

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

Thursday, May 1, 1947

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

Prayer by the Rev. Douglas H. Robbins of Augusta.

Journal of yesterday read and approved.

The SPEAKER: The Chair at this time notes in the balcony the presence of the Eighth Grade Class of Boothbay Harbor, with Mrs. Edith Dodge, Teacher, and the Civics Class of the Crosby High School, of Belfast, accompanied by Mr. Farrell, and on behalf of the members of this House, the Chair bids the classes welcome here this morning. (Applause)

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

Report of the Committee on Welfare on Bill "An Act relating to Old Age Assistance" (S. P. 496) (L. D. 1364) reporting same in a new draft (S. P. 542) (L. D. 1468) under same title and that it "Ought to pass".

Report of same Committee on Bill "An Act relating to Old Age Recipients" (S. P. 460) (L. D. 1295) reporting same in a new draft (S. P. 543) (L. D. 1467) under title of "An Act relating to Adoption of Neglected Children" and that it "Ought to pass".

Report of same Committee on Bill "An Act relating to Old Age Assistance Payments" (S. P. 461) (L. D. 1296) reporting same in a new draft (S. P. 541) (L. D. 1465) under title of "An Act relating to Neglected Children" and that it "Ought to pass".

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

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

**Ought to Pass With Committee
Amendment**

Report of the Committee on Legal Affairs on Bill "An Act to Change the Charter of the city of Calais" (S. P. 490) (L. D. 1356) which was recommitted, reporting

"Ought to pass" as amended by Committee Amendment "B" (L. D. 1490) submitted therewith.

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

In the House, Report was read and accepted, and the Bill was read twice.

Committee Amendment "B", which has been printed as L. D. 1490, was read by the Clerk.

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

Non-Concurrent Matter

From the Senate: Resolve to Provide for Repair of Fish Screen at Porter Lake (H. P. 1574) (L. D. 1217) which was finally passed in the House on March 13th; and passed to be engrossed on March 5th.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

Non-Concurrent Matter

From the Senate: Bill "An Act relating to Time of Racing Meets" (H. P. 1509) (L. D. 1108) which was passed to be engrossed in the House on April 22nd as amended by House Amendment "A".

Came from the Senate passed to be engrossed without amendment in non-concurrence.

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

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

Mr. COUSINS: Mr. Speaker, I request unanimous consent to address the House.

The SPEAKER: The gentleman from Fort Kent, Mr. Cousins, requests unanimous consent to address the House. Is there objection?

The Chair hears none and the gentleman may proceed.

Mr. COUSINS: Mr. Speaker and Members of the House: I shall take just a very few minutes in saying what I have to say here this morn-

ing. I have in my hand a Memorial to Congress which was drawn up by the Marine Corps League, the veterans organization of the Marine Corps in the State. The subject matter of this Memorial is about the Marine Corps and its existence.

It seems that under the present merger bill the United States Marine Corps will be wiped out of existence. All this Memorial does is ask Congress to continue the Marine Corps. Any merger bill that they pass it asks them to put some sort of an amendment on so the Marine Corps is continued as an organization.

My reasons for asking for this are very simple. I was in the Marine Corps. The proudest thing I have ever done and the proudest thing I am of anything is the fact that I am a United States Marine. All you have to do is watch a regiment of the Marine Corps parade and listen to them play the Marine Corps Hymn twice and then you are convinced about the Marine Corps. Their record during this war needs no retelling.

So, Mr. Speaker, I present this Memorial to Congress.

The SPEAKER: The gentleman from Fort Kent, Mr. Cousins, presents a Memorial to Congress and requests unanimous consent for its introduction. Is there objection? The Chair hears none, and the Clerk will read the Memorial.

The Memorial was read by the Clerk as follows:

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Forty-Seven

MEMORIAL

To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled.

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the 93rd Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, the United States Marine Corps has been a source of strength whenever our nation has been threatened; and

Whereas, the United State Marine Corps, alone of all the elements of our armed services, possessed the vision to develop the science of waging amphibious warfare, which knowledge permitted our nation's

offensive might to be carried to enemy shores and which proved to be the key to victory in global war; and

Whereas, 4,141 of the young men of this State of Maine have served our nation in the United States Marine Corps; and

Whereas, the United States Marine Corps is threatened with extinction if the merger bill is passed in its present form; and

Whereas, the abolition of the Marine Corps would be a disastrous loss to our nation; now, therefore be it

Resolved: That we, your Memorialists, do hereby respectfully petition and urge the Members of Congress that the existence of the Marine Corps be assured by amendment to any merger bill, such amendment specifically providing that the U. S. Marine Corps shall continue to serve as our nation's amphibious troops and as a force in instant readiness to protect our nation; and be it further

Resolved: That the Secretary of State of the State of Maine is hereby directed to forward certified copies of this joint Memorial to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives of the United States, the Secretary of the Navy, the Commandant of the Marine Corps, and the members of the congressional delegation from the State of Maine.

The SPEAKER: The Chair understands that the same gentleman now moves the adoption of the Memorial without reference to any Committee. Is this the pleasure of the House? The Chair recognizes the gentleman from Portland, Mr. McGlaulin.

Mr. MCGLAULIN: Mr. Speaker and Members of the House: I dislike to throw any cold water on a proposition that the gentleman has introduced, but I cannot help but feel that we are asked to present a resolution to Congress on a matter that we do not know anything about. I cannot favor such a resolution.

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

Mr. MILLS: Mr. Speaker, I think there are a few of us who do know something about this Memorial. I think anyone who proposes the abolition of the United States Marine Corps is proposing something which is unthinkable. I have served under

the United States Marine Corps, attached to them, and I know something of their work. The finest morale and greatest spirit that was ever assembled in any group of fighting men in the world, and for Congress or any other group to consider its abolition is unthinkable.

I say it is entirely in accord with our rules here to ask Congress to go slow and to think this matter over. We have Memorialized Congress on numerous things, and this is one of the most important things for the safety of the country and the welfare of the armed services which has ever been presented before them. It is entirely in keeping with our functions to pass such a Memorial.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker, I wish to state that I know quite a lot about the Marine Corps, having relieved them overseas at Chateau Thierry. I realize that they are one of the greatest and finest units that we have ever had in any war. I therefore second the motion of my comrade, Mr. Cousins.

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

Mr. McGLAUFLIN: Mr. Speaker: I do not question at all the valueableness of the Marine Corps. I have the highest admiration for those men. The only thing that I tried to present to you was the fact that we do not know — I did not mean to say we do not know anything about the Marine Corps—we do not know anything about the governmental plans that may cause this change. I do not want to belittle the Marine Corps. I certainly admire the men that were in that Corps. They have made themselves famous forever. If you care to pass this, it is all right with me. I just feel that I myself do not feel like recommending to Congress something when I know nothing about their plans or the reason for making the change.

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

Mr. MELOON: Mr. Speaker, I rise, Mr. Speaker, to add an emphatic amen to whatever has been said by Mr. Mills and Mr. Jennings and to the writer of this Resolution.

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

Mr. PERKINS: Mr. Speaker and Members of the House: It seems to me highly fitting and proper for the Legislature of our State to address this Memorial to Congress. That is a right that has been guaranteed to the people of the United States and to the members of the Legislature the right to petition the legislative bodies of our Country.

I want to just say this: I want to pay my tribute to the United States Marines. Those of us who have followed the situation in Congress under the Merger Bill and what General Vandergriff has said, that there is great danger of the United States Marine Corps being voted out of existence or relegated to a very minor position. I think one of the finest traditions of our country is the history of the United States Marines. I hope the Memorial will receive unanimous passage.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker and Members of the House: I dislike on two days in a row to make a personal allusion. I have been a member of the United States Naval Reserve for seven years. I feel that this proposition to abolish the Marine Corps is so monumentally a stupidity that it could only have been hatched in the mind of a graduate of Annapolis. I earnestly hope that this Memorial is passed unanimously.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Moulton.

Mr. MOULTON: Mr. Speaker and Members of the House: I was in the army. I think the Marines are the cockiest bunch of guys I ever saw. I know time and time again these were the kind of men we needed for certain situations. I hate like the devil to see them exterminated.

The SPEAKER: The question before the House is on the adoption of this Memorial without reference to any committee. All those in favor will say aye. The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. McGLAUFLIN: Mr. Speaker, I want to make it unanimous. I'll go along with it.

The SPEAKER: Those opposed no.

A viva voce vote being taken, the Memorial was adopted unanimously, without reference to any committee, and sent up for concurrence.

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

House Reports of Committees Divided Report

Report "A" of the Committee on Taxation on Bill "An Act Imposing a Personal Income Tax to Raise Additional Revenue and Equalize the Tax Burden" (H. P. 1552) (L. D. 1186) reporting same in a new draft (H. P. 1742) (L. D. 1489) under title of "An Act Imposing a Personal Income Tax to Raise Additional Revenue" and that it "Ought to pass"

Report was signed by the following members:

Messrs. Haskell of Penobscot
—of the Senate.
Burgess of Limestone
Elliott of Cornish
Burton of Milo
Lombard of Yarmouth
—of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. Noyes of Hancock
Ela of Somerset
—of the Senate.
Jordan of Saco
Morison of Wilton
—of the House.

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

Mr. ELLIOTT: Mr. Speaker and Members of the House: I think that I realize as well as any of you do, that a tax measure is exceedingly unpopular. I had my say some two weeks ago and I have been inclined to think that I might have said too much from the fact that I have been hoarse ever since.

Now don't worry. I am not going to take much of your time this morning. Our Taxation Committee realizes that if we, as a body, insist, on passing legislation requiring funds, that as a business proposition it would be necessary for us to pass some form of tax revenue that would cover those appropri-

ations. Therefore, we reported out a combination sales and income tax bill, which you know, without me telling you, was turned down. I am perfectly willing to accept, as I said in the beginning, the opinion of the members of the House, while I still think it is the best bill.

Now, we reported out a sales tax which we all admit hits everybody and especially the man with the strong constitution and the ability to raise children. Now, that was accepted in a half-hearted way, under much protest.

Now we have reported out this income tax which I don't expect you to accept because it hits the man hardest who has the most of this world's goods and who is trying by some way to hoard them up and carry them with him when he leaves this country, which I don't believe he will be able to do.

Now this new draft, which I have here, which was printed last night, is practically the same as the former draft. Probably you have not had time to study it. It is changed to conform with the sales tax in an emergency preamble and at the close, an emergency clause. Now this bill here is estimated to produce \$4,500,000 per year, which, if I understood the Appropriations Committee correctly, is the exact amount which they estimate, before the closing days of this Legislature, we will need to pay our bills. I would like to call your attention to just one thing. I can't read this bill and understand it; I don't pretend to. I am not a lawyer; I am simply a farmer and I wish I were home farming.

I would like to call your attention to the fact that this bill here is much easier on what we call the poor man or the man in ordinary circumstances. If he has an income of \$3,000, and he has not any better-half or any boss in the House, and has no children, he would pay an income tax of \$33.00. If he had a wife or a dependent, he would pay \$23.00. If he had one extra child, \$13.00; if he happened to have a wife and three children, he would pay only one dollar.

Now with the sales tax, this same man, if he had three children, would certainly have to pay a sales tax on these children, and it would put him to a disadvantage. If you go up to the \$4,000 income bracket which is taxable, if you are alone you would have to pay \$50.00; with one

dependent \$40.00; with one child \$30.00; two children \$20.00; three children \$10.00; four children \$5.00; and from then on no income tax. In fact you would have to go up to almost a five thousand dollar bracket before you would pay a tax if you had a large family of children.

I don't expect you to accept this entirely—the committee didn't send it out unanimously but I didn't wonder that they didn't. I went down the backstreet and found one of these committeemen who signed the "Ought not to pass" report, driving around in a nice new eight cylinder Buick automobile; I did not blame him. I think you will find the man who buys his clothes from Dodge Brothers for \$27.50 will be much in favor of this tax bill. Those who buy their clothes from Hart, Schafner and Marx, and pay \$75.00 for them, will be against it; I do not blame them. I say: "Here she is, boys. Do as you please with it."

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

Mr. BROGGI: Mr. Speaker and Members of the House: I don't buy my clothes at Dodge Brothers, but I represent the man that does. On every occasion previous to this on which I have addressed this House it has been on a matter of education of which I am a member of the committee.

A week ago I stood on the floor of this House and argued for increased teachers' salaries, which I believed was very much justified. Since then I have voted "No" on all tax measures, but on this tax measure I shall vote "Yes." This is a fair tax; this taxes the man that can afford to pay. Being in the wholesale business, naturally, for selfish reasons, I should probably prefer to pay a sales tax, because it would not affect me, but I believe this is the most equitable tax that has been presented to this House.

The bill in its present form probably is not perfect. It probably should be subject to some amendment. There is some question as to when collection can start taking place, as to what year's income will be affected first. However, the bill, in its present form, raises enough money for us to take care of the amount of money for bills that we have passed through this House.

Mr. Speaker and Members of the

House, I want to go on record as favoring the State Income Tax.

The SPEAKER: The Chair would like to inquire of the gentleman from Corinth, Mr. Elliott, if he planned to make a motion. The pending question is on the acceptance of either report. The Chair did not understand that he made a motion.

Mr. ELLIOTT: Mr. Speaker, I should have made the motion to accept the majority "Ought to pass in New Draft" report "A" and when the vote is taken, I would like to ask for a yea and nay vote as a matter of record.

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

Mr. CHASE: Mr. Speaker, in order that it may be clear in the beginning that I am not necessarily opposed to an income tax, I want to recall to the House a summary of my remarks of the other day on a tax measure in which I said that I would be for a sales tax with an emergency clause to meet the urgent and immediate financial needs of the State, and for an income tax with a referendum clause, to be submitted to the people of the State as an alternative to the State Property Tax. I am not pigheaded about that proposal; I expect to go along with whatever tax measure seems most feasible in this Legislature, but for the moment I still think that the suggestion which I made is the most feasible proposal, the plan which has the best chance of adoption, and the plan which the groups which have sponsored the original combination bill ought to favor.

It seems to me extremely doubtful that an income tax can pass this Legislature with an emergency clause. If it is to be submitted to the people on referendum, how could it possibly be submitted under more favorable auspices than as an alternative to an existing tax? If it were put up to the people as a measure purely to raise a revenue, it certainly would not have anywhere near the same chance of adoption as it would have if it were put up to the people as a change in the way of raising revenue and the substitution of one tax for another. This bill came to our desks only this morning, and I have had an opportunity to read it only in part. But in its present form it would appear that it would not bring a dime into

the State Treasury until the next Legislature is already in session. It imposes a tax on 1948 income, and so far as I have read it, I see no way in which income would begin to come into the State until well into the year of 1949. So that even if it should raise, in 1949, the amount which is estimated, and that amount should come into the biennium for which we are legislating, the four and a half million dollars would not be sufficient to meet the needs of the State as those have been outlined to us.

We have heard considerable talk about the archaic tax system of this State, and it has been argued that we ought to shift onto a streamlined or modernized system, placing more of the tax on money income or sales volume and less on property, as we have done traditionally, but it is important to remember, in this modern, streamlined system which has been proposed, that in shifting to such a base, you shift to a base less firm than the base of property.

Now in the case of the sales tax, let me say, because there will be a fluctuation in the volume of sales, there will be considerable ups and downs in the amount of taxable income, and for the reason it is important to plan your tax system so that it will raise more than you need in a time such as this, in order to carry you through the lower periods.

If the sales tax, without any refund to towns, should bring into the State six million dollars a year, and if the price level should drop ten per cent, as is now being agitated in many communities — and I hope it may drop considerably more — that ten per cent drop in your volume of sales will be reflected in a drop in State revenue presumably of \$600,000 a year, and provision needs to be made for that, and so at this peak of high income you should raise more than you need because you are bound to have lean periods, and that is one of the troubles of the so-called streamlined systems which should be anticipated in the beginning.

Now for those reasons, and in its present form, I shall vote against this income tax bill. It seems to me that you must contemplate the possibility that the emergency clause won't stick and that there will be a referendum on this. If it is going to the people on referendum, it will go as a new tax mea-

sure and will not be very popular. I think that when the income tax does go to the people, I would like to see it go under more favorable auspices. I would like to repeat that I am not pigheaded about my own convictions—I have made no promise to anyone anywhere as to what I will vote for or will not vote for. It seems to me unfortunate that there are some here who seem to have done so in advance. No one can expect to get from a Legislature just what he wants, and I certainly don't expect that, and I think no one should expect that. I voted for the sales tax, with the refund provisions to the town, which I thought personally objectionable because I think once you start subsidizing the towns in that way, you will have to keep it up, and the towns will lose their own sense of responsibility and may eventually lose their own identity, but if it is the best bill that will come out of the Legislature, I will vote for it and I will work for it.

So I repeat that I still hope that there may be some merit in my earlier proposal, but as the issue is presented here on this bill, I am compelled to vote against the income tax.

THE SPEAKER: The question before the House is upon the motion of the gentleman from Corinth, Mr. Elliott, that the House accept Report "A" "Ought to pass in New Draft".

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

MR. BURGESS: Mr. Speaker, I rise this morning, knowing that perhaps I am about to discuss a matter which I know very, very little about, and in saying that I refer to the mechanics of the bill now up for discussion. I do not rise in protection of that little man of the State, of whom I am one, because I firmly believe that to be a citizen of the State of Maine and of this great nation, is worth more than any tax which we will be called upon to pay at this or any other time.

I think the time has come in the progress of our legislation when those of us who have a different view — and we all have them and are entitled to them — should present them to some of these measures in the form of amendments, and here on the floor of the House we can write a tax bill which is a compromise between our ideas, but

acceptable as a whole, and have a program which will accomplish what we need; in other words, to fill in the deficit of our State's finances and one which we can present to the people and be proud of. And so, Ladies and Gentlemen of the House, this morning I hope that you will accept the committee report and immediately begin to correct in the form of amendments those features of this or any other tax bill before us which are objectionable to you, voting on the amendments, with a willingness to compromise and get behind a measure which will care for the urgent needs of the State.

Therefore, Mr. Speaker and Members of the House, I sincerely hope that the motion of my good friend from Corinth, Mr. Elliott, will prevail.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I am very sorry to speak against my good friend next to me, but it is my duty to do it.

You all know that in Washington, at the present time, and for the last six months Congress has been fighting amongst itself to cut the income tax down. Are you going to turn around, Members of the House, and pass more income tax on the people? They are already over-taxed; they can not stand any more taxes.

What has happened to the State? They always got along all right without an income tax. What has happened to them that they can not get along any more without income taxes?

Now the proponents of this bill have just explained to you that a man with five or six children will not pay hardly any income tax, but they forget to tell you that when your children are old enough to work they will have to pay a very heavy income tax. I do not believe there are many of you here, today, who are willing to start to raise four or five children in order to pay that income tax.

In many countries they have already started to cut the income tax. In the Province of Quebec, you saw by the paper last night that they cut down the income tax. We still have an income tax from the last war, and if you pass this

bill, it will be just as bad when they start the third war. No, Members of the House, it is my duty because I represent the working people, it is my duty to see that you do not pass this tax, and I hope that the motion of the gentleman from Corinth does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. FOWLER: Mr. Speaker and Members of the House: I rise in opposition to this bill, Legislative Document 1489. There are thirty-six pages of this item and there are a lot of things in here which I don't believe many of us know about—I know very little about it. But I notice here, on page 8 I believe: "Section 252. Taxpayers' return." It starts in like the Federal headache that we all have around the first of January ever year. It reads thus: "Every person who received during the year a taxable net income of \$500. or over, if single, or \$1,000 or over if married, must report the same in a manner and form herein provided to the state tax assessor whether notified to do so or not, and shall be subject to the same penalties for failure to report as those who receive notice," and so on.

Taxpayers are going to think that over a little bit; when a man that earns \$500 has to pay it. That is going to agitate them a little bit. If you look it over a little bit closer, it doesn't seem to me there is going to be enough collected here to pay for cleaning leaves out of the cemetery. Maybe I am wrong. Another thing I was thinking about is that I know one person in particular an individual whose estate is worth better than twenty-eight million dollars. This party is ready to take up residence here in the State. I know this party employes five to eight people in this community, five of them the year round and pays them from sixty to seventy-five dollars a week. On top of that this party leaves five thousand dollars in this little community just to take care of the sick and the needy in this community during the winter. That doesn't happen to be at Bar Harbor or Seal Harbor or Christmas Cove or York Beach or York Harbor. And there are hundreds of other cases. Those people spend a lot of money, and I believe we are going to drive a lot of them out.

I am against this tax, and I hope

that the motion of the gentleman from Corinth, (Mr. Elliott) does not prevail.

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

Mr. MILLS: Mr. Speaker and Members of the House: I wouldn't be saying anything on this measure except for the fact that the other day I happened to vote against the sales tax and was singled out because of it. I just want to say that our votes, as we are going along here, if properly interpreted, should be interpreted as preferential votes, and when we are all through, we will decide which one of these tax measures has the greatest strength, and I hope that there will be a lot of people ready to give and take, and get behind the strongest one, to take care of the needs of the State. My own preference happens to be this bill, and I shall vote for it, but I am ready to give and take and go along with whatever program we are able to put over here.

The SPEAKER: Is the House ready for the question?

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

Mr. PEIRCE: Mr. Speaker, I would like to go on record in favor of the income tax bill. In my opinion, it is the fairest tax that can be assessed against all the people; it is based on the fundamental theory that those will pay who are best able to pay. That is the theory on which our property tax was originally assessed.

A sales tax, on the other hand, does not operate in that manner. People in the lower income brackets pay from ninety to one hundred per cent of their income on items which are taxable under a sales tax. People in the middle and upper income brackets pay a far smaller percentage of their annual income upon items which are taxable under a sales tax bill.

When this State considered the enactment of an inheritance tax, the same arguments which are presented here today were then presented against the inheritance tax. They said that we would lose our summer residents, so-called. Experience shows that that has not been the case. We have an inheritance tax. We did not lose any appreciable number of so-called summer residents.

I hope that this House will agree on a measure which is fair, and

which will provide the needs of the State. In my opinion this is the bill, and I hope that it will receive favorable consideration.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Corinth, Mr. Elliott, that the House accept Report "A" "Ought to pass in New Draft" report. The same gentleman has requested a ye and nay vote. The yeas and nays will be entered into the record at the desire of one-fifth of the members present. Those in favor of the ye and nay vote will please rise.

Obviously, more than one-fifth having arisen, the ye and nay vote is in order.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Corinth, Mr. Elliott, that the House accept Report "A" of the Committee on Taxation on Bill "An Act Imposing a Personal Income Tax to Raise Additional Revenue and Equalize the Tax Burden" which has been reported in new draft.

All those in favor of the acceptance of the "Ought to pass in New Draft" report will please say aye and those opposed will please say no when their names are called. The Clerk will call the roll.

YEA—Allen, Ames, Anderson, Atherton, Bell, Benn, Berryman, Bickford, Boulter, Broggi, Brown, Milford; Brown, Unity; Burgess, Burton, Campbell, Chase, Limington; Christensen, Collins, Cousins, Curtis, Daniels, Day, Dicker, Dufour, Elliott, Fuller, Buckfield; Gallant, Gray, Hall, Harris, Hatch, Hayward, Hobbs, House, Jennings, Kent, Lombard, Lord, MacPherson, Marsans, McClure, McGown, McKeen, Mills, Nichols, Palmeter, Patterson, Payson, Peirce, Plummer, Rankin, Rich, Robbins, Ross, Russell Sargent, Sleeper, Smith, Exeter; Snow, Stearns, Sterling, Stetson, Sweetser, Torrey, Turner, Webber, Williams, Auburn; Woodbury, Woodworth.

NAY—Adams, Berry, Bird, Bowker, Brewer, Brown, Wayne; Byron, Cadorette, Carey, Carville, Chase, Cape Elizabeth; Clements, Cole, Cormier, Dean, DeSanctis, Dostie, Lewiston; Dostie, Winslow; Doucette, Ellis, Emerson, Finnegan, Fitch, Foley, Fowler, Fuller, Hallowell; Hammond, Hanson, Haskell, Heanssler, Holt, Johnston, Jordan, Saco; Jordan, South Portland; Judkins, Kelly, Labbe, Loughton, Leavitt, Legard, Lessard, Longstaff, Malenfant, Marshall, McGlauffin, Meloon, Moreau, Morison, Moulton, Muskie, Nadeau, Palmer, Perkins, Poulin,

Prout, Randall, Rollins, Silsby, Smith, Westbrook; St. Pierre, Tabb, Thomas, Thompson, Tremblay, Violette, Weeks, Wight, Williams, Topsham.

ABSENT—Bove, Brown, Baileyville; Dorsey, Jalbert, Lacharite, Lee, Martin, Savage, Seeger, Sharpe, Smart.

Yes 69, No 68, Absent 11.

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

Mr. BYRON: Mr. Speaker, I would like to change my vote from yea to nay.

The SPEAKER: The Clerk will call the name of the gentleman from Hollis, Mr. Byron.

Mr. BYRON: No.

The SPEAKER: Sixty-nine have voted in the affirmative and sixty-eight in the negative, eleven being absent, the House has accepted the "Ought to pass in New Draft" report of the committee.

Thereupon, the bill, having already been printed, was given its two readings and was assigned for third reading tomorrow morning.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act to Define 'Distributor' in the Gasoline Tax Law" (H. P. 1639) (L. D. 1327)

Report was signed by the following members:

Messrs. Noyes of Hancock

Ela of Somerset

Haskell of Penobscot

—of the Senate.

Lombard of Yarmouth

Burton of Milo

Jordan of Saco

Elliott of Corinth

Morison of Wilton

—of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following member:

Mr. Burgess of Limestone

—of the House.

The SPEAKER: What is the pleasure of the House?

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

Mr. PEIRCE: Mr. Speaker, in moving the acceptance of the majority report, I would like to state briefly to the members of the House the problem which this particular bill attempted to solve. Under the present law, a gasoline distributor

who is located on a railroad or a water terminal may be classified as a distributor for the purpose of paying the gasoline tax.

As a distributor, he has an advantage in that he is allowed certain consideration for shrinkage, loss in handling, which naturally occurs. I think that it is obvious to the members of the House that this is an unfair situation, that it is discriminatory against those who are not located on railroads or on water terminals, but the problem is a difficult one, and I am sorry that the Taxation Committee could not solve it. They are not the first persons who have failed to solve the problem. I hope that at a later date, at a later Legislature, there will be a satisfactory solution presented. Mr. Speaker, I move the acceptance of the majority report.

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

Mr. BURGESS: Mr. Speaker, it is not my understanding that a solution has not come from the committee. It is my understanding that the minority "Ought to pass" report does solve the problem as requested by those distributors in Maine who are confronted and are working under an unfair situation.

Under existing conditions—I will explain briefly—I, as a distributor buy in tank car lots from a major oil company. While buying in those tank car lots, I am entitled, as a matter of shrinkage, to not exceeding one per cent. I pay the tax on the gasoline to the Tax Assessor of Maine during the month following the date of purchase. If I choose to hold that product in a motor transport, holding four thousand or so gallons, I pay the tax to the major oil company when I pay them for the gasoline, and I have no right of shrinkage. And I submit to you, Ladies and Gentlemen, that regardless of how you transport petroleum products, there will be a shrinkage, but under existing laws I am not entitled to the shrinkage if I choose to haul it in my own motor transport to my home town storage tanks.

I firmly believe that this measure does solve that problem and will allow me or some other distributor to do just what I believe they should be able to do—to be in the same position, in transporting their product by motor transport, as though they moved it by car-lot loads.

I think I have covered the explanation, and I hope that the House will not continue an unfair practice by accepting the majority report.

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

Mr. COLLINS: Mr. Speaker, I have no personal interest in this measure, but I do believe, with the gentleman from Limestone, Mr. Burgess, that it is an unfair proposition to those distributors who transport their gasoline by truck in large quantities. They do not have the advantage that the tank car buyer has. I believe that the Tax Assessor will admit this, and probably the fact has been brought out to the Taxation Committee. I really believe that the minority report should have consideration, that it is an unfair practice to discriminate against the dealer who takes his gas from a port and hauls it across country. I hope that the minority report will have some consideration; that the majority report will not be accepted.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Christensen.

Mr. CHRISTENSEN: Mr. Speaker and Members of the House: I have bought gasoline in this country, and there is bound to be loss. You can't possibly do business with petroleum products without having losses. As the gentleman from Limestone, Mr. Burgess, has said, the transport—what we call the transport the big tank trailer over the road—has the biggest losses—bigger than the railroad, bigger than the tank cars have.

During the war I received every drop of product by transport from Bangor, and my losses were big, much bigger than after we started to receive it by tank car. I can't, for the life of me, understand how that Taxation Committee—that big majority came to the conclusion that the gentleman from Limestone, Mr. Burgess, shouldn't be entitled to shrinkage on transport. I hope that this House will give Mr. Burgess consideration on that measure. He certainly deserves it. I know he deserves it.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, I am a member of the Taxation Committee. I hate to rise on this because

I do not know much about oil or gasoline, some of the other members of the committee, came to this conclusion and if I can make myself plain, I will try to do the best I can.

The State of Maine has two points at the present time where they allow shrinkage; they allow it when the oil company first receives it and then they allow one transfer by tank car.

Now they admit that if they allow this to go through there is a loss of one per cent in the first place and a loss of one per cent in transport, and if this goes through, there will probably be another one per cent loss to the State. That is one of the reasons there was not any question about the righteousness of the demand. He also brought up what is going to happen to the retailer. They get a loss, and, as a natural consideration, if you allow for a loss for one, then the other is deserving of a break, and the next year the retailer would want to take a loss.

We decided that there had to be a stoppage place somewhere, and, as two points in any state is the highest that is allowed for loss, and as some states only allow a loss to the first man that gets it, we passed it out "Ought not to pass". I have no personal interest in the thing but that is the reason why it was passed out "Ought not to pass".

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

Mr. BURGESS: Mr. Speaker, I want to call to the attention of the House that the proponents of the bill in reference to the motion for the acceptance of the "Ought not to pass" report, I assume, in the gentleman's mind there is some question of legality, and, not being a lawyer, I do not know that answer, but if you Ladies and Gentlemen of the House consider that a situation should be corrected. I promise you that I will consult with him and the Attorney General and bring in such amendment as will make it in proper form. I still believe that this solves the problem.

Now, I would like to answer a question which has just been brought up and that is one regarding shrinkage. I do not believe for a minute that a single person would want to deny any distributor the same percentage of shrinkage

whether he hauls it by transport or in a tank car. I am not a user of the tank truck. This legislation does not affect me in any way, shape, or manner, but I do know of individual distributors in the State selling as high as four million gallons and moving by highway three-fourths of that.

So I hope, Ladies and Gentlemen, that you will not accept the majority report and that you will allow the proponent of this measure and myself and the Attorney General, if there is any question of legality, to iron it out some time during the day.

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

Mr. PEIRCE: Mr. Speaker, having a high regard for the opinions of the gentleman from Limestone (Mr. Burgess) and the gentleman from Calais (Mr. Christensen) who have had ample experience with this problem. I think that I will withdraw my motion and make a contrary motion. The reason that I made the original motion was that one distributor told me that in his opinion the amended bill would not solve the problem.

Now these gentlemen have had just as much experience in the field and I am perfectly willing to see this solution be given a fair trial, therefore I withdraw the motion.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, withdraws his motion for the acceptance of the majority "Ought not to pass" report of the committee.

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

Mr. BURGESS: Mr. Speaker, I now move the acceptance of the minority "Ought to pass" report.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Limestone, Mr. Burgess, that the House accept the minority report "Ought to pass" as amended by Committee Amendment "A". All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the minority "Ought to pass" report was accepted.

Thereupon, the bill, having already been printed, was given its two several readings.

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

Committee Amendment "A" to H. P. 1639, L. D. 1327, Bill "An Act to Define "Distributor" in the Gasoline Tax Law."

Amend said Bill by drawing a line through all of the last sentence of that part designated "Sec. 163" and adding after said last sentence the following underlined sentence:

'An allowance of not more than 1% from the amount of fuel received by the distributor, plus 1% on all transfers in vessels or tank cars by a distributor in the regular course of his business from one of his places of business to another within the state, may be allowed by the tax assessor to cover the loss through shrinkage, evaporation or handling sustained by the distributor; but the total allowance for such losses shall not exceed 2% of the receipts by such distributor and no further deduction shall be allowed unless the state tax assessor is satisfied on definite proof submitted to him that a further deduction should be allowed by him for a loss sustained through fire, accident or some unavoidable calamity.'

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

Divided Report Tabled

Majority Report of the Committee on Labor on Bill "An Act to Protect the Right to Work and to Prohibit Secondary Boycotts, Sympathetic Strikes and Jurisdictional Strikes" (H. P. 1184) (L. D. 754) reporting same in a new draft (H. P. 1743) (L. D. 1487) under title of "An Act to Protect the Right to Work" and that it "Ought to pass"

Report was signed by the following members:

Messrs. Hopkins of Kennebec
—of the Senate.
Brown of Unity
Chase of Cape Elizabeth
Marshall of York
Sharpe of Anson
Collins of Caribou

—of the House.
Minority Report of same Committee reporting Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. Haskell of Penobscot
—of the Senate

Leavitt of Old Town
—of the House.

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

Mr. BROWN: Mr. Speaker, in order that the members may have an opportunity to study this bill, I move that the bill and accompanying reports lie on the table until later in today's session.

Thereupon, the motion prevailed, and the two reports, with accompanying papers, were tabled pending acceptance of either report and the matter was assigned for later in today's session.

Divided Report

Majority Report of the Committee on Labor on Bill "An Act to Prevent Strikes Against Public Utilities and Municipal Corporations" (H. P. 1303) (L. D. 886) reporting same in a new draft (H. P. 1744) (L. D. 1486) under title of "An Act to Prevent Strikes Against Public Utilities and Municipal Corporations and the State of Maine" and that it "Ought to pass"

Report was signed by the following members:

- Messrs. Hopkins of Kennebec
- Spear of Cumberland
- of the Senate.
- Brown of Unity
- Chase of Cape Elizabeth
- Marshall of York
- Sharpe of Anson
- Collins of Caribou

—of the House.
Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

- Messrs. Haskell of Penobscot
- of the Senate.
- Leavitt of Old Town
- of the House.

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

Mr. HASKELL: Mr. Speaker, for the same reason assigned by the gentleman from Unity (Mr. Brown) on the preceding bill, I move that this bill and accompanying reports lie upon the table and be assigned for later in today's session.

Thereupon, the motion prevailed, and the two reports, with accompanying papers, were tabled pending acceptance of either report and the matter was assigned for later in today's session.

Ought Not to Pass

Mr. Judkins from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Del Bissonette, of Winthrop (H. P. 161)

Same gentleman from same Committee reported same on Resolve in favor of the town of Newport for Supplies Furnished to Fannie Norton (H. P. 642) (L. D. 433)

Reports were read and accepted.

Tabled and Assigned

Mr. Laughton from the Committee on Claims reported "Ought not to Pass" on Resolve in favor of Evelyn K. Foye, of Westbrook (H. P. 420) (L. D. 250)

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Moreau.

Mr. MOREAU: Mr. Speaker, I move that we table this matter and that it be specially assigned for tomorrow.

The SPEAKER: The gentleman from Westbrook, Mr. Moreau, moves that this matter be laid on the table pending acceptance of the committee report and be especially assigned for tomorrow morning. Is this the pleasure of the House?

Calls of "No".

Thereupon, on motion by Mr. Moreau, the matter was tabled pending acceptance of the committee report and specially assigned for later in today's session.

Mr. Allen from the Committee on Motor Vehicles reported "Ought not to pass" on Bill "An Act to Increase the Cost of Operators' Licenses" (H. P. 1306) (L. D. 888)

Mr. Burgess from the Committee on Taxation reported same on Resolve Proposing an Amendment to the Constitution to Limit the Rate of Income Tax to Not More Than Five Percent (H. P. 1489) (L. D. 1090)

Same gentleman from same Committee reported same on Bill "An Act to Impose an Excise Tax Upon Charges for Meals" (H. P. 1554) (L. D. 1183)

Reports were read and accepted.

Tabled

Mr. Jordan from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Tax on Cigarettes" (H. P. 625) (L. D. 415)

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

Mr. SLEEPER: Mr. Speaker and Members of the House: We are apt to need some sort of tax of this kind, so I move that this be laid on the table until the last possible moment.

Thereupon, the motion prevailed, and the matter was tabled pending acceptance of committee report.

Mr. Lombard from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Imposing Miscellaneous Taxes" (H. P. 1590) (L. D. 1243)

Report was read and accepted.

Ought to Pass

Printed Consolidated Resolves

Mr. DeSanctis from the Committee on Claims on the following Resolves:

H. P. 157, L. D. 148, Resolve to Reimburse the town of Kingfield for Support of Charlene Burgess.

H. P. 221, L. D. 159, Resolve to Reimburse the town of Patten for Support and Care of Children of Howard Stubbs.

H. P. 234, Resolve to Reimburse Town of Sanford for Assistance Rendered Maurice Hickey.

H. P. 416, L. D. 246, Resolve to Reimburse the town of Fort Fairfield for Support of Omar Michaud and Family.

H. P. 476, L. D. 310, Resolve in favor of Ada Tarbell, of Smyrna Mills.

H. P. 478, L. D. 311, Resolve to Reimburse Caswell Plantation for Support of Sybil Hendricksen.

H. P. 480, L. D. 313, Resolve to Reimburse the city of Eastport for Hospital Care of William John Price

H. P. 587, L. D. 360, Resolve to Reimburse the town of Orrington for Support of Beatrice M. Saunders and Family.

H. P. 595, L. D. 367, Resolve in favor of George P. Pulsifer, of Poland.

H. P. 639, L. D. 430, Resolve in favor of the Eastern Maine General Hospital of Bangor.

H. P. 816, L. D. 472, Resolve in favor of the town of Albion for Burial Expenses of Charles Hurd.

H. P. 889, L. D. 540, Resolve in favor of Edmund P. Skillin, of Freeport.

H. P. 892, L. D. 541, Resolve in favor of Charles A. Dean Memorial Hospital for Services Rendered to James Smith, a State Pauper.

H. P. 1048, L. D. 687, Resolve in favor of the town of Atkinson.

H. P. 1050, L. D. 689, Resolve to Reimburse the town of Hebron for Tuition Paid for Ronald Bishop.

H. P. 1051, L. D. 690, Resolve to Reimburse the town of Strong for Money Expended for State Paupers.

H. P. 1054, Resolve to Reimburse the town of Strong for Money Expended for James Black and Novell Littlefield.

H. P. 1370, L. D. 992, Resolve to Reimburse the town of Frankfort for Support of Lester Greenleaf.

H. P. 1371, L. D. 993, Resolve in favor of Daigle & Daigle of Port Kent.

reported same in a Consolidated Resolve under title of "Resolve Providing for the Payment of Certain Pauper Claims" (H. P. 1741) (L. D. 1488) and that it "Ought to pass".

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

Mr. Marsans from the Committee on Education on the following Resolves:

H. P. 487, Resolve in favor of Limington Academy.

H. P. 602, Resolve in favor of Greely Institute.

H. P. 652, Resolve in favor of Corinna Union Academy.

H. P. 898, Resolve in favor of Monson Academy.

H. P. 1002, Resolve in favor of Berwick Academy.

H. P. 1056, Resolve in favor of Lincoln Academy.

H. P. 1057, Resolve in favor of Wiscasset Academy.

H. P. 1375, Resolve in favor of Freedom Academy.

H. P. 1376, Resolve in favor of Litchfield Academy.

H. P. 1377, Resolve in favor of Monmouth Academy.

H. P. 1536, Resolve in favor of Robert W. Traip Academy.

reported a Consolidated Resolve (H. P. 1747) (L. D. 1493) under title of "Resolve in favor of Several Academies, Institutes and Seminaries" and that it "Ought to pass."

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

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

Mr. MILLS: Mr. Speaker, I do not wish to attempt to throw these resolves out the window and I am not going to so move, but I do think that we should pause once in a while and consider some of the things that we do, and this particular thing is close to my heart and I want to express myself on it, and I would like to have information.

We have set a precedent in assistance to private schools, beginning with last summer — not beginning with last summer, of course, because it has been a precedent of long standing. But we raised fifty thousand dollars for Ricker Junior College last summer out of the post-war reserves, to help them in disaster relief and to build a building, and recently in the Legislature we have gone along with a bill raising \$100,000 for Portland Junior College. And I wonder where we are going to stop? I wonder if we are going to gradually substitute for the public school system of the State the private schools and academies, and because I do not like to see that trend accentuated, I rise here this morning in this regard.

As I look at the calendar I notice that there are a number of resolves which were introduced into the Legislature, and the Consolidated Resolve which comes out of the committee is another thing. It contains quite a number of schools and academies which were not covered by resolves which were introduced, that is, as far as the record shows. I see Limington Academy down through Traip Academy, and the resolve which was reported out starts with Anson Academy and comes down through Wiscasset Academy. Now I don't like this at all. I know that something like this interferes with the old school ties of many of us who have been at these schools, but I hope that because of that and because of the sentiment, we won't vote away the public funds for private institutions over which the public in many cases has no control. Now I know that in some cases it does. I know that some of these academies are substitutes for high schools, and the people of those communities control those

schools just as much as they would if they were high schools. For instance, Wilton Academy is the high school for Wilton, and certainly it should have the same support which a high school would have in that community.

But I look up the list and I see Oak Grove School, \$800, and my impression is that it is a very, very nice school rather a fancy school for young ladies, and I wonder if this is to buy another riding horse or something of the sort. And I wonder just what claim they have on the public funds. I understand that in years gone by the figure has run up into several thousands for that very delightful school.

Now I wish the Education Committee would tell us what the plan is and what the purpose is and what the reason is behind it. Is it all based on the old school tie proposition? There are quite a number of us here who have been to these schools, and naturally we want to do something for the old school, so we raise some money and give them a very minor windfall. Now this doesn't amount to very much; this is small change in the Maine Legislature. \$33,700 is just a mere trifle the way we are handling funds this winter—nothing compared with \$100,000 for Portland Junior College.

I would like to hear from the Education Committee and know more about this. I would like to know why we do it. I know there are very good reasons and that is the reason why I question it. I won't make any motion, but certainly, at this time, I would like to hear from our Education Committee.

The SPEAKER: The pending question is the assignment of this resolve for its second reading.

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

Mr. MARSANS: Mr. Speaker, I might reply, for the benefit of the gentleman from Farmington (Mr. Mills) and also for the benefit of other members of the House and do a little explaining on this particular matter.

I can well agree with my opposite corner member that there should be some consideration as to why this has to take place. He has answered part of that by showing you that Wilton Academy does act as a high school for that particular area.

It just so happens that this is a fund that was set up quite a while

back to help out those academies and private schools that acted beyond the four-year high school grouping. In other words, they offered the possibility to the Maine youth to go back and take post-graduate courses, anything up to the college level. In other words, you find these academies offer instruction beyond the high school. Most of them are considered, perhaps, junior colleges, or at least students can go there for post-graduate work. In a good many cases you will find that a lot of G. I.s are going back to refresh themselves preparatory, perhaps, to going to college.

It is also true, as the gentleman from Farmington (Mr. Mills) pointed out that in the past severe abuses have taken place. We have, in the past three sessions, been trying to correct these abuses, and the particular school mentioned was at one time up in the thousands, and we have just cut it back down again to half as much as it got last year, to the present \$800. We thought that it should have some consideration because it still does take care of some pupils from Maine in what they consider their needs or their wants in regard to education. We have gone through very carefully and tried to apportion the money on the basis of need, on the basis of the job that they were doing in regard to the majority of the students in the State of Maine, and paying particular attention, if you will notice, to those schools which were in need particularly at this time. In other words, Anson and Freedom Academies had severe fires which burned practically all of their buildings, Freedom especially, and this year they have been boosted and been given the bulk of the money. We took that from other places that could well afford it because they were private schools to a great extent and they could afford to do without that particular money.

You must remember that these are institutions that do not have a town to fall back on in case they go in the red or in case the sledging is tough. The usual high school, in case it needs more funds, maybe gets more funds from the town. These schools do not have that. This is the only shock absorber that these academies have. They are doing a good job in their towns. They are taking care of their local children to the same extent as the

local high school, and we feel that this \$33,000, approximately, that it takes, is a small help. If these academies were wiped out, rest assured it would cost the State of Maine or these academies of the State of Maine much more than \$33,000 to take care of the number of children that these academies are schooling. I think, perhaps, that might answer it.

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

Mr. WEBBER: Mr. Speaker, I would like to ask a question through the Chair of the gentleman who just spoke.

The SPEAKER: The gentleman may ask his question.

Mr. WEBBER: Will this mean a continuation of this policy as a steady diet, as a tradition or what? I mean, this appropriation every year?

The SPEAKER: The gentleman may answer if he wishes.

Mr. MARSANS: It will as long as that fund is available. There is a fund set up by the Department of Education to apportion this out among the academies according to their needs or according to what we think are the needs of those academies. As long as the fund is there to administer and to be apportioned out, it will be apportioned. I might say that that is all set up by law and, actually, there is no need to put in a resolve. Some do. That is why it appears on your calendar here—what took place with those resolves, but whether we put in a resolve or not, it comes out in a blanket resolve anyway. We have to show the disposition of those resolves that were introduced so that we have a small list here whereas the bill reports all those that do receive consideration. As long as that funds exists for this purpose, the Committee on Education has to administer it.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

Mr. COUSINS: Mr. Speaker, I would also like to ask the gentleman from Monmouth, Mr. Marsans, a question through the Chair, if I may.

The SPEAKER: The gentleman may ask his question.

Mr. COUSINS: Where does this fund come from? Is this fund taken from the general fund or has somebody set aside in years past

this money or is it appropriated every year from the general fund of the State, or where does it come from.

Mr. MARSANS: Primarily, like all funds, other than highway funds, it has to come from the general fund. It is a part of the appropriation given to the Department of Education, set aside especially for academy aid. The amount is used each year of the biennium. The fund varies a bit; it is not a constant fund; it is just used when money is not available according to the pro-rata set-up, because some of that particular fund is used for per capita attendance at schools, and whatever happens to be left is apportioned out among the academies. It varies from thirty to thirty-three thousand dollars.

Mr. MILLS: Mr. Speaker, may I ask a question through the Chair?

The SPEAKER: The gentleman may ask his question.

Mr. MILLS: I hope you will understand that I am not in any way trying to heckle my worthy colleague. I just want to get as much information as I can. I wonder if any of these school are private properties, profit making properties which are run at a profit. Are some of them run for what they can get out of them and to make a living for the people who run the schools? In other words are they profit-making enterprises?

The SPEAKER: The gentleman may answer.

Mr. MARSANS: I believe in most cases you will find that they are in the red. I do not believe there are any of them which are being run as business enterprises. Even some of the better equipped and better known schools as in the case of one which it has been intimated here is not too far from Augusta, originally they were founded by organizations, perhaps of a church nature, and the only profit to those who ran them was that they received a certain salary for running the schools. The school, itself, tries in so far as possible, to at least break even. At the end of the year the trustees gather around and divide up the money that is left over. They are all run by a board of trustees which receives no pay, and in most cases, the academies have had a difficult time in keeping their heads above water. That is why this fund was started in the beginning. The State saw that the academies were

having a tough time but that they were doing a real job in helping to educate our children, they needed a little help and this is the help that the State decided to give them.

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

Mr. FITCH: Mr. Speaker, in looking over this list I notice there is Kents Hill and M. C. I. I would like to ask a question: Why is the best academy omitted? Namely, Hebron Academy.

The SPEAKER: The gentleman may reply if he wishes.

Mr. MARSANS: Hebron Academy was omitted in the past biennium due to its being closed. I do not recall that they made any specific requests this year. There are other academies that are doing a very good job; their financial set-up is such that they are heavily endowed and they are able to take care of themselves to the extent where they feel they do not want to draw on this small fund, which is available to those who do not have that financial set-up.

We do have a list of the resources of these academies. You can probably realize yourself the resources that Hebron might have. As I recall it, their resources are about ten times more than this fund is in itself. Therefore, they are probably sitting back and saying: "Well, we do not need that as much as some of the other schools."

Thereupon, the rules were suspended and the resolve had its second reading and was passed to be engrossed and sent up for concurrence.

Ought to Pass in New Draft

Mr. Anderson from the Committee on Legal Affairs on Bill "An Act relating to the Construction, Installation, Repair, Use, Operation and Inspection of Elevators, Dumb-Waiters and Escalators" (H. P. 1442) (L. D. 1054) reported same in a new draft (H. P. 1745) (L. D. 1491) under same title and that it "Ought to pass"

Mr. Turner from the Committee on Ways and Bridges on Bill "An Act relating to Maintenance of Bridges on State Aid and Third Class Roads" (H. P. 1411) (L. D. 1026) reported same in a new draft (H. P. 1746) (L. D. 1492) under same title and that it "Ought to pass"

Reports were read and accepted, and the New Drafts, having already been printed, were read three times under suspension of the rules, passed to be engrossed and sent to the Senate.

Ought to Pass Printed Bills

Mr. Judkins from the Committee on Claims reported "Ought to pass" on Resolve in favor of Leola J. McCourt of Strong (H. P. 417) (L. D. 247)

Same gentleman from same Committee reported same on Resolve in favor of the town of Woodstock (H. P. 1148) (L. D. 764)

Reports were read and accepted, and the Resolves, having already been printed, were read twice under suspension of the rules, passed to be engrossed and sent to the Senate.

Mr. Cole from the Committee on Motor Vehicles reported "Ought to Pass" on Bill "An Act relating to Law of the Road for Motor Vehicles" (H. P. 933) (L. D. 550)

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" report of the committee?

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

Mr. BICKFORD: Mr. Speaker and Members of the House: I don't quite understand this bill — perhaps I am a little thick-headed. The bill says that "Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

"First: When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement."

"Second: When the right half of a roadway is closed to traffic while under construction or repair, and

"Third: Upon a roadway divided into 3 marked lanes for traffic under rules applicable thereon," and

"Fourth: Upon a roadway designated and signposted for one-way traffic."

Now it looks to me, under that, that you have to stay on the right hand side of the road all the time, except under those conditions. It doesn't seem right to me that when you are travelling on the road and there is no necessity for keeping on the right-hand side — you have to stay on the right-hand side of the road all the time. Perhaps the

gentleman who introduced the bill, Mr. Cole, would give us a little more light on it.

The SPEAKER: The pending question is upon the acceptance of the "Ought to pass" report of the committee.

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

Mr. COLE: Mr. Speaker, I didn't intend to speak on this bill, but since the gentleman has asked a question, I will try to answer him.

It seems to me that it is only good driving judgment for a man to drive on the right-hand side of the road, whether or not he can see anything approaching. It seems to me that the right-hand side of the road belongs to the man travelling in that direction and as far as possible he should drive there.

This bill is not particularly my bill. It is a bill that comes under the uniform code and was recommended by the State Highway Police Department.

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

Mr. BICKFORD: Mr. Speaker, I would like to ask the gentleman one more question, through the Chair.

The SPEAKER: The gentleman may ask the question.

Mr. BICKFORD: Do I understand that a person driving in the middle of the road would be breaking the law — that is, under these provisions? If he was, it seems to me that most of us would be breaking the law most all the time that we are driving. I don't like that kind of a proposition. I would like to ask the gentleman through the Chair if, in his understanding, a driver would be breaking the law all the time except under these provisions — a driver who was driving in the middle of the road.

The SPEAKER: The gentleman may answer if he wishes.

Mr. COLE: The State Highway Police said that they had no provision in the law at the present time to require a man to drive anywhere in the road except where he wanted to. If a man chose to drive on the left-hand side of the road, they might ask him to drive on the right, but there was no law that provided that he must. I would say, under this law, that a man that drove in the middle of the road definitely would be violating the law.

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

Mr. HARRIS: Mr. Speaker and Members of the House: I can see the viewpoint of the gentleman from Portland, Mr. Cole, and the only objection that I see to this bill is that I think it should specify State roads. We have roads in our town, where, if a man drove on the right-hand side, he would be out in the woods. The only objection I can see to this bill is that it should be amended to cover State roads or police-patrolled roads or anything to take it out of the place where somebody might have a suit against somebody for being in the middle of a narrow country road or something like that.

The SPEAKER: The question before the House is upon the acceptance of the "Ought to pass" report of the committee.

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

Mr. CAMPBELL: Mr. Speaker, I think we have some State roads where it would be impossible to drive on the right-hand side of the road all the time. If this bill could be amended to read "divided highways" like these cement roads, I think it would be all right, but to require a person to drive on the right-hand side of the road all the time, I don't think this is the way it should be. I think this bill requires an amendment.

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

Mr. ALLEN: Mr. Speaker and Members of the House: As a member of the Motor Vehicles Committee, which turned out this bill, I would merely like to call attention to two facts.

First of all, as has been emphasized by my colleague from Portland (Mr. Cole), this bill is in here because there are not any statutes or regulations covering it, also this is part of a uniform motor vehicle code which the State is trying to adopt in modernizing, to keep in touch and in harmony with other states and adjoining states.

I also call attention to the fact that according to the first sentence in this bill it says: "Upon all roadways of sufficient width. . ." which I would think might answer the question of the gentleman from Chelsea (Mr. Harris). That is why the bill is in here.

The SPEAKER: All those in favor of the "Ought to pass" report of the committee will please say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the "Ought to pass" report was accepted.

Thereupon, the bill, having already been printed, was given its two several readings under suspension of the rules and was assigned for third reading tomorrow morning.

Ought to Pass with Committee Amendment

Mr. Judkins from the Committee on Claims on Resolve to Reimburse the town of Strong for Fighting Fire in Salem Township (H. P. 1155) (L. D. 1494) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 1155, "Resolve to Reimburse the Town of Strong for Fighting Fire in Salem Township."

Amend said Resolve by striking out after the word "the" in the 2nd line the following words, "general fund", and insert in place thereof the following: 'Maine Forestry District Fund'

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

Passed to be Engrossed

Bill "An Act Adjusting the Salaries of All Full-time State Employees" (H. P. 1735) (L. D. 1477)

Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals (H. P. 1738) (L. D. 1476)

Resolve in favor of Carrie M. Brawn, of Guilford (H. P. 1053) (L. D. 692)

Resolve in favor of Leon Bemis of Farmingdale (S. P. 540) (L. D. 1458)

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

Amended Bills

Bill "An Act relating to Eligibility of Certain Veterans for Assistance" (S. P. 287) (L. D. 802)

Bill "An Act to Incorporate the Lincoln-Chester Bridge District" (H. P. 499) (L. D. 354)

Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantine" (H. P. 1365) (L. D. 987)

Bill "An Act relating to Liquor Licenses in Unorganized Territory" (H. P. 1597) (L. D. 1251)

Bill "An Act Increasing the Share of the State in Pari Mutuel Pools" (H. P. 1730) (L. D. 1460)

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1948 and June 30, 1949" (H. P. 1734) (L. D. 1475)

Resolve in favor of Roy R. Bell of Thomaston (H. P. 328) (L. D. 206)

Resolve in favor of Mrs. Ralph Cooper, of Madison (H. P. 586) (L. D. 359)

Resolve to Reimburse the town of Whiting for Transportation of State Children (H. P. 1020) (L. D. 652)

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

Resolve in favor of Knox Memorial Association, Inc., for Support and Maintenance of "Montpelier" (H. P. 1045) (L. D. 684)

On motion by Mr. Lord of Camden, the House voted to reconsider its action of April 30th whereby it adopted Committee Amendment "A."

Mr. Lord then presented House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

House Amendment "A" to Committee Amendment "A" to H. P. 1045, L. D. 684, "Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of "Montpelier".

Amend said Amendment by striking out the second paragraph thereof, and inserting in place thereof the following:

Further amend said Resolve by striking out the figure "\$1500" in the fourth line thereof and inserting in place thereof the figure "\$1,000"

House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" was then adopted, and the Bill was passed to be engrossed as amended and sent to the Senate.

Passed to be Engrossed

Resolve in favor of Joseph V. Tardiff, of Augusta (H. P. 1150) (L. D. 765)

Resolve to Compensate town of Houlton for Assisting Kingman to Fight Fire (H. P. 1270) (L. D. 1483)

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

**Final Passage
Emergency Measure**

Resolve Proposing an Amendment to the Constitution to Regulate Traveling Expenses of Members of the Legislature (H. P. 1727) (L. D. 1459)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 116 voted in favor of same and none against, and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to the Enrichment of Flour and Bread (S. P. 243) (L. D. 660)

An Act relative to Closed Season on Deer on Swan's Island, in the county of Hancock (S. P. 277) (L. D. 817)

An Act to Incorporate the Orono-Veazie Water District (S. P. 459) (L. D. 1289)

An Act to Create the Waterville Sewerage District (S. P. 519) (L. D. 1410)

An Act to Revise the Sea and Shore Fisheries Laws (S. P. 525) (L. D. 1430)

An Act relating to Salary of Superintendent of Schools (H. P. 111) (L. D. 95)

An Act relating to a State Police Barrack in the county of Cumberland (H. P. 358) (L. D. 228)

An Act Increasing the Salaries of the Judge and Recorder of the Saco Municipal Court (H. P. 949) (L. D. 554)

An Act Amending the Unemployment Compensation Law as to Benefits (H. P. 1380) (L. D. 999)

An Act Amending the Unemployment Compensation Law as Employer's Experience Classification (H. P. 1439) (L. D. 1043)

An Act relating to Permanent State Trust Funds (H. P. 1479) (L. D. 1080)

An Act relating to Aeronautical Fund (H. P. 1496) (L. D. 1116)

An Act relating to Reimbursement to the Federal Government by Reason of Certain Recoveries (H. P. 1593) (L. D. 1249)

An Act Providing for Registration of Bear Killed (H. P. 1717) (L. D. 1447)

An Act relating to Tagging and Marking of Beaver (H. P. 1720) (L. D. 1449)

An Act relating to Bounty on Bears (H. P. 1721) (L. D. 1450)

An Act relating to Hunting and Trapping Seasons (H. P. 1722) (L. D. 1454)

An Act relating to the Salaries of the Officers of the Legislature (H. P. 1723) (L. D. 1451)

An Act Increasing the Salaries of the Clerks in the Office of Clerk of Courts in Oxford County (H. P. 1724) (L. D. 1452)

Finally Passed

Resolve in favor of Arthur H. Ashmore, of Camden (S. P. 252) (L. D. 714)

Resolve in favor of Lamont and Nellie Bean of Phillips (H. P. 418) (L. D. 248)

Resolve in favor of George P. Milne and Jesse B. Lewis, both of Hallowell (H. P. 1019) (L. D. 651)

Resolve in favor of W. E. & F. E. Andrews, of Bingham (H. P. 1151) (L. D. 766)

Resolve in favor of Fox & Ginn, Inc. (H. P. 1599) (L. D. 1267)

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.

On motion by Mr. Mills of Farmington,

The House recessed until 1:30 P. M.

After Recess

1:30 P. M., E. S. T. Called to Order by the Speaker

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

Mr. JALBERT: I request unanimous consent to address the House.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests unanimous consent to address the House. Is there objection? The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: I walked into the Augusta House this noon and I was chased out of there. I walked into the Capitol Lunch; I made it. I walked into the retiring room, I was chased out of there. I almost succeeded in chasing one of my colleagues out of here—but I want to state that I was not here this morning; I should have been here this morning; I have no alibi to offer, but if I had been here, here's my vote: "No!"

The SPEAKER: Ladies and Gentlemen of the House: Following the remarks of the gentleman from Lewiston, Mr. Jalbert, the Chair wishes to remind you that this is the eighteenth week of the session and we have before us for action some of the most important matters which have been presented to this Legislature, including the matters of taxation. In order to expedite the business, it may be necessary to hold evening sessions today and tomorrow and also to hold a session on Saturday. The Chair calls this to your attention because it is of utmost importance that every member be in his seat during the closing days of this session. By carrying out this schedule, it may be possible for us to reach final adjournment some time next week.

Orders of the Day

The Chair lays before the House the first item of unfinished business, An Act Relating to Conveyance of Elementary School Pupils, (H. P. 1681) (L. D. 1392) tabled on April 29th, by the gentleman from Auburn, Mr. Williams, pending passage to be enacted.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: It is with real regret that I rise to oppose this bill. If I did not have some rather strong convictions in the matter, I would not do so. If I believed the vote on this measure, in the first instance, represented the feelings and convictions of this House I would not do so.

You will remember that this morning we discussed, or rather conducted a question period, in regard to aid to private institutions and private schools. It is my feeling that this is another matter of the same type.

Since I tabled this matter, many members of the House have spoken to me. Many of them believe as I do. There are, obviously, many others who do not agree with me. They are equally sincere and have equally strong convictions. Some of them would have spoken when this measure was considered before except for the fact that the debate took up only one side of the matter and was strictly, as it appeared to me, made on an emotional basis. The vote was rather the result of an emotional appeal and those who had convictions did not want to vote against the measure for fear that they would be placing themselves in the position of being narrow-minded. I believe that each one of us has the right to entertain his own convictions and beliefs on this matter. We, here in the House, should consider very carefully and impartially, a reasonable matter, and decide just how far we should permit municipalities to go in engaging in aid to private institutions, private enterprises of any kind.

We recently considered the question of repairing cottage roads. In that case it was pointed out that no municipality had any right to raise money by taxation for private purposes; that they could not legally so spend money. There is one town in this State that has twice appropriated large sums of money, or attempted to, to aid private industries to settle in their particular locality. In one instance, it was restrained by a taxpayers' petition on a bill of equity. The other one is a current matter; I do not know what the result will be.

I think there is no real difference of opinion between opponents and proponents of this bill on that point.

That is that our freedom as individuals is based upon the Constitution of the United States and the Constitution of this State which was secured after long years of struggle. That is one of the basic features of that freedom and perhaps of most importance is the matter of our freedom to worship God as we see fit regardless of what our creed may be. We all have the right to establish private schools, to maintain them, if we see fit. Many of our schools all over the United States were established by denominations, some by the Baptist Churches, of which I happen to be a member, some by the Methodist, of which some of the rest of you are members, and so on down through the list. Many of these schools have drifted away from that but are still maintained as private institutions. I think that we all agree that that policy should continue. I know that the proponents of this bill sincerely believe it should. They are as much in favor of complete separation of Church and the State as I am; they have so expressed themselves to me.

I do not think that is the chief objection to this bill. Our Supreme Court has considered the matter; there was a sharp difference of opinion there. In speaking of the Supreme Court, I am speaking of the Supreme Court of the United States. I have not checked our laws and as far as I know, our State Supreme Court has not ruled on the matter. It is, rather, in connection with aid to private schools that I wish to consider the matter.

Mrs. Williams and I have a friend who runs a private kindergarten. Should any aid or help be given to a private enterprise of that character? You would all agree that it should not.

In other places, we have private institutions of various types, some of them were mentioned this morning. Should we aid those? I think the answer that most of us would give is no if they are private institutions, private schools. Our Legislature has, in the past, recognized the fact that some municipalities do not maintain any high school. It is provided in Chapter 37, Section 96, that a town not having a high school might contract with an academy or a seminary or other private educational institution for the education of their children; that they might pay their transportation or help them to get there,

or help pay their board, and some of those items; but when the amount paid by the towns to that academy exceeds the income of the academy from other sources, as it does in many of our schools, then the law provides that the trustees of the school and the superintending school committee of the town shall create a joint board of a like number from each of their respective boards to operate the institution.

I would like to call your attention, at this point, to the fact that in our municipalities, as such, we only raise money for the purposes that are specified. We have provided in Section 90, Chapter 80, that they may raise money for support of schools, for the support of the poor, for highways, bridges, and other matters, and also provided that they might raise money for constructing buildings for academies, seminaries, or institutes but with the added provision that this could be done only where the town was paying more than half of the income of that academy. That is, they were doing it to support their own pupils in that school. I do not find anything in our law, our statutes, or our constitution, that would permit a municipality to aid a private school directly or on any basis except that matter of tuition.

Now for a moment I would like to consider the bill before us. It has been pointed out and it will be pointed out again that this is permissive legislation. It has been said that it would not cost any municipality anything. The school committee would only permit the carrying of pupils at their discretion. Now, once they have agreed to carry and start carrying pupils to any school, what will they do if the bus is not of adequate size to carry those pupils when more families move into the neighborhood or more children come of age? Are they going to tell those that are going to a private school at that time: "You cannot ride because there is some one has come in here who is going to public school"; or are they going to let the public school pupils walk? I do not think so and neither do you.

They would not do either one. They would buy larger buses or put another bus on. The reason I point that out is because it will very definitely involve an expenditure of

public funds. This bill, as originally introduced, Legislative Document No. 210, provided that where towns did not operate a school for their children "a privately maintained school, which is not operated for profit and which is accepted by the State Commissioner of Education as a satisfactory substitute for the public school, the children attending such private school may ride on established school buses with the same rights that are given to the children in the public schools." The revised bill, new draft, 1392, is as follows: "The superintending school committee of any town, in its discretion, may permit any child of school age to ride on school buses which travel on established bus routes."

I want to point out here that when we start conveying pupils to private schools, if we convey a part of those pupils, we are certainly not going to stop there. If these pupils are on routes where they do not go they will establish a route so that they can ride and it would be, in this case, as it would be in most cases of permissive legislation, a series of amendments. If you take this bill and strike out "in its discretion may" and insert the word "shall," you have mandatory transportation and, in like manner, you would strike out "established bus routes" at the end.

I question whether, if we pass this bill, a municipality would have any legal right to raise money to buy a new bus, if they were transporting private school pupils. It seems to me that it makes no essential difference whether it is a private kindergarten, a private elementary school, or a private school such as some that were mentioned here this morning, where the cost may be from \$800 to \$1,500 per year. When you start using public funds for that purpose, you are violating this principle of using public funds only for public purposes. We do maintain a public school system in this State in order to create a democratic population, people that live together, work together, play together; I believe that is a good system, it provides that everyone shall have an education.

On the other hand, if I see fit to send my child to a private kindergarten or a private school I have a right to do so. Should I send my daughter to Oak Grove, I should pay the bill. It might save the City

of Auburn something if I did it but I do not see why they should help pay nor do I see why the State should do so.

In conclusion, I think there is very little that need be said. I have covered the objections that I have. I see no particular difference between these items of building a school, repairing a school, general maintenance, text books, instructors, or transportation. It all goes into the maintenance of that school and if we broaden the line on the State level, on the municipal level, so that we aid private schools I think we will be making a grave mistake. It seems to me that the questions and answers this morning here indicate a feeling among many members of this House that they feel we should be very careful on this matter of expending public funds for private schools. I therefore, move indefinite postponement of this bill and when the vote is taken I ask for a division.

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

Mr. McGLAUFFLIN: Mr. Speaker, I am completely amazed that a man with the intelligence that I supposed my brother, the gentleman from Auburn, Mr. Williams, possessed, should put up such an argument as he has just put up.

I spoke the other day of a certain statement as being "the bunk," but it does not compare with this, in my opinion.

This bill does not call for the expenditure of one cent. It is just plain commonsense, showing a little bit of humanity to give a child a ride on a bus that is going anyway. It seems to me to be an insult to your intelligence, when one hundred and six members of this Legislature to one voted for this measure, and after several members of the Legal Affairs Committee spoke in favor of it, that you should be so carried away by your emotions and that you should now say that you did not know what you were doing, and therefore you have got to now come up and indefinitely postpone this measure, admitting that you did not know what you were doing and admitting that you were so emotionally inclined that you could not resist that thing, and, now that you have recovered your senses, you are going to vote some other way.

Let me call your attention to the fact that the parents of these chil-

dren you are asked to carry all pay taxes for our schools just as we pay them. Why shouldn't they get something for their tax money in the way of schools? They take care of their own schools in addition to helping take care of ours. They do not get anything for that. And now, because they ask to get a ride, there are all kinds of imaginary legal barriers brought up here; there is danger of having the question of church and State raised again. I do not think it is necessary for me to discuss this matter again. I am completely amazed at the narrow bigotry that I have found in some people on a matter of this kind.

Let me read you this: "The superintending school committee of any town may permit any child of school age to ride on school buses which travel on established school bus routes."

Is there any authorization for the appropriation of money? Is there any constitutional question raised there? Is there anything but just fair-minded plain commonsense in that measure? I do not have to say, "Do not vote to indefinitely postpone that measure." I know that you wont do any such thing.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Lord.

Mr. LORD: Mr. Speaker and Members of the House: I just want to call the attention of the members of the House to the reason why I, as one of the members of the Committee on Education, signed the "Ought not to pass" report, and I am doing that because I feel that each one of you when you go home, if this bill is passed, will remember my argument with reference to opposing this bill. I opposed the bill because I thought it opened the door to an expense upon the towns that was not necessary. Now, I have been a member of the school department for thirty-five years and I have worked with school committees all over this State and I can not conceive of a condition arising, if we pass this bill, and children are in a certain section of the town that is not covered by the present route, that the route will not be changed. If we pass this bill, and will allow any child of school age to travel on school buses, all the children will be carried on school buses. It will not be, as was reported here a few days ago, just those children who happen to live

where the school buses are going by as is, but, in my judgment, that will be carried to all sections of the town, and I think that you will find that in many towns and cities in the State of Maine, it is going to entail the matter of buying new buses. Buses, as I know them now, are all overcrowded and I think that if you take children that are not going to the public school and give them an opportunity, or make it necessary, for them to ride, you will have to increase the school buses.

Now that is the only point that I have in the matter. It is not intolerance on my part whatsoever or bigotry; I have no interest in the matter of religion in this and the members of the Committee know it. The matter was never brought up in committee; no religious question entered into the argument. It is just a matter of whether we feel that we can go to that extra expense in our towns and cities to put on new buses, which you will have to do, mark my words. If you do not believe it, after the bill is passed, you will find it is true. If you think that is the way we should conduct the program and make that extra expense to your towns and cities, pass this bill.

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

Mr. TREMBLAY: Mr. Speaker and Members of the House: When the vote was taken on this measure last week, in my estimation, it reflected the will of this House in such a decisive manner that I am really wondering why it is brought up again for our consideration. I truly believe that a lengthy discussion on the measure will not change the vote to a great extent and, no doubt, we shall lose valuable time. I would like, however, to speak, briefly, on the few fundamental principles underlying this problem.

When the public hearing on this bill was held a few months ago, I was unable to attend due to the large number present in that committee room. I am informed, however, that many arguments were presented by the opponents of this bill and perhaps they might boil down to the following issues:

First, the complete separation between Church and State; second, unlawful use of public money for private or religious purposes. Both

of these arguments are so closely inter-related in this case that it does not seem necessary to make any distinction between the two and, in passing, I would like to say that I have a great deal of respect and admiration for the convictions of the gentleman from Auburn and that the arguments that I will present to you have a lot in common with his up to a certain point. I, too, Ladies and Gentlemen, wish to concur with the opponents of this bill in the contention that Church and State should be completely and permanently separated. As a matter of fact, I have a great deal of respect and admiration for those who first effected this separation in America in 1786. I am referring to those illustrious Virginians: Jefferson, Madison, Mason, and a few others, who are also responsible for incorporating this constructive piece of legislation in our Bill of Rights in the first amendment to the Constitution of the United States.

Now, assuming that we all agree that complete and permanent separation should exist between Church and State, and I think we all do, it would appear to me that this bill is in no way a violation of that law. I believe that you will agree with me, also, when I say that the mere act of transporting children by motor bus, to and from a private school does not, in itself, constitute approval of or participation in certain instructions which may be given in that school. And, as a corollary, the expense incurred in so doing does not constitute use of tax money for a religious or private purpose.

It is, in my estimation, as much a public service as police, fire protection, public health, sanitation, and so forth, and these are given to everybody regardless of the type of school they attend. At least, that seems to be the interpretation recently given in the majority decision by the Supreme Court of the United States. If the transportation of these children were an act of charity or courtesy extended by the municipality or the State, it might be construed as a condonation or a sanction of a worthwhile cause. But this is not the case. You are merely called upon to fulfill your obligations to that child as you would if he attended school on the other side of the street. Their parents are contributing their fair share of the tax money that such a program requires and they should be entitled to the benefits derived therefrom.

Let us take a specific case: In my community, we have approximately two-thirds as many children attending parochial schools as we have in public schools. It follows from this fact that if all these children attended public schools, our school budget would be 66-2/3% larger than it is at the present. In other words, instead of a budget of \$264,000 that we are now spending, it would be increased by, roughly, \$200,000, making a total of between \$400,000 and \$450,000.

This is not a request for a subsidy as was demonstrated this morning in the bill that we passed. This is merely a request to make legal what is already being done, and rightly so. In the light of these facts, do you believe we have the right to refuse the use of our school buses to these children; their parents do not think so. The point may be raised that these children could be sent to the public schools. I shall not argue that point; if that is your opinion. But the fact remains that they are attending these private schools, and, in so doing, are saving my town a great deal of money. As was said on the floor of this House last week by my colleague from Sanford, Mr. Broggi, it is in this manner that we are able to pay an average teacher's salary of \$600 more than the national average and \$800 more than the State average. I am leaving it to you, Ladies and Gentlemen, and appealing to your sense of justice and fair play. I hope the motion of the gentleman from Auburn does not prevail.

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

Mr. McCLURE: Mr. Speaker, I have already spoken on this matter before the committee and in the House I saw the vote 106 to 1. I thought then of Kents Hill, which, when I went there, was better known as Maine Wesleyan Seminary, and I thought how perhaps they did teach me how to interpret the teachings of Jesus Christ.

Perhaps there are many of you here better qualified to speak of Jesus Christ. Easter was just a short while ago, and I think, if we look back, it taught us to remember our Protestant teachings of Kents Hill, that when the stone is rolled

away from the tomb of God's children we are not going to be judged by race, color or creed but only by our acts as men on this earth. I do not believe there is a member in this House that is going to allow anything as far as religion to enter into this.

Gentlemen, during the war I served with the boys of all races. We rode the same trains, slept in the same tents, suffered the same hardships. I think that we today should not try to segregate our children as they grow up. Teach them the teachings that I learned at what I think is the greatest school in the world, Kents Hill. I hope that we will vote to let this permissive legislation go through.

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

Mr. PERKINS: Mr. Speaker and Members of the House: I voted for this bill a few days ago and I shall vote for this bill again, today. I do not see any question here of Church and State and I am sorry, myself, that the question has been raised. It seems to me that it is just simply a matter of common decency and of good neighbor policy to permit these children to ride upon these buses that are already upon bus lines already established. We passed this bill a few days ago by a large vote and I hope, Mr. Speaker and Members of the House, that the motion of the gentleman from Auburn, Mr. Williams, does not prevail.

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

Mr. THOMPSON: Mr. Speaker, I was defeated in the House, yesterday, 116 to 1, on the school union building bill. Now my good friend gets up and tells me that we can not afford any more buses to carry children on these established lines. If there is going to be a school union and we can not afford to carry these boys and girls, Catholic, or whatever they are, in buses, what are they going to do when the school unions go into effect?

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that this matter be indefinitely postponed.

The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House: I do

not know of anything more that I can say to you than has already been said. You know, of course, that I am the sponsor of this bill; you have heard the history of it; you know that it has been reshaped so as to eliminate in every possible way any contention that it was anything but permissive legislation. I would like, at this time, to express to the House my thanks for the very fine endorsement it was given when it was brought into the House on report a week or ten days ago.

I do not believe that there is anything in the law, anything of any kind in the law, that this bill will violate, neither in our statute law, our common law, or our Constitution. It seems to me that the opposition to this bill is not based upon any existing facts, it is the fear that in the future some further benefits may be sought. That position apparently discounts the ability and judgment of future Legislatures; it assumes that the superintending school committees in our several towns and cities do not have the judgment and discretion to manage their schools properly and with that premise, I do not agree. They speak of opening the door. I would like to say, parenthetically, that when I appeared before the Committee on Education, I was most courteously received, the hearing was very nicely conducted, it was conducted just as you would expect a hearing to be conducted by Members of this House. It is unfortunate that the open door has been suggested as a symbol of something which we should avoid; something not to be desired. I am not afraid that anything wrongful or harmful will result from opening the door of our school buses to these children.

The "open door" is a phrase which has long been used not to express unpleasant things. I looked into the meaning of that phrase and I found this in the Book of Revelations: John has written: "After this I look and behold a door was opened in Heaven and the first voice which I heard was as if it were of a trumpet talking with me which said: 'Come up hither and I will show these things which will be hereafter.'" The open door has long been a symbol of charity and hospitality, an invitation to better things. I am very glad that this House voted two weeks ago to open those doors. I hope, today,

that the House will vote the same way and that the motion of the gentleman from Auburn will not prevail.

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

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

The SPEAKER: The gentleman from Augusta, Mr. Fowler, has moved the previous question.

In order for the Chair to entertain the motion for the previous question, the consent of one-third of the members present shall be necessary.

All those in favor of the Chair entertaining the motion for the previous question 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: Obviously more than two-thirds of the members present having risen, the motion for the previous question is entertained.

The question before the House now is shall the main question be put now?

All those in favor of the main question being put now will please rise and remain standing until counted and the monitors have made and returned the count.

One hundred and two having voted in the affirmative and seven in the negative, the main question was ordered.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that Bill "An Act Relating to the Conveyance of Elementary School Pupils," which was reported in new draft under H. P. 1681, L. D. 1392, be indefinitely postponed.

The same gentleman has requested a division.

All those in favor of the indefinite postponement 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: Twenty-one having voted in the affirmative and ninety-five in the negative, the motion does not prevail.

Thereupon, a viva voce vote being taken the bill was passed to be enacted, signed by the Speaker, and sent to the Senate.

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

Mr. CHASE: Mr. Speaker, I ask that the rules be suspended in order to permit the introduction out of order of a brief resolution designed to clarify the tax program.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the rules be suspended at this time for the purpose of introducing a resolution.

In order for the rules to be suspended, it requires a two-thirds vote of the members present.

All those in favor of suspending the rules at this time for the purpose stated will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and two having voted to suspend the rules, the rules have been suspended.

The chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, after the Clerk has read the resolution, I should like to have it distributed to the members and I should like to call it up for consideration as soon as copies are available again under suspension of the rules.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the rules be suspended at this time for the purpose of introducing a resolution.

In order for the rules to be suspended, it requires a two-thirds vote of the members present.

All those in favor of suspending the rules at this time for the purpose stated will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and two having voted to suspend the rules, the rules have been suspended.

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

Mr. CHASE: Mr. Speaker, after the Clerk has read the resolution, I should like to have it distributed to the members and I should like to call it up for consideration as soon as copies are available again under suspension of the rules.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase,

presents the resolution and moves its adoption. The Clerk will read the resolution.

HOUSE RESOLUTION

RESOLVED, that the tax program ought to be a sales tax with emergency clause designed to raise about \$3,500,000 per year for the state, together with an income tax with referendum clause designed to raise about \$4,500,000 per year for the state to be submitted to the people as a substitute for the state property tax now in effect.

The SPEAKER: The resolution not having been reproduced, it is not in order for discussion at this time. The House may be at ease until it may be reproduced.

At Ease

Called to order by Speaker.

The SPEAKER: The pending question is upon the adoption of the House resolution presented by the gentleman from Cape Elizabeth, Mr. Chase. The Chair recognizes the gentleman from Farmington, Mr. Mills.

On motion by Mr. Mills, the matter was tabled and specially assigned for later in today's session, pending consideration.

The SPEAKER: Is it now the pleasure of the House to take up out of order, under suspension of the rules, the fifth item of unfinished business on today's calendar?

The Chair lays before the House the fifth item of unfinished business House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Excise Taxes on Motor Vehicles" (H. P. 1359) (L. D. 960) tabled on April 30 by the gentleman from Farmington, Mr. Mills, pending acceptance of the committee report.

Upon motion by Mr. Burgess, of Limestone, the House voted to accept the "Ought not to pass" report of the Committee on Taxation.

The SPEAKER: Is it now the pleasure of the House to take up out of order, under suspension of the rules, the first tabled and today assigned matter?

The Chair lays before the House the first tabled and today assigned matter An Act Providing Additional Highway Funds (H. P. 1678) (L. D. 1394) tabled on April 29th, by the gentleman from Limestone, Mr. Burgess, pending the same gentle-

man's motion to reconsider the action whereby the bill failed of enactment as an emergency measure.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I want to apologize to you at this time for injecting myself upon you so many times today and to thank you for the many courtesies you have shown me. At this time, with your kind permission, I would like to have reconsideration of the so-called gas tax bill which is Legislative Document 1394 and if you grant the privilege of reconsideration, I wish to offer an amendment which will limit the term of existence of that bill, if enacted, to a period of three years.

In other words, if I am allowed to present the amendment and it is accepted and the bill is passed, it will go for three years and then terminate unless a future Legislature votes to continue it. So, Mr. Speaker, I move reconsideration of L. D. 1394, An Act Providing Additional Highway Funds.

The SPEAKER: Is it the pleasure of the House to reconsider our former action whereby we failed to pass "An Act Providing Additional Highway Funds" as an emergency measure?

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

A viva voce vote being taken, the motion prevailed.

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

Mr. BURGESS: Mr. Speaker, I am not sure that the motion I will make will be correct, but I would move that we reconsider our action whereby this bill was passed to be engrossed.

The SPEAKER: Is it now the pleasure of the House under suspension of the rules to reconsider our action of April 17th, whereby this matter was passed to be engrossed? The motion prevailed.

Mr. Burgess then presented House Amendment "C" and moved its adoption.

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

House Amendment "C" to H. P. 1678, L. D. 1394, Bill "An Act Providing Additional Highway Funds."

Amend said Bill by inserting before the emergency clause at the end thereof, a new section to be

numbered section 10, to read as follows:

'Sec. 10. Limitation. The provision of this act shall be in effect until June 1, 1950. It is the intent of the legislature to change the present statutes until June 1, 1950, after which time the present statutes shall return to full force and effect.'

House Amendment "C" was adopted and the bill was passed to be engrossed as amended in non-concurrence.

On motion by Mr. Burgess, under suspension of the rules, the bill and accompanying papers were ordered sent forthwith to the Senate.

The SPEAKER: The Chair lays before the House the second item of unfinished business Bill "An Act Limiting the Weight, Length, Width and Height of Motor Vehicles." (H. P. 1194) (L. D. 782) (In House Passage to be Engrossed, Reconsidered.) tabled on April 29th, by the gentleman from Greenville, Mr. Rollins, pending passage to be engrossed.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: When I asked reconsideration of passage to be engrossed on this bill, I had no thought of hurting the bill in its entirety. The bill is a good bill but what I am attempting to do is to pass the bill as it came out of the committee by unanimous consent. I now move that we reconsider our action on the adoption of Senate Amendment "B".

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the House reconsider its action of April 24th, whereby it adopted Senate Amendment "B".

Is this the pleasure of the House? The motion prevailed.

The Chair recognizes the same gentleman.

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

The SPEAKER: The gentleman now moves the indefinite postponement of Senate Amendment "B".

Is this the pleasure of the House? The motion prevailed.

On further motion by the same gentleman, the bill, as amended by Committee Amendment "A" was passed to be engrossed in non-concurrence.

On further motion by the same gentleman, it was voted that the

House insist and ask for a Committee of Conference.

On motion by the same gentleman, under suspension of the rules, the bill and accompanying papers were ordered sent forthwith to the Senate.

The SPEAKER: The Chair lays before the House the third item of unfinished business, An Act Relating to Fees of Registers of Deeds. (H. P. 1699) (L. D. 1416) (In House, Enactment Reconsidered.) tabled on April 30, by the gentleman from Auburn, Mr. Williams, pending passage to be enacted.

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

Mr. WILLIAMS: Mr. Speaker, I now move reconsideration of our action whereby we passed this measure to be engrossed.

The SPEAKER: The gentleman from Auburn, Mr. Williams, moves that the House reconsider its action of April 18th, whereby this matter was passed to be engrossed.

Is this the pleasure of the House?

The motion prevailed.

The same gentleman presented House Amendment "A" and moved its adoption.

The Clerk will read the amendment as follows:

House Amendment "A" to H. P. 1699, L. D. 1416, Bill "An Act Relating to Fees of Registers of Deeds."

Amend said Bill by striking out the underlined 3rd, 4th, 5th, 6th, and 7th lines of section 232, and inserting in place thereof the following:

'Recording a deed, mortgage, or lease, or description of a family burying-ground, 75c \$1.'

Further amend said Bill by striking out in the second paragraph from the end thereof the underlined figure "300" wherever it appears in said paragraph and reinstating in place thereof the deleted figure "500", and striking out the underlined figure "30c" and reinstating the deleted figure "20c"

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

The SPEAKER: The Chair lays before the House the fourth item of unfinished business Bill "An Act Creating a Sewer District in the

Town of Sanford" (H. P. 1643) (L. D. 1335)

(In House, Read the Third Time) tabled on April 30, by the gentleman from Shapleigh, Mr. Gallant, pending passage to be engrossed.

The Chair recognizes the gentleman from Shapleigh, Mr. Gallant.

Mr. Gallant offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1643, L. D. 1335, Bill "An Act Creating a Sewer District in the Town of Sanford."

Amend said Bill by inserting after the word "members," in the 4th line of the 3rd paragraph of Section 6 thereof, the words: 'and the ex officio members'

Further amend said Bill by striking out all of the 4th paragraph of Section 6 thereof, and inserting in place thereof the following paragraph:

'A trustee or any inhabitant of said district may serve as treasurer and shall furnish bond in such sum and with such sureties as they may approve. Members of the board shall be eligible to any office under the board, but shall not receive any compensation therefor except as trustee, with the exception that whoever serves as treasurer shall receive a salary to be determined by said board of trustees. The compensation of the trustees shall be the sum of \$5 for each called meeting. Each member shall be sworn in for faithful performance of his duty.'

Further amend said Bill by inserting the word 'cubic' after the words "based upon the number of" in the 3rd line of Section 9 thereof.

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

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter House Report "A" "Ought not to pass" House Report "B" "Ought to pass in new draft" (H. P. 1736) (L. D. 1478) Under a New Title of "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing" a report from the Committee on Military Affairs on Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of

World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing." (H. P. 1578) (L. D. 1227) tabled on April 30, by the gentleman from South Portland, Mr. Jordan, pending acceptance of either report.

The Chair recognizes the gentleman from South Portland, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, I move that the House accept the "Ought not to pass" report.

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

Mr. MUSKIE: Mr. Speaker and Members of the House: I rise as a signer of the "Ought to pass in new draft" report of the committee to oppose the motion that has just been made. I am going to try to be as brief as possible.

I remember that the first time I ever spoke in this House was before the Military Affairs Committee, last summer, on this subject and it looks to me as if, possibly, the last time I will address this House will be on the same subject. I wish to so speak because I wish to speak for those veterans of World War II who do not or who do not plan to attend the University of Maine. It seems to me that section of our veteran population has been adequately represented. It also seems to me that the other veterans have not been adequately represented. We have heard much about the veterans who returned and who are looking for an education; we have heard little about the veterans who have returned and are trying to start small businesses, who are trying to start new families, and who are trying to regain positions that they had before they entered the service.

In my remarks on the sales tax a few days ago, I gave you an illustration of one of our veterans who has returned and who has quite a family and he is trying to make a go of it.

When I first came back from the service, I was told that the Legislature of the State of Maine was considering the passage of bonus legislation. I selfishly considered my own point of view first and I said: "No, I am opposed to a bonus." Starting from that point of view a little over a year ago, I have since had occasion to talk with veterans, and non-veterans, upon this particular subject more than any other piece of veterans' legislation that has been discussed by

the people of Maine. I read, not long ago, an observation that I thought very well fitted the situation, it was a theory that was followed by one of the great statesmen of this country. He said something like this: "Do not let logic be your master; too often we allow ourselves to be swayed by logic and ignore the premises from which it arises." This great man said, instead, "search your heart; use your imaginations to consider the positions of other people than yourselves, use logic as a guide, and, by combining the two, you will have arrived at a conclusion that will be humane and just."

And so it is that since my original opposition to a bonus, I have come to my present support of that kind of legislation properly drafted. I do not like the word "bonus"; I do not like it for this reason: The word "bonus" implies that we are trying to reward our servicemen. We are not looking for a reward; we are not looking for a token of gratitude. The only justification for the kind of payment that is called a "bonus" is as an adjustment of the financial position of the veteran today as compared to what it would be had he not been in the service. I do not pretend to say that we can make that adjustment complete but if we can do that in any measure, then we should seriously consider it.

For example, consider a veteran who went into the service and, in doing so, left a business or a profession. Coming back, he seeks to start again. In order to do so, he must reinvest in equipment, possibly in a car; he must acquire an office or place of business. If he wants a home, he must buy one on the present inflated market. If he had been here during the war years, he would not have to start all over again. The people who stayed behind, too, are faced with the same inflated prices but they are in a position in which they can get along for a while. They are not faced with a position in which they must buy certain minimum things in order to just get started again. The situation of which I speak applies not only to the man who is trying to pick up a profession or a business again; it applies to the man who is acquiring a new family. He has to buy furniture; he has to, in many cases, buy a home, just to get a place to live in; and he has to buy

those things, all of them, on an inflated market and he has nothing with which he can get along until prices are lower. And that is why I say the payment called a bonus is justified. I have opposed, on this floor, several veterans' bills. I have opposed them for two reasons: First, that some of them are concerned about the problems of only a few of our veterans at the expense of the rest of our veterans and, secondly, because all of them, as I recall, involve taxation or the necessity for creating new taxation, which in the end would not solve the veterans' problem.

And so I come to what I believe to be the attitude of the veterans with whom I have talked in great number and at great length during the last year. They would appreciate it, if they could get the kind of adjustment which I have mentioned but they do not feel that that kind of adjustment should be the reason that we should pass a new tax program. And I think, personally, that that is an enlightened and unselfish point of view and, because I believe it is, I support it.

Coming to the bill as has just been reported in new draft, this is what it provides: It provides for a bonus of \$100 to every veteran of World War II; that is small. Many veterans will think that it is too small. But we, of the committee, who approved the new draft, set that figure because we feel that that figure is within the amount that we can reasonably expect to derive from the revenue measure, which I will describe in a moment. We did not feel that we could recommend to this House a bonus in such amount that we could not reasonably expect to pay for it without increasing our tax burden. This amount of \$100, we feel can be so paid.

The revenue measure attached to this bill is legalized running horse races. When you send the veterans over-seas as soldiers, sailors, or marines, you send them into a world in which from day to day they face nothing but harsh reality. Sham, false morals had no place in that world. They were fighting for fundamentals and they were fighting for that under harsh realities from day to day. You will find that those men when they return to this country tend to look at problems they face from day to day in the same way. What I am about to say is what I have heard without

exception from veterans I have talked to in the past year. They say: "We hear about this bonus. We look about us and we see on every hand evidence of a flourishing business in horse racing in this State. We see a flourishing business in lotteries and we ask ourselves: 'What is wrong with that kind of method of raising money?'" And I tell you, Members, it is hard to give those boys an answer that makes sense to them.

Yesterday, on the floor of this House, we approved a bill which would increase the State's take from harness racing. Implicit in our action and in everything that was said on the subject on this floor was a recognition of the legitimacy of that way of raising revenue. I defy any of you to go out on the street and meet a veteran, and attempt to convince him of any valid distinction between the bill that we passed yesterday and the bill that we are asking you to pass today for his benefit. This horse racing bill that is incorporated in the measure before you, I will be frank to say, is almost word for word the bill that was passed by this Legislature two years ago. I am not hiding a thing from you. It is also the bill that was vetoed by our present Governor. I have read the veto message; I know his reasons for vetoing it but I also know what his reception would be if he attempted to utter those words to a group of veterans in this State, today.

We think the proponents of this bill two years ago thought at that time that this bill could reasonably be expected to raise \$500,000 a year. The bill calls for the issuance of \$10,000,000 in bonds to be paid over twenty-five years at the rate of \$400,000 a year. I think there is reason to believe that this bonus has attached to it an adequate revenue measure.

I do not know what else I can say. I have presented what I believe to be the considered case of the veteran. I do not propose to say another word on it. From actions I have seen this Legislature take since I have been here, I know that you are essentially fair-minded men. I am presenting this to you as the proposition of men who are essentially unselfish in presenting it and I am asking you to give it the same type of con-

sideration. I hope that the motion of the gentleman from South Portland does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

Mr. COUSINS: Mr. Speaker and Members of the House: I can add nothing to what my friend and colleague, the gentleman from Waterville, Mr. Muskie, has said. My own feelings on this measure are this — incidentally, I signed the "Ought to pass" report: When I was released from the service last summer, I had not thought much about bonuses. My situation is such that the Government has taken care of me very, very well. I came back to the State of Maine, and, at that time, the Legislature was in special session considering the bonus question. I did not like the way they went about it and I did not like what they came out with but when the measure came up for a vote in the fall, I voted for it, because I thought that if I did not vote for that, I probably would never have another chance to vote for anything for the veterans in that way.

My feelings about a bonus have changed. I feel that if a bonus is not granted, or given, within the next two or three years, the reasons for giving a bonus will have been gone. The bonus should help the soldier, the service man, over the period of years when he has to make his adjustments. In two or three years, that period will be out.

I have searched my brain and I can not, honestly, find any moral objection to running races, the situation being the way it is in the State of Maine, today. I honestly believe that this measure would give us enough money to grant the bonus in this bill. I do not especially like the way the bonus is set up in the bill but, under the circumstances, I do not feel that it could be done any other way and I concur wholeheartedly and sincerely with Mr. Muskie and I hope that the motion of the gentleman from South Portland does not prevail.

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

Mr. MCGLAUFLIN: Mr. Speaker, I would like to say a word to the gentleman on my left, I am the son of a veteran, my father and forty-four of my relatives fought in the Civil War, and two of my uncles

never returned. My father received thirteen dollars a month, and he had a wife and four children to support. He received his first military training right at this field in front of this capitol. They were fed at that time, chiefly, as far as meat was concerned — they had one menu, hardtack and pork. They had pork so long that the members of his company finally took small pieces of pork and put them on the ends of their bayonets and paraded before the officers to show their discontent with the food that they received. They never thought of asking for any bonus.

Now I am not here to oppose a bonus for the soldiers, but I do want to point out this fact: a bonus is not a matter of right; it is the voluntary gift of a generous people who appreciate what the soldiers have done. The soldiers in this particular war were used pretty well compared with those in the Civil War. They could not be used any too well to suit me. I think we should take care of every needy soldier, but I say that it is for the people to say whether they shall give that bonus.

Every soldier in the war volunteered to go, or he had to go because the government called him. But they were not called by the State of Maine; they went knowingly at the call of the government voluntarily. They fought for their own homes, their own families and their own loved ones. They were fighting for us as well as themselves, but they were not fighting for us alone.

Now this matter came up at the last session of the Legislature, and the proposition was put up to see if the people of the State of Maine were ready to back a bond issue to raise sufficient money to give these soldiers a bonus, and, as I interpret the vote on that question, they decided that up to that time, at any rate, they were not ready to give this bonus. If the time ever comes, or if it has come now, when you think that we should give this bonus, well and good, but, when we give the bonus, let us give the bonus from money derived from some source other than a gambling proposition.

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

Mr. DOUCETTE: Mr. Speaker and Members of the House: I intro-

duced the original bill. At this time I rise in support of the gentleman from Waterville, Mr. Muskie. As we took action yesterday upon a racing bill, I want to say this is a good thing for the State of Maine. I voted for it because of the fact that I know that the State at this time is badly in need of money.

My original bill called for \$100, \$200 and \$300. The committee worked awfully hard on this redrafted bill. They had it in committee for a period of two months, and I think they did a beautiful job. After all, if you have served in the service of your country and your State, the State should at least show their appreciation to the veterans.

I want to give you a few figures on horse racing in other states in New England. I will give you the figures from the small state of Rhode Island, not for the State of Maine. Of course Rhode Island is a much more congested area than the State of Maine. Nevertheless, we have people here in this State, a lot of them, that are interested in racing; they are sports; they like sports, and they like to attend these races. At the present time they are being forced to leave the highways of Maine to go out of the State and into other states. Ladies and Gentlemen: it takes that money an awful long time to come back into our State because we are way down at the other end.

Therefore, as I said, I will give you some of the figures of Rhode Island:

"In reply to your letter of March 7, 1947, I will briefly advise that the state received as its share of pari mutuel betting, \$4,532,799.94." Can you imagine that, in one year's time, four million, almost five million dollars?

There is a lot of that money that comes from the State of Maine here, a lot of it. You have operating in this State at the present time men who will take bets, "bookies," they call them. They are making a tremendous amount of money for themselves and for the State of Maine nothing. The bookies get plenty.

Let us stop this, Members of the Legislature! Let us legalize this, and, in legalizing this, we will receive some of that money that is being gotten by some that should not get it, and, at the same time, be able to pay our veterans a small token. They certainly will appreciate it, I say to you, my friends.

Now the State of Massachusetts has horse racing and dog racing. I will not elaborate on this, but the total amount they received in Massachusetts was \$11,000,000. \$7,000,000 of that was taken in from dog racing. Of course I understand the State of Massachusetts is a large state, but, as it is, a lot of our money goes into Massachusetts.

The State of New Hampshire has the same trouble they have spoken of here, because they have harness racing, they have both kinds of racing. I admit I like both kinds of racing. But the small State of New Hampshire took in from their fair associations \$150,000, and at Rockingham they took in almost four million dollars. And I dare say to you, Members of the Legislature, that if we had a track such as they have at Rockingham, at Old Orchard Beach or Gorham we could equal what they do in the small State of New Hampshire. We could equal it.

Therefore, in closing, I wish to go along and say that I want to be quoted by the newspapers in saying, "Go along with the veterans although it is only \$100." I am sure that the veterans will appreciate the fact that the State of Maine has, to the best of its ability, fulfilled its obligations to them. I know that in the last war, when the State of Maine gave me \$100, I was so tickled to death that I have never forgotten it. I have two sons that served in the last war, and I want to go home and smile at my boys and say, "Boys, I was down to Augusta. We did all we could for you." I am sure they will appreciate it.

Members of the Legislature: I hope you concur with me and have the same ideas that I have. I thank you.

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

Mr. MILLS: Mr. Speaker and Members of the House: A number of sessions ago, we had before the Maine Legislature a proposition for dog racing and the people who were primarily interested in promoting dog racing, at that time, made a strenuous effort over a period of about three weeks. I think that those of you who were members of that Legislature will recall the effort which was made. I do not recall whether it was the Legislature of 1939 or the Legislature of 1941, but,

in any case, they had as fine a lobby as could be employed in the State of Maine; the lobby was represented by members from all counties of the State, who came here, who were very good friends of us who were in the Legislature, and a strenuous effort was made but those people from out of the State did not know how the Maine House reacts, they did not know that you can not get the Maine House to go along with a proposition if you try to push them at all or if you try to influence them, in any way, against their wishes because, if there is a stubborn group anywhere, if there is the group that just refuses to be pushed, it is the Maine House of Representatives. So that lobby went home after about three weeks. I think there were about seventeen or eighteen of them. I do not think this measure has been so lobbied; I do not think it has because we never heard a word about it all winter but the proposition of dog racing is there.

To me, dog racing is not a good business to introduce in the State of Maine. I believe that dog racing interests are not the best type of people that we want doing business in the State of Maine and I think the idea that we can get some of this easy money from the dog tracks and the horse tracks, racing tracks, is false economy. I do not think you are making wealth, producing any real wealth, when you get it out of the pockets of the people who are gambling at the tracks. I think that a State government that resorts to that sort of thing for all its income, or for any substantial amount of it, is indulging in a folly. I think the same thing about the lotteries.

I would refer you to some of the strong statements of Cardinal O'Connell, when he was living in Massachusetts, in regard to the propositions which were offered in Massachusetts along these lines. The strongest of denunciations based on those very grounds that you do not create any wealth when you skim it out of the pockets, pick it out of the pockets, of the people who are gambling at the race tracks.

Now, in order to be consistent, however, it probably would be all right for us to go ahead with this, today, because yesterday we did it—excuse the vernacular—we did it for a guy named Joe, why should not we do it for G. I. Joe? Why

should not we go ahead and let the veteran Joe have the profits from horse and dog racing? In my estimation, simply because it is something that we do not want to encourage and build up in the State.

I notice that some of the gentlemen who have spoken here this afternoon did not voice their objection against letting another Joe have it, have the profits of racing, letting it go into the hands of what was called on the floor here a "monopoly." But there is strenuous objection when it comes to giving profits from racing to the veterans. We understood or we heard, that during the war the proposition of a bonus was turned down because it was said: "This is something we want to do after the boys get home." Now the boys are home, it is something that the people have already turned down. I think it would probably have been a nice gesture to the veterans, if, when they had come home, there had been the same bonus that was provided for the veterans of the first World War. But I do object to this method of raising it and I think the Governor was absolutely right, that he was on solid ground, when he said that he did not think that the veteran should be tied up to a gambling proposition in order to get his bonus.

I do not know exactly what he said but that was the general idea I understand. I think that it is bringing dog racing into the State of Maine under false colors. I do not think that under the banner of patriotism and doing something for the veteran that we should introduce something here in the State of Maine which was not able to be introduced a number of sessions ago on very sound, economic and moral grounds.

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

Mr. McCLURE: Mr. Speaker and Colleagues: It is a pleasure to go along with those two veterans who spoke first on this measure. We all know that they represent, in my mind, the veterans who are not here today. This so-called bonus bill may not be the best bill to pass to show the men and women of Maine, who fought, died, and bled that we, the members of this Ninety-third Legislature, could with safety represent our people. We need taxation, it is true, and, as it has so often

been stated, we are in no position, at this time, to pay these men and women a bonus. Yet, we did increase the pay of our department heads. We have now pari mutuel horse racing in Maine. I ask you: "Is it any more of a sin to bet on a horse because the horse has a jockey on his back in place of not only a jockey behind him but a sulky with two wheels?" Our national leader, in memory of all our soldiers, has segregated a spot in Arlington Cemetery for the Unknown Soldier and we, in Maine, have lead our soldiers to believe that they are the unknown living soldiers of this war by our failure to even recognize their sacrifices by a token reward of any sort. Ladies and Gentlemen, let us remedy this by voting to accept this bonus measure. And I feel sure that when my colleague, Mr. Mills, got up and spoke, he spoke as an individual and not as the majority leader of my party. I thank you.

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

Mr. JORDAN: Mr. Speaker, although I signed the report "Ought not to pass" and made the motion to accept it, I wish to correct the gentleman from Farmington. There is no dog racing in this bill; he spent most of his time in talking about dog racing. This will be paid by running horse races. If he will read Legislative Document 1478, I think he will find it so.

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

Mr. MUSKIE: Mr. Speaker, in following along with what the gentleman from South Portland has said, under title 5 of the redraft by mistake—the rest of the bill eliminates the provisions as to dog racing—by mistake there are three words "and dog racing" in that paragraph which should not have been there and which would be amended if the report was accepted.

One other thing that I omitted to say in my remarks previously is that there is a referendum clause on this bill which will permit the people to reject horse racing in the same manner as they were given the opportunity to reject, not the bonus, but the selective sales tax last fall. Here is that opportunity, which the gentleman from Portland, Mr. McGlauffin, asked for, to let the people decide if they

want to give the veteran this bonus paid for by this method.

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

Mr. HARRIS: Mr. Speaker and Members of the House: I want to say that I believe in the Soldiers' bonus; I think they should have one. But I can not agree with the method of raising the tax. There is too much misery and grief that goes with racing for me to be in favor of it.

Let me give you a brief outline of pari mutuel racing in Maine. I raced horses in 1925 at fairs at Canton, Livermore Falls, Mexico, Andover, Readfield, and Waterville. By 1934, all these fairs had blown up, so to speak, for lack of funds. The Legislature, in 1935, passed a pari mutuel bill to help the fairs. Up until the war years, the revenue from pari mutuel betting was small. 1945 was the banner year with nearly \$2,000,000 more bet than in 1935. Yesterday, this Legislature, in its wisdom, saw fit to pass a bill increasing the State's take to six per cent of the money bet; also increasing the take of the promoters of racing from six and one-half to nine per cent. Therefore, in order to get \$500,000 a year for the soldiers' bonus, you would have to get \$1,250,000 from the public and they would have to bet about \$8,000,000. You might, in my opinion, just as well try to get blood out of a turnip as to get that much out of the Maine bettors.

Now I have heard mentioned both yesterday and today that the revenue that New Hampshire derives from horse racing—I would like to say just a word on that. The very first pari mutuel betting track in New England was in New Hampshire. When Massachusetts would not pass a pari mutuel law, New Hampshire did. They have the Rockingham race track there, which is less than fifty miles from Boston. They are racing, now, runners at Suffolk Downs. They start some time in April on the three tracks: Suffolk Downs, Narragansett, and Rockingham, and they race every day from then until about Thanksgiving. Now they run two or three excursion trains every day from Boston into Rockingham. You can go into North Station and buy a return ticket for a dollar. You can go up to Rockingham and back for that dollar; it will cost

you more while you are there. Now, they do not attempt to compete against any dates that Massachusetts or Rhode Island have and what they have to do now in New Hampshire is to take what dates Massachusetts and Rhode Island will let them have, which have been poorer dates each year.

Now, if we were near enough to Boston so that the railroad could run a train into Maine here and back and let the better ride for one dollar, or if the better could get to some place in Maine and back in a one hundred mile drive, it might be possible to dream about getting this big amount of money out of racing, what we call the runners. But, in my opinion—I remember, when the Legislature passed the bridge to be built at Bath and it brought in so much revenue that they voted a new one between Richmond and Dresden. Now I do not have to tell anybody how that thing worked out. And that is what is going to happen here to us, comparing the betting at those three New England tracks, Narragansett, Suffolk Downs, or Rockingham, with what we will get here in Maine. It will be like comparing the revenue we got from the Bath-Woolwich bridge with the revenue that we do not get at Richmond-Dresden. Another thing, without doubt, if we pass this running race, we are going to ruin the State fairs. They will not be able here, any more than they are anywhere else, to compete against the runners with the trotters and pacers. Therefore, not because I am against the soldiers' bonus but simply because I am against seeing the running horses coming into Maine, I hope that the motion fails.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from South Portland, Mr. Jordan.

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

The SPEAKER: The question before the House is upon the motion of the gentleman from South Portland, Mr. Jordan, that the House accept the "Ought not to pass" report of the committee, which is Report "A", and the same gentleman requests a division.

All those in favor of accepting the "Ought not to pass" report of the committee will please rise and re-

main standing until counted and the monitors have made and returned the count.

A division of the House was had. The SPEAKER: Fifty-five having voted in the affirmative and forty-one having voted in the negative, the "Ought not to pass" report of the committee has been accepted.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter House Report "A" "Ought not to pass", House Report "B" "Ought to pass in new draft" (H.P.1737) (L.D.1479) under new title of "Resolve, Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing." the report of the Committee on Military Affairs on "Resolve, Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing." (H. P. 1467) (L. D. 1071) tabled on April 30, by the gentleman from South Portland, Mr. Jordan, pending acceptance of either report.

The Chair recognizes the gentleman from South Portland, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, I move acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from South Portland, Mr. Jordan, moves that the House accept the "Ought not to pass" report of the committee.

Is this the pleasure of the House? The motion prevailed.

HOUSE AT EASE

Called to Order by the Speaker

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter Bill "An Act Relating to Automobile Travel by State Employees." (S. P. 537) (L. D. 1456) (In House, Read the Third Time) tabled on April 30, by the gentleman from Limestone, Mr. Burgess, pending passage to be engrossed.

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

Mr. BURGESS: Mr. Speaker, I wish at the request of the Committee on Salaries and Fees, to have

this item recommitted to that committee, and I so move.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that this matter be recommitted to the Committee on Salaries and Fees.

Is this the pleasure of the House?
The motion prevailed.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue." (H. P. 1731) (L. D. 1470) (in House, Read the Third Time) tabled on April 30, by the gentleman from Thomaston, Mr. Bell, pending passage to be engrossed.

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

Mr. BELL, Mr. Speaker and Members of the House: I have an amendment which I wish to offer at this time which will help the poor man out on his food and fuel and doctors' prescriptions. It has been reproduced and, at this time, I offer it and move its adoption.

The SPEAKER: The gentleman from Thomaston, Mr. Bell, presents House Amendment "B" and moves its adoption. The Clerk will read the amendment.

House Amendment "B" to H. P. 1731, L. D. 1470, Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue."

Amend said Bill by striking out the underlined paragraph "A" of subsection VIII of Section 309 thereof, and inserting in place thereof the following underlined paragraph:

'A. Seed, feed and fertilizer;'

Further amend said Bill by adding at the end of subsection VIII of sec-

tion 309 thereof the following underlined paragraphs:

'E. Sales of and the storage, use or consumption of food products for human consumption;

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

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

F. Medicines purchased on prescriptions issued by physicians;
G. Fuel, such as wood, coal, peat, petroleum, gas or any matter used to produce heat by burning.'

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

On motion by Mr. Mills, of Farmington,

Adjourned until 9:00 o'clock, tomorrow morning, E. S. T.