the waste could be utilized. It takes a terrific volume of waste to make anything practical as far as wall board or plastics or all the various uses which it has been considered advisable to put this into. In other words, you have to have a tremendous volume of this stuff; it has to be shipped to some center and to do anything with it requires a tremendous investment of funds.

Now so far as the grading rules and the other things the gentleman has discussed, I think that could be done and I think it should be done by an association activity. That is, I think the soft wood and the long lumber manufacturers should probably get together on that and establish some grading rules. I do not think it requires an action by the Legislature. I think the issue is very much confused in this bill. I go along with the gentleman from Rockland, Mr. Sleeper. I would suggest that this matter be referred to the next legislature with a more comprehensive and a more practical plan for working out the things involved. I think we are confusing long lumber and novelty manufacturers in one bill where the problems are not similar and they have nothing in common. As I say, I go along with the gentleman from Rockland, Mr. Sleeper.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I believe there is a lot of merit in this bill. I believe with Mr. Finnegan of Bangor that perhaps we should be hesitant on the action of indefinite postponement, and also with the gentleman from Rockland, Mr. Sleeper. I think possibly an amendment might be worked out to save something in this bill. I would move at this time that the bill be laid on the table and specially assigned for tomorrow morning, pending the motion of the gentleman from Rockland, Mr. Sleeper.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that this matter be laid on the table pending the motion of the gentleman from Rockland, Mr. Sleeper, that the bill be indefinitely postponed, and that the matter be specially assigned for tomorrow morning. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was tabled and specially assigned for Wednesday, April 30th.

Bill "An Act relating to Aid to the Blind" (H. P. 1732) (L. D. 1469)

Resolve in favor of the Maine Distributors, Inc. (S. P. 192) (L. D. 1444)

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

Amended Bill

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (S. P. 511) (L. D. 1445)

Mr. Mills of Farmington, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 511, L. D. 1445, "Resolve, Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons."

Amend said Resolve by adding at the end thereof the following Emergency Clause:

Emergency Clause. In view of the emergency cited in the preamble this act shall take effect when approved.

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

Passed to be Enacted Emergency Measure

An Act to Incorporate the North Jay Water District (H. P. 1471) (L. D. 1075)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 133 voted in

favor and none against, and accordingly, the Bill was passed to be enacted, and signed by the Speaker, and on motion by Mr. Morison of Wilton, was ordered sent forthwith to the Senate.

Emergency Measure

An Act Providing Additional Highway Funds (H. P. 1678) (L. D. 1394)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: I move the enactment of this measure, and I also move that when the vote is taken that it be taken by a yea and nay vote.

Ladies and Gentlemen of the House: I feel at this time that it is necessary for me to answer some of the objections which have been advanced by my good opponents of this measure. I assure you that in answering these objections that have been presented that it is with no personal feeling whatsoever.

First, I want to ask you a question and then answer it myself. Have the major oil companies ever come to this House and asked us if they should raise the price of our petroleum products? The answer is "No." Secondly, during the last year and a half — I do not have on hand the exact date — but the price of gasoline has advanced approximately two cents a gallon. Has it retarded the sale or the use in any way? The answer is "No."

Let me say here, that before the session is over, if this tax bill is not enacted with the emergency preamble included, I firmly believe that we might as well wipe it off here as to pass it otherwise, because I firmly believe that the major oil companies would use our own money which they have collected out of previous raises and spend millions of dollars to defeat it at the next election date.

In answer to the protest which has been advanced by the Grange — and I quote Mr. Beane at the hearing — that approximately thirty-five per cent of the Grange members are against it — it is my candid opinion, Ladies and Gentlemen of this House, that they have been given only one side of the picture.

It is not my intention at this time to impose upon you or to take the time to go into figures. We are all aware of what the main issue is. The main issue is: Shall we go upon a pay-as-you-go plan and provide adequate funds to match the federal funds and carry on our usual highway activities?

I am sure that we all understand in regard to federal funds. We are taxed one and a half cents a gallon. The federal government reapportions that back but puts with it a stipulation that we must match it dollar for dollar in order that it may become available to us. I am not arguing the justice of the federal tax or the method by which they apportion it back. It is a fact — and our decision must be: Do we wish to match it by deficit financing or in a manner that will not impair the State's credit in the future and leave for our children a debt?

I want to call your attention to the sheet that is on your desks, which shows increase in payments since 1913, in regard to the Highway Department, of \$17,631,782.45 on interest alone. I ask you Members of the House if we want to continue with a policy which places a first mortgage on the revenue of the Highway Department? I do not believe that we do. There is always a question of wisdom in deficit financing, but there is never a question of carrying out that same program all paid for. I ask you Ladies and Gentlemen of the House: Is there any fairer tax than one that requires that you only pay if you use the highways?

It is my sincere wish that this House will enact this measure this morning by such an overwhelming vote that there will be no question. I hope that we will do this and be able to go home at the time of final adjournment and say to the people of Maine: We have solved the problem of your Highway Department once and for all; and that Maine may be able to say to the nation: Our Legislature has not failed the people. I thank you.

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

Mr. SLEEPER: Mr. Speaker and Members of the House: I am indeed glad that Mr. Burgess pointed out to you members that this was a gas tax under its assumed name, "An

Act to Provide Additional Highway Funds."

If this tax of two more cents per gallon fell only upon pleasure cars, I might be for it, but do you not realize that this two cents additional tax falls upon the poor fellow who uses his car to go to work, the farmer who uses his truck to haul produce to market, the small trucker that uses his truck to make a living. This is not two cents—it is two cents a gallon, but in some cases the tax amounts to one dollar or two dollars a day for the workingman.

In many cases—I do not want to bring this up — but I heard two or three men two or three weeks ago speak in their own interest in regard to a tax for over-night cabins. In my own case—I operate several trucks, in fact I operate eleven—I am not getting rich, and this tax will cost me about \$750 more a year. Of course I can pass it on to the consumer, but how about the man who cannot pass on this tax? It is tax, tax, tax—that is all we hear is more taxes. There is a limit, there has to be a limit somewhere to these taxes, and I say the limit ought to come right now.

On this same interesting list, it shows that seventeen million dollars has been paid in interest since 1913, in the last thirty-four years, though. That makes it look a little bit smaller when you figure it in the last thirty-four years. We paid out of this amount in the last two or three years—year before last we paid \$264,000, and last year \$496,000. Back in 1934 we were paying over one million dollars in interest, and in 1935 \$989,000.

Certainly this is not a time to be branching out on some great road construction program. It costs twice as much now to build a mile of road as it will in two or three years. These federal funds will always be coming, if we can match them, but certainly we should not match them by a two-cent tax on the little fellow. If it were a bill to tax the fellow who drives a Lincoln or a Cadillac, I would be for the bill, but this taxes the little man. If you do not believe it, go out and watch the cars go by. Not very many big cars go by; the bulk of them are trucks and small cars. Do not tax yourselves to death. I hope the motion for a two-thirds vote does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, I am awfully glad to see that my colleague today is at last with me on protecting the little fellow. I will say that on this tax that it will cost more today to build our highways than it will in the future. It will also cost more to repair our cars today than it will in the future. We can get an average of fifteen miles to a gallon. Now if we drive five thousand miles per year, is it going to be cheaper for us and our pocket book and our expense account to pay that two cents per gallon gas tax or go over poor roads and pay the repair bills at the rate they are today? I have also heard mentioned by many of the opposition to this tax measure that it will hurt us as a vacation land.

I was in Miami, in Florida, last December, and I can tell you that every hotel was packed and I am sure that if you can go to some of the race tracks and the beaches, and see the tourists from all over the State of Maine, you would never question or doubt but what we would have perhaps the greatest summer that we have ever had in Maine coming to us, and I know a two cent gas tax won't prevent that.

A week ago, when I voted yea for the gas tax, when I went back to my home city, several of the dealers, gas dealers, there had received telegrams from some organizations interested in the gas distributors and they stated: "Contact McClure. Try to change his vote from yea to nay." Now after due consideration, apparently, the gas dealers in my own city must have seen the light because, upon arriving here this morning, I find this telegram: "J. Horace McClure, State House. The majority of members of Bath Community Gas Dealers Association endorse a two cent gas tax with time limitation as suggested by several legislators. Sagadahoc County prefers good roads and taxes to poor roads and no taxes. (Signed) B. M. Allen, President, Community Gas Dealers Association of Bath."

Gentlemen, when your gas dealers, whose pocketbook you might think it would affect most, come out and endorse a measure like this after due consideration, it must be a good bill. And everyone of us knows, we would rather ride over good roads than over the roads that we have seen, especially in Sagadahoc County, where you can break your springs by going a very few miles, and every

one of us knows what a spring costs, especially my colleague from Rockland, as he owns many trucks.

This will not hurt the little man and help the man who drives a Lincoln. It will help everyone and if we are going to vote for appropriations and we are going to vote for everything that we should and listen to minority groups, some minority groups have good bills, to take care of that, we have to vote for taxation measures. And I know that it is poor politics to vote against appropriations and for tax measures. They are not vote-getters but, Gentlemen, we are here to serve the public in the best interests of the public, regardless of how the vote falls a year from next June.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Bangor, Mr. Wight.

Mr. WIGHT: Mr. Speaker and Members of the House: I think we are all agreed here that we should have good roads, certainly we would prefer to ride over good roads rather than rough roads. One of the arguments in favor of this bill is that we should have money, sufficient money, to match federal funds. I am wondering if we would have it without this added tax.

As I understand it, we have estimated revenue of \$27,000,000 within the next two years and budget expenditures of \$23,500,000, which leaves \$3,500,000 which could be applied to matching federal aid. Then we have \$2,500,000 already set aside for this purpose and there will be \$1,500,000 to \$2,000,000 which the Highway Department estimates it will have as a surplus on June 30th of this year. That adds up to \$7,500,000 at least and, as I understand the maximum amount which we can have from the Federal Government is \$8,000,000, I am wondering if that is not sufficient money to cover that federal money without any additional taxation.

Now we have heard a great deal about cutting the cloth to fit the pattern during this session and I believe here is an opportunity to do just that, put that into practice. With the highway revenues running twenty per cent above an all-time high, it looks from these figures as though we can, without additional taxes, maintain our present highway system and complete the greatest highway construction program in the State's history.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: It has been suggested to you that this tax would bear down very heavily upon the poor man to the extent of, perhaps, one dollar or two dollars per day. I have been doing a little calculating as I sat here and the man who averages eighteen miles to a gallon would have to drive eighteen hundred miles to make it cost him two dollars. A man that averaged ten miles to a gallon would have to drive one thousand miles. Your big trailer truck, tractors, and the big tractors would have to drive five hundred miles if they averaged five miles per gallon. Your poor man who is driving to work in the mill; he drives an average of twenty miles to work, forty miles a day, and averages around fifteen miles a gallon, the most that he would use would be three gallons, which would cost him in taxes six cents per day.

I gave this matter rather careful consideration during the previous debate, and thought of some of the poor roads that I have to drive over. I reached this conclusion: That I would rather pay two cents per gallon more and have these roads improved because I felt that the saving in gasoline, the saving in wear and tear, the saving in tires would probably, in the long run, be cheaper. And I believe that what is true in my case is true in the case of the average individual in the State of Maine.

I think we must face this problem as to whether or not we want to continue to improve our highways, to maintain those we already have: whether or not we want to match federal funds which are now available. It does not seem practical, at this time, and we have no measure before us to do it, to attempt to pass a resolution, an amendment to the Constitution, to provide for a bond issue. And I believe that collecting some money in taxes now when money is relatively easy to collect would be good business and most of it would not be spent for another year or two and, therefore, I think this measure should receive passage.

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

Mr. THOMPSON: Mr. Speaker, I would like to ask the gentleman from Rockland, Mr. Sleeper, a question with your permission.

Mr. SPEAKER: The gentleman may ask, through the Chair, a question, if he wishes.

Mr. THOMPSON: Mr. Speaker, I wonder if the oil corporations thought of the poor man when, a month or so ago, they raised gasoline from one cent and seven-eighths just before this measure was going through? I wonder if they thought of the poor people at that time?

Mr. SPEAKER: The gentleman may answer if he wishes.

Mr. SLEEPER: Mr. Speaker, I am very glad this question was asked because I imagine that some people might think that I favor the oil companies or corporations. But I think that if you will examine the content of this bill, you will find that this two cent tax is not paid by the oil companies; it is paid by the consumer, and if you juggle figures the small man might pay only fifteen cents a day or six cents a day but in a year that is twenty dollars, and twenty dollars is four pairs of shoes for children. I am not talking for oil companies because this bill would not cost the oil companies one penny. The man who will pay this bill is the man who buys gas, and that is the reason that I do not like it, and that is the reason eight hundred odd thousand people in the State do not like it. You do not dare to put it back to the people for a vote, because you know it will not pass.

If I thought for one moment that I was crippling the highway program, I would not be against it. If we do not pass this bill, every mile they want to build will be built. You are not crippling the highway program; you are just trying to save yourself that additional tax. Do not be misled by figures.

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

Mr. ROLLINS: Mr. Speaker, I am not speaking for the oil companies but I am opposed to this bill. I would not be opposed to it if I thought that the highway program could not be carried out. But I look at it from an angle referred to many times this morning, matching federal funds.

This House was very much opposed to even inquiring if there

were federal funds for the State of Maine that did not have to be matched, last week, but these have to be matched with good tax dollars out of our citizens. Members, I am wondering if that bait that is held up before us is not an error all around. The State of Maine cannot afford sixty-thousand-dollar-a-mile roads all over the State. We might put it on the turnpike, and we might afford that type of highway on our main thoroughfares, but we have all kinds of designated roads outside of that. With State money of ten to twelve thousand dollars a mile, we could build good roads, but when we match federal funds it shoves it up to sixty thousand dollars a mile.

We have a bill before us, the first assigned matter today, asking for a two per cent sales tax. Many of us here have griped and griped about the twenty per cent luxury tax which we now pay the federal government. This which you are putting on, gentlemen, is a fifty per cent sales tax. You must think of that. You are putting it on the people of Maine, and it will be the highest tax north of the Mason-Dixon line and east of the Mississippi River.

For my own part, I am opposed to the passage of this bill shutting off the people's right to vote on it.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, in speaking of roads, we do not want to forget that we have forty-three hundred, if I am right, bridges to maintain which are taken care of by the highway commission.

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

Mr. COLE: Mr. Speaker, I hesitate to speak on the gas tax because most members of the House know that I represent, or am interested in, a large trucking company. I am willing to admit that probably the trucking business is very interested in good roads. But I would like to leave this thought with you: So far as I know there isn't a trucking company in the State of Maine that can absorb this tax. The tax will have to be passed on to the customer; we will have to go to the Public Utilities Commission and ask for an increase in rate in order to pay this tax. Therefore, it does not

make too much difference to the trucking companies whether or not the tax is imposed because they won't pay it, anyhow; they can't.

If we had good roads in the State of Maine for these trucks to run over, we probably could save enough operating over these roads so that we might be able to pay the two cent increase in tax but the fact that we are taxed the additional two cents does not build the roads and until we get the roads someone else besides the trucking companies will have to pay that two cent tax.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Legard.

Mr. LEGARD: Mr. Speaker and Members of the House: No one is any more interested in good roads than I am but I can not see how this bill is going to grant that in any way, shape, or manner. As my good colleague, Mr. Cole, just mentioned, relative to passing on the overall cost of gasoline, there are sixty-five per cent of all your communities that are served by trucks only, that are not served by the railroads in any way, shape, or manner. And that cost certainly would be reflected in your costs of goods received.

The general impression that I had when I was at Bath—I was contacted by many, many different groups and they told me that it would not be really safe for me to go back home if I voted for a gasoline tax.

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

Mr. BICKFORD: Mr. Speaker, the automobile is no longer a pleasure article. We all know that when the automobile was first introduced, it was merely a pleasure proposition. It is now transportation and this hits most of the people of the whole State. Now, if this tax was necessary, as the gentleman, my colleague from Aroostook, says, and the road program would be held up, I should be in favor of it. But we know better; we know it will not be held up; we know by all good reason that the increase from the gasoline consumption this year will be much more than it has been for the last few years. We also know that some kind of a legislative act is going to be imposed here on the people. That is, there is going to be some new taxation so consequently it is not only the gas tax that is going to hit the poorer peo-

ple but also they are going to have some other tax, so you are doubling up, and I claim that we do not need this extra tax. This tax hits, as I said before, a large group of people who use the roads for transportation and they are practically all against this tax. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: We have had here a number of tax bills, none of them very popular. I believe this is the best tax bill we have had here. I believe in the theory that let he who dances pay the fiddler and I think that the person who uses the roads should pay for the upkeep and the construction of the roads. And this is the only fair way I see to do it and I hope that the motion prevails.

The SPEAKER: The pending question is on the passage of this matter to be enacted.

The Chair recognizes the gentleman from Castle Hill, Mr. Ellis.

Mr. ELLIS: Mr. Speaker and Members of the House: Perhaps I can be reckoned in as one of the small fellows that come from a rural community up in Aroostook, and perhaps I am in a different position than some of you fellows, but my people up there told me they would give me a tuning if I did not work for something to help their roads, and they asked me to go along with this tax measure.

I worked on roads a great deal for many, many years, and I looked over these interesting figures here, and for the interest paid in the last thirty-four years I found I could go up on the cross-roads of Aroostook and build eleven hundred and eleven miles with that amount of money. That is reckoned on the basis of three dollars per foot.

Members of the House: I do not think there was a fairer measure ever proposed, and I hope it will be passed.

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

Mr. BREWER: Mr. Speaker and Members of the House: I do not favor this particular bill, because, as I understand it, after the second year a certain amount of money is turned back to the towns, and, if

I can sound the sentiment out of the people back home, it is that if they could use the money they feel we need roads in Aroostook County so badly that they would be willing to forego this amount that might be returned to them for the sake of having additional road money.

I would like to say to you members here that through the years of the war that your highway funds dropped considerably, and men you were paying 35 cents an hour — and I believe there are sixteen hundred of them on maintenance — jumped up to 75 cents an hour. Your registrations were cut down, the consumption of gasoline was cut down. I do know that the Ways and Bridges Committee or some members hoped they would be able to build their maintenance fund up to seven million dollars. This was never done before. Last year I think your maintenance ran to about \$4,600,000, and I think you will all admit that not too much was done in maintenance.

We do feel in Aroostook County that if this maintenance could be built up to seven million dollars we would at least get our proportionate share, but to date, if my information is correct, the maintenance fund suggested by your Ways and Bridges Committee, they have not been able to quite reach that maximum. I think they are around six million dollars.

Now through the four years of war, whether you know it or not, the federal government took out of you one hundred and fifty million dollars for the four years. Nobody noticed that the money had gone. I do know that your Ways and Bridges are in much more serious financial difficulties than we are on our general Appropriations Committee. You can argue and say that they do not need the money and all that, but if we want the roads that is the only way that we have of getting them, and that is paying for them and taxing ourselves.

I think Aroostook County, as near as we can figure, pays about seventeen per cent of the entire gasoline tax. On the basis of the figures submitted by the Highway Commission, they put back about twelve per cent. But, even though that ratio exists, we still are willing to dig down in our pockets and pay the other two cents tax for the sake of having roads.

Now regardless of what is told you, I do want to emphasize this fact: they say that figures will not lie but that liars will figure. If I can interpret the figures of the Ways and Bridges, if you ever needed money for roads you need it right now and the fact that we had a Supreme Court ruling did not help this particular committee one bit, when they could not issue new bonds.

At a meeting a while ago of the various chambers of commerce, they were very much interested and hoped that the State would see fit to issue about thirty million dollars of bonds, and under that set-up we figured in Aroostook County that we might receive our proportionate share of about five million dollars they estimated it would take to build roads through that county.

So I say to you: regardless of what you are told—they say there is not anybody so blind as those who will not see—and I think that applies to this case—if you are sincere and honest and analyze your highway figures you will find that they are at this time in a very unfortunate situation. They do need the money, and I for one am willing to go along and vote to tax myself and my neighbors back home so that we may have good roads. I say to you that is the only way we can get them, and I propose to vote "Yes."

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Hayward.

Mr. HAYWARD: Mr. Speaker and Members of the House: As House Chairman of the Ways and Bridges Committee, I wish to say that what the gentleman from Presque Isle (Mr. Brewer) has just told you is very true. We are out on a limb, there is no question about it. The bond issue is gone, your maintenance cost has gone so high that you cannot do much unless you have a large maintenance program, and, in order to get that, we have to give up a lot here that people in this House depend quite a lot on. To me, this gas tax of two cents is a good deal like trying to give a child a dose of castor oil: he will fight you before he will take it, but, after he takes it, it will do him a lot of good, and I think this is just what this will do us.

The SPEAKER: Is the House ready for the question?

The gentleman from Limestone, Mr. Burgess, has requested a yea

and nay vote. The yeas and nay vote is ordered at the request of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will please rise.

A division of the House was had.

The SPEAKER: Obviously more than one-fifth of the members present having arisen, the yeas and nays are ordered.

Is the House ready for the question?

The question before the House is upon the passage to be enacted of H. P. 1678, L. D. 1394, An Act to Provide Additional Highway Funds," and it is an emergency measure. As previously stated, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House.

The Clerk will call the roll. All those in favor of its passage as an emergency measure will say "Yes" when their names are called; those opposed will say "No."

Roll Call

YEA—Adams, Allen, Ames, Anderson, Atherton, Benn, Berryman, Boulter, Brewer, Broggi, Brown, Milford; Brown, Unity; Brown, Wayne; Burton, Byron, Campbell, Carville, Chase, Cape Elizabeth; Chase, Limington; Christensen, Clements, Collins, Cousins, Daniels, Day, Dicker, Dufour, Elliott, Ellis, Finnegan, Fowler, Fuller, Buckfield; Gallant, Gray, Hall, Hammond, Harris, Haskell, Hayward, Heansler, House, Jennings, Johnston, Jordan, Saco; Judkins, Kent, Laughton, Lee, Lombard, Longstaff, MacPherson, Marsans, Marshall, McClure, McGowan, Meloon, Mills, Morison, Nichols, Palmer, Palmeto, Patterson, Payson, Peirce, Perkins, Plummer, Rankin, Rich, Robbins, Russell, Savage, Seeger, Sharpe, Smith, Exeter; Stearns, Sterling, Stetson, Sweetser, Tabb, Thompson, Torrey, Turner, Violette, Webber, Williams, Auburn; Woodworth.

NAY—Bell, Berry, Bickford, Bird, Bove, Bowker, Burgess, Cadorette, Cole, Cormier, Curtis, Dean, DeSanctis, Dostie, Lewiston; Dostie, Winslow; Doucette, Emerson, Fitch, Foley, Fuller, Hollowell; Hanson, Hatch, Hobbs, Holt, Jalbert, Jordan, South Portland; Kelley, Labbe, Lacharite, Leavitt, Legard, Lessard, Lord, Malenfant, Martin, McGlauffin, McKeen, Moreau, Moulton, Muskie, Nadeau, Poulain, Randall, Rollins, Sargent, Silsby, Sleeper, Smart, Smith, Westbrook; Snow, St. Pierre, Thomas, Weeks, Wight, Williams, Topsham; Woodbury.

ABSENT—Brown, Baileyville; Carey, Dorsey, Prout, Ross, Tremblay.

Yes 86, No 56, Absent 6.

Mr. BURGESS of Limestone: Mr. Speaker, I would like to change my vote from "Yes" to "No".

The SPEAKER: The Clerk will call the name of the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: "No".

The SPEAKER: Eighty-six having voted in the affirmative and fifty-six having voted in the negative, six members being absent, and eighty-six being less than two-thirds of the entire elected membership of the House, the bill fails of passage as an emergency measure.

The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I now move reconsideration of this measure, and I also move that my motion be tabled and assigned to Thursday of this week.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House reconsider its action whereby it failed to pass this matter as an emergency measure, and the same gentleman moves that that motion be laid on the table and be specially assigned for Thursday, May 1st.

All those in favor of laying this motion on the table will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

The SPEAKER: Eighty-six having voted in the affirmative and forty in the negative, the motion prevails.

Passed to be Enacted

An Act to Increase the Salary of the County Attorney of Kennebec County (S. P. 183) (L. D. 520)

An Act relating to the Salary of Local Health Officers (S. P. 296) (L. D. 797)

An Act relating to the Salary of the Judge of the Probate of York County (S. P. 298) (L. D. 795)

An Act Compensating Philip E. Lamb, of Gardiner, for Duties as Recorder (S. P. 326) (L. D. 866)

An Act relating to Clerk Hire in the Office of Clerk of Courts in Arcostock County (S. P. 380) (L. D. 1093)

An Act relating to the Salary of Clerks in the Office of Register of Deeds for York County (S. P. 388) (L. D. 1101)

An Act relating to the Salary of Clerks in the Office of Clerk of Courts in York County (S. P. 389) (L. D. 1102)

An Act to Increase the Amount for Clerk Hire in the Office of Register of Probate in York County (S. P. 390) (L. D. 1103)

An Act relating to the Salary of Register of Probate in York County (S. P. 392) (L. D. 1105)

An Act Increasing the Salary of Register of Deeds of York County (S. P. 393) (L. D. 1106)

An Act relating to Clerk Hire in the Office of Clerk of Courts in Hancock County (S. P. 441) (L. D. 1234)

An Act relating to Election of Town Auditors (H. P. 513) (L. D. 308)

An Act relating to the Salary of the Judge of Western Somerset Municipal Court (S. P. 515) (L. D. 1411)

An Act relating to Testing of Water Supplies for Public Schools (S. P. 517) (L. D. 1407)

An Act Increasing the Salary of the Judge of Biddeford Municipal Court (S. P. 520) (L. D. 1412)

An Act to Extend the Charter of the Eliot Water District (S. P. 535)

An Act relating to Fees of the Sealers of Weights and Measures (H. P. 624) (L. D. 384)

An Act to Increase the Salary of the Judge of the Norway Municipal Court (H. P. 629) (L. D. 389)

An Act relating to the Salary of the Adjutant-General (H. P. 688) (L. D. 444)

An Act relating to Assistant Probation Officer and Clerk Hire for Probation Office in Androscoggin County (H. P. 690) (L. D. 446)

An Act relating to Clerk Hire in the Office of Register of Probate in Androscoggin County (H. P. 691) (L. D. 447)

An Act relating to the Salary of the Recorder of the Augusta Municipal Court (H. P. 877) (L. D. 489)

An Act to Amend the Charter of the City of Augusta (H. P. 951) (L. D. 556)

An Act to Increase the Salaries of the Judge and the Clerk Hire of the Auburn Municipal Court (H. P. 953) (L. D. 557)

An Act Increasing the Salary of the Deputy Clerk of Courts in Penobscot County (H. P. 983) (L. D. 634)

An Act relating to Salary of the Register of Deeds of Kennebec County (H. P. 1086) (L. D. 704)

An Act to Increase the Salary of the Register of Deeds of Piscataquis County (H. P. 1087) (L. D. 705)

An Act Increasing the Salary of the County Commissioners in Penobscot County (H. P. 1088) (L. D. 706)

An Act to Increase the Salary of the Register of Probate in Penobscot County (H. P. 1205) (L. D. 825)

An Act relating to Compensation of Stenographers in Probate Courts (H. P. 1209) (L. D. 827)

An Act relating to the Salary of the Insurance Commissioner (H. P. 1317) (L. D. 914)

An Act relating to Duties of Governor-Elect with Advisory Committee on Budget (H. P. 1318) (L. D. 915)

An Act relating to the Digging of Clams for Commercial Purposes in the towns of Waldoboro and Bremen (H. P. 1320) (L. D. 917)

An Act relating to Complainant and Witness Fees and Costs of Police Officers and Constables (H. P. 1357) (L. D. 958)

An Act relating to Damages to Poultry (H. P. 1367) (L. D. 989)

An Act to Increase the Salary of the County Treasurer in Penobscot County (H. P. 1404) (L. D. 1019)

An Act relating to Clerk Hire in Office of Register of Deeds in Androscoggin County (H. P. 1405) (L. D. 1020)

An Act relating to Clerk Hire in the Office of Clerk of Courts in Androscoggin County (H. P. 1406) (L. D. 1021)

An Act relating to Clerk Hire in the Office of the County Treasurer and County Commissioners in Androscoggin County (H. P. 1407) (L. D. 1022)

An Act relating to Compensation of Members of the Maine-New Hampshire Interstate Bridge Authority (H. P. 1452) (L. D. 1049)

An Act Providing for Restoration and Development of Shellfish Resources (H. P. 1453) (L. D. 1050)

An Act relating to Impounded Bank Accounts of the Permanent School Fund (H. P. 1480) (L. D. 1081)

An Act relating to Regulation of Smelt Fishing in Casco Bay (H. P. 1519) (L. D. 1142)

An Act to Incorporate the New Gloucester Water Company (H. P. 1614) (L. D. 1280)

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

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be en-

acted, signed by the Speaker and sent to the Senate.

Tabled and Assigned

An Act relating to Conveyance of Elementary School Pupils (H. P. 1681) (L. D. 1392)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Williams of Auburn, tabled pending passage to be enacted and specially assigned for tomorrow morning)

An Act relating to the Town Road Improvement Fund (H. P. 1689) (L. D. 1406)

An Act to Incorporate the Town of Lebanon School District (H. P. 1693) (L. D. 1419)

An Act Permitting Bowling on Sunday (H. P. 1694) (L. D. 1414)

An Act Governing the Regulations for Traveling Amusement Shows and Circuses (H. P. 1695) (L. D. 1413)

An Act Creating the Fort Fairfield Utilities District (H. P. 1696) (L. D. 1420)

An Act relating to Clerk Hire in County Offices in Somerset County (H. P. 1700) (L. D. 1417)

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

An Act relating to State Owned Cars (H. P. 1704) (L. D. 1427)

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

Mr. BELL: Mr. Speaker, I would like to table Item 53, Bill "An Act relating to State Owned Cars" (H. P. 1704) (L. D. 1427) and assign it for tomorrow morning.

The SPEAKER: The gentleman from Thomaston, Mr. Bell, moves that Bill "An Act relating to State Owned Cars" (H. P. 1704) (L. D. 1427) be laid on the table and specially assigned for tomorrow morning, pending its passage to be enacted. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail, and the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted (Cont'd)

An Act relative to Open Season on Partridge and Pheasants (H. P. 1705) (L. D. 1428)

An Act relating to Open Season for Trapping Beaver During the Month of January of Each Year (H. P. 1706) (L. D. 1429)

Finally Passed

Resolve Providing for Fire Protection at the Augusta State Hospital (S. P. 269) (L. D. 813)

Resolve in favor of the University of Maine for General Operations (H. P. 79) (L. D. 67)

Resolve Closing Saddleback Stream to All Fishing (H. P. 906) (L. D. 605)

Resolve Opening the South Branch of Dead River and Tributaries (Except Nash Stream) to both Fly and Bait Fishing (H. P. 908) (L. D. 607)

Resolve in favor of W. S. Christie, of Orneville (H. P. 1049) (L. D. 688)

Resolve in favor of Wendell Boutilier of Oakfield (H. P. 1146) (L. D. 762)

Resolve relating to Lands Reserved for Public Uses Trust (H. P. 1482) (L. D. 1083)

Resolve Relating to Impounded Bank Accounts of Kennebec Bridge Fund (H. P. 1483) (L. D. 1084)

Resolve, Sale of Hatcheries and Feeding Stations Property Authorized (H. P. 1703) (L. D. 1426)

An Act to Provide Liquor Licenses for Taverns (S. P. 303) (L. D. 790)

An Act relating to the Advisory Council for the Hospital Survey Act (S. P. 449) (L. D. 1253)

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

Tabled and Assigned

An Act Limiting the Weight, Length, Width and Height of Motor Vehicles (H. P. 1194) (L. D. 782)

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

Mr. ROLLINS: Mr. Speaker, I move that Item 67, An Act Limiting the Weight, Length, Width and Height of Motor Vehicles (H. P. 1194) (L. D. 782) be laid on the table pending passage to be enacted and be specially assigned for tomorrow morning.

Mr. SPEAKER: The gentleman from Greenville moves that An Act Limiting the Weight, Length, Width and Height of Motor Vehicles (H. P. 1194) (L. D. 782) be laid on the table pending passage to be enacted and be specially assigned for tomorrow morning.

Is this the pleasure of the House? All those in favor will say aye; those opposed, no.

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

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

Mr. ROLLINS: Mr. Speaker, I move that the House reconsider its action whereby it passed this bill to be engrossed. In support of my motion, I might say that we have an amendment on this bill which allows us to pile pulpwood crossways on a truck. We have got a width of eight foot six inches; most of our roads are seventeen foot roads. I just want to put this in the record that a stick of pulp crossways on a truck can work out and protrude and a car passing it not seeing it until they come right on top of it, if that comes through the windshield and perhaps it may be some of your dear ones that are in that car. I just want you to think and consider what you are passing. When it may be too late, you might remember that I called this to your attention. I have known that to happen in my period. We will say: "Why was it piled that way? It was illegal." That is very true. There is some hauled illegally but today you are passing a bill that will make it legal. Therefore, the chances of a stick of pulp coming through the windshield of a passing car, hitting the occupants and wrecking the car, and maybe killing two or three of them is much more enhanced. I trust that my motion may prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Any time during the session I or anyone else might speak at length on any one measure, possibly it does not mean anything, our minds are made up and that is the way we are going. Once in a while a few words will really register. In supporting my colleague from Greenville, Mr. Rollins, I might say that something just registered in my mind. Truer words

were never spoken. Let us think about this. Wouldn't it be too bad that in order to prove a point we would have to resort to making casualties possible? I certainly hope the motion of the gentleman prevails.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: I have had occasion to talk with a few men who make a business of hauling pulpwood and they tell me that this extra width would not be of sufficient advantage to make it worthwhile carrying it through in legislation and very few haulers of pulpwood would take advantage of it anyway and I hope that the motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker, over the weekend I talked with three different gentlemen that are in the pulp business and one of them definitely stated that the only reason a bill like this was in here was due to the fact that in loading pulp onto box-cars, in backing up the trucks, lots of times they are marring up the box-cars and the railroads were against it. They felt it was a dangerous situation piling the pulpwood the way they do if this bill was passed. Therefore, I hope the motion to reconsider prevails.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that under suspension of the rules the House reconsider its action of April 24th, whereby it passed to be engrossed Bill, "An Act Limiting the Weight, Length, Width and Height of Motor Vehicles" (H. P. 1194) (L. D. 782).

All those in favor of reconsideration will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. ROLLINS: Mr. Speaker, I now move the indefinite postponement of Senate Amendment "A".

The SPEAKER: The Chair understands that the gentleman from Greenville, Mr. Rollins, now moves

that the House reconsider its action of April 24th, whereby it adopted Senate Amendment "A".

Mr. ROLLINS: Mr. Speaker, I am withdrawing my motion for reconsideration, and I now move that this matter be tabled and specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that this matter be laid on the table pending passage to be engrossed and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed.

Passed to be Enacted (Cont'd)

An Act relating to Fees of Sheriffs and Their Deputies (H. P. 1207) (L. D. 853)

An Act relating to Fees of Registers of Deeds (H. P. 1699) (L. D. 1416)

An Act relating to Billboards (H. P. 1702) (L. D. 1425)

An Act relating to State Normal Schools' Reserve Accounts (H. P. 1708) (L. D. 1434)

Finally Passed

Resolve Providing for a Fish Screen at Outlet of Kewayden Lake in the town of Stoneham in the county of Oxford (S. P. 524) (L. D. 1424)

Resolve in favor of the University of Maine (H. P. 325) (L. D. 203)

Resolve relating to Impounded Bank Accounts (H. P. 1709) (L. D. 1435)

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

Enactor Amended

An Act relating to the Fort Fairfield Municipal Court (H. P. 1653) (L. D. 1348)

On motion by Mr. Mills of Farmington, under suspension of the rules, the House voted to reconsider action of April 22nd whereby this bill was passed to be engrossed.

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

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

House Amendment "B" to H. P. 1653, L. D. 1348, Bill "An Act relat-

ing to the Fort Fairfield Municipal Court."

Amend said bill by striking out all of the first paragraph and inserting in place thereof the following:

P. & S. L., 1929, c. 67, amended. Chapter 67 of the private and special laws of 1929 is hereby amended to read as follows:

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

On motion by Mr. Mills of Farmington,

The House recessed until two o'clock Eastern Standard Time.

AFTER RECESS 2:00 P. M. E. S. T.

The House was called to order by the Speaker.

Mr. Perkins of Boothbay Harbor was granted unanimous consent to address the House.

Mr. PERKINS: Mr. Speaker and Members of the House: I regret the necessity of asking your indulgence to introduce a resolve by unanimous consent. It will be very short and will not delay us a minute because if the resolve is accepted I shall move, under suspension of the rules, that it have its two several readings and be passed to be engrossed. I will read the resolve:

"Resolved, that the towns of Boothbay and Boothbay Harbor in the County of Lincoln be and hereby authorized to close the waterways between Boothbay Harbor and Sawyer's Island with solid fill."

The facts are these: There is a bridge from Sawyer's Island to Boothbay Harbor in the northwest part of our town which has gone out, and it would be considerable expense to rebuild a new bridge, but the selectmen of the two towns have concluded that it would be wise to fill it in with dirt instead of building a new bridge and thus save the expense of maintenance and so forth. It being navigable waters, although the water there is very shallow, it is necessary to have a permit from the War Department.

Hearings have been held down there, and it is agreed that this should be filled in, but the War Department has notified them a day or so ago that it would grant the

permit to fill in with solid fill and close that to navigation if it had the consent of the Legislature of the State of Maine, and that is all this resolve is. I hope that you will grant unanimous consent to receive the resolve.

The **SPEAKER**: The gentleman from Boothbay Harbor, Mr. Perkins, presents a resolve and requests unanimous consent for its introduction. The Clerk will read the title.

"Resolve authorizing the towns of Boothbay and Boothbay Harbor to close certain waterways."

The **SPEAKER**: Is there objection to the reception of this resolve? The Chair hears none, and it has been received by unanimous consent.

On motion by Mr. Perkins, under suspension of the rules, the resolve was given its two several readings and passed to be engrossed without reference to a committee.

Mr. Benn of Smyrna, out of order and under suspension of the rules, presented the following order and moved its passage:

ORDERED, the Senate concurring, that H. P. 1627, L. D. 1301, "An Act Creating a School District for the Oakfield-Morrill-Smyrna-Dyer Brook Community" be recalled from the Governor to the House of Representatives.

The order received passage and was sent up for concurrence.

Orders of the Day

The **SPEAKER**: Under Orders of the Day the Chair lays before the House Special Order for Tuesday, April 29th, by unanimous consent made a special order on April 28th by the gentleman from Corinth, Mr. Elliott, pending acceptance of the report, the report being "Ought to pass in New Draft" (H. P. 1731) (L. D. 1470) of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden" (H. P. 1572) (L. D. 1187) and the Chair recognizes the gentleman from Saco, Mr. Jordan.

Mr. **JORDAN**: After the vote last week by which this House made evident that it was not its wish to vote taxes which more than took care of needed expenditures, the Taxation Committee was left with no alternative than to pass out for your consideration an Income Tax or a Sales Tax. No member of the Committee likes taxes any better than any cit-

izen of Maine, but we could not shirk the task of offering a method by which this House could answer the new demands put upon it, and I as a member of this committee wish to tell you why I signed the Ought to Pass Report on a Sales Tax.

Back in the early 19th century Jefferson said: "A vote for every citizen, provided that 75% of them own property." The property he referred to was real estate, and 75% of them did own property in his day. But today the owners of property are nearer the 25% mark. With the 75% standard there was justification for the Property Tax. Yet today, with only 25% owning property, and with the Property Tax still carrying a large share of the tax burden, every man has a vote of equal value whether he owns property or not. Of course this change from a government run by property owners to one run by non-property owners has brought a very decided change in governmental policy. We have all seen the trend away from the old "Sanctity of Property Policy" to the one euphemistically called "The Greatest Good for the Greatest Number."

Far be it for me to say that, as a whole, this change has not been to a great degree beneficial; but along the way we should stop and remember that this policy is an expensive one, and that it has to be paid for by some form of Taxation. We arrived at this policy through the polling booths. The voters told us that this was the kind of a government they wanted. So it seems to me that, if a voter has the privilege of voting himself service, then he should also have the duty of paying a proportionate share for that privilege. I know of no tax which reaches more of our citizens proportionately and fairly than the Sales Tax. We have had sales taxes before, but we have disguised them under the title of Excise Taxes, and levied them at the top of the structure. When they came down to the ultimate consumer, they appeared as part of the cost of manufacture, and so the citizens did not realize that they were being taxed. A sales tax is an honest tax. It informs the people that they are being asked to pay proportionately for services rendered to them by their government. I believe that this is right. I believe that they should pay their proportionate share of services, and I be-

lieve that they should know that they are doing so and how much, so that when they go to the polls they can better evaluate their vote, and better figure whether the service they desire is worth the price.

I have nothing against an Income Tax. If Maine were not a State but an independent country setting up a tax system, I should advocate first of all an Income Tax, and secondly a Sales Tax. But Maine is a State, a unit of the Federal Government, and it has a debt to pay that government for services rendered. Speaking in industrial terms, you might call this Maine's overhead expense. And the citizens of Maine pay this overhead by an Income Tax, and it is a sizable one. Overhead expense is necessary in every business, and so, as we have set up an Income Tax to pay for that, to be consistent with my own tax theory, I feel that we should next introduce a Sales Tax to help pay Maine's running expense to balance the Income Tax its citizens already pay. If, after a reasonable Sales Tax has been levied, Maine still finds herself needing more money, I would then have no objection to a State Income Tax. I am of the opinion that there may come a time when Maine will need it, but I do not feel that we do so at present.

We have heard that if a Sales Tax is passed, there will be a referendum. Perhaps that is so, but it will not be engineered by those who did so in the past, the Retail Merchants Association. They appeared before our committee, and said that they were never against a Sales Tax, if it was needed by the State. They said also that it was their opinion that the State did need it this year. That statement certainly means wholehearted cooperation if this law is passed. My only contacts with small storekeepers were two in number. One of them said "Give us a Sales Tax not an Income Tax." The other was simply taking it for granted there was to be a Sales Tax, and was wondering whether he could get by with the cash register he had when it became a law. He also said "Do not exempt. That is what complicates things for us."

One other point I should like to make before closing, and that is that the Sales Tax enables those who visit us in the Summer and Fall to pay their share of our tax.

I was talking with a Maine lawyer who lives in New York, and he expressed his attitude in these words: "Maine has something people want. They come down here for that thing. They are willing to pay, make them pay. Put a sales tax on for just the summer months if you want to." We pay as we travel the costs of the governments of other states. Reciprocity seems to be a popular word around here this session. Let us practice reciprocity in our tax problem.

This is the last time, I hope, I shall have to address the 93rd Legislature in behalf of a tax measure. I do not expect that what I have said will change one vote, but while I do not think any one of you should be influenced by my decision, because all of you have minds of your own and are capable of making your own decisions, I do feel that all of you should give grave consideration to the committee's unanimous report.

May I say that this Taxation Committee is a cross section of the Legislature, made up of men holding all the various views of this Legislature. May I also say that it is the best Taxation Committee I have served on, and in the years to come, when I am home and remembering my days in the House, I shall remember each and every one of its members with a feeling of deep regard and high esteem.

This committee was a serious committee. They did not feel that they had done their duty by simply polling their members and passing out to this body divided reports which mean nothing. This committee felt that it was their duty, whether you agreed with it or not, to decide for itself what was good for the State of Maine; and having done so they could go home with a clear conscience, whatever the result.

And so this report is a team report. It does not represent the views of any single member of that committee. Every member has submerged, some more some less, his own personal views on details for what the committee felt was for the best interests of the State of Maine. And may I say that, whether the House backs up the report of the committee or not, I shall always be proud that I was a member of the Taxation Committee of the Ninety-third Legislature. I ask only for your serious consideration

of its unanimous "Ought to pass" report.

The main points in it are as follows:

1. It admits a need of new revenue for the State.

2. It limits the new State Revenue to 7 million dollars for the biennium; because it feels that this is the time for administration action towards economy in departmental affairs.

3. It recognizes the growing needs of our towns and cities, as evidenced by their growing tax rates, and has allocated money collected over the 7 million dollars for them, to use as they see fit.

4. It is a fair bill, based on the theory of no exemptions, but no double taxation. The tax is levied only on consumers, not on converters.

5. It presents a vehicle which, if properly steered, will enable this Legislature to do what is essentially its duty, that is, balance its expenditures and its revenues.

I hope the report of the committee will be accepted, and when the vote is taken, I move that we have a yea and nay vote.

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

Mr. McGLAULIN: Mr. Speaker, I detest the Sales Tax, but I am going to vote for this one.

We have passed many measures in this House, most of which we did not know anything about. I myself will be surprised later to discover the measures that I voted for when I did not even know that we were here. But there is one line of bills that we all remember, and that is the major tax bills.

We have had a long, hard session; we have worked diligently and tried to do our duty as we saw it, but today, in my opinion, we have presented to us for consideration the most important matter that has come before us during this entire session, and that is the question of passing a tax measure.

I think every last one of you felt as I did, that before we should pass any tax measure whatever we should be convinced that it was necessary to have the money and then we would try to meet that situation.

We had presented to us the question of raising money to save our schools. We find that our schools

are deteriorating because of the fact that teachers are taken away from us, many of our best teachers. We all remember the obligations that we owe to our teachers who taught us patriotism, who taught us something in the way of honor, taught us to be good citizens, self-respecting, so we were able to do something in the world.

And so we have decided in this House that we want to improve our schools, we want to save our good teachers. We think it is money well invested to have good schools in the State of Maine, and we all believe that we cannot afford to be without them.

We have decided that it is necessary to spend some more money for the University of Maine. They are trying to take care of many of the G.I.s who have returned after rendering service to their country, and we all have a pride in making it possible for those boys to get an education to help them out later in life.

We have decided that it would be a good thing to take care of our unfortunate imbeciles, feeble-minded; our school at Pownal is crowded and overcrowded, and they need more room. We must take care of them.

And so I might go on, but the conclusion I have reached is that it is necessary to raise money to take care of these worthy projects. That being decided—and, as far as I am concerned, that is definitely settled, that we do need the money—where are we going to get it?

There are three possible methods open, disregarding a dozen minor methods that would only give us a few dollars. Those are the combination sales and income tax or a straight income tax or a straight sales tax. We have already considered in this House the combination, and we have turned it down. Therefore there is left for us to consider but two possible measures: one is the income tax and one is the sales tax. Now I am going to favor the sales tax, and I am going to tell you why.

I favor the sales tax, first, because it will bring in more money than there is any possibility of getting from the income tax, and we need that extra money. Secondly, because the Committee on Taxation, which has spent hours of its time, have considered it as best they could, and they have decided that

the sales tax is the best method of raising the money that we need. Thirdly, because it is my own judgment, after a great deal of experience, that the sales tax is the better tax at this time.

Let me recall to you that I served in this House in 1937 when this Legislature passed a sales tax that was afterwards killed by referendum, and at that time, when the hearing was had before the Committee on Taxation in this room, this room was packed as I have never seen it packed before or since with men from all over the State who opposed a sales tax. Today, I have only met one man in the City of Portland who opposes this tax, or at least who has told me so; and I have in the Judiciary Room not less than thirty letters from men and women over the State, urging the passage of a sales tax if that will raise the money that is necessary at this time.

The point I am trying to make to you is that the sentiment regarding the sales tax has changed tremendously in ten years. Let me go one step further and say that only day before yesterday, or last Friday, I met and talked with the man who had more to do with defeating the sales tax than any other man in the State of Maine, and I presented him the problem that we had before us today, and I said to him, "How would you vote if you were in my shoes?" And he answered without hesitation, "I should vote for the sales tax."

Therefore, the fourth reason that I am for this tax is because I believe the people of the State of Maine will be vastly better satisfied than they will with any other tax we could pass.

Some years ago, I was on a hunting trip at West Sebomook. I shot and wounded a deer as he crossed the Little Sebois River, and he died on the other side. I wanted to get that deer. I did not have any boat and I did not have any raft. In order to get that deer I had to get wet. I did get wet, and I got the deer.

Members of this House: the money that we need at this time is just across that Sales Tax river. I am going to volunteer to cross to get that money and bring it back and take care of our problem. I cannot do it alone; I have to have some help. We need ninety men in this Legislature and perhaps a hun-

dred, in fact just a hundred, to solve this problem and solve it right, because if you let this matter go back to the people they are liable to kill all the efforts we put forth up here in this hall this winter, and back we will have to come again to try some other fool procedure.

I would like to say just a word to my Democratic friends. Frankly, I do not expect anything from you but opposition. You have been friendly to me, and I want to say this: When I launch upon a venture as I am doing today I want all the help I can get, and, while I expect nothing from you, I want to tell you that I welcome all the support you see fit to give.

I want to say a word to my friend "Cleve" Sleeper. You have said that you will not vote for this tax. "Cleve," let us suppose that today you and I want to get to Bangor. There are three possible methods of getting there: there is the sales-income tax train, but that has been taken off; there is the income tax automobile, but that has only gas enough to get to Pittsfield; there is the sales tax bus, and that can go through. I am taking that bus. Are you coming with me, or are you going to stay in Augusta all summer and do nothing? (Laughter)

One word more. Listen to what I am saying now. When a house is on fire, we want water to put it out. Do we stop to consider whether that water comes from a well or a mill pond or a stream? Of course not! We want the water where we can get it. The house is burning down now, our schools are deteriorating, our unfortunate morons are being neglected, our G. Is are in danger of losing their rights to an education, while we, like Nero, fiddle while Rome burns. Can't we get in and pitch together? Can't you Democrats forget for a moment that you are Democrats and remember that before you are Democrats you are American citizens, and let us all pull together for the benefit of Maine and let us pass this sales tax today, and not only pass it but pass it so thoroughly that there will be no comeback and we can go home and not stay in Augusta all summer.

You cannot get the income tax. They say, "I will vote for an income tax." I have pointed out to you that you cannot get it. It only taxes you to Pittsfield. We have to pass this law, and why don't you take

off your coat and roll up your sleeves and get in this fight and let us, for God's sake, put this thing over this afternoon. (Applause)

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

Mr. JALBERT: Mr. Speaker and Members of the House: First, I would like to congratulate Judge McGlaughlin for his usual sincerity and honesty. I know a few years ago, when Governor Brann was in office and I first had occasion to listen to the Judge, I admired him, and I have admired him since then, and I have grown to love him since I have spent the winter with him. I also would like to thank him for the recognition he gives to the party to which I belong.

Nevertheless taxation has been and will continue to be the headache problem of legislative bodies. The 93rd Legislature has not been exempt.

Numerous measures involving various methods of taxation have been introduced. Some are clear-cut and straight forward, calling for direct added taxation, without frill or fancy. Others are more complicated: They would involve a shift of taxation burden but still retain that disdainful feature of an attempt to get more money out of the already overburdened taxpayer; in other words, there has been something added—the intention being to sweeten the bitter pill.

We are unmindful of our obligations to the people of this State, we would merely place our stamp of approval on the plan which appears to be best suited, force the people to take it and like it, and call our task finished. Fortunately, we do not operate on that basis. Increased costs, increased demands, increased projects of expansion have brought us face to face with an apparent necessity of increased taxation. There is universal admission that taxation is a necessary evil.

We also agree. But we also absolutely refuse to be part of any procedure that would make it a greater evil through unnecessary taxation, and for this reason, I strongly believe that we could render greater service if, for the time being at least, we should disregard problems of addition and give consideration due to problems of elimination.

I am convinced that the latter method will furnish us with our

biggest asset. Before we rush into means of securing more revenue, why don't we get at the root of the evil and seek to do away with those causes which are creating an apparent demand for more revenue.

It is ridiculous to even think of vast construction projects at this stage when costs are two and three times over and above normal. Plans along these lines should be postponed.

Whatever name we may attach to any plan of taxation, the fact remains, and I earnestly beg you to give this most careful consideration before coming to a decision, that as usual the small fellow will get the short end of the deal.

The community which I have the honor to represent in this body is the home of numerous textile plants, where thousands of citizens gather daily for the performance of difficult and, oftentimes, arduous duties. Large families are the rule rather than the exception. These people—hard working, conscientious wage-earners, guided by a spirit of loyalty to those who afford them the opportunity to earn their daily subsistence,—are being crushed by an avalanche of taxes—commencing with withholding and ending up with hidden taxes of assorted types.

We are gravely alarmed at the mere thought of the possibility of a depression or, as some prefer to describe it, a recession. In my estimation, the most certain way of bringing back the days of economic ruin and despair such as we experienced in the early thirties is to further reduce the purchasing power of the wage-earner.

This is a most serious matter and it is our solemn duty to think twice and twice again before we take a step that might prove to be fatal.

Business today is feeling keenly the effects of over-taxation on the consumer. New and increased taxes such as those proposed to us surely will not remedy this situation. Buying is at a low ebb; inventories are high; stocks on hand are moving slowly; production is being curtailed.

Why this condition, when wages are higher than they have ever been in the history of the American public? The answer lies in over-taxation, and still, in spite of such conditions of which all of us are aware, and in spite of the fearful consequences which can befall us, here we sit busily engaged in efforts to promote more taxes.

The handwriting is on the wall. The people are up in arms. The people want relief; the people are entitled to relief. Let's give it to them. The statement has been made that taxation will keep us out of debt. I agree. But I have another way, just as effective and much easier and much more satisfactory from the taxpayer's point of view.

Friends and colleagues of the 93rd Legislature, let us get out the cleaver. Let us slice, cut, postpone, eliminate or refuse any and all requests which are not entirely justified, expedient or urgent at this time.

We must say "NO" and stand firm by our guns.

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

Mr. MILLS: Mr. Speaker, through the Chair, I would like to ask the last gentleman who spoke a question.

The SPEAKER: The gentleman may ask his question.

Mr. MILLS: I would like to ask the gentleman if he would say "No" to the teachers of the State in their request for increased salaries.

The SPEAKER: The gentleman may reply if he wishes.

Mr. JALBERT: Mr. Speaker, I will answer that question as an individual, not as the leader of my party.

I called the President of our Teachers Association at home a week ago last Sunday. That teacher, after I told her that in order for her to get an increase—it doesn't amount to anything to us anyway at home, we will take care of it—that teacher said, "I am not in favor of new taxes."

But I will answer this: When I get hit with a barrage of telegrams by teachers in Maine telling me to vote for a form of taxation in order that they may get an increase in salary, I say "No" to the teachers. Does that answer you, sir?

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

Mr. SLEEPER: Mr. Speaker and Members of the House, Judge McGlauffin—

The SPEAKER: The Chair must state that members in the course of debate must refrain from personalities. This is a very important mat-

ter and we must proceed as orderly as possible.

Mr. SLEEPER (Continuing: I was very glad to be included in your speech, and I was very glad to find that they thought I might have some influence here. I influence just one vote.

This argument that you might have increased taxation was absolutely and positively right; but you do not want to get the funds from the same source from which I am willing to take those funds.

There are so many reasons against a sales tax that I could take from now until doomsday and I could not convince this House to vote for a sales tax. Who wants the sales tax? That is what I want to know. I do not want it; you do not want it, and nobody else wants the sales tax. Do you think that I, with five mouths to feed besides my own, had rather pay a sales tax than an income tax? Do you think other people that have large families are more interested in paying a sales tax and other forms of taxation? The reasons are obvious.

Who else has a sales tax? Does our bordering State of New Hampshire have a sales tax? No! Does Nova Scotia have a sales tax? No! Does New Brunswick have a sales tax? No! Does Quebec have a sales tax? No! Does any State on the Atlantic Seaboard have a sales tax? No! Does any state east of the Mississippi, with the exception of Ohio and Indiana, have a sales tax? No! Nobody has the sales tax because the sales tax is the most despicable form of taxation that has ever been devised.

You gave the one reason I would never vote for a sales tax in your speech. You say a sales tax is fair because it has no exemptions. That is the real reason I am against the sales tax. Do you think a man who has five, six, seven, eight or nine children is just as able to pay a sales tax on food and clothing for his family as some man who has just himself to support? Naturally not.

There is no reason under the heavens for the State of Maine to pass a sales tax. It is unjust, inequitable and unfair. Don't go ballooning off in voting for a sales tax. I will never vote for it, as I said before, if I am the only man in the fourth division. The tax is unfair, unjust, uncalled-for and un-

worthy. I will never vote for a sales tax and I hope the majority of the House will never vote for a sales tax. Nobody wants it except those who wish to dodge the inevitable income tax.

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

Mr. BOVE: Mr. Speaker and Members of the House: Although I have no desire to change the votes of the members of the 93rd Legislature, I wish to go on record and I wish to say that I am one hundred per cent in favor of a sales tax and I am not in favor of the income tax, for the simple reason that the income tax is very much complicated, and, in my opinion, the sales tax is the only tax that we know of that can remedy the situation.

I wish to say that since 1929, when I last served in the Legislature, we had only twenty-three departments. Today we have thirty-six: we have shouldered thirteen departments more, and we have therefore assumed the responsibilities of paying the obligation. In my opinion, there is only one way to pay our obligation and that is to pay in currency and not in apologies. Therefore, my constituents wish to have me vote in favor of this sales tax which is before us this afternoon, and they do not wish me to vote in favor of the income tax or a miscellaneous tax. As I said, I myself am one hundred per cent for it, because it is up to us to pay our obligations.

Mr. Speaker and Members of the House, I thank you.

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

Mr. BREWER: Mr. Speaker and Members of the House: Many members of this Legislature have said that if they were convinced we needed new revenue that they would vote for a tax. I think Monday afternoon there was a paper laid on your desks showing what we had, our analysis in the Appropriation Committee of the revenue you would need if the bills pending were passed. If you will look at that slip, it says, "New revenue required if all pending bills are passed, \$9,993,481," and then it refers to the note at the bottom, "Bills to a total of \$4,533,065 reported 'Ought Not to Pass' are not included in the above figures."

Now I know that many of the

members here have stated, in fact they have told me that, because we have two departments which involve about fifty-five per cent of your general appropriation and which are not administered right, that they would not vote for a tax as long as that was in existence. I feel that is a poor attitude to take, for the simple reason that this is a matter that cannot be remedied over night; it is a matter that means that these departments must be completely overhauled from top to bottom or bottom to top, and that alone takes time.

Now we have several members here that say they will not vote for any taxation. They say that they realize that we need it, on the one hand, and, on the other hand, they say they will not vote for it.

That reminds me a good deal of a story of a small town that was suddenly flooded out and as the people took to the banks, watching the waters swirling around, they suddenly saw a straw hat moving around in the muddy water and their curiosity was aroused. Finally they said: "Well, just what has happened to that straw hat? What is it doing that for?" A young fellow spoke up and said: "That must be grandpappy's; he said he was going to mow the lawn today in spite of hell and high water." (Laughter)

Now I feel that those fellows that say they will not vote for a tax, they are taking the same attitude as grandpappy; they are not going to vote for it anyway. But I wonder what some of you are going to say when you go home and tell them that you did not vote for new taxation and even though you were sent down here to increase the teachers' salaries, which we assumed was going to cost about a million and a half, and we find in the second year it is going to cost nearly two million due to the fact that the towns have increased their money that they are going to pay the teachers and I also wonder what is going to happen if some of your departments and institutions do not have the money that it is necessary to run them.

When you cut, you can certainly see the aftermath that happens back home. So, I do want to say to you at the beginning of the year we had \$1,200,000 surplus; and on a \$27,000,000 business, I think

anybody would agree with me that they would not dare to go much lower in a reserve, because many serious things could happen and it would not be good business policy not to have some reserve on hand. So far as I am concerned, I propose to have at least that for a reserve and for contingencies which we might not have anticipated. I do not know of any way, your Appropriations Committee would show you that we do need money with any more emphasis than we have already presented to you in these various reports we have laid upon your desks from time to time.

As I have explained to you, this money does not come out of the air and I feel that a sales tax is one of the fairest. You have heard some members suggest that we could raise the mill tax but I think everybody will agree that that rate will have to raise it considerably to bring in the revenue you need. Your State valuation runs around \$700,000,000 and 7½ mills brings you somewhere in the vicinity of \$5,000,000 revenue. Now I believe that anybody, whether they are earning \$5 a week or \$500,000 a year, should contribute some proportional of that for their taxation. Now we have in our town many people who pay a poll tax and the cost for every pupil we have in our schools runs to \$130, I think that is the average.

Now you always hear the argument for the poor man. I think the poorest man who works for me I paid a little better than \$2,000 last year. Now I ask you: Is it too much to ask from that individual, on a two per cent sales tax a contribution of \$40 a year for the things he has to buy. I say it is not. If you raise your mill tax, there are not enough people to go around to pay the bill. If you take an income tax, which may be fairer, the same applies to that as Mr. McLaughlin has told you. But I believe that as soon as the majority of the people realize that these things cost money, only then will the demand go down. As long as they feel that it doesn't cost them anything there will be plenty of demands made on us.

In my town, we took over a USO building, and the cost to the government was \$25,000. I think my tax was up possibly \$100 because they took that over. So, I say to you, I believe this is the fairest tax.

I would just like to recall to the gentleman from Rockland, Mr.

Sleeper, who said that no state on the Atlantic seaboard, if I understood him, had a sales tax—I would like to ask him about New York and Massachusetts. In Massachusetts, I do not think anything has escaped there, as far as I can find out. You pay an income tax, you pay a sales tax, and you also pay a tax on meals.

I do feel we are about forty years late in a sales tax. We should have had one long ago. If I have not convinced you that we do need money, as I say, there is not anybody so blind as those that will not see, and I do not know just how it can be done. I, for one, feel it is the fairest tax, and I certainly am going to vote for a sales tax.

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

Mr. RANKIN: Mr. Speaker and Members of the House: I shall be brief.

Those who were here four years ago will remember that a sales tax bill was introduced in this House by myself. I believed in sales tax then and I believe in it now. Of course that bill did not get anywhere; I knew it would not, but I believed that measure would eventually be enacted, and I must say I am pleased to find that some speaking for the sales tax today who were not for it then. I do not think that has any particular significance. I am not saying "I told you so." That is not the spirit in which I say that. But I believed in a sales tax then, and I believe there is, of course, very much more reason for having a sales tax at the present time. I believe that is the reason that some have been converted to it.

Now as to the matter of taxes: sometimes I have heard it said on this floor that taxes are an unnecessary evil and that the sales tax is an unnecessary evil. But what is our money for but to pay our taxes and our debts with. And I want to say this to you, not in a spirit of boasting: when I pay my taxes there is a warm feeling on the inside; I like to pay the taxes. There is very little I like so well, almost nothing I like to spend money for as well as I do for taxes. I think that is a reasonable position for us to take, because as patriots we have to support our national and our State government.

Now why do we have to have these increased taxes? We all recognize

the necessity for them, and we are paying them. It is because we fought a war; that is the reason. Why do we have to have higher salaries for teachers? Why do we have all these extra expenses? It is because of war. But we have been foolish enough, I think, many of us—and I have sometimes felt that way—we have been foolish enough to think we had a flush of false prosperity out of the war, and that we were going to keep it up. I say to you that that is an idle dream. We have to pay for this war, every dollar of it, and we have to keep on paying for it year after year. It is going to be hard; taxes are going to be high. That is the reason that we have this. We have to have taxes for the State, for our teachers, and for other purposes, because the expense of living of the State has gone up.

I think that the State of Maine has done well. Now during the period—I believe I am correct in saying this—during the period when our cost of living has increased about fifty per cent, the cost of running this State has increased about twenty or twenty-five per cent. I think that is good business; I say we have done well in that matter.

Now as to taxes in other states: I was in New York three months ago, and I did some small shopping, I bought a pair of shoes and I paid a twenty-five per cent tax, and I paid smaller taxes than that when I bought something, and I did not feel that it was a great burden.

As to the states that have taxes: Michigan has, for more than ten years had a sales tax. I was in Michigan nine years ago visiting relatives in a town where I used to live, and I went to the merchants and asked them about it. They said, "We were all for it, it is good, we like it, it is all right. We feared that it was going to be a lot of trouble, but it is not so bad." It is like most of these so-called evils of life: when we actually grasp the metal it does not prove to be so bad after all.

Now there has been a change of sentiment in the matter of the sales tax. Six years ago, I think it is correct to say in my local Grange I was the only member that believed in the sales tax. Some thought I was disloyal because I believed in it and the Grange at

that time was not for it. But what happened a few years ago? I received a letter from the secretary of that Grange, giving the result of a poll taken by the members at the latest meeting, and seventy per cent of those members were for the sales tax—seventy per cent of them.

This morning I had two letters from home. One was for the sales tax and another was against it. I want to be fair about it, and I will say this: that the Chamber of Commerce in the village of Bridgton has voted against the sales tax, and I received a telegram from the Chamber of Commerce protesting and asking I vote against the sales tax. Well, like the gentleman from Portland, I propose to vote according to my judgment and my conscience. I have no means of knowing whether the people of the Town of Bridgton are for a sales tax or not, but I will say this: I think all the people who have said anything to me about it have been for the sales tax. We might as well face the fact that the local merchants are against it and they constitute the largest part of the membership of the Chamber of Commerce. They are good men and honest people; I sympathize with them, and I feel friendly towards them and I hope they feel friendly towards me, but I think they are wrong. I had a next-door neighbor who had experience with the sales tax. He said it was some slight trouble, but he thought that it was the fairest tax there was, and I believe the retail merchants will find that it is not so bad after all.

I beg to call attention to an error which my friend from Presque Isle made. He seemed to assume that if a man got a salary of two thousand dollars he spent two thousand dollars in sales taxes. No, he does not. There are a good many things, of course, that are exempt. For example, we have a tax on gasoline. He does not pay a tax on that tax; he does not pay two per cent on the money he pays out for taxes. And if he rents a house he probably does not pay twenty per cent for that. Of course we have a very great evil in this State, a much greater evil than a two per cent sales tax, and that is our property tax, which is the highest in the United States and which has come pretty near depopulating some of the towns of this State. That is a great evil. I am for this sales tax for one reason,

because I am hoping that we may sometime have a tax system. We have no tax system, we just tax and tax and tax real estate, a house with three acres of land.

My tax has gone up one hundred per cent in eight years, and it is going up again this year, and I expect it to go up next year. That is a desperate situation. It does not hurt me particularly but it hurts the farmers tremendously.

Now the farmers in the past were opposed to the sales tax, but the sales tax is easier on the farmers than anyone else. The county agent in the county where I live, Cumberland County, tells us that one-half of the living of the farmer is obtained by his own labor. He does not pay any tax on that; he gets off easier than the others. The farmers were formerly opposed to a sales tax, and the Grange, at least—and I am a loyal Granger—the Grange does not pretend to represent all the farmers, but the Grange has been, to its credit, for a combined sales and income tax. Now we do not want that, for the very obvious reason, as has already been stated, it would produce more money than we need. I expect that in the future we will want to explore other forms of taxation. We want to have a broad taxation base. So I am in favor of letting the income tax go until Uncle Sam taxes that away from us. I am in hopes we may eventually have an income tax in this state and may have a levelling off of the small property tax. So I am in favor of a sales tax, and I have been consistently for years.

I remember one gentleman who was once a member of this House—he is not in the House now—and he spoke against the sales tax, and afterwards I was talking with him, and he said, "I am against it, my people are against it, but we must come to it." And the time has come, fellow members, when we must have a sales tax, when the situation demands it. We may not like it; we have to do many things in this world that we may not like, but I am hoping we may adopt a sales tax and come to like it. I believe that we can.

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

Mr. THOMPSON: Mr. Speaker, several years ago when the sales tax was up in the House, I was not a member. I think something like

five hundred people from Bangor and Brewer came over to Augusta to oppose a sales tax. I represent a city of eight thousand people today. Nobody has written me against a sales tax; there is nobody I can find out in the city opposed to a sales tax. I have not had a letter from Bangor from anybody opposing a sales tax, and I am in favor of the sales tax passing.

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

Mr. MUSKIE: Mr. Speaker and Members of the House: We have been told, we in the minority party, this afternoon, to forget that we are Democrats. I would like to change that a little bit and ask you people to forget that we are Democrats. Ever since I came down to this House last January, I have been constantly reminded that I am a member of the minority party. We are urged, today, to work together. We tried at the beginning of this session to work together. We asked for a voice on the Committee that was to consider these taxation measures. We were denied that voice. We introduced legislation that would save not only the State but our municipalities money, that is as good as new money, and we were told that was an impossible measure. Consequently it was overwhelmingly defeated. You have isolated us in this group and then, because you have done that, you then assume we are going to act as a group to promote the party interests. If I could convince you, while I am standing here, that you should forget that we are Democrats because we do not intend to act as Democrats and are not acting on party lines, I will feel that I have accomplished something by saying the few things I am about to say.

I am speaking, incidentally, only for myself because for once I want to feel that we are working together and not on the basis of one party against another party. I can remember saying, two or three months ago, that I did not consider saving money to be a party issue. I said at the same time that I did not consider taxation to be a party issue. The issue, in both of these instances, is the interest and for the welfare of the people whom we represent. I still maintain that position. And so what I am about to say in opposition to this bill is something that I sincerely feel.

I oppose this bill because I do not consider it is in the interest and welfare of the people of Maine. There is one thing that I will grant to some of the previous speakers, and that is this: There are a great many measures that we have considered, a great many new appropriations that we have considered, a great many expansions of State service that we have considered, that would be good to have if we could afford them.

As I walked among the people of Maine back home and talked with them, I found that they, too, in their individual lives, are thinking of many things they would like to have, that it would be good to have, if they could afford to buy them. They are finding it necessary to tighten their belts; they are finding it necessary to postpone a lot of things they would like to have and get along on essentials.

I anticipate that probably I will be asked a question that was asked by another member of my party: Would I vote for an increase in teachers' pay? I will say this: That I will vote for any measure that will contribute to the betterment of our schools. But I have not yet been convinced that there is not sufficient old money available for the State to pay for that kind of improvement. We have been told that new money is necessary; that approximately \$10,000,000 in new revenue is needed if pending bills are passed. Of that \$10,000,000, if my figures are correct, something like \$2,500,000 is for new construction. I am not convinced, and I do not think I ever will be, that a new tax bill calling for the raising of new money, can be justified for the purpose of capital construction on such a scale. Assume that we raise \$2,500,000 in new money for that purpose in the next biennium, when that purpose has disappeared, what is going to happen to that new money then? There will be plenty of opportunity to give it to other departments to waste and spend as they see fit. I doubt that this new revenue producing measure would then be repealed. I say that unless we can devise a program for these capital expenditures which will make it possible to pay for them over a period of years, I say let's vote against this program.

I have been told of a moral obligation that I have; a moral obligation to our citizens to make avail-

able these new services. When I am told that, I think of another moral obligation that I have and that is an obligation to the taxpayers back home. As I have said before, I have seen them tightening their belts; I have seen them doing without; at the moment I recall the case of a young service man who came to see me about two weeks ago. He had been out of the service a year. When he came out he was married and he had two children. He had no place to live. His father, whose own home was crowded, had a barn on his property which this young service man is making use of as a home. He is earning \$37 a week, and in the last year he has been home, he has gone in the hole almost \$1,000. He gave me all his bills, told me what his expenditures were, and I assure you there were very few luxuries involved. You ask me today to tax that man an additional \$40 a year, it has been estimated, which will only succeed in putting him further in the hole. Now I ask you, don't I have a moral obligation to him? You say that you have a moral obligation to these veterans who are getting an education up at the University of Maine. Already the federal government pays them the equivalent of almost \$1,000 a year, and many of them have independent income on top of that. You say: Let us help this G. I. up at the University of Maine but let us tax this poor fellow an additional \$40 a year to educate that man up there. Now I ask you: To whom do I owe this moral obligation? I have heard, on this floor this afternoon, what, to me, is an astounding proposition. If I can recall the exact words, it goes something like this: "Citizens should pay taxes in proportion to the services that they receive." That is not the first time that theory has been expounded on this floor. Once before, I heard that argument put up in favor of a bill which would enable communities to tax people who actually used sewers; to tax people who actually utilized garbage collection service. It seems to me that this theory gets away from the principle which underlies our form of government. If we carry it to its logical conclusion, we will in this session pass a tax which will be a head tax. If a man has three children, make him pay more than the man who has one. That is what

this theory of paying in proportion to the services you receive means.

Taking up one or two additional points that have to do only with the bill in question, it has been stated that certain opposition to a sales tax that has existed in years past has pretty well vanished. I would like to tell you members of the House of a conversation I had about two weeks ago, which bears on that point. I had the good fortune to meet one of the principal executives of one of our largest chain systems in this country. And, because I knew this problem was going to arise, I said: "Why do you not oppose this sales tax this year as much as we did in previous years?" He told me: "Why should we? You are going to pay it and collect it." I sought to check that statement and I found Section 315 of this bill. It provides that each seller shall be allowed an amount equal to three percent of the amount of the tax due as compensation for expense incurred in collecting the tax.

Now I have been told that a sales tax is good because it is a cheap tax to administer. It may be cheap where the State department is concerned but 3 per cent of the total take on this tax will amount to \$225,000, a year, and I think I am quite accurate in saying that an income tax, which is considered an expensive tax to collect by comparison, never cost more than three per cent of the amount collected.

Taking up that three per cent point again in Section 285, I think it is, of the Statutes, there is a provision made for creating tax brackets on goods selling for less than one dollar. We call this a two per cent tax. Let us see what this means actually. I do not know actually what bracket the sponsors of this bill have in mind, but one bracket that occurred to me, I have seen it somewhere, is this: Items of eleven cents or under will not be taxed; items of eleven to about forty-three cents, I think, will pay one cent tax; and items above that will pay two cents tax. Doing some rough figuring, that lower bracket will mean that on those items, there will be a tax of from two and one-half to three and one-half per cent. On items in the next bracket the tax will run from four to two per cent. Ask yourselves this question: When you go into a chain store to buy groceries and you go

into the five and ten cent store or similar stores, what proportion of their items are over a dollar? If you figure on these eight and a half per cent item, figuring the take of the chain store at three per cent of that, you can see why they favor this particular sales tax; they are going to make money on it. Also consider the poor people involved. What items do they buy? What amount of their purchases are for items of less than one dollar? Then ask yourselves if this is a two per cent tax. It seems to me that it will run considerably higher than that.

Another thing, when a seller makes his returns on these taxes, he has to account under this law for two per cent of the total sales price. What way is there to check him on these items of less than a dollar that bring him more than two per cent? I was told by this same man that I talked to a while ago that out in the mid-west chain stores would oppose elimination of any sales tax because they were making so much money on it on account of this bracketing system for items of less than one dollar.

There is one other point and then I will close. This bill provides for sending back to the communities two and a half million dollars annually. Now that means \$50,000 a year to the City of Waterville. I should favor it, but this is what bothers me—I may be wrong—but over the past ten or fifteen years, under both Republican and Democratic administrations, the City of Waterville, I think, has run a well-managed, efficient, and comparatively economical city government. One of the reasons is: The balance of power is close and those in power do not dare, for political reasons, to spend money for purposes not considered essential. There are things that we would like to buy but we don't dare to raise the tax rate. Here is a chance for them to get \$50,000 a year with no responsibility to the voters in their community even though those voters are paying the tax. Those voters can not hold their city government responsible for the increase of the tax because we have imposed it; but the city will use that money, you can bet. I say that that provision of the bill tends to reduce efficiency in our local government.

I agree with one of the previous speakers that we should not take the attitude that taxes are an evil.

I say that unnecessary taxes are an evil but that taxes properly and equitably imposed, the proceeds of which are efficiently used, are a blessing. I say that if we follow that motto in imposing taxes, or considering taxes, in this session, we can consider that we have done ourselves proud.

The SPEAKER: The question before the House is upon the acceptance of the Committee report.

The Chair recognizes the gentleman from Bangor, Mr. Finnegan.

Mr. FINNEGAN: Mr. Speaker, my remarks will be very brief. I declared my position on this emergency tax measure a week ago when the combined sales and income tax was being considered. My viewpoint has not changed. The reason for my objecting to it then are still pertinent with me. We have no real emergency notwithstanding all the clamor that has been instituted to indicate such. We have an emergency if we create it; we create that emergency if we pass all the tax measures that have been presented to us.

We on the Appropriations Committee have seen fit to cut a few expenditures where we thought they could properly be cut. I am very firm in my convictions that capital expenditures should not be capitalized to precipitate a tax program. I am unwilling to vote for this bill on an emergency basis, that it is an emergency because it is a major tax change. I believe the people who are going to pay these taxes should have a chance to pass on the bill itself. I suppose everybody here understands this bill. Frankly, I have read it six times and I am still in a fog. I would like a good briefing from some good attorney as to just how all these things are going to be administered. Frankly, I do not know. I presume there is one clause in there—what do you call it—tax materials bought outside the state—I do not know how that is going to be enforced. Are we going to be stopped at the border and have our cars searched to see if we made any purchases? If it comes by freight or express or mail or parcel post, who do we report to? Where do we pay the tax, if we live within the intent of the law? Maybe I am confused, maybe none of these are pertinent issues, but I would like to have them answered to my satisfaction before

I would be willing to vote for this bill if I thought it was a good bill, which I do not think it is.

I think our solution lies in the fact that we can adjust our difficulties with a little adjustment of the mill tax, a two mill tax means a tax of \$2 on \$1,000 of taxable valuation and that is not going to break anybody. There has been a lot of confusion and a lot of propaganda against the property tax and some of it, I am sure, in many locations, is justified. I know there are some enormous tax rates but where those tax rates are enormously high, I think you can safely look into the valuations upon which these properties are based. A tax rate of \$1 on a property which is fifty per cent undervalued becomes a five per cent tax rate on a proper valuation. Now I know that this condition exists in many cases; I know that it does not exist in all, so I am not making it as a general statement. So I believe that if we could just do a little better administering in the spending agencies, I think all the money we are expected to raise from this sales tax can be conserved. I do not think that we have to raise it. But as I said before, I shall never vote for an emergency tax bill, for a major change without giving the people back home a chance to pass on it. So I shall vote no on this bill.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: s has been said by two, at least, of the former speakers, we should have had a sales tax four years ago. But let me say that if we had had it at that time, it would have been paid only under protest by many of the people who had the tax to pay.

Today, the attitude has definitely changed. That is indicated by letters, telegrams, telephone conversations, that all of us, I am sure, have had with our constituents. They say now: "Give us a tax of some sort but don't come home without having provided a program for financing the educational programs, increased demands of our State institutions, and other progressive legislation. If, in the minds of the Tax Committee, and I believe that committee has given this whole problem careful consid-

eration, more careful consideration than we can give it as individuals, or by any other committee; if, in their minds, this is the type of taxation that we should provide for in this Legislature, let us go along with them. I propose to vote for the measure.

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

Mr. BREWER: Mr. Speaker, in order to keep the record straight regarding what states have income taxes, I would say that New Hampshire, Massachusetts, Rhode Island, and Connecticut have now bills pending before their legislatures, which involve income taxes. New York State does have an income tax; the City of New York does. New York State has an income tax; Massachusetts does not have a sales tax but they have an income tax and a meal tax and, as I say, I merely tell you this to keep the record straight but there are twenty-two out of the forty-eight states now who have a sales tax.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I rise in opposition to this bill because I do not feel that an emergency exists. We had a bill before us, Legislative Document 1187, which had a referendum on it. After four months of solid parleying down in Taxation, they have brought out the same bill with an emergency measure to put across on the people. One of our gentlemen, who spoke on this bill, said that we could not remedy overnight. I do not think we can remedy the tax situation overnight in the State of Maine. It has been a long problem and it is going to be a long problem and another gentleman said that the attitude has changed on the sales tax in the last ten years. One of the members of the Taxation Committee proposes a yea and nay vote when the vote is taken. I am glad. When a man votes on that bill he wants to think of last September, when the citizens of Maine were in the ballot box, voting for him, they also voted against the sales tax, about four to one. Some will say that that was killed with the soldiers' bonus; I say no. There is no man here who would not be willing to give the soldiers something.

As I have said before, and have

appealed in the Special Session, give something for the soldier if it is even a sack of potatoes, but this bill here, Gentlemen, is taking away from the veteran. Almost every man in this House has most all of the worldly goods he needs. He has a home; he has furniture; he has an automobile, but we have ninety thousand odd veterans who have nothing. They have to buy it all. Who is going to pay the bill? I hope that the bill does not receive passage.

The SPEAKER: The question before the House, is on the "Ought to pass in new draft" report of the committee.

The Chair recognizes the gentleman from Castle Hill, Mr. Ellis.

Mr. ELLIS: Mr. Speaker, the time has come for the State of Maine to relieve the present tax system of its responsibilities. Certainly it is as efficient as the "Horse and Buggy" in the present day of mechanization. Like the "old plug" with all its aches and pains, that has outlived its generation and is now but a social misfit, our present system of taxation should be "turned out to graze." Its day it done.

This obsolete tax system was founded many-score years ago on the assumption that the touchstone of a man's financial well-being was the number of acres, buildings and live stock he owned, tangible possessions, have been responsible for the major part of the state revenue. This 18th century antique of economic philosophy should be de-commissioned; it should be placed in a museum as a historic memento of the days gone by, — for we should not lack gratitude for its past services. Neither should we, however, permit it to remain in active duty, no more than we would have fought a Japanese dreadnaught with a gallant "Old Ironsides". In short, we must stop placing a disproportionate burden on real estate . . . while letting others with wealth in other forms go scot free of obligations to contribute to the cost of local and State government.

If you are in agreement with me at this point, and I think you are, let me ask this: Will you likewise agree that our State needs an increase in funds for public utilities? For the erasure of deficits? Who can deny it? Because our taxation system still reflects the days of the "horse and buggy", our highways

and roads can accommodate only such vehicles. Some of them are so narrow that the proverbial chicken needn't cross the road to see what's on the other side. Why should she? She can see it!

What of our educational system? The conditions are known to us all; it's an old refrain: a multitude of shabby buildings, poorly heated with few modern facilities; few funds available for the normal schoolroom expenditures; teachers so poorly paid that those who can manage will take part-time jobs elsewhere; and so many more unsatisfactory conditions. I needn't dwell on this point, however, for any differences of opinion held among my esteemed colleagues of the Legislature do not concern whether poor educational conditions exist . . . but what shall be done to improve them.

The fact is, Members, our beloved State needs money; to be explicit, she needs several million dollars. Certainly that's bad enough, but it's even more bitter to realize that such figures like these may come up again and again in the course of the coming years . . . unless a safe, fundamental method for acquiring an ample income is determined. Highways and bridge bonds, we have found, aren't the answer. We must get at the source of the trouble, rather than play at the fringes. That source is taxation; personal income and a sales and use tax are the only antidotes which will counterbalance the poisonous taxation system which now prevails.

The income tax and the sales tax work well in hand, for they very well supplement one another. Together they can take the weight off the shoulders of those who own real estate. This is a particularly important service, because property ownership must be encouraged for all Americans. It shouldn't be a sign of great wealth for a man to own his home. Why should he always pay rent to live in the domicile of another man? There is no investment for the future. Today, with the G. I. Bill's provision for veterans' housing and other governmental loans, the middle-class man can afford to build . . . the lower-income man can afford to buy; that is, if real estate taxation is relieved.

The majority of evidence at hand shows conclusively that the sales tax is the fairest, most equitable and most efficient means of raising

public revenue. It is based both on the ability to pay and the benefits received from government, and is paid in small amounts from day to day as sales occur. A larger proportion of this tax than any other finds its way to the public treasury for the reason that it involves less expense and trouble to collect and is the most economical of all taxes. There's no complicated machinery of collection; no loopholes are provided for the escape of some taxpayers to the disadvantage of others; no delinquencies occur to be either lost or collected at great expense to the State and taxpayer.

The sales tax is paid little by little as the earnings are spent. The rich man cannot evade if he would; the poor man cannot be burdened by it beyond his ability to pay; neither attorney nor expert is needed. The earnings in this respect may decrease or increase from time to time but the income is certain. Crop failures and other misfortunes experienced by the farmer may make even a low property tax disastrously burdensome. Expenses of illness and other troubles that befall us are not paid with the note of worry about coming taxes. The sales tax keeps exact pace with the citizen's needed purchases, and can never out-proportion his available means. He who buys in addition to the necessary things of life, expensive luxuries, will pay, as he should pay, large portions of the tax, while he who is of small means will pay in proportionately small amounts. In this way every citizen becomes a direct part and parcel of the government, and necessarily learns to appreciate its protecting influence more and more.

While a moderate sales tax would not be burdensome on any class of citizens on account of the equitable manner in which it is laid, it would at the same time lay a small burden on all classes of people, and thus its imposition would serve to interest everybody in efficient and economic government. One of the greatest services of the sales tax would be that instead of one-fourth of the people carrying the burden of public debt and public expenditures, a broader base would be formed to spread the load proportionately out among the great amount of our people who do not pay either income tax or ad valorem taxes.

The sales tax brings home to all the people an interest in the oper-

ations and the expenditures of the several branches of government. Wherever it has been adopted it has resulted in an increased pride of government. It has drawn citizens of all classes together, wiping out imaginary bars between them, and destroying antagonisms founded upon such distinctions.

Working in conjunction with the sales tax, the income tax would make a fair adjustment on those with the higher incomes and exceptionally wealthy estates. This may drop the property tax to a bottom rate. Those with exceptionally high incomes, but with no property, will pay accordingly also. Nevertheless, any tending viciousness so traditional with income tax systems would be erased by the fact that the State would not be dependent upon it as the main source of revenue. This responsibility lies with the sales tax.

Other states have had unlimited success with this scheme of taxation. Governor Ehringhaus, in a survey made several years before the war, pointed out that in his state, North Carolina, all the schools were able to be kept open after the tax on sales had been enacted; also, the teachers had been paid promptly in cash; and real estate had been relieved of approximately thirty per cent of its former burden. The budget became balanced, which for years before had been out of balance; the operation of the government came well within the income and the bonds sold above par.

In 1933 the Michigan Legislature enacted a sales tax law which since has been reported to be working satisfactorily and affording much relief as compared to the old system of property tax. The same may be said of Iowa, Illinois, Mississippi, Pennsylvania, and over twenty other states throughout the country. Governor Benjamin Moeur of Arizona reported at the time of this survey that after the adoption of the sales tax, it became as popular a tax as any measure could be, and said, further, that he felt a sales tax tended to justly distribute the burden of taxation and make a better arrangement with the people. Almost everyone is willing to pay it, and it eliminated the property tax completely for state purposes.

Here, in our own State, there has been wide acclaim for the sales tax. You will recall the Recess

Committee appointed by the Legislature two years ago, to study our tax situation; also, you know, various experts have been invited to our State for the same purpose. All have recommended the combination of a sales and income tax program. Governor Hildreth, in his address to us in January, gave complete approval of the committee's report. The Granges have approved it; the Maine Municipal Association favors it, and many other outstanding organizations feel the same way, giving a large representation of the people's interests.

The last move is ours, as representatives of the people of Maine. It is erroneous to say that "ability to pay" is the only rule by which one should be guided in the payment of taxes. There is another and equally binding, and that is that all taxes should be considered from the angle of "benefits received." Every human being receives some benefits from his government and in some way tangibly ought to be tied to it. A general Sales Tax will afford a common ground upon which all must meet and must share in some small way, not only in the benefits he receives from his government, but in its burdens as well.

Let us put our best foot forward in solving the problem of deficits, coming expenditures, a poor educational system, overtaxed property owners, and all the other present evils by adopting a personal income and a sales and use tax to raise additional revenue and equalize the tax burden.

Members of the Legislature, I took the time to contact the people living in another state who have a sales tax and here is their reply: "We have a three per cent sales tax here in Washington, on everything except on feed. All lumber, groceries, and so forth; as I say on everything except feed and grain. Oregon, our neighbor on the south, does not have any sales tax and they are in a peck of trouble all the time. Their personal and real estate taxes are extremely high, but over here all taxes are very reasonable. We have much better highways and schools than Oregon. Washington has a forty mill limit on all property. For instance our home here has a low rate of \$500.00 valuation, based on the 40 mill, makes our taxes \$20.00. The budget

for Washington for 1947 is nearly six hundred million dollars. They have a large highway program under way all over the state, a double four-lane highway from here to Seattle (200 miles) is under construction now.

"Real estate here, like everything else, is very high; not moving too fast since the first of the year, but still high; an ordinary home like ours sells for as high as \$10,000 to \$12,000" and farmers are paying \$20 property tax, the sales tax takes care of the rest.

I contacted my constituents many times since the beginning of this Legislature; I have many, many letters on my desk here; I base my notes on the action taken by the Maine Municipal Association and I say to you, at this time, if it is not the mind of the majority to have the combination tax, then let us accept the sales tax.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Lee.

Mr. LEE: Mr. Speaker and Members of the House: I profess to know very little about finance or taxation, and that is one reason why, as a member of the 92nd Legislature, I voted for the appointment of a Committee of the best and brightest minds in this House to study this situation. They studied it, they called in experts from New York, they studied the situation, and they decided that we needed additional revenue, and they recommended a sales and income tax to produce it. That is as much as I know about it. I am quite willing to go along with the report. I have already voted for the combination tax which was defeated, and I will now vote for the sales tax.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: It seems to me that most of the points involved have been covered. However, there are a few matters that I want to call to your attention briefly: some for the purpose of re-emphasizing them and some where I think an erroneous impression may have been created. We came here on January first. According to the figures on the sheet that was given you and according to the Appropriation bill that we will be receiving very shortly, our adjusted appropriation

bill will call for about forty million dollars. Apparently our estimated revenue will fall short of that figure by about one million dollars. That means that we started out faced with the proposition of raising \$500,000 per year additional or cutting down on the services that we have previously rendered and cutting them down to quite an extent because you and I know from experience in our own businesses, in our homes, costs have greatly increased.

Now, since January first, the various committees of this House have been working and we have considered and are considering measures that call for approximately \$9,000,000 more in funds, making a total of \$10,000,000 — \$5,000,000 per year. Since this information was compiled, I believe one or two of these measures have been indefinitely postponed and perhaps that figure is reduced by \$200,000.

If you will refer to Section 356 of the bill before us, the amount of \$3,700,000 is to be paid into the general fund. That would provide \$7,000,000. If I am correct, that would mean that we must now eliminate from the measures that we have already passed and are in the process of passing measures calling for approximately \$3,000,000 even though this bill was passed in its present form. After that \$3,500,000 has been paid into the general fund, four per cent during the first twelve months will be deducted — not exceeding four per cent — to cover administrative costs; thereafter, not exceeding two and one-half per cent. We have some forty, more or less, measures, eleven of which are listed on the sheet which you have received this week, totalling \$2,054,000. The others are not itemized; they appear, some of them, on our calendar, some of them on the calendar of the other branch. One is Legislative Document 837 providing for a combination of the pension systems of the State. Two years ago, we considered that bill and I was opposed to the bill at that time because we did not know what it would cost. We now have an estimate of \$218,000 a year. I opposed it then and would oppose it now unless we provide revenue, although I am in favor of the measure.

It seems to me that nearly all of these bills have gone through this branch of the Legislature without any real opposition developing.

However, neither we nor the people at home can have these services, or have the benefits which would be provided under this bill, unless we do pay the taxes. It is for you and for me, as the representatives of the people, to decide whether or not we believe they want these services that the bills we are in the process of passing would provide barely enough so that they are willing to pay the tax bill. I do not know of any other measure that would do the job. Should we turn down this bill and accept a substitute, perhaps the cigarette tax, tax on liquor and some luxuries, we would have to drop off another \$3,000,000 or \$4,000,000 worth of these bills. That would certainly save money. It would save me money from the point of view of taxation because I neither smoke nor use intoxicating liquors and I do not buy many luxuries. So, from a selfish point of view, that program would suit me. However, the sentiment of the people that I have talked with is that they do want the teachers' salaries increased and they do want this teachers' retirement program taken care of; that they do want many of these other services that are provided. If we are to furnish those, taxes will have to be paid.

Now, just a moment, there are two other sections in the bill to which I want to call your attention. One is the bracket system and I want to point out that the aggregate collection of taxes by a retailer shall, as far as practicable, equal two per cent of the total receipts. Now that bracket system is intended to be set up; it must be set up under that law so that it would not provide in the aggregate far from two per cent. And, if I understand the bill, and as I read it, the tax would not be based upon the price of each individual item but on your total purchase at the store at that particular time and, if you can get into one of these chain stores and get out without spending a dollar, you do better than I do. If you pick up items that amount to five dollars, you would pay ten cents; if you pick up items that amount to one dollar, you would pay two cents. There would be some variations from that under the bracket set-up on smaller purchases but I think the one per cent tax would run slightly above fifty cents so that the total take would not vary much from two per cent.

Then I would like to call your attention to Section 288. "On each taxable sale, the tax to be collected will be stated and charged separately from the sales price and shown separately on any record thereof." Then it goes on to state that "It shall be paid by the purchaser to the retailer," and note the next words: "as trustee for and on account of the State." Now I submit to you that any retailer as trustee would not be able to keep any breakage on the collection for his own personal use. If he did, as I understand the law of this State, he would be guilty of embezzlement. I merely point that out to show you that I do not believe this is any measure intended to benefit any retailers or permit them to collect in excess of two per cent.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Members of the House: Beyond any question every one of you colleagues know that I am for taxation, but this particular bill at this particular time when this vote is taken I shall vote no. I just want to go on record because I believe this hits the man with the large family, the small wage earner, the widower and the veteran, a little too hard. I think there are other ways perhaps by amendment that we can add with a little more thought. I just want to state the fact that I am for taxation because I believe in the necessary things we need, such as teachers, different school appropriations, and so forth, but at this time on this particular bill as it is, I shall vote no.

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

Mr. FOWLER: Mr. Speaker and Members of the House: I just want to say a few brief words why I am against L. D. 1470. There are some twenty-three pages in this document, and I appreciate the time and labor that the members of this committee have put into this bill. I think there is no question but what they believe they are right. However, this bill calls for the raising of some six million dollars. I do not believe we need all this money at this time. That is my personal viewpoint. I am against this bill mainly on account

of this document here. There is a lot of interesting reading right in this little blue pamphlet. I am going to cite a case here; not the whole case; just the last end of it.

It says here, case insufficiently investigated by field worker; opinion of reviewer that payment in this case is not justified. There are hundreds of those cases. That department had over thirteen million dollars last year; thirteen million dollars of the taxpayers money. That is just one of hundreds of cases, of insufficient investigation and payment not justified.

Here we are raising six million more dollars to put into the same trough. I want to see that changed before I will saddle the taxpayers with another tax for a man with six or seven children working up here in this mill. Last week a woman right here in Augusta on Water Street working eight and a half hours a day, carrying heavy bundles, approached me and she said, "Mr. Fowler, don't you suppose that there is any way that I could get a bit more money?" Sixteen dollars a week she gets. Do you think she can pay any more tax? I do not. I will say this: If I can be shown that we need this money, when economy settles in here, I think possibly then I will vote for a sales tax, but not before.

I trust the motion of the gentleman from South Portland, Mr. Jordan, does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker and Members of the House: I rise in opposition to this bill because when I was home last weekend perhaps my constituents are different from those mentioned in the House this afternoon. I was approached by many, many people, Republicans as well as Democrats, who felt that a sales tax was not the answer to our problem.

A sales tax is a poor man's tax. A man who buys six loaves of bread and the six pairs of shoes should not be the man who would bear the burden of additional teachers' salaries in this State. No one favors teachers salaries more than I do, but I feel that we can find other means whereby we can raise the money. I do not feel that that class of people should be the people to finance a teachers bill.

Also, once this law is on our stat-

utes, will it not be easy at the next session to add another cent on this sales tax and continue the increase. I would favor any measure that would be for teachers salaries and when that need has been exhausted the tax would terminate.

I do not feel justified in voting upon my constituents, on the poor people, a tax of this sort which has no end. Therefore I hope that this motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: I have listened with a good deal of interest to the proponents and opponents of this bill. It seems to me that just the way the bill is now, I cannot vote for it. But I wonder if perhaps it could not be amended so that the man or woman with a number of children could get a refund or a rebate on this sales tax like the farmer does on his gasoline. In my opinion that would make it a fair and equal tax. I think the fellow who gets the five thousand dollar income spends most of it and would pay two per cent on it.

In my opinion I do not believe we should worry too much about getting too much money. I think we will find our liquor tax fell off in the first three months half a million dollars revenue from last year. It has been estimated more this year.

I do not feel like going back home without voting for some kind of a tax measure that will take care of the things we feel we need here. I think the teachers should have a living wage. I do not see how we can get along without running our State Hospitals. We cannot open the doors and turn them out to pasture this summer very well. There are a number of other things for which we need money.

If there is some way to amend this bill so that the very low income people with a large family can get an exemption or a refund out of the four and one-half million dollars that is going to the cities and towns, I will vote for the bill. Otherwise than that I cannot do because I cannot vote for what I consider an unfair bill.

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: Since I was one of the principal opponents of the measure, I would like to answer one or two questions that arguments have set forth here. I nearly ruptured my own ear drums I hollered so long when I spoke before so I will attempt to speak a little bit lower.

I made the statement and I will abide by it, and if I am wrong I will vote yes on the sales tax, that no state on the North Atlantic coast line has a sales tax. Massachusetts does not have a sales tax. It has a tax on restaurant food, cocktails and such. New York City has a one per cent sales tax, which excludes food and fuel, but no state on the North Atlantic coast line has a sales tax. None of the provinces which surround this State have a sales tax.

We are placing a burden upon our merchants which they cannot too easily overcome. There are so many reasons why we cannot vote for this thing. I felt that there were members who could tell you the figures much better than I, and I will have to admit that the gentleman from the other party gave us a very clear picture, and I admire him for the very concise way that he presented it to us. The gentleman from Bangor gave us another clear picture.

There is no crisis. There is no demand for all this money. The capital outlay for buildings can be arranged and should be arranged by a bond issue. The cigarette tax or some other easier tax to pay the teachers' salary increase and the economy effected in these departments will easily take care of this situation. We are not operating under an emergency here.

It was brought out that all the people in Maine want this tax. If that is the case, take the emergency clause off and I will vote for it.

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

Mr. BURTON: Mr. Speaker and Members of the House: This question on either side has been very ably discussed. To me it seems to boil down to the fact whether you need this money, and if you do, face the issue, and if you do not, do otherwise.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and

Members of the House: It seems to me thus far in the debate this afternoon that there are two types of opposition to the sales tax. First, is the opposition which can find discrepancies and imperfections. I say to you that we all can find errors in any tax. I would like to have someone find for me a perfect tax, a tax which does not step on someone's toes. We can all find these errors and yet the opposition to the combination tax and the opposition to the sales tax thus far have presented to us no specific alternative. We have been told that there are other ways, and yet, what are the other ways? The second type of opposition is that opposition which would, as they say, cut the cloth to fit the pattern. And I ask: How can it be done? How can we do it with our family budget of today? I can not cut cloth to fit the pattern of living back in 1939 and I do not think the State of Maine can cut cloth to fit the pattern of government back in 1939. We have an antiquated tax structure but had we passed a measure like this six years ago, we would not find ourselves in the embarrassing financial position we find ourselves in today. These same people who want to cut cloth to fit the pattern, I have noted throughout this session, have, in many instances, voted for new expenditures. They have, many of them, voted for the teachers' increase. They say: "Yes, we believe in it, but there is some other way."

The debate on this bill has been the same as the debate on the combination bill and the same as it will be on the income tax bill. You will find, when we finish, that there will be another way and yet we will not know what that other way is. It seems to me very evident that costs have gone up, that we need extra money. It seems to me that there are services which the people of the State of Maine wants and that is what government is for. We expect protection of life and property; we expect better schools; we expect to give our veterans a chance of a college education; we expect the unfortunate to have good and adequate medical care. If we expect all these things, it seems to me that we must find a way to pay for them and yet we are doing the same thing here today which we have been doing for the last two weeks: Saying that there is another way and yet refusing to give a specific example as to what that other way

is. If some one can show me, I will put it this way, if some one will show me where we can make all of these savings that they are talking about to the amount which we need to make and still render to the people of the State of Maine the services which they need and which they should get from their government, then I would refuse to vote for new taxes. But as yet I have seen no way in which these expenditures could be cut to that extent.

I expect better educational facilities for my children; I expect that we shall keep our promises to those veterans for a chance to go to college; I expect to vote for any measure which is going to give adequate care to the unfortunate people of Maine, who are in our hospitals and institutions, and because I expect to see all of these things, I expect to pay for them, and I am just one of these ordinary citizens who are going to be overburdened with the sales tax. Because I expect these services from the State, I expect to pay for them, and I shall vote for this tax.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, I will just state for my colleague's benefit, there might be another way. When we first went to war this time with Japan, Japan did not know that other way but when we dropped that atomic bomb on Japan she found out the answer, that there was another way. Perhaps we can find another and a better way for taxation right here in this Ninety-third Legislature that will not be a burden on the wage earner, as I said before, on the man in the lower income bracket. I do think that the opponents of this bill, although they voted for some tax measures, I can say that on many measures, I opposed them before the committee. I know of other members here who are opposing this bill, not on the grounds that we do not need taxation but because they do not feel it has been proved that this is the correct way to get this new taxation. And, Gentlemen, until we find that way, I will vote no and stand with the men who feel the same way I do.

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

Mr. FINNEGAN: Mr. Speaker, I will just give the gentleman one

other way. I checked this today, with "Dave" Stevens, the tax commissioner: The two cent cigarette tax, which has been proposed, will give you two million dollars; a two mill tax which means \$2 per \$1,000 of taxable value will give you a million and a half; that is \$3,500,000 for the year or \$7,000,000 for the biennium.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I have been waiting for some time for somebody to mention one of these taxes, like the cigarette tax. They have been talking about cutting the cloth to fit the pattern but if it means cutting of cloth upon this patchwork quilt of ours and putting another patch on it, then I will say the same as I did two years ago and, I expect, the same as the other legislators who have spent the last umpteen years down here in Augusta; It is about time we started to do something more constructive than adding another maze of selective taxes. I think it will not be long before we are paying thirty-five cents for a package of cigarettes; people come down here every two years and say: "Well, let's forget that tax, it is quite a big tax, let us put a couple of more cents on cigarettes, a couple of more cents on shoestrings, and a couple of more cents on a few other items," and what have you got? You have a good description of the tax structure of the State of Maine, a nice patch work quilt. And I say it is about time we faced the issue and I am going along with the sales tax because I refuse, and if this tax passes, I still refuse, to vote for any of these miscellaneous hodge-podge taxes, which make up the State of Maine's revenue. I certainly hope the measure passes.

The SPEAKER: Is the House ready for the question?

The question before the House is on the acceptance of the "Ought to pass in new draft" report of the Committee on Taxation on "An Act Imposing a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden" reporting the same in a new draft under title of "An Act Imposing a Sales and Use Tax to Raise Additional Revenue," the new draft numbers H. P. 1731, L. D. 1470.

The gentleman from Saco, Mr.

Jordan, has requested a yea and nay vote. Under the Constitution, the yea and nay vote is ordered upon the request of one-fifth of the members present.

All those who desire the yea and nay vote will please rise.

A division of the House was had.

The SPEAKER: Obviously more than one-fifth of the members having arisen, the yeas and nays are ordered.

Is the House ready for the question?

The question is upon the acceptance of the "Ought to pass" report of the Committee. Those in favor of acceptance of the "Ought to pass" report of the Committee will say aye when their names are called; those opposed will say nay. The Clerk will call the roll.

YEA—Adams, Allen, Bell, Benn, Berry, Bickford, Boulier, Bove, Brewer, Brown, Milford; Brown, Unity; Burgess, Burton, Byron, Campbell, Carville, Chase, Cape Elizabeth; Chase, Limington; Christensen, Clements, Cole, Collins, Cousins, Curtis, Day, Dicker, Dufour, Elliott, Ellis, Fuller, Buckfield; Hall, Haskell, Hayward, Heansler, House, Jennings, Johnston, Jordan, Saco; Jordan, So. Portland; Lee, Legard, Lombard, Longstaff, Lord, MacPherson, Marsans, Marshall, McGlauffin, McKeen, Meloon, Morison, Nichols, Palmer, Patterson, Payson, Perkins, Plummer, Randall, Rankin, Robbins, Russell, Sargent, Savage, Seeger, Sharpe, Snow, Stearns, Sterling, Sweetser, Thomas, Thompson, Torrey, Webber, Wight, Williams, Auburn; Woodbury.

NAY—Ames, Anderson, Atherton, Berryman, Bowker, Broggi, Brown, Wayne; Cadorette, Cormier, Daniels, Dean, DeSanctis, Dostie, Lewiston; Dostie, Winslow; Doucette, Emerson, Finnegan, Fitch, Foley, Fowler, Fuller, Hallowell; Gallant, Gray, Hammond, Hanson, Harris, Hatch, Hobbs, Holt, Jalbert, Judkins, Kelly, Kent, Labbe, Lacharite, Laughton, Leavitt, Lessard, Malenfant, Martin, McClure, McGown, Mills, Moreau, Moulton, Muskie, Nadeau, Palmeter, Peirce, Poulin, Rich, Rollins, Silsby, Sleeper, Smart, Smith, Eketer; Smith, Westbrook; Stetson, St. Pierre, Tabb, Tremblay, Turner, Violette, Weeks, Williams, Topsham; Woodworth.

ABSENT—Bird, Brown, Baileyville; Carey, Dorsey, Prout, Ross.

Yes 76, No 66, Absent 6.

The SPEAKER: Seventy-six having voted in the affirmative and sixty-six in the negative, six being absent, the "Ought to pass" report of the committee has been accepted.

The new draft having been printed, under suspension of the rules, the bill was given its two several readings and tomorrow assigned for third reading.

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

Mr. MILLS: Mr. Speaker, I move that the House recess until seven o'clock tonight, standard time.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the House now recess until seven o'clock, standard time, this evening. All those in favor will say aye; those opposed, no.

A viva voce vote being doubted; a division of the House was had.

Eighty-eight having voted in the affirmative and thirteen in the negative, the motion prevailed and the House so recessed.

AFTER RECESS

7.15 P. M. E. S. T.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Salaries of Various Officers in Franklin County (H. P. 1398) (L. D. 1415) the Chair will appoint as Conferees on the part of the House: the gentleman from Farmington, Mr. Mills, the gentleman from Nobleboro, Mr. Palmer, and the gentleman from Sidney, Mr. Berryman.

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Senate Report "Ought to pass in New Draft" under New Title of "Resolve, Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Fifteen Per Cent of the Last Regular Valuation of a City or Town" (S. P. 527) (L. D. 1436) of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Twenty Per Cent of the State Valuation" (S. P. 468) (L. D. 1308) (In Senate, New Draft passed to be engrossed) tabled on April 23rd by the gentleman from Brewer, Mr. Thompson, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Thompson, the

"Ought to pass in New Draft" report was accepted, and the Resolve had its first reading.

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

Mr. MILLS: Mr. Speaker and Members of the House: I wish to move indefinite postponement of this resolve. You will recall that last week, when it came into the House, I filed a verbal minority report which I will need to amend at this point due to the motion which I have just made. My report at that time was "Ought not to pass" unless amended by House Amendment "A". I am now going to file a verbal amendment to that report, just "Ought not to pass . . . period."

I have given considerable thought to this resolve. I have tried to envision the consequences if it should receive favorable approval by us and by the people and thereby be placed in the basic law of the State, in the Constitution of the State. This resolve concerns districts, it concerns the districts which we here in the Legislature create to carry on certain functions which we prescribe to be for the service of the people of our various municipalities.

Now, as you all know, it has been necessary to resort to the districting proposition, in order to get necessary work done in our municipalities. It has been necessary, in order to build schoolhouses, in many instances. It has been necessary to provide sewer districts; it has been necessary, also, to provide water districts.

Now this resolve presupposes that we, here in the Legislature, don't know what we are doing; this resolve is not so much a curb on the municipalities of the State as it is a curb on the powers of this Legislature. This resolve, if it is passed, and put into the fundamental law of the State, will place future Legislatures in a straight-jacket, it will say that future Legislatures, no matter what the emergency, cannot create these districts, when, by creating them, the debt limit — the debt which would be necessary to carry out the functions for which the district would be created, would run to over fifteen per cent of the valuation of the real estate in the area.

Now, what would the result be? Let us say over in a given area, in a given town, there are several districts, a water district, a sewer dis-

trict and a school district. You put this into the basic law of the State and you are going to place a premium on getting up to that fifteen per cent. You are going to say to the water district; "You have to get there first; you have to get yours, because if you don't get yours, then the school district is going to grab the fifteen per cent and you'll be cut out." You are going to be encouraging the thing that this resolve and the proponents of this resolve wish to avoid. You are going to be encouraging increase of debt liabilities in those areas. You are going to be encouraging them to stay up to fifteen per cent because what water district is going to wish to reduce its debt only to see the school district, covering the same area, grab off the pot as fast as it reduces the debt, thereby check-mating the water district for any future debt.

This resolve, if it is passed and put into the Constitution, will prevent this Legislature from enacting legislation which will create districts to take care of emergency situations and to provide for disaster relief in our towns and cities.

Now what would the alternative be? Certainly the power of the State will not be checked because of that. Certainly the great State of Maine will be able to find some way round it and will be able to take care of emergency situations as they arise. But there will only be one way to do it, and that will be to deprive the people in that area of the right and the duty to create their own debt, and to shoulder their own burdens. The only alternative will be, once you have put a strait-jacket around the area there, for us to dip into the general funds of the State and to provide subsidies and to pass out moneys to those areas, to take care of the situations as they arise. I say that would be a grave infringement on the home rule of our municipalities. Here in Maine, and all over New England, if there is one thing we guard jealously in our towns and cities—it is that right of home rule. If they have to come here to the Legislature and look to the general funds of the State, rather than to their own powers of raising money, then you will be taking from them one of the great principles and props of home rule.

Now when we are speaking of municipal and district debt, we

should consider them in two phases, one as the general debt of the municipality, which the municipality or district incurs for its general expenses, running its police and fire department, and its current expenses; the other is the specific debt it incurs in order to build school-houses, in order to build water districts, water facilities and so on.

Now, part of that debt is bound up completely with the real estate in the area and it has to look to general taxation to be liquidated. The other part of that debt, that debt which is incurred to create the services which are paid for, such as the building of great water mains and reservoirs, that debt is liquidated through revenue. I say that you should not hamstring the water districts of the State and prevent them from expanding, when the debt which they incur in order to expand is liquidated through revenue.

Suppose, in the same area which is served by a given water district, we have a private company. Now the private company can go out and borrow money, if it can, on the proposition that the revenue which will be secured in future years will liquidate the debt. If the bond-buying public thinks it is feasible, they will be able to raise that money. Now would you say, if you put this into the basic law of the State, that your municipalities, that your water district, which is a public body and a body politic, does not have the same freedom even though its needs of liquidating its debts is identical with that of the private corporation?

Now there are safe-guards, there are very definite safeguards at the present time. In the first place, in order for any district to be created, it has to come here to the Legislature and it has to go before these ten hard-boiled individuals on the Legal Affairs Committee, if it happens to be your school district; if it is a water district, it goes to the Public Utilities Committee by custom. Now those members of the Legislature are not opening the flood-gates, they are not endangering the real estate in the areas concerned, they are making sound recommendations from those Committees. I have yet to see an instance where the Legislature has abused the prerogative which it has in creating these districts. I have yet to see any real need for this curb

due to any abuse which has existed here in the creation of these districts.

Now another thing: When this water district bill comes up and is passed by the Legislature, there is another safe-guard, and that is a referendum to the people in the area concerned. I think it can be said that practically all of the people in the area vote on these districts. That is a second check. And then, if the district has to float bonds in order to build up its facilities, it has to go to the Public Utilities Commissions just the same as the private group would have to, and it has to get approval there. After it has that approval, there is still another check, a fourth one, and that is the bond-buying public. But this legislation would put them under an added strait-jacket, under an added check, a check which does not exist for the private companies.

Now we have said to the districts in the past, "You may go ahead and build up your facilities for the purposes enumerated in the charters which we give you." They have an implied, certainly a de mite contract with us. We have limited their functions, we have limited their debts in some instances, and in some instances we have not, but there are water districts in the State which are now in the middle of construction, there are water districts in the State which probably need to run over this fifteen per cent, and, in doing so, they will have to convince the Public Utilities Commission that it is all right, and they will have to convince the bond-buying public that it is all right. Now we have given them a green light, we have given them their charters. Should we now place in the Constitution a limit which is going to stop many of their functions right in the middle of a construction program? I understand in the case of Brewer that that is very likely to be the result.

We need flexibility, we do not need a rigid requirement put into our Constitution, we need to have faith in this Legislature, and in future legislatures that they will exercise the same good judgment that has been exercised in the past in creating these districts only when they are necessary and only when the greatest good for the greatest number is concerned. I ask you to have faith in the future legislatures of the State of Maine and

that you do not clutter up the Constitution of the State with any further hamstringing of the municipalities.

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

Mr. THOMPSON: Mr. Speaker, in the City of Brewer they passed, several years ago, in the Legislature \$450,000 for the school district. Last year, at the special session, you approved the water district. The Legislature has already passed on these projects and given us the go-ahead. Referendums have been approved by twenty per cent of the people. The trustees of the water district have been appointed and they have employed their engineer. This program is being developed. Now the Legislature says that it does not mean what it says. If this bill passes, the program, which has previously had the approval of the Legislature, we will not be able to complete. Brewer wants to complete this program and hopes that this Legislature means what it says. What it gives to us is permission to go ahead. I hope the motion of the gentleman from Farmington, Mr. Mills, prevails for the indefinite postponement of this bill.

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

Mr. PERKINS: Mr. Speaker and Members of the House: As you all know, I was one of those with my colleagues on the Judiciary Committee who signed this report. Now, I believe in Home Rule. No man here is more jealous of the rights of local self-government than I am, but I believe that this Legislature of our State and the State, itself, owes a duty to the towns and other municipalities to prevent them from committing financial suicide. Several thoughtful men in this Legislature were behind the idea in this resolve. Let me say here, that in the passing of this resolve, which, for its final passage must receive a two-thirds vote of both Houses of this Legislature, we are simply proposing an amendment to the Constitution of our State over and above the five per cent debt limit, with which we are all familiar, it places an additional debt limit of fifteen per cent to cover everything, school districts, water districts, and any other district that covers the same territory. I think that means, Mr. Speaker and Members of the

House, that if we have a sewer district in my town and my house is in it, that my house is not only liable for the debts of the town itself but is also liable for the debts of that sewer district. If there is a school district and my house is in it, my house is also liable for the debts of that school district and for any other districts which may be authorized. And I submit, Mr. Speaker and Members of the House, that there is not a town or a city in our State that has any right to go into debt for twenty per cent of the valuation of the town or district. That means that a debt for a town having a valuation of one million dollars, a debt of \$200,000. If the town has a valuation of \$500,000, it means a debt of one hundred thousand dollars. In my own town, which has a valuation of \$2,500,000, it means just about a \$500,000 debt. Now there is not a town or municipality in this State that can stand it. In my own view, if I were going to put a limit on it, I would reduce that fifteen per cent but the members of our committee thought that this fifteen per cent was fair so I go along with them.

Now, the trouble is this: We have to protect these municipalities from themselves. There is no town or city that can stand a great debt. From the beginning of time, there have been eight democracies in the world, from Athens to the Third French Republic. Two of them, Athens, was conquered by the Macedonians, and the Third French Republic was overrun by Hitler several years ago. Every other democracy, since the beginning of time, has caused its own destruction by the vote of the people or by the duly constituted representatives of the people. Whether it is in a town meeting or a State Legislature or anywhere else. And I, for one, was brought up with a horror of debt. If I made five dollars, I did not spend six dollars. And a town or a city or a state must live somewhere within that general rule.

Now, we have to protect these towns and cities against themselves, and that is the object of it. The Committee gave this amendment a great deal of thought, they put in several hours on it, a lot of us gave it a great deal of thought and it received the most careful attention of the members of this Legislature. And I hope, Mr. Speaker

and Members of the House, that the motion will not prevail.

Just one word more: The total debt of our country is two hundred and sixty billion dollars, and the total wealth of the country is somewhere in the neighborhood of three hundred billion dollars. That means that every man, woman, and child in our country owes on the national debt about \$1800.

If you add to our national debt our state debt, our county debt, city debt and municipal debts, we are bankrupt in this country today. One object of this amendment is to protect the towns and cities against themselves and its merits, Mr. Speaker and Members of this House, your most careful consideration. I hope that the motion of the gentleman from Farmington does not prevail.

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

Mr. McGLAUFFIN: Mr. Speaker, I am not particularly interested in this bill but I would like to say that I consider that the attitude taken by the gentleman from Farmington, Mr. Mills, is pure bunk. He says that this limits the power of this Legislature. Of course it does. That is what the constitutional limitation is for to limit the power of this Legislature and protect the towns, as brother Perkins says, from committing financial suicide.

We passed, many years ago, a five per cent limitation on the expenditures by towns. That very act limited the power, and we have considered it an exceedingly good thing all these years. The gentleman further says that it gives these districts a chance to jump in and see which one is going to get ahead of the other. Well, those districts are all in the town. If it is his town, the town where he lives, and they have a preference for a water district over a school district, they have the whole control. He would have it so that they could have any per cent they wanted. If there is any merit at all in the idea of limitation, this is a good bill.

The **SPEAKER**: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House: I rise to support the motion made by the gentleman from Farmington, Mr. Mills. I understand the proponents of this bill say that it is the object

of this bill to protect the towns from financial suicide, and they propose to do this by increasing the debt limit from five to twenty per cent. Now, I do not follow that reasoning. If we are not protecting them when we limit their borrowing power to five per cent, how are we going to protect them by increasing their borrowing power to twenty per cent?

Now, at the present time, by reason of a decision of the Supreme Court of the State, the Legislature does have power to create certain municipal corporations. They must, I should say, create all municipal corporations, but the Supreme Court has held that the five per cent limitation in the constitution applies to what we strictly call municipal corporations, that is, towns and cities. The others are distinguished generally by the term quasi-municipal corporations.

In the case regarding the Brunswick School District, which was decided some years ago, in which the Town of Brunswick had reached its five per cent debt limit, a school district was incorporated for the sole purpose of enabling the Town of Brunswick to build a schoolhouse and the question of whether they had a right to create additional debt in that same territory was presented to the Supreme Court and the Supreme Court held that it did; otherwise, they could have no school in that town. So, now, the Legislature has that problem.

This bill would say: "Yes, it is a legislative problem but we, the Ninety-third Legislature, know a lot more about how to handle that problem, how that problem should be handled, than any Legislature we have ever had before and any Legislature that we may have hereafter."

It is true, if I understand this bill correctly, that the towns, still have a five per cent limitation for general purposes. With this proposed amendment to that Constitution you simply say that they can create as many districts as they want to but shall, in no case, exceed fifteen per cent of the valuation. It may be necessary, but to me this seems to be an invitation to boil it down to some kind of a district so that they can borrow up to twenty per cent of their valuation additional proportion of the valuation. It may be necessary but, to me, it seems to be an invitation to all the towns to

start some kind of a district so they can draw up to twenty per cent of their valuation. We have generally heard of water districts, and of school districts but we might also hear of highway districts and fire districts and any other kind of a district that you might think of to use up that extra fifteen per cent.

For a great many years, a few wise, well-informed men, in every town, usually your board of selectmen, have done their best to keep your towns on a sound financial basis by resolutely reminding their fellow citizens, when they had a town meeting: You can't do this; you can't do that, because if you do you will exceed your debt limit. That is why the towns are as well-off as they are. I. you give these towns four times as much opportunity to spend money as they now have, how do you think that a few well-informed, resolute citizens are going to keep those towns from committing financial suicide? I say it is going to be a great deal harder. I say that, if you want to protect your towns from financial suicide, leave the Constitution as it is; do not encourage them to come down here and form all kinds of districts. Make them live within their five per cent. If, in times of crisis or emergency, they feel they should do something—they should have a new schoolhouse or a school district, they should have a water district or something of that sort—then let them feel free to come down here, lay their troubles before the Legislature and leave it to the wisdom of the Legislature they address to judge wisely and well.

You do not need this amendment. I do not see why you should pass an amendment you do not need. But, it all comes down to this, that this amendment, any way you want to look at it, is going to increase the debt limit of towns from five to twenty per cent. The gentleman from Boothbay Harbor spoke truly when he said that no town could afford to have a debt of twenty per cent of its valuation, and the way to make sure that they will keep within bounds is to leave the Constitution just as it is. I hope the motion of the gentleman from Farmington will be supported.

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

Mr. WIGHT: Mr. Speaker and

Members of the House: I think that the subject matter contained in this resolve probably originated in the Public Utilities Committee. Some of the members of that committee were disturbed by the various bills which came into that committee asking for districts, water districts and sewer districts. Many of the costs of those individual projects figured from fifteen to twenty or even up to twenty-five per cent of the valuations of the towns, or the districts, which were asking for those charters. Besides that, we understood that some of the towns were asking for school districts and those bills were heard before other committees. It seemed to some of us as though a town could go into debt for almost any amount by simply forming a district; it could go into a debt for fifty or even seventy-five per cent. I think the members of this House will agree that the five per cent town debt limit has worked well. It has kept many towns out of trouble. I think we agree with that debt limit and I do not see any reason why we should not have a debt limit on the districts just as well. I do not know what that percentage should be, whether it should be fifteen or possibly twenty per cent, but certainly we should have some ceiling on the amount which any district or any community can borrow.

Now we have heard here that this resolve will put the Legislature in a strait-jacket. I do not see how that will put the Legislature in a strait-jacket, or the towns in a strait-jacket, any more than the five per cent debt limit has kept the Legislature and the towns in a strait-jacket for all these years. A private corporation is entirely different from a quasi-public corporation, which is used in forming these districts. The public corporation—of course, the obligation of a public corporation, is a direct lien on all the property in that town; they can come into a town and take a man's house or any group of houses. Our towns today are in good financial condition and we have had wonderful business, of course, in the State of Maine, and we should keep them that way. As I said before, I do not know whether the limit should be fifteen per cent or twenty per cent but we certainly should have some ceiling upon the amount that any district

or group of towns can borrow. I hope this motion will not prevail. Mr. THOMPSON: When the vote is taken I request a division.

The SPEAKER: Is the House ready for the question?

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

Mr. MILLS: Mr. Speaker, there is just one point I want to bring up here that was brought to my mind by the apparent inability of the gentleman from Portland to get that point. Now he mentioned that the point which I am about to refer to is so much bunk. Well, certainly, he is an authority on the subject and should know it when he hears it but this is not bunk when I say that this piece of legislation is a curb on our legislative power.

The gentleman, who has just spoken, said that the constitutional five per cent debt limit is no strait-jacket. It is no strait-jacket because the legislative power is still inherent and is still with us to create districts which can alleviate the situations which arise.

Now, my good friend from Portland, if we put into the Constitution that there shall be a fifteen per cent debt limit, as a constitutional lawyer, you know that this Legislature can pass no law and create no district with the power to go beyond that amount. So, when I say that this would be a curb on the legislative power, I am correct. The point, which has been made, I think forcefully by the gentleman from Fairfield, Mr. Woodworth, is that this resolve, if it is put in the Constitution, is going to do the opposite from what the designers and architects of it intended it should do. It is going to create competition among these districts to get their fifteen per cent so that they will not be cut off by the other districts serving the same area by their taking their share; you are going to put a premium on getting the fifteen per cent and holding it. The result is going to be that you are going to have greatly increased debt, among the municipalities of the State and the curb of the Legislature, the right of the Legislature, to pass on it will be limited. If a disaster occurs, you can not do anything but change the Constitution, except that you can dip into the general funds of the State and pass out general relief.

I say that this is poorly designed.

The Judiciary Committee can not claim authorship of this piece of legislation. It was not written by a member of the Judiciary Committee; the new draft was not written by a member of the Judiciary Committee; it was done by others outside and the Committee merely said: "Yes, we think it is all right and pass it along to you." It was taken up at a number of sessions but there was not any great study given to it. I hope that this Legislature will not say to future legislatures of this State that they will not be able to create districts which will relieve situations which must be attended to and the power must remain in the Legislature to attend to those affairs.

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

Mr. McGLAUGHLIN: Mr. Speaker, I will admit that this limits the powers of the Legislature; the reason I say his argument it was pure bunk is the fact that the present five per cent limits the Legislature and I agree with the gentleman from Bangor that it should be limited.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Farmington, Mr. Mills, that Resolve, Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Fifteen Per Cent of the Last Regular Valuation of a City or Town (S. P. 527) (L. D. 1436) be indefinitely postponed.

The gentleman from Brewer, Mr. Thompson, has requested a division.

Those in favor of the indefinite postponement of this resolve 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: Ninety-seven having voted in the affirmative; and seventeen in the negative, the motion to indefinitely postpone prevails.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter Senate Report "Ought to Pass in New Draft" (S. P. 505) (L. D. 1391) of the Committee on Temperance on Bill "An Act Preventing Drinking in Public Places" (S. P. 307) (L. D. 786) [passed to be engrossed as

amended by Senate Amendment "A"] tabled on April 23, by the gentleman from Thomaston, Mr. Bell, pending acceptance of report.

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

Mr. BELL: Mr. Speaker and Members of the House: I just ask you to read this bill. I do not believe that you can legislate the peoples' morals and, therefore, I ask the indefinite postponement of this measure and ask for a division when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I want to second the motion of the gentleman from Thomaston, Mr. Bell. My reasons for seconding this motion are two: First, let me say that I am in sympathy with the thought behind this bill but, it is my contention that at least ninety per cent of the people of this State who enjoy the privileges of legalized liquor obey the law. It is my firm belief that it is only a small percentage of the people who abuse this privilege. Therefore, I contend that it is unfair to penalize the majority for a very small percentage for their wrongdoings.

Second, I consider this legislation unnecessary because already there are laws enough on the books of the State of Maine to control this situation if they are properly enforced. Let me call your attention to a few.

It is a fact that there is a law on the books of the State to the effect that it unlawful to drive under the influence; it is also unlawful to be intoxicated in public places, on the streets and roads of this State. And it is also unlawful to create a nuisance or a public disturbance. It seems to me that we should not clutter up the books with more laws on this particular subject but that we should see that the laws that we already do have are properly enforced.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, I realize I have spoken too many times already today but after the award of last Thursday evening, I feel that I should take part in this as it pertains to temperance.

When we try to legislate the morals of mankind, we must take into consideration that we are part of

that mankind. If, after due consideration, you feel that we have not enough nuisance laws already on our books and that the enforcement officer needs laws rather than judgment to enforce them, it occurs to me—pardon me, Gentlemen, I was reading this but I really should make this statement—if we believe these laws rather than judgment corrects any nuisance that occurs in and about dance halls or public places, then we, as members of this Legislature, will abide by this law then we should vote that it should pass. If not, Gentlemen, then we should do as the Maine Christian Civic League says in a pamphlet which they put out. I will quote from that, and we all know that they really act in behalf of temperance. "Education should be relied upon rather than laws to bring about abstinence."

Well, Gentlemen, I believe that the proponents of this bill were sincere but I do feel that if we expect the younger members coming up in Maine, today, to have respect for all our laws, we must have respect for this law and not witness some of us at beaches and so forth with our beer and other things. I say that this law should not pass.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This is a bill that was introduced in the other branch of the Legislature and received its hearing before the Temperance Committee and received the unanimous "Ought to pass" report. I have, as you know, favored some measures which the committee did not. This time I am ready to agree with the committee. This bill was reported out in new draft and I would like to call your attention to the new draft and to some of those amendments that have been adopted in the other branch of the legislature. The Document is 1391, the filing number of the amendment is 339. The bill, as it is now amended is: "Any person taking a drink of liquor or offering a drink of liquor to another or (and this was added by amendment) any person in charge of a public place, as hereinafter defined, knowingly permitting drinking at or in a public place, except places licensed for on-premise sale of liquor, or any person taking a drink of liquor or offering a drink of liquor in any ve-

hicle not licensed for the sale of liquor, shall be punished by a fine of not more than \$50." Note, that the minimum fine has been removed; the maximum has been reduced by amendment to \$50. A public place as defined in the amendment—with the amendment—is now limited to any common carrier, fairs, entertainment, amusement, or sports, and grounds adjacent thereto to which the public is invited or has access.

Now, I would like to comment briefly on one or two things. One of the places where drinking would be prohibited would be common carriers. One of my neighbors reported to me recently that returning from Boston on the train a group on the train had imbibed so freely that they were in very bad condition and made themselves a nuisance; they indulged in profane and unseemly language that they would not have done had they been sober or nearly so and made it very uncomfortable for everyone else in that particular car.

Now there is another place where drinking is many times objectionable and has, I believe, a bad influence. Some of these places like, for instance, a high school football game, or a sport where you have many teen age students. It is true that you arrest a man who is intoxicated, that you arrest the man who creates a nuisance, but I would suggest that if the officer could say to this individual who is imbibing too freely; "Now, you can't drink here"; it might be better than to wait until he becomes intoxicated and creates a scene and then arrest him.

It has been mentioned here that most people would obey the present laws and not create any trouble. I suggest that that is true of most laws but we have our laws to curb the small percentage who violate the laws, or who violate the rights of others.

This is not a measure intended to prohibit the use of intoxicating beverages but merely to limit it to a certain extent; to limit the places where it can be consumed. In some instances, the places selling packaged beverages are finding difficult situations about their premises. A person buys the packaged goods and crosses the street or moves on to the next lot and consumes the beverage and the proprietor is suspected of allowing them to drink on the

premises. I believe that we would do well to give our law enforcement officers the privilege of stopping the man or the individual, before the trouble starts. I am in favor of the passage of this bill and am opposed to the motion of the gentleman from Thomaston, Mr. Bell.

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

Mr. ALLEN: Mr. Speaker and Members of the House: My good friend, the gentleman from Bath, has mentioned temperance. I think probably the popular conception of this bill is a temperance measure. I think it is a law enforcement measure. Although I am not the best customer the State Liquor Commission has, I do know the difference between beer and bourbon and I do think it is a good bill and I hope that it passes. Because I think it is a law enforcement bill and not a temperance measure, I would like to present briefly some remarks from people who should know, mainly those in the law enforcement field, itself. Before I do that I would merely add to the remark of my friend from Auburn, who mentions the Boston to Portland train service and, as a person who has used a lot of late night trains coming out of Boston after business, I find it impossible to get on one of those late trains without running into a large group of drunks. As you know, not long ago, on a Boston and Maine train there was a tragic accident in which the conductor was killed by a drunken school boy. There definitely is a problem of enforcement; I do not think that there is a person in this House who would like to go back to prohibition and I feel that the way to keep our liquor business is to keep it under orderly and sane regulations.

Here are a few letters that have come in from men who should know regarding this bill, which was introduced in the other branch. From Herbert L. Pinkham, Sheriff of Lincoln County: "Wholeheartedly in favor of your bill to forbid drinking in public places; in my opinion the first step in our combat against juvenile delinquency."

From Jasper S. Lycette, Sheriff of Aroostook County, from Houlton, Maine: "Under the present set-up a person can drink in a public place or on the street, thereby putting an officer in an embarrassing position because the onlookers expect him

to take some action. In many instances this is impossible, because this person may not be drunk enough to arrest, despite the fact the officer knows the act is often committed in a spirit of defiance.

"In this county, it is becoming almost impossible for any group to run a public dance without having a squad of officers present, and it would be someone more courageous than I who would have the courage to drive his car on the highways adjacent to that particular spot at the time one of these affairs break up. Bootleggers frequent these gatherings, thus contributing the medium to promiscuous drinking and drunken driving. One of my officers has a cottage near the highway that leads to some of these places, and he tells me they get very little sleep Saturday night and Sunday morning on account of the speeding cars and shouting from their occupants. He further states that the highway from there to his farm, a distance of a dozen miles, is strewn with empty bottles. Surely many of these bottles were 'killed' in transit."

From Ray S. Foster, Sheriff of Washington County, of Machias, Maine: "I am glad to go on record as being 100% in favor of [this bill] . . . I feel perfectly safe in saying that all the Sheriffs will be in favor of it."

From J. Addison Linscott, Deputy Sheriff in Franklin County, from Farmington, Maine: "The bill meets with my approval, in fact I heartily endorse its enactment. With the passage of this bill my department will be able to cope with a situation that has grown by leaps and bounds, and one that has a direct influence on Juvenile Delinquency."

"In the past our hands have been tied in matters pertaining to drinking in public and disturbances caused at dances. We have been subjected to much criticism for not stopping this vulgar display."

From Colonel Laurence C. Upton, Chief of the Maine State Police, Augusta, Maine: "I have made a careful study of this proposed law and it is my opinion that the enactment of it by the 93rd Legislature would be sound and constructive procedure. While it will be more difficult to enforce than the open bottle law . . . it will, to a large extent, accomplish the purpose in which the law enforcement officers were interested.

"I believe that it is a well established fact that the only real objection that the majority of the people of Maine have to the legal sale of liquor is the nuisance which is created by so much drinking in public. Under our present laws we are turning many of our public buildings, conveyances and highways into open saloons. If some restrictions are not placed on public drinking, the voters of Maine will act and when they do we will return to the days of Neal Dow and State Prohibition. Very truly yours, Laurence C. Upton."

Fernando F. Francis, Secretary of the Maine Sheriffs Association and others all heartily recommend the passage of this bill because they feel that it is for the best interests of the people of Maine that this liquor industry be regulated and we feel ourselves that if we do not have adequate regulation we will return some day to prohibition, which they feel and which I personally feel would be the result.

There has been a lot said, I believe, about the poor man who can't take a beer bottle to a picnic with his family on Sundays and I believe this new draft covers that. Also, somebody says: "What about going down to the Bowdoin-Maine football game along with ten thousand other people?" I have no doubt that probably a person minding his own business, it would be perfectly all right if he took a drink. However, if he becomes obnoxious, then the officer in charge would have some regulation to hang his hat on, which he has not now. I certainly feel, Mr. Speaker, that it is a good, regulatory statute and I certainly hope it passes as I am opposed to the motion of the gentleman from Thomaston.

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

Mr. FOWLER: Mr. Speaker and Members of the House: I speak as an ex-officer of this State. I could not help listening to my good friend from Portland, Mr. Allen. I think he has covered this subject very well. I have been beaten up, nearly drowned; and countless other misadventures have happened to me after the sun went down until the sun rose; that is when most of the trouble comes from just this one subject; misuse of liquor; most of it in public places.

I think the amendment covers the

boys who are going up hunting and stops at East Rubber Boot and has his drink if he wants it in a quiet place. I do not think this bill intends to prohibit that. I do think that it tends to help the scenes that our youngsters are being brought up in; the man who goes to a football game and gets hilariously drunk, waves a bottle in front of everybody and makes a perfect ass of himself. If you have attended a football game you have seen plenty of it. The law enforcement officer, which the taxpayers money goes to support, is helpless today unless he has the right to take that gentleman in. He is helpless. He is apt to have a suit of false arrest upon his hands. He is handicapped. I think this bill tends to help him. It is not a perfect bill but it is a start.

I think a lot of, perhaps not all of us but some of us, possibly have the selfish idea that it is going to harm us. Why cannot we be a bit selfish if it will help our youngsters. They are going to be the mainstays in this State in a few years. I have not too many years here; not too many; the majority of us have not. I am not the youngest member of this House but I realize I am getting along, and I want to see the youngster brought up as I was brought up. I am not perfect; I am far from perfect; but I do think this bill is on the right step; it is on the right track and I speak as an ex-officer.

When I see the sixteen sheriffs of our respective sixteen counties in this State stand behind this bill, with the Chief of our State Police Department, a man that I highly respect, I have to be for it. I think it is a step in the right way. If the bill is wrong it can be corrected two years from now. I am going to support this bill and give it a try. I trust that the motion of the gentleman from Thomaston, Mr. Bell, does not prevail.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: It would take me several minutes to tell you of my experience with the liquor business, but I am not going to take that time now. I want to go on recorded definitely as favoring the bill.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. MCCLURE: Mr. Speaker and Members of the House: I do not question the sixteen sheriffs or the Chief of our State Police. I do though think that the only way we can take care of a bill like this is through the way that we set the example for the young men growing up.

If with the Federal forces back in 1925 during prohibition, when I was sheriff of a county in this State, we could not enforce it then, I am sure we cannot legislate morals enforcement. I would like to see the law really enforced and through education. If perhaps I had had a little more education or example set for me like the members of this Legislature had, I might have been better off long ago. That is why I am opposed to this bill. I am not opposed to this bill because I am in favor of the liquor interests in any sense of the word. I am opposed to the bill because I do not feel that you can legislate morals.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I realize the conditions as they exist in the State of Maine today due to this liquor business, and I agree that they are not good. Conditions are not good and there are a lot of abuses. However, I do not think that you can enforce this bill unless you have more enforcement officers. If the sheriffs of the State, I think that if they were a uniformed body so that they commanded more respect at these public dance halls and public places that you would see a great deal of this abusage stopped. I have noticed that when the State Police arrive on the scene at a public dance hall where these abuses are going on that usually the crowd simmers down and has a good time and you do not see as many abuses as when you have the special constable and officers present. And it is not their fault. They have no uniform; they are not in the position to command the respect of the public.

Now I do not want to see these things going on because I know that if they do go on that the days of prohibition are very close and will come back. However, this is kind of a vicious bill I think. I do not want the days to return when you have to sneak a drink. I think all of you remember the days of prohibition.

There was a lot of drinking going on in those days as there is now. There was more or less drinking, if you did drink, in a sneaky sort of way. I would like to see the laws that we have now enforced and this situation cleaned up, but I do not believe you can do it by passing another law.

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

Mr. THOMPSON: Mr. Speaker, I will be very proud of this Legislature when I go home if we pass just this one bill. I think the Boy Scouts and the Girl Scouts are going to look up to this Legislature, this 93rd Legislature, if we kill this bill. (See correction later)

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Thomaston, Mr. Bell, that the House indefinitely postpone the report of the Committee. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: For the first time since I have been a member of this party I rise in the words "I hesitate to rise on this measure." I am a member of the committee that reported this bill out, and the bill was in committee two months before it was finally reported out. It was patched up, whacked up, killed and revived, and murdered, and brought back, and finally here it is. Personally, I am going to be very honest with you, I signed the report of the Committee because I liked the sponsor personally, number one. Number two, it was the last bill reported out; we spent many hours, as any of the members of the Committee will admit, many and many an hour on this bill. This bill has some merits to it, I am not a lawyer and I know I am not, perhaps, well versed in matters pertaining to how a law should or should not be enforced; but I will say this law cannot be enforced.

The gentleman from Portland who spoke, stated himself, that the Chief of the State Police admitted that it is a difficult law to administer. We had the President of the Sheriffs Association and other members of the sheriff's department, we had Captain Young of the State Police, I have asked them personally, I have asked at least nine of the

sheriffs in the State: "How are you going to enforce this thing?" And none of them have an answer to it. I can appreciate the fact that these boys will go down and go to a basketball game or a baseball game and possibly make a nuisance of themselves, but I feel this way — you know I have respect for the Boy Scouts and the Girl Scouts, myself—I feel this way, I feel that a good officer of the law can command enough respect to go to one of our youngsters and tell him: "Here, you are not doing the right thing." I have done it, myself, and I am not an officer of the law, time and time again, and I will do it again. This thing here, in my opinion, not only can not be enforced but it is going to encourage the breaking of the law.

One of the gentlemen who spoke mentioned going to the Bowdoin-Maine game. I don't think you can restrict the boys having an occasional drink at a Bowdoin-Maine game; I think at that event or at any other event you might run into the same thing. If a man is not a drunkard, he won't be bothered. In other words, if a man takes a drink but does not make a fool of himself and is not obnoxious, he won't be bothered. If a man takes a drink at that game he is breaking the law—that is what we are saying here.

This is not a party measure because, as all the members know, my party has never sponsored too many wet measures. But, nevertheless, I agree that there should be some law on the books but I would like to see a law on the books that can be administered. I have repeated it a thousand times in committee and out of committee. The police officers who sponsored the passage of this measure, when you ask them: "How are you going to enforce it?" They can not answer you. Consequently I am going along with Mr. Bell.

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

Mr. ALLEN: Mr. Speaker, I just have one more word. I did not intend to show any partiality to Bowdoin-Maine, I should have said Deering-Portland, perhaps. I thought I made it clear; I meant to make it clear. I thought the remarks from these letters pointed out the fact that the sheriffs believe that this bill is so far ahead of

anything else that they have in the way of an adequate statute that there was no comparison. In other words: as I said, they had something that they could hang their hat on and that is evidently more than you have now according to the letters which I have here from these sheriffs.

I would like to pick up my friend, the gentleman from Wayne, when he says he thinks that this is a vicious bill. Now, merely to report on one angle of the bill, namely drunken driving, the State Police report, which I have in my hand, shows that in 1944 and 1945 the arrests from operating under the influence of intoxicating liquors was 333 arrests; in 1945-1946, 592 arrests. Gentlemen, that is almost double. You can say what you like about the increase in registrations, but if this is a vicious bill, brother, I am all for it, because I think it is about time we did something about the drunken driving on the highways of this State. I mentioned that in sponsoring other legislation on drivers' licenses, and, two years ago on a snow-plow and sanding measure, which I filed here in the House. If it is a vicious measure, it is a great measure, because I think it is about time the people of this State did something to get these drunken drivers off the road and, as far as I am concerned, if the penalty was twice as stiff, it would not be stiff enough.

THE SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Thompson.

MR. THOMPSON: Mr. Speaker, I made a mistake, I meant I was in favor of this bill. I thank you.

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

MR. FOWLER: Mr. Speaker, I would like to say just one more word. It is not the man who is intoxicated enough to take in and have convicted, it is the man in between that has a vicious mind, profanely vicious, such as you strike coming from Boston or Portland. I was on the train one night with my wife and it was all I could do to hold in. If I had got on my feet, they would have had me for assault, but the conversation would have been quieted down. I was frankly disgusted. Conversations that you would not have heard in the roughest woodsman's camp in the State of Maine, one hundred miles in

from Jackman, I heard right on that train in public. I believe that that is what this bill is trying to correct, not the fellow who is going to the football game for a good time and minding his own business and having a social drink and minding his own business and I understood from all the sheriffs they are not after that type of man. They are after the man they can not get in any other way, for instance, the man who flourishes a bottle in front of youngsters and makes a perfect ass of himself. It is going to bring prohibition here quicker than any other thing and I believe this bill is trying to correct that situation. And I repeat again, if this is going to help one, even just one, youngster to form a picture in his mind, I am for it and I am not ashamed to say it.

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

MR. BELL: Mr. Speaker, I believe that there are now laws enough on the books of our State to take care of men on trains who get up and disturb the peace. I also believe that this bill will prohibit the serving of sacramental wine in the church, the way that it now stands. Therefore, I am still against this bill.

THE SPEAKER: Is the House ready for the question?

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

MR. WILLIAMS: Mr. Speaker and Members of the House: I have listened to the same type of remarks that the gentleman from Augusta mentions at high school football games and remarks directed to high school girls at those games. I do not think we should wait until a man becomes so intoxicated that he gets into that condition and who create a fight if you try to remove him. I think it would be better to curb his drinking at the start. A question has been raised here about the difficulties of enforcement. I just want to say this: We have on our statute books laws against speeding in a motor vehicle; we have on our books laws against entering certain highways that have stop signs. Now I would just like to ask the gentlemen of this House to think back a few days, a few weeks. Are those laws kept all the time? Have you speeded sometime this winter coming to the Legislature? Have you passed some stop signs? Just because you can not en-

force a law one hundred per cent, does that mean that it is not a good law?

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Thomaston, Mr. Bell, that the "Ought to pass" report of the committee be indefinitely postponed. The gentleman from Thomaston, Mr. Bell, has requested a division.

All those in favor of the indefinite postponement of the bill 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-eight having voted in the affirmative and seventy-three in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the House voted to accept the "Ought to pass" report of the Committee and the bill was given its two several readings.

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

Senate Amendment "A" to S. P. 505, L. D. 1391, Bill "An Act Preventing Drinking in Public Places."

Amend said Bill by inserting in the 2nd line of subsection I of that part designated "Sec. 96-A", after the first underlined word "or", the underlined words "any person in charge of a public place as herein-after defined".

Further amend said Bill by striking out in the 6th and 7th lines of subsection I of that part designated "Sec. 96-A", the underlined words "less than \$10 nor"

Further amend said Bill by striking out in the 7th line of subsection I of that part designated "Sec. 96-A", the underlined figures "\$200" and inserting in place thereof the underlined figures "\$50".

Further amend said Bill by striking out in the 2nd line of subsection II of that part designated "Sec. 96-A" the underlined word "building."

Further amend said Bill by striking out in the 2nd line of subsection II of that part designated "Sec. 96-A" the underlined word "conveyance" and inserting in place thereof the underlined words "common carrier".

Further amend said Bill by striking out in the 3rd line of subsection II of that part designated "Sec. 96-A," the underlined words "or parking place".

Further amend said Bill by striking out in the 3rd line of subsection II of that part designated "Sec. 96-A" the underlined word "or" and inserting in place thereof the underlined word "and".

Senate Amendment "A" was adopted and the bill was tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act Relating to Tuition for Pupils from Towns Not Maintaining a Standard Secondary School." (H. P. 1651) (L. D. 1349) tabled on April 23, by the gentleman from Monmouth, Mr. Marsans, pending consideration.

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

On motion by Mr. Elliott, the House voted to insist on its former action and ask for a Committee of Conference.

The Chair will appoint on that Committee, the gentleman from Corinth, Mr. Elliott; the gentleman from Monmouth, Mr. Marsans; the gentleman from Cumberland, Mr. Sweetser.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report "Ought Not to Pass" from the Committee on Claims on "Resolve, in Favor of Irving I. Bates, of Moro." (H. P. 1611) (L. D. 1277), tabled on April 23, by the gentleman from Crystal, Miss Longstaff, pending acceptance of the Committee Report.

The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker, the Committee on Claims would like to have this resolve recommitted to the committee and the reason for that is that there were some accompanying bills with this resolve that the Committee did not have and later were found in the files in the Revisor of Statutes Office. I would like to have the resolve recommitted for further consideration.

The SPEAKER: The Chair understands that the gentleman from Madison, Mr. DeSanctis, moves that this matter be recommitted to the Committee on Claims.

Is this the pleasure of the House?

The motion prevailed and the resolve was recommitted to the Com-

mittee on Claims and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, "Resolve, in Favor of Roby Littlefield, of Ogunquit." (H. P. 1716) (L. D. 1448), tabled on April 23, by the gentleman from North Berwick, Mr. Randall, pending its first reading.

The Chair recognizes the gentleman from North Berwick, Mr. Randall.

By motion of Mr. Randall the resolve was given its first reading and tomorrow assigned for its second reading.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, "Resolve, in Favor of David Peirce, of Hudson." (H. P. 638) (L. D. 429), tabled on April 23, by the gentleman from Bangor, Mr. Wight, pending its second reading.

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

Mr. ELLIOTT: Mr. Speaker, I think this was tabled by Mr. Wight out of respect for me when I was not here and I would say that I met with the Committee on Claims and I move that it proceed.

Thereupon the resolve was given its second reading, passed to be engrossed as amended, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, House Report "Ought Not to Pass" of the Committee on Appropriations and Financial Affairs on "Resolve, in Favor of the University of Maine for Buildings." (H. P. 80) (L. D. 68) tabled on April 23, by the gentleman from Caribou, Mr. Collins, pending the motion of the gentleman from Portland, Mr. McGlaulin, for reconsideration.

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

Mr. COLLINS: Mr. Speaker and Members of the House: In asking for reconsideration of this resolve for Plant Science and Engineering building at the University of Maine, I would like to point out that when the "Ought not to pass" report was accepted there was a total of less than two-thirds of the members voting. On an important matter, such as this, it seems to me that many more members of the House

should have an opportunity to express themselves. Since that time, also, I believe that many people all over the State have recognized the fact that not allowing these buildings to be built would be a serious mistake. I have had many letters to that effect.

But one point that has been brought to my attention is contained in a letter from Dr. Hauck, President of the University, and I would like to read just one or two paragraphs of this letter. He stated "that when the Plant Science Building was projected, the College of Agriculture had 390 students; next fall the enrollment in that college alone will be 930 students. The construction and research activities in Agriculture have been so scattered that our efficiency is greatly threatened. Forestry has suffered, along with work in farm crops and soil."

He also stated that when the Engineering Building was projected, the College of Technology had 442 students; next fall the enrollment in that College will reach 1800. I think that these facts justify the reconsideration by this body of these resolves.

Now, when this bill was drawn, it did not state specifically where the funds would come from but it seemed advisable that this project should be completed; it is possible that part of the funds could come from the post-war fund. You remember that in Special Session there were two bills there regarding this project. I believe that one of them calls for funds from the post-war reserve but in the bill that went through, the oldest bill, the funds for these two buildings were tied up in that bill and so, when the bill was defeated in referendum vote, this naturally killed the development of those two buildings. But what I wish to point out is that a previous Legislature has sanctioned these buildings and I hope that you will reconsider this motion.

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

Mr. CHASE: Mr. Speaker, in order that the members of the House may fully understand just what kind of a pickle the University is in and why we are in this situation, the Board of Trustees of the University has asked me to read a short statement of the history of this appropriation.

"About a year ago, the University of Maine, upon its own volition and out of its own resources, had arranged to increase enrollment from normal capacity of about 2100 students to an emergency capacity of about 3200 students. It having become apparent that the demand for admission by veterans greatly exceeded the emergency capacity, the Governor and Council asked the Trustees to present a plan, which, if supported in its preparatory stage by the Governor and Council and later fully supported by the Legislature at its special session in 1946, would enable the University to increase enrollment to about 4000 students.

In response, the Trustees said that the requirements for this purpose would be \$150,000 immediately from the Governor and Council to prepare off-campus facilities (later obtained at Brunswick); \$250,000 from the Legislature as an emergency fund upon which the Trustees could draw; \$2,000,000 for dormitories to provide housing facilities at Orono into which the Brunswick students could move in 1947; and \$400,000 for the building fund for the Plant Science Building and the Engineering Building, in order that class room facilities might be provided for an enrollment twice the normal campus capacity.

The Legislature in special session appropriated \$250,000 for the emergency fund as requested. This was drawn and has been spent. Instead of the \$2,000,000 asked for dormitories, the Legislature appropriated \$1,000,000 and authorized the University to borrow \$1,000,000 which has been done. The Legislature also approved the request for \$400,000 for the Plant Science and Engineering Buildings, after full hearing before the Joint Committees of Military Affairs and Appropriations and Financial Affairs; but this \$400,000 was not received by the University, because it was made part of the bond issue-bonus measure which was defeated in the referendum. This left the University without provision of class room facilities for the 4000 students to be at Orono in the fall of 1947.

As soon as the University had become committed to admit 4000 students it became apparent that many more qualified veterans and high school graduates would be denied college education, unless the Brunswick operation should be continued

after this year. The Trustees left this decision to this Legislature, which apparently wants the Brunswick operation to continue, as funds for that purpose have been appropriated by a bill which has been passed by the House and now awaits final enactment in the Senate.

The result must be that the condition of class room facilities at Orono, already over crowded by 3200 students, will be made worse next fall by 4000 students, and that the 4000 Orono enrollment will continue for much longer than had been at first contemplated. This over-crowded condition must be partially relieved, as soon as possible, by these new buildings. The permanent need for these buildings was long since demonstrated, even when enrollment was less than half the number of students which will be at Orono for the next three to four years.

The commitments of the University as to enrollment were made after approval by the last Legislature of plans fully presented, and the program of expansion in enrollment has been carried out in the belief that this Legislature would confirm what the last Legislature approved. The University should not defer indefinitely this construction which is deemed urgently necessary. However, in deference to the expressed views that building costs may be lower in the near future, the Trustees are willing if the legislation should so direct to agree to commence construction of one building not before next fall, and of the other not before next year; and they are also willing to agree to any other conditions which the Legislature may deem prudent to impose with respect to state funds becoming available and to approval of building contracts by the Governor and Council."

This statement is signed by all the members of the board: Frank W. Hussey, Presque Isle; Harold W. Pierce, Bangor; William S. Nutter, Sanford; Raymond W. Davis, Guilford; Harlan Ladd, Augusta; Albert K. Gardner, Augusta; George S. Williams, Augusta; Maybelle H. Brown, Waterville; and by myself as the other member.

These facts are submitted to the House, they are well known to the members of the last Legislature, but they are presented here in order

that the members of this Legislature, who were not here at the Special Session, will know exactly what has been the history of this appropriation.

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

Mr. **SWEETSER**: Mr. Speaker and Members of the House: I want to add just one or two words to the information which has already been presented to you. I spoke on this matter the other day and gave you some facts and I would like to supplement those statements by this bit of information.

Many of you know that the detail of college programs is not easy to arrange. Many of you know that in some of the institutions, the time for class work, the time for laboratory work, uses the building for only a very small portion of the day. At the University of Maine, under normal conditions, classes used to begin at 8:00 o'clock, stop at 12:00, begin again at 1:30, and close at 4:30; eight hours or eight periods of classroom work. Under the present situation, they are beginning at quarter of eight, running right through the noon hour, with no stop until 5:30. In other words, they have added two full class recitation periods of practically an hour each to their curricular program. That situation, Gentlemen, should bring to your minds the need for additional classroom space. Even under those conditions, it is necessary for a good many of those students to attend the evening classes and to do laboratory work in the evenings in addition to the noon-time period. This situation complicates, of course, the feeding of those boys and the feeding of the teachers during the noon hour. They must maintain a dinner hour through both of those periods so that the boys who are not free during one period can eat during the other, and the same is true in all the dormitories and fraternity houses. I just bring that to you because it is concrete evidence of the pressure on the use of rooms and laboratories.

Since we discussed this matter the other day, I have had considerable correspondence come to me from various sources, one of which, in particular, I wish to mention, from the office of John L. Collins, of Augusta, who is a past president

of the Maine Association of Engineers, and, at a meeting held in Portland, he says: "Last February there was much discussion of the subject and it is my recollection that the Association went on record as distinctly favoring the needed action by the current Legislature to appropriately recognize and make possible the completion of this Engineering building. The previous Legislature voted the project and provided money but the money at today's prices is not enough so that you are now being asked to see that the authorization is properly increased so that this needed job can be carried out." That refers to the \$400,000 which was voted at the Special Session and which has already been mentioned on the floor here this evening.

Another communication, which all of you, I think, have had laid on your desks some time through the day, from the President of the Maine Association of Engineers, Paul F. Kruse, who particularly calls attention to the need for this building by the engineers in this part of the State. He states one thing here, which I would like to call to your attention. He mentions the question of construction; the need for this appropriation being made at this Legislature not to have it laid over for two years from now just on the excuse that building costs are high. He says here that the "striking similarity of construction cost trends since the end of World War II and those of the similar period following World War I. If this similarity of trends continues, the period 1948-'49-'50 may be the most favorable period during the next 10 years in which to build. We are confident that the University trustees and the Governor and Council will withhold construction authorization until such time as construction costs are reasonable." So much for the Engineering building and its needs.

And to those of you who are interested in agriculture, I only need to repeat what I stated the other day, that the agriculture building is a combination building to be used by the experiment station and the College of Agriculture. The need, which has already been mentioned in Dr. Hauck's letter, as was quoted by Mr. Chase of Cape Elizabeth, which states that the Forestry Department is in sore need of further expansion; that

they must have their laboratory work—be able to carry it on, if they are to continue to get federal funds appropriated for that department. They are making provision for part of that laboratory work to be carried into the library building, which I mentioned the other day. And that library building, as you know, was built by funds from the alumni, contributed with no help from the State. So, gentlemen, I hope that you will reconsider this matter and give it favorable action.

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Hayward.

Mr. HAYWARD: Mr. Speaker and Members of the House: The reason for reconsidering this bill has been well covered and I hope the motion to reconsider prevails.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Sargent.

Mr. SARGENT: Mr. Speaker and Members of the House: As a member of the last Legislature together with the majority of that body, we gave favorable consideration to a measure of similar nature. My interest in this particular bill is primarily due to its effect upon the school of forestry. This Legislature has already indicated its favorable attitude towards a law school in this State. I believe, also, that a majority of the members are in favor of a medical school provided the money could in any way be provided. It would be very fine and helpful to have both of these schools in this State but there is nothing peculiar to the State of Maine which makes it an unusual vocation for these two schools. They might as readily be located in some of our adjoining states. Orono, however, it seems to me, is peculiarly well located as the site of a school of agriculture and a school for forestry. A first-class school of forestry in this State, it would seem to me, is very important to our entire State and to our industry. If we are to have a well organized school of forestry, and I am told that if it is to be much longer rated as a good and approved school of forestry, it must have additional facilities and the facilities which would be provided under this resolve will make it possible for our school of forestry in Maine to be rated among the leading or, at least, the good forestry schools of

the entire country. I trust that the reconsideration of this resolve will have favorable consideration.

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

Mr. WEBBER: Mr. Speaker and Members of the House: We all recognize that one of our great assets in the State of Maine are our forest lands. We are very fortunate in having one of the finest forestry departments at the University of Maine of any in the entire United States. At the present time, as two gentlemen have previously stated, the quarters are quite cramped and they need additional facilities and space. It is also very important that we maintain a high standard in this department. I received a telegram, here, from one of our prominent Bangor citizens, businessman, Mr. Curtis M. Hutchins. He was a former member of the Legislature and was a member of the Commission which studied forestry problems and I will quote him as follows: "Our forest industries urgently need improved educational facilities for the forestry department at the University of Maine. I hope you will do all you can to keep the appropriation for the new Plant Science building alive and pass it if possible. (Signed) Curtis M. Hutchins." All those connected with forestry are very much interested in this new Plant Science building. I hope that it will be reconsidered.

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

Mr. MELOON: Mr. Speaker, I speak in favor of the passage of this bill, not only personally but because as a representative of the greenhouse people in the State of Maine. We in the State have a very considerable investment. We find that down at Orono we have one of the leading floricultural departments in that University which ranks along with other much larger states; it has a very fine faculty, and is carrying on a vast amount of research work which is very beneficial to our industry. I would like to see the further expansion of this program.

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

Mr. ELLIOTT: Mr. Speaker, I realize that there is nothing I can

say but in the interests of agriculture I would very much like to see this bill reconsidered; I am sure they very much need a Plant Science building.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

Mr. COUSINS: Mr. Speaker and Members of the House: I speak as a veteran and as a graduate of the University. These Plant Science and Engineering Buildings are all that is left of the ruins of the veterans' program of last summer. But I would like to see that building rise out of those ruins; they would be a benefit to the veterans, not this year or next, but the year after that. The peak of the veterans' population in the University will not be reached, it is estimated, until 1950. Much has been said as to the need of these buildings. The last Legislature decided they needed them, they voted them, and then the bonus bill was tacked onto that and it was defeated by the people. I would like to see this Legislature furnish the money for it. I think there is plenty of reason for doing it and when the vote is taken, Mr. Speaker, I ask for a division.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Portland, Mr. McGlauffin, that the House reconsider its action of April 22nd, whereby it accepted the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs on a Resolve, in Favor of the University of Maine for Buildings". The gentleman from Fort Kent, Mr. Cousins, has requested a division.

Those in favor of reconsideration of this matter 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: Eighty-one having voted in the affirmative and four in the negative, the motion prevails.

The question before the House is upon the acceptance of the Committee report.

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

Mr. COLLINS: Mr. Speaker, I move the substitution of the bill for the report.

The SPEAKER: The gentleman from Caribou, Mr. Collins, moves that the resolve be substituted for the "Ought not to pass" report of the Committee.

Is this the pleasure of the House?

The motion prevailed and the resolve was substituted for the "Ought not to pass" report of the committee. This being a printed resolve, under suspension of the rules, the resolve was given its first reading and tomorrow assigned for its second reading.

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

Mr. MILLS: Mr. Speaker, the House has been in session for over six hours, today, the reporters are very tired, to say nothing of some members of the Legislature, therefore, I move we adjourn.

The motion prevailed and the House adjourned until tomorrow at nine o'clock E. S. T.