

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Third Legislature*

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, May 2, 1947.

The Senate was called to order by the President.

Prayer by the Reverend T. Porter Drumm of Augusta.

Journal of yesterday read and approved.

**From the House**

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

(In the Senate on April 23, 1947, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, engrossing reconsidered, House Amendment "A" adopted, and the bill passed to be engrossed as amended by Senate Amendment "A" and by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Haskell of Penobscot, the bill was laid upon the table pending consideration.

Memorial to Congress in Favor of Retention of the Marine Corps. (H. P. 1748)

Which was received by unanimous consent and read and adopted, without reference to a Committee, in concurrence.

Bill "An Act Relating to Automobile Travel by State Employees." (S. P. 537) (L. D. 1456)

(In the Senate on April 23, 1947, passed to be engrossed.)

Comes from the House, recommitted to the Committee on Salaries and Fees in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the bill was recommitted to the Committee on Salaries and Fees in concurrence.

**House Committee Reports**

The Committee on Public Utilities on Bill "An Act Creating a Sewer District in the Town of Sanford," (H. P. 1643) (L. D. 1335) reported that the same ought to pass as amended by Committee Amendment "A."

Comes from the House, passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A."

In the Senate, the report was read and adopted in concurrence and the bill read once; Committee Amendment A and House Amendment A were read and adopted in concurrence and under suspension of the rules, the bill as so amended was given its second reading and passed to be engrossed in concurrence.

The Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden," (H. P. 1572) (L. D. 1187) reported the same in a new draft (H. P. 1731) (L. D. 1470) under a new title, Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue," and that it ought to pass

Comes from the House, passed to be engrossed as amended by House Amendment "B."

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading House Amendment B was read.

Mr. NOYES of Hancock: Mr. President, I move that this amendment be indefinitely postponed. I make that motion for several reasons. First, to my way of thinking a sales tax is a nuisance, in a certain way, to the merchants. I am thinking in particular of the man who runs a general store. With these exemptions which are provided for in this amendment it is going to be a headache for him and it will be a headache in several other lines of industry. I move to indefinitely postpone also for another reason, that I cannot agree with the line of thinking that some people offer as to the burden that a sales tax levies on the poorer class of people.

It seems to me that if these people, most of them with large families, have children to educate and demand the service of the government, these people should be willing to pay for a reasonable portion of that cost and under a sales tax they are not paying very much of the cost of government. It is my contention that the people who suffer most by a sales tax, the people upon whom the burden is greatest, are the people who would benefit most, the people in the upper income brackets who get the least service from the government and it is my contention that if the people of the State of Maine and of the United States realize that government costs are being borne by

the people, primarily by the consumer, that the demands of the people for additional government services would diminish. For those reasons, I hope the amendment is indefinitely postponed.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, in supporting the motion to indefinitely postpone this amendment I would like to tell you my conception of the basic figures involved in this matter. I will first apologize to the members of the Committee on Financial Affairs, and urge that they correct me if I am too far off in some of these guesses.

If you will refer to Legislative Document 1475 you will find the preliminary appropriation bill that has been brought out after weeks of work on the part of the Appropriations Committee and you will find it sets up \$38,400,000 in round figures as the general requirement for the biennium. They have advised me that in that bill in round figures there are about two million of essentials, basic expenditures that are not included which are mainly the pension requirement of the state. Quite properly those were left out pending your consideration of the pension bill.

Now if that is a reasonable estimate of the deficiency in L. D. 1475 as refers to the general fund and if you analyse the bill on the Senate table pending enactment, you will find another six and a half million in round figures. And if you scan the measures still in the legislature and still supported by some members of the legislature you will find another two million dollars. So adding them all together we come back to at least the Appropriations Committee original cost of eight and a half million for the general financial program for the biennium. Unless a substantial number of those bills are killed, it will be near nine or ten million dollars.

Now if that problem is to be met by means of a sales tax certainly the crippling amendment that we have before us will make a bill that will not solve the problem. I will acknowledge that as the session draws to a close, as bills are killed, if they are killed, it may well be that an amendment of this sort or an amendment cutting the two percent down to one percent may be in order. But with the appropriations bills that appear to be facing us,

and because this amendment takes two major items out of the revenue, cutting the gross revenue from the sales tax at least in two, I believe you will find that we have a bill that would be entirely inadequate to solve the general fund program.

The second reason why I think this ought to be indefinitely postponed at least at this stage of our consideration, is the analysis that of the 24 states that impose this type of tax, only three of them have exemptions that generally follow this type of exemption. The other 21 states go across the board. Many of the states started out with this type of exemption and at the insistence of the merchandising people who must keep two sets of books when clothespins are taxed and ammonia is taxed and vanilla is not and sugar is not, it certainly would lead to confusion and I hope that this sales tax bill can go along without the encumbrance of this type of amendment, at least at this time in the session.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Noyes, that the Senate indefinitely postpone House Amendment B.

A viva voce vote being had, House Amendment B was indefinitely postponed in non-concurrence.

Mr. ELA of Somerset: Mr. President, I offer Senate Amendment A and move its adoption. This is simply more carefully defining intangible property and while the committee felt that they had defined it carefully enough, still there were certain objections and this will cure whatever objections there might have been.

The Secretary read the amendment.

Senate Amendment A to L. D. 1470. "Amend said bill by adding at the end of subsection XV of section 285, after the underlined word 'property' at the end thereof, the following underlined words: 'such as rights and credits, bills of exchange, stocks and bonds, and similar evidences of indebtedness or ownership.'"

Which amendment was adopted and under suspension of the rules, the bill was given its second reading.

On motion by Mr. Cross of Kennebec, the bill as so amended was

laid upon the table pending passage to be engrossed.

The Committee on Agriculture to which was recommitted Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines," (H. P. 1365) (L. D. 987) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, passed to be engrossed as amended by House Amendment "A" and by Committee Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading; Committee Amendment A and House Amendment A were read and adopted in concurrence and under suspension of the rules, the bill as so amended was given its second reading and passed to be engrossed in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve, in Favor of Knox Memorial Association Inc., for Support and Maintenance of 'Montpelier,'" (H. P. 1045) (L. D. 684) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A thereto.

In the Senate:

Mr. LEAVITT of Cumberland: Mr. President, in behalf of Senator Smith who has been absent for last part of the session, I move that we concur with the House.

The motion prevailed and the report was adopted in concurrence and the resolve was read once; House Amendment A to Committee Amendment A was read.

Thereupon, on motion by Mr. Cleaves of Cumberland, the resolve was laid upon the table pending adoption of House Amendment A to Committee Amendment A.

The same Committee on 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. 413) (L. D. 295) reported the same in a new draft (H. P. 1734) (L. D. 1475) under the same title, and that it ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading; House Amendment A was read. Thereupon, on motion by Mr. Savage of Somerset the bill was laid upon the table pending adoption of House Amendment A.

The Committee on Temperance on Bill "An Act Relating to Licenses in Unorganized Territory," (H. P. 1597) (L. D. 1251) reported the same in a new draft (H. P. 1679) (L. D. 1390) under the same title and that it ought to pass.

Comes from the House, before the first reading, the original bill substituted for the new draft, and passed to be engrossed as amended by House Amendments A and B.

In the Senate, the report was read and on motion by Mr. Cross of Kennebec, the report and accompanying papers were laid upon the table pending consideration of the report.

The Committee on Claims on "Resolve in Favor of Carrie M. Brawn, of Guilford," (H. P. 1053) (L. D. 692) reported that the same ought to pass.

The same Committee on "Resolve in Favor of Leola J. McCourt, of Strong," (H. P. 417) (L. D. 247) reported that the same ought to pass.

The same Committee on "Resolve in Favor of the Town of Woodstock," (H. P. 1148) (L. D. 764) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the resolves read once and under suspension of the rules read a second time and passed to be engrossed in concurrence.

The Committee on Salaries and Fees on Bill "An Act Adjusting the Salaries of All Full-time State Employees," (H. P. 1451) (L. D. 1048) reported the same in a new draft (H. P. 1735) (L. D. 1477) under the same title, and that it ought to pass.

(On motion by Mr. Barnes of Aroostook, tabled pending passage to be engrossed.)

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 the same in a new draft (H. P. 1746) (L. D. 1492) under the same title, and that it ought to pass.

Which reports were severally read and adopted in concurrence, the

bills in new draft read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

**Joint Order  
(Out of Order)**

On motion by Mr. Cross of Kennebec, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 4, 1947 at three o'clock in the afternoon, Eastern Standard Time.

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 that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve to Compensate Town of Houlton for Assisting Kingman to Fight Fire," (H. P. 1270) (L. D. 1483) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve to Reimburse the Town of Whiting for Transportation of State Children," (H. P. 1020) (L. D. 652) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve in Favor of Joseph V. Tardiiff, of Augusta," (H. P. 1150) (L. D. 765) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve in Favor of Mrs. Ralph Cooper, of Madison," (H. P. 586) (L. D. 359) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve in Favor of Roy R. Bell, of Thomaston," (H. P. 328) (L. D. 206) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act to Incorporate the Lincoln-Chester Bridge District," (H. P. 499) (L. D. 354) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted in concurrence and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and under

suspension of the rules, read a second time and passed to be engrossed in concurrence.

The Majority of the Committee on Taxation on Bill "An Act Increasing the Share of the State in Pari-Mutuel Pools," (H. P. 1563) (L. D. 1192) reported the same in a new draft (H. P. 1730) (L. D. 1460) under the same title and that it ought to pass as amended by Committee Amendment "A".

(Signed)

Senators:

NOYES of Hancock

HASKELL of Penobscot

Representatives:

JORDAN of Saco

BURTON of Milo

LOMBARD of Yarmouth

MORISON of Wilton

The Minority "A" of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed)

Representatives:

BURGESS of Limestone

ELLIOTT of Corinth

The Minority "B" of the same Committee on the same subject matter reported the same in a new draft (H. P. 1730) (L. D. 1460) under the same title, and that it ought to pass.

(Signed)

Senator:

ELA of Somerset

Comes from the House, the Majority Report adopted and the bill in new draft passed to be engrossed as amended by Committee Amendment "A".

In the Senate, on motion by Mr. Crosby of Franklin, the reports and accompanying papers were laid upon the table pending consideration of the reports.

The Committee on Education on the following Resolves:

"Resolve in Favor of Limington Academy." (H. P. 487)

"Resolve in Favor of Greely Institute." (H. P. 602)

"Resolve in Favor of Corinna Union Academy." (H. P. 652)

"Resolve in Favor of Monson Academy." (H. P. 898)

"Resolve in Favor of Berwick Academy." (H. P. 1002)

"Resolve in Favor of Lincoln Academy." (H. P. 1056)

"Resolve in Favor of Wiscasset Academy." (H. P. 1057)

"Resolve in Favor of Freedom Academy." (H. P. 1375)

"Resolve in Favor of Litchfield Academy." (H. P. 1376)

"Resolve in Favor of Monmouth Academy." (H. P. 1377)

"Resolve in Favor of Robert W. Traip Academy." (H. P. 1536)

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

Which report was read and adopted in concurrence, the resolves read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

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 to 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 Fort Kent.

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

Which report was read and adopted in concurrence, the Consolidated Resolve read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

The Committee on Claims on the following Resolves:

H. P. 1, L. D. 3, Resolve in Favor of Gunner J. Sandstrom, of Stockholm.

H. P. 2, L. D. 4, Resolve in Favor of Alfred W. Mahoney, of Sheepscot.

H. P. 3, Resolve in Favor of Adeline Mattson, of Stockholm.

H. P. 4, Resolve in Favor of Mildred L. Karnes, of Haynesville.

H. P. 25, Resolve in Favor of Perry W. Wright, of Orono.

H. P. 27, Resolve in Favor of Donald L. Keith, of Pownal.

H. P. 28, Resolve in Favor of Blanche Hagar, R. N., of Moscow.

H. P. 29, Resolve in Favor of Ervin D. Ames, of Poland.

H. P. 30, Resolve in Favor of Alexander Martin, of Raymond.

H. P. 45, L. D. 57, Resolve in Favor of George D. Murray, of York Village.

H. P. 47, Resolve in Favor of Donald H. Thurlow, of Pine Point.

H. P. 48, Resolve in Favor of Kenneth S. Taylor, of Belfast.

H. P. 49, Resolve in Favor of James McGuire, of Belfast.

H. P. 50, Resolve in Favor of Lee Good, of Monticello.

H. P. 51, Resolve in Favor of Leon H. Libby, of Saco.

H. P. 52, Resolve in Favor of Charles L. Littlefield, of Cape Neddick.

H. P. 81, L. D. 69, Resolve in Favor of Guy W. Sheaff of Weeks Mills.

H. P. 82, L. D. 74, Resolve in Favor of Everett York, of Otisfield.

H. P. 84, L. D. 70, Resolve in Favor of Russell W. Glidden, of Gardiner.

H. P. 85, L. D. 71, Resolve in Favor of Earl C. Parker, of Brewer.

H. P. 87, Resolve in Favor of Lawrence E. Perkins, of Hebron.

H. P. 88, Resolve in Favor of Vertie Pease, of Phillips.

H. P. 89, Resolve in Favor of William J. Hutchings, of Portland.

H. P. 90, Resolve in Favor of Charles H. Perkins, of Ogunquit.

H. P. 107, Resolve in Favor of Harold Bowden, of Ellsworth.

H. P. 110, L. D. 94, Resolve in Favor of Berry Hill Orchard Company, of Livermore.

H. P. 158, Resolve in Favor of Clarence Pierce, of Princeton.

H. P. 160, Resolve in Favor of Almon D. Hodgkins, of Bar Harbor.

H. P. 162, Resolve in Favor of Norman L. Higgins, of Litchfield.

H. P. 163, Resolve in Favor of Ralph D. Brann, of Gardiner.

H. P. 164, Resolve in Favor of Paul J. White, of Norway.

H. P. 222, L. D. 187, Resolve in Favor of Blanche Griffin, of Kingman.

H. P. 223, L. D. 160, Resolve in Favor of Grover C. Small, of Deer Isle.

H. P. 224, L. D. 161, Resolve in Favor of Liston C. Bean, of Bryants Pond.

H. P. 225, L. D. 162, Resolve in Favor of Jesse N. Mills, of Southwest Harbor.

H. P. 226, L. D. 163, Resolve in Favor of Dr. P. F. M. Gilley, of Southwest Harbor.

H. P. 227, Resolve in Favor of William Carr, of Stillwater.

H. P. 228, Resolve in Favor of Dana E. Walton, of Costigan.

H. P. 229, Resolve in Favor of Estate of Edward Billings, Late of Deer Isle.

H. P. 230, Resolve in Favor of Irene R. Wells, of Brooklin.

H. P. 231, Resolve in Favor of Ruth Cook, of Wilton.

H. P. 232, Resolve in Favor of David Reed of Boothbay Harbor.

H. P. 233, Resolve in Favor of Wilson G. Francis, of Prospect Harbor.

H. P. 275, Resolve in Favor of John A. Nickerson of Amherst.

H. P. 305, Resolve in Favor of Ruth A. Noble, of Livermore Falls.

H. P. 326, L. D. 204, Resolve in Favor of Lloyd J. Leighton, of Winthrop.

H. P. 327, L. D. 205, Resolve in Favor of Wilson Hanscom, of Carmel.

H. P. 329, Resolve in Favor of L. Dyer Andrews, of Orrington.

H. P. 330, Resolve in Favor of Frank F. Atkinson, of Levant.

H. P. 331, Resolve in Favor of Archie L. White of Bucksport.

H. P. 332, Resolve in Favor of Elzear Plourde, of Keegan.

H. P. 333, Resolve in Favor of Robert Allen Vaughn, of Bangor.

H. P. 422, L. D. 252, Resolve in Favor of Arnold Flood, of Cooper.

H. P. 423, L. D. 253, Resolve in Favor of Alice Richardson, of Auro-ra.

H. P. 424, Resolve in Favor of Chauncey McFarland, of Bar Harbor.

H. P. 425, Resolve in Favor of Hoyt Richards of Mt. Desert.

H. P. 426, Resolve in Favor of Seth Bachelder of Dryden.

H. P. 427, Resolve in Favor of Elliott P. Oliver, of Nobleboro.

H. P. 428, Resolve in Favor of James A. Holmes, of Alexander.

H. P. 429, Resolve in Favor of Colin Peasley, of Charlotte.

H. P. 481, L. D. 314, Resolve in Favor of Lewis W. Philbrick, of Kenduskeag.

H. P. 483, L. D. 345, Resolve in Favor of Guy R. Baker, of Wells.

H. P. 484, Resolve in Favor of Clyde Spaulding, of Caratunk.



H. P. 485, L. D. 346, Resolve in Favor of Robert J. Greig, of Portland.

H. P. 584, L. D. 357, Resolve in Favor of Dr. S. S. Greenleaf, of Bethel.

H. P. 585, L. D. 358, Resolve in Favor of Robert L. Stockford, of Madison.

H. P. 591, L. D. 363, Resolve in Favor of Willis P. Atwood of Auburn.

H. P. 592, L. D. 364, Resolve in Favor of Albert Walker of Rowes Corner, Auburn.

H. P. 593, L. D. 365, Resolve in Favor of Paul Caron of Auburn.

H. P. 597, Resolve in Favor of Joseph L. Rawlinson of Portland.

H. P. 598, Resolve in Favor of Ralph R. Estes, of Auburn.

H. P. 599, Resolve in Favor of Raymond Tassinari, of Auburn.

H. P. 640, L. D. 431, Resolve in Favor of Owen D. Porter, of Augusta.

H. P. 641, L. D. 432, Resolve in Favor of Josephine Heath, of Verona.

H. P. 643, L. D. 434, Resolve in Favor of Guy E. Albee, of Bangor.

H. P. 644, L. D. 435, Resolve in Favor of Earl L. Bartlett, of Bangor.

H. P. 646, Resolve in Favor of Joseph P. Gorham, of Augusta.

H. P. 647, Resolve in Favor of Lydna Bryant, of Skowhegan.

H. P. 648, Resolve in Favor of Harold Butler, of Norridgewock.

H. P. 649, Resolve in Favor of John F. Kneeland, of Lewiston.

H. P. 813, L. D. 469, Resolve in Favor of Samuel Clark, Jr., of Oakland.

H. P. 815, L. D. 471, Resolve in Favor of Richard Rollins, of Hebron.

H. P. 820, Resolve in Favor of Charles G. Roberts, of Sanford.

H. P. 821, Resolve in Favor of Mandel Bachelder, of Lincoln.

H. P. 822, Resolve in Favor of E. F. Additon, of Greene.

H. P. 893, Resolve in Favor of Carl J. Broggi, of Sanford.

H. P. 894, Resolve in Favor of Russell Wolfertz, of Biddeford.

H. P. 895, Resolve in Favor of Maurice Sandler, of Biddeford.

H. P. 896, Resolve in Favor of Edward J. Albair, of Caribou.

H. P. 897, Resolve in Favor of Royal Robbins, of Deer Isle.

H. P. 971, Resolve in Favor of Evelyn T. Wilbur, of Kingfield.

H. P. 1147, L. D. 763, Resolve in Favor of E. Earle Harvey of So. Portland.

H. P. 1152, Resolve in Favor of Harlan L. Leighton, of West Scarborough.

H. P. 1153, Resolve in Favor of Mrs. James McGregor, of Rumford.

H. P. 1156, Resolve in Favor of Orman Wooster, of Southwest Harbor.

H. P. 1267, L. D. 936, Resolve in Favor of Walter E. Henderson, of Newport.

H. P. 1268, Resolve in Favor of G. P. Fenlason, of Princeton.

H. P. 1269, Resolve in Favor of Perry Lawson, of West Tremont.

H. P. 1352, L. D. 953, Resolve in Favor of Conley & Fahey Funeral Home, Inc., of Lewiston.

reported the same in a Consolidated Resolve, (H. P. 1738) (L. D. 1476) under the title of "Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals," and that it ought to pass.

Which report was read and adopted in concurrence, the Consolidated Resolve read once and under suspension of the rules read a second time and passed to be engrossed in concurrence.

Mr. NOYES of Hancock: Mr. President, I wish to call your attention to the fact that there is one resolve omitted from the printed calendar, a resolve for Ernest Hess of Eastbrook for \$25.

Mr. BISHOP of Sagadahoc: Mr. President, I notice in the list of resolves, there is a resolve in favor of Ronald Bishop. I have a Ronald Bishop, but the resolve does not refer to him.

#### Senate Committee Reports

Mr. Ela from the Committee on Library submitted its Final Report.

Which was read and adopted.

Sent down for concurrence.

Mr. Spear from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Veteran's Permit to Hunt and Fish Free," (S. P. 178) (L. D. 523) reported the same in a new draft (S. P. 547) (L. D. 1484) under the same title and that it ought to pass.

Mr. Cross from the Committee on Motor Vehicles on Bill "An Act Exempting Certain Independent Contractors from the Regulations in re Motor Vehicles Used in Intrastate Traffic," (S. P. 338) (L. D. 965) reported the same in a new draft (S. P. 546) (L. D. 1485) under the same title and that it ought to pass.

Which reports were severally read and adopted, the bills in new draft read once and tomorrow assigned for second reading.

#### Passed to be Engrossed

"Resolve in Favor of Hugh J. Andrews, of Waterville." (S. P. 30) (L. D. 1481)

"Resolve in Favor of Nora B. West of Steuben." (S. P. 39) (L. D. 1480)

Bill "An Act Relating to Pensions or Annuities of Deceased Teachers." (S. P. 233) (L. D. 644)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

"Resolve in Favor of Harold G. Wyman of Pittston." (S. P. 119) (L. D. 1482)

Which was read a second time and passed to be engrossed, as amended.

#### Passed to be Enacted

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

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

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

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

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

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

Bill "An Act Relating to Salary of Superintendents of Schools." (H. P. 111) (L. D. 95)

(On motion by Mr. Savage of Somerset, tabled pending enactment.)

Bill "An Act Relating to a State Police Barrack in the County of Cumberland." (H. P. 358) (L. D. 228)

(On motion by Mr. Savage of Somerset, tabled pending enactment.)

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

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

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

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

(On motion by Mr. Savage of Somerset, tabled pending enactment.)

Bill "An Act Relating to Aeronautical Fund." (H. P. 1496) (L. D. 1116)

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

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

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

Bill "An Act Relating to Bounty on Bears." (H. P. 1721) (L. D. 1450)

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

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

(On motion by Mr. Bishop of Sagadahoc, tabled pending enactment.)

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

"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. & E. E. Andrews, of Bingham." (H. P. 1151) (L. D. 766)

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

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

Mr. DENNY of Lincoln: Mr. President, I move the indefinite postponement of L. D. 1392. In support of that motion I will say that I believe this is bad legislation and is not the type of legislation which we should put on our statute books. If, as has been said previously, school pupils are now conveyed, and also as has been said that this bill is merely permissive, I submit to you that it is unnecessary.

Thereupon, on motion by Mr. Bishop of Sagadahoc, the bill was laid upon the table pending the motion of the Senator from Lincoln, Senator Denny that the bill be indefinitely postponed.

#### Constitutional Amendment

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

On motion by Mr. Morrill of Cumberland, the resolve was laid upon the table pending final passage.

#### Orders of the Day

The President laid before the Senate, Bill, An Act to Amend the Pension Law for Members of Police and Fire Departments of the City of Waterville (S. P. 545) (L.

D. 1472) tabled by Mr. Hopkins of Kennebec on May 1st pending passage to be engrossed, and today assigned:

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, yesterday I was advised of defects in this bill which I thought might require an amendment being prepared but I have been told today they are clerical errors and can be corrected without legislative action. I move the bill be passed to be engrossed.

The motion prevailed and the bill was passed to be engrossed.  
Sent down for concurrence.

Mr. McKusick of Piscataquis was granted unanimous consent to address the Senate.

Mr. MCKUSICK: Mr. President, it would seem not to be amiss to pause in our deliberations and take note of the passing of a man who served as a member of the Maine Legislature many terms and who is still remembered by many of the present legislature as a steadfast friend. I refer to Honorable Charles J. Chase of Sebec, who passed away Wednesday in the Milo hospital. He served in the House in 1909 and in the Senate in 1913, the House in 1933 and again in 1935, the Senate in 1937 and again in 1939. He also served as a layman member of the Committee on Judiciary and was a very prominent member in the Republican organization in our section. Those who knew him remember him as a steadfast friend and are well aware that his town, his county and the State have lost a valued and substantial citizen.

On motion by Miss Clough of Penobscot, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on University of Maine on Bill, An Act to Create and Establish a Four-Year Medical School in the State of Maine to be known as 'The Medical College of Maine', a School of Medicine of the University of Maine (S. P. 164) (L. D. 403) tabled by that Senator on April 10th pending consideration of the report.

Miss CLOUGH of Penobscot: Mr. President and members of the Senate, I might hesitate to oppose the

unanimous report of the Committee on University of Maine, each member of which I know gave every consideration to this bill, were not it for the fact I believe it to be a matter of very serious import, and I would like to take a few moments of your time in order to give my reasons.

This measure, in my estimation, one of the most important that has come before us, would set up a four-year medical school as an affiliate and function of the University of Maine. I don't think I need to go into the background of what led up to the introduction of the bill into the legislature because you have all had on your desks the pamphlet outlining the situation thoroughly, as drawn up by the Maine Medical Association who were delegated to promulgate this legislation. You have also had the transcript of testimony of many various representatives of groups who were supporting this throughout the State, and also many interested citizens who are supporting the measure. I know you have studied both very carefully.

Now, in 1820 the first legislature of the State of Maine granted Bowdoin College a charter to establish a medical school. For 101 years that school functioned, graduating many hundreds of Maine men who became eminent in the field of medicine, lending prestige to the profession as a whole and making strong the health barriers of the State and nation. In 1921 by reason of its failure to keep up to certain standards of personnel and facilities which would keep this school a Grade A school, the medical school went out of existence for lack of monies which I believe we heard before the Committee, amounted to about \$65,000. It was felt by many that the time would come when this step would be greatly deplored and as the years have gone by I think we have all seen that this is so.

Since 1919 we have lost 37% of our physicians, largely from the rural areas of the State, and this in the face of an 8.6% population increase. It is a well known fact that persons coming from the city, after training in medical schools or training in larger cosmopolitan areas where these medical schools often are, and where they have all modern facilities available to them there, will not return to take up practice in rural areas where there

are no such facilities. The result here in Maine has been that these young men and women who did receive medical training in out-of-state medical schools have either remained in the larger cities where they were trained or come back to the urban areas of the State to set up practice, leaving the rural areas largely not covered.

With your indulgence, I would like to read from testimony of Dr. Carl Stevens after having made a survey in the six councillor districts of the State. He is speaking first of District 1: "The situation in York and Cumberland counties is undoubtedly the same as in all Maine counties—too few M. D.'s. The M. D.'s seem to be in the larger towns and cities, and the rural districts and small towns have none. The second district comprises Androscoggin, Franklin and Oxford counties. My impression is that they do not feel that there is a serious shortage of doctors at present in these counties. In Oxford County in 1919 there were 34 doctors. In 1946 there were 32 doctors. At present the two towns of Buckfield and Andover are in need of doctors. In Franklin County there are at present 15 doctors. The towns of Stratton and Eustis need a physician at this time. Otherwise the county is well looked after. The third district is comprised of Knox, Lincoln and Sagadahoc counties. It would appear that in this district the distribution of physicians is not too uneven, though there are a few rural areas that would enjoy improved medical care if resident physicians could be attracted. The fourth district comprised of Kennebec, Somerset and Waldo, as Chairman of Procurement and Assignment, Dr. McKay, said: 'It was part of my duty to check up on the medical care in the rural areas of the state and I found that as always it follows the economic law of supply and demand. Before the last war it was almost impossible for any number of our boys from the State of Maine to secure admission to a Grade A Medical School and during hostilities very few were deferred that they might study medicine. In addition to this the death rate among the older doctors has been very high since 1943 so that new physicians locating here do not need to go to a rural community. It is just a situation where there are too many towns needing medical care

and too few doctors available to fill this need.'

In Waldo County, since 1919 the number of doctors has decreased from 28 to 11, and 24 of the 26 towns are without a doctor of medicine. As for Washington County, I am convinced that we need at least five doctors as soon as possible, and in Hancock County at least three. The sixth and last district is comprised of Aroostook, Penobscot and Piscataquis counties. During the period from 1919 to 1946 there has been a continual decrease in the number of doctors of medicine in these counties. From Old Town to Lincoln there is only one physician, who is located in Enfield. There are two physicians in Lincoln, one of whom is well advanced in years. From Lincoln to Houlton there is one physician at Island Falls. There is but one in East Millinocket and only two in Millinocket. Going east from Lincoln there are no physicians until Vanceboro is reached at the Canadian line, a distance of about sixty miles. There are none between Danforth and Princeton. This is illustrative of the conditions prevailing in the rural areas of the above named counties. Considering the small number of physicians in the larger communities it is physically impossible for them to cover more than a small part of that area, thereby leaving a great number of the citizens of Maine without adequate or any medical care. As I see it the only way to assure medical care for all is to provide an adequate number of physicians in rural Maine."

I don't think I need to go on further. We have the testimony before us. There is a serious shortage of doctors in our State, a fact which many believe can only be rectified by the establishment of a Grade-A Medical School which will train our own Maine men and women for a life of service to our citizenry, and offer as well graduate training for those already in practice.

Now, we have been advised that such a college can readily utilize the professional men who are living and practicing nearby as part time professors in the college and utilize as well as many existent institutions to augment their clinical programs. We are further advised that the Veterans Facility at Togus would welcome such a medical school to augment its professional staff. Such medical school, through

affiliation with the Public Health Department of Maine, can correlate all health services of the State, strengthening this vast network and making available to more people, the health program that is its potential.

In light of the restricted enrollments of the existing medical colleges, it is becoming ever more difficult for our Maine men and women to gain entrance into colleges out of State and the time is fast approaching when our health program will be seriously jeopardized unless we can recruit and train persons right here in our State in this great and vital field of human service, especially insofar as the rural areas of the State are concerned.

I therefore, fervently hope, Mr. President and members of the Senate, that the legislature can find the money to start this program for the establishment of a four year medical school for Maine, and I therefore move the bill be substituted for the report.

Mr. WELCH of Aroostook: Mr. President and members of the Senate, I arise merely to defend and explain the action and report of the committee. It is very true that the committee deliberated on this quite some time because this was a bill which had the unanimous support of all of the larger groups of the State, the American Legion, Veterans of Foreign Wars, Medical Association, the Grange, and others, and they all stressed the need of the medical school here at the University, but there were two things which we considered in making our decision on the "ought not to pass" report. One, of course — and I would not say this would necessarily be Number one — one was the fact it did call for a million dollars, and due to that sum of money we could not see where it could be forthcoming. The other reason was that we did not have before us sufficient evidence before us to show this million dollars would do the job. It was not made clear that this was the exact amount. We didn't know whether it would take three-quarters of a million or a million and a half. It appeared this was more or less of an estimated figure. Also the amount of money we found it would be necessary for maintaining this school once it was established — they told us it might run from two hundred and fifty to four or five hundred thousand dol-

lars a year. These are the two reasons, briefly, why the committee reported "ought not to pass."

I think the idea to get more doctors here in the State is very desirable. There is one thought I will simply pass on that was in the minds of the committee members, and that was that possibly the State might, at some future date, do well to decide that they could subsidize worthy students in another school for much less money than we could spend in establishing this school and maintaining it once it was established.

Mr. LEAVITT of Cumberland: Mr. President, I think it is well known by all the members of the Senate that I am heartily in favor of a rounded educational program for the State of Maine. That desire to have a rounded program has made me an ardent advocate of the Maine Maritime Academy; and I believe this school here is needed to round out the educational facilities of the State of Maine. It is too bad the only reason we cannot have this school is lack of money and I hope this legislature will pass a bill here today that perhaps will allow us to pay not only our bills for the coming biennium, but also leave us sufficient funds so that when we come back here two years from now we can put a bill through which will create this school.

I do hope we can do something in the interim to make a study of this need so that the next time we have a hearing before the committee there will not be any doubt in their minds as to whether the amount of money asked for is enough to do the job, and also they will know how much it will cost to run the school. I understand there will be an attempt to see if certain funds cannot be made available for this study. I still hope we can have the school. If we raise sufficient funds by taxation in the legislature to allow us to have this school this year, I say let's go ahead on that. Otherwise, let's at least make the study and be prepared and hope we can have it early in the future.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, it is difficult to speak upon a matter calling for a million dollars at this time. The Appropriations Committee has labored long and hard this winter and tried to come to some program which we thought the leg-

islature could secure the funds for, and we have found that many of the reports of that committee upon bills had not been accepted by the two branches of the legislature. We found about every major bill that called for money — and I will say that most of those bills in our opinion were for the benefit of the State of Maine — have been accepted and are now on the table in this branch of the legislature, or in process.

I think there is nobody in this room but what feels a medical school for the State of Maine would be very beneficial. I know all of us in rural areas view with great alarm the situation regarding physicians at the present time. I am connected with a private school which has difficulty in securing a doctor to take care of the children at that school as it is 25 miles from Bangor and there is not a physician nearer than Bangor.

We are looking at the financial picture. You hear a lot about taxes, and we do not know at the present time what tax will be passed, if any, but this particular act appears to me to be one of the most desirable before us, and if the money can be produced it would be well if this bill was kept alive as we have done with many other legislative documents which we now have on the table in this branch. Certainly if we vote today to keep it alive and finally find when the tax measure is passed, that we have not the money, as a member of the Appropriations Committee and member of the Legislature, I believe we will have to vote against the bill. If it is kept alive to that time it might be amended so a study could be made, as the Senator from Cumberland, Senator Leavitt, has suggested, so that we might know more in another session of the legislature about this problem.

So with the cloudy financial picture we have before us at this time, I hope when the vote is taken we will not vote to accept the report of the committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Clough, to substitute the bill for the ought not to pass report of the committee.

A viva voce vote being doubted by the Chair, a division of the Senate was had.

Sixteen having voted in the affirmative and seven opposed, the motion prevailed. Under suspension of the rules the bill was given its two several readings and passed to be engrossed.

Sent down for concurrence.

Mr. Barnes of Aroostook was granted unanimous consent to address the Senate.

Mr. BARNES: Mr. President and members of the Senate, quite recently we have heard news in Aroostook county about the building of an air base at Limestone. Limestone is a small town—about 1800 people there—and we are informed that if this airbase is built there will be an influx of about 7,000 people in the town in addition to the military personnel that may also come in. In view of the fact that with that influx the town of Limestone would be in a position where their schools will be flooded and over-flooded, I am going to ask for unanimous consent to introduce a resolve. The purpose of the resolve is to set aside the sum of \$200,000 so that in case it is necessary when this impact comes on this little town—and remember, this little town had nothing to do with the air base coming there, it was done by the federal government—if the need arises the Governor and Council may have the funds to assist the educational facilities of the town.

I would call your attention, Mr. President and members of the Senate to a statement of our Senator Brewster in Washington when he said it "is a most significant post-war development on our national defense". We have air bases in Bangor at Dow Field, and Houlton and their total capacity will include 700 acres. This one up there will include 7000 acres. This is something that is happening to a small town in Aroostook that they had nothing to do with, and we want to be ready if need arises, to provide school facilities in that town. I ask unanimous consent to introduce a resolve.

Unanimous consent was granted for the introduction of "An Act to Provide for Capital Expenditures for School Buildings for the Town of Limestone".

Thereupon, on motion by Mr. Barnes of Aroostook, the bill was referred to the Committee on Fi-

nanacial Affairs, and printing ordered.

Sent down for concurrence.

On motion by Miss Clough of Penobscot, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act to Create and Establish a Four-Year Medical School in the State of Maine to be Known as "The Medical College of Maine", a School of Medicine of the University of Maine (S. P. 164) (L. D. 403) was passed to be engrossed; and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

#### From the House

Out of order and under suspension of the rules:

Bill "An Act Relating to Service in Divorce Cases." (H. P. 1749)

Mr. DUNBAR of Washington: Mr. President and members of the Senate I hope that the Senate will receive this bill which came from the House unanimously received. Early in the session there appeared before our committee a bill relating to service in divorce cases and someone overlooked the bill. It provided that the service of divorce libels should be upon the libelant who is the party that brings the libel. Of course service is made upon the libelee. That bill has gone through and has been signed and this bill is to repeal that act and change just one word, that service should be made, where it should be, upon the libelee. I hope that we may receive it and send it along without reference to a committee.

Thereupon, the bill was received by unanimous consent and under suspension of the rules, without reference to a committee was given its two several readings and passed to be engrossed in concurrence.

#### Out of order and under suspension of the rules:

Bill "An Act Creating a School District for the Oakfield-Merrill-Smyrna-Dyer Brook Community." (H. P. 1627) (L. D. 1301)

(Comes from the House, having been recalled by Joint Order from the Governor, and now recommitted to the Committee on Legal Affairs.

In the Senate, the bill was re-committed to the Committee on Legal Affairs in concurrence.

On motion by Mr. Cross of Kennebec, the Senate voted to take from the table, Bill, An Act Imposing a Sales and Use Tax to Raise Additional Revenue (H. P. 1731) (L. D. 1470) tabled earlier in today's session pending passage to be engrossed.

Mr. CROSS: Mr. President and members of the Senate, I think perhaps I should apologize to the members of the Senate for thoughtlessly tabling this bill as a personal matter without thinking of the fact you might assume I was doing it as majority floor leader. This tabling motion of mine was because of my personal feeling that this bill has not been properly considered by many members of this Senate at least, and I doubt if any of you have seriously looked at this bill. Probably the members of the Taxation Committee have read it from cover to cover but this is a very broad and comprehensive bill and my principal objections to it are in the exemptions.

To my mind, a sales tax, to be fair and just, should bear equally on those who are subject to the tax. Now, this tax is ridden with exceptions. There are pages of legitimate and some not so legitimate exemptions. It is one reason why the revenue therefrom is so small, because a 2% sales tax without exceptions would bring in somewhere between nine to twelve million dollars. As it is, they feel it will bring in six to six and a half million dollars, if it is not amended.

Now, I would call your attention to page 12 of the document which takes in certain exemptions. It is perhaps necessary to consider just what theory you have on a sales tax to properly consider these exemptions. You will note Exemption "A" is particularly broad and to my mind exempts the farmer practically 100%. Now, if that is what we want to do, it is the thing we want passed. But where Maine is a strongly agricultural State it does not seem to me we should give more than reasonable consideration to the agricultural interests, although if we pass exemptions "B", "C" and "D", we certainly should pass exemption "A" because those four exemptions take 50% of the revenue from a sales tax right out of it.

Many of the sales tax states have some of these exemptions. Very few have all of them. Now, we are doing this as I see it — we are exempting

"A" seed, feed, farm fertilizer, farm machinery and farm implements. Members of the Senate, I don't know of much of anything else which the farmer might buy except matters of personal apparel which would be subject to the tax.

We go from there to tangible personal property required by public utilities and public service corporations and they are exempt in the processing of their services. My objection to that is this: The Tax Commissioner of Massachusetts has said that a tax exemption means an added tax to someone else. Now this, I think is the obvious theory. If you exempt one person someone else must take up the burden. Exemption "B" takes in all public service corporations and I'd like to bring to your attention these obvious facts that if the tax does apply to these corporations, it will cut down dividends and they will ask the Public Utilities Commission to give an increase in rates so the ultimate consumer will pay more if they are taxed. But I'd like to point out to you this fact that within the State of Maine there are many people — and most of them in poorer circumstances — in small towns of the State which do not have public services of any type. They do not have sewers and do not have lights and do not have many other things we in the cities enjoy. But if you do exempt all these public corporations and commissions on the things purchased, you will be throwing an added burden on the other individuals who do not enjoy the services, and therefore do not pay their added cost of the service.

The same thing applies to those manufacturing concerns who are exempt under this bill for the amounts they purchase for the processes they manufacture. Grant you, this should be done to set up any competition with other States but the same argument applies, that the people who purchase the product are exempt because the corporations are exempt and those who do not buy the produce have got to take up the burden which is exempt under "C".

Of course, Exemption "D" covers many more things than Exemption "C". In other words, those four exemptions are very broad and do exempt, perhaps rightfully so, different angles of our business in the State of Maine and do throw the burden



on those not covered under these exemptions.

Now, if in your consideration, you feel that these four exemptions should be in there then you should pass the amendment I am about to offer which will add another exemption by striking out Exemption "C" and by changing the wording so that you will bring into the exemptions all businesses which buy for the purpose of manufacturing or processing of their product, anything that goes into that manufacturing or processing.

I think if the four are fair, this amendment is fair and would bring into line smaller types of businesses which have not yet been exempt along with the larger ones. You are exempting public utility corporations and large manufacturers but you are leaving out small business men who do have to purchase in order to reduce their processes for retail.

Take for instance, Cross, himself, who is a florist. Now under Exemption "A" I would be exempt from seed and fertilizer and probably any machinery I might buy for producing flowers although it is somewhat debatable as although the federal government says a florist is an agriculturist, the state tax assessor interprets it differently. In the process of producing there are many things that do not come under fertilizer and machinery. We have spent thousands of dollars on bulbs which we buy to force into the ultimate product of flowers. Assuming these are seed, or anything else under that, we would be exempt. But if they are not considered as seed, we would not be exempt. Seeds are a very small part of our business but bulbs are a very large part. This is getting personal, but I can talk about my personal business better than on anything else. On the other hand, it might be, being an agriculturist, it would come under the seed part of the exemption.

I think to save any prospect of confusion this amendment would cover those things and cover every other small business in their purchases to produce their ultimate product. If there is any justice in the four exemptions, there should be justice in this amendment.

I offer Senate Amendment "B" and move its adoption:

The Secretary read Senate Amendment "B":

"Senate Amendment 'B' to L. D. 1470. Amend said bill by striking therefrom paragraph C of sub-section VIII of section 309 thereof and inserting in place thereof the following: C. Tangible personal property delivered to, purchased or used by, any manufacturing mining, commercial or mercantile concern and used or consumed in the manufacturing, mining, commercial, or mercantile process or installed manufacturing or mining process."

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I agree with the Senator from Kennebec, Senator Cross, that on page twelve, under Exemptions, you will find the most important part of the sales tax bill. I don't agree with the amendment because the amendment simply adds to page twelve two words, "commercial" and "mercantile" and I will try to explain to you why those two words were not in there.

The problem has been the subject of long and extended debate by those who attempted to put sales tax together. We had in front of us the sales tax laws in 23 of the states that now use that type of tax and we had the laws proposed in 7 other states this year. We found but two states that had the type of taxes that he refers to as a tax without exemptions, that in tax terminology we normally call not a sales tax but a transaction tax. We selected the type of tax used in most of the states, and we thought used most successfully, and this was our thinking on the exemptions: We sought to exempt all goods that are a part of production of other tangible goods.

We exempted fertilizers because fertilizer is part of the production cost of producing potatoes which are tangible property and which are taxable under this bill. We exempted farm machinery because that is essential to producing the things the farmer produced and takes to the village store and those things in turn are taxable.

As far as public utilities are concerned, we exempted those things that are necessary in performing the public service required by law. For instance, the electrical company that uses coal to generate electricity pays no sales tax on the coal because the electricity is taxable.

As far as large manufacturers are concerned, we thought it unfair to tax the pulp and paper producer

for the pulpwood he purchases since the paper that he produces is in turn taxable. We drew the line as to exemption and did not exempt the distributor of goods because if you do you open up a loophole which we think is impossible to close, because you make every retailer and every wholesaler eligible for exemption on whatever he purchases yet he is not producing tangible personal goods subject to tax.

There was no intent to pick out the manufacturer or the public utility or the producing farmer and give them exemption and then deny it to the retailer except that we would give it to those who were producing things that are taxable under this bill.

My own conclusions in agreeing to that were substantially, as you will find by the evidence, that there is the procedure followed by those states that are most successfully using the sales tax.

I was also impressed with the evidence that many of the states had changed to that type of exemption and I submit that if you don't stop at the production point and get into the distribution point the type of exemption you want will be nearly endless.

If I am a producer of goods and every transaction through which the material I use in producing the goods is taxed, the consumer may be paying six, eight, ten or twelve taxes by the time he gets his goods because in many productive industries the raw material goes through several processes. Consider for instance, the manufacturer of shoes. Would it be fair to tax him on the leather he purchases for producing the shoes and then taxing the shoes? We don't think so. We thought he should not be taxed on leather when the goods he produces become taxable. For that reason, I believe the thing has had careful consideration and I think we have arrived at a point where exemption should stop and for that reason, I hope the motion of the Senator from Kennebec, Senator Cross, does not prevail.

Mr. CROSS of Kennebec: Mr. President and members of the Senate, I don't want you to get the impression that I was presenting this amendment to you for any selfish purpose. I took my own business for an example because it was easier for me to speak of my own

situation as I know it better. I have no desire to escape taxation as a florist any more than the rest of us here have any desire to escape our fair share of the burden of running the state. But I do maintain that this bill is not the bill which many of us came here determined to pass.

In January of this year I think a large majority of the legislature felt that the sales tax was perhaps the answer to all our troubles. We had a spontaneous—if I may call it such—committee representing various interests of the public which said that they were no longer against a sales tax if it was necessary and that they would join together with the committee and help draft a bill which would be a fair and just bill which would be a general sales tax. This was done by this bi-partisan committee and perhaps it is a coincidence in my mind that members of that committee represented the agricultural interests, public service corporations, manufacturers and retail stores of Maine but nowhere did I see anyone who attempted to represent either small business or the people who would pay the tax. I suppose this is the natural result coming from this committee of Exemption A to exempt all or practically all of agriculture; Exemption B to exempt all or practically all public utilities; Exemption C to take care of the larger manufacturer; Exemption D which appears to have only a general merit and which might possibly cover the amendment which I have offered.

Now personally, I would vote for any sales tax which is a fair and justly distributed tax. But I cannot vote for this bill as it is written and frankly I would prefer to see all four of these exemptions stricken out with the exception of three words, "seed, feed and fertilizer." The reasoning behind that one phrase is this: We are primarily an agricultural state and practically all sales tax bills exempt those three things, but beyond that I don't think it is a fair and just general sales tax. With these four things in it, if we accept these four we should go a step further and accept this amendment but either with or without the amendment I am unalterably opposed to this bill as it is written.

There are many other portions of this bill which do not conform to

the ideas which many of us have of a sales tax bill and I don't think at this time I will go into the other sections of the bill but will allow, if you see fit to do so, the bill to go on to a later stage to see if anyone else wishes to amend it.

I do feel, however, that we should not pass this beyond the engrossing stage at this time without at least a week-end to observe and study this far-reaching bill. If the Senate sees fit to send it along it is merely my personal opinion and I would again assure you that these are only my personal views as a Senator and absolutely do not reflect my views as Majority Floor Leader. I hope the amendment will be adopted.

Mr. NOYES of Hancock: Mr. President and members of the Senate, I think it is only fair to the Senate to state that the committee had these exemptions under consideration and the Senator from Penobscot has very ably expressed to you the sentiments of your Taxation Committee. I do not agree with the thinking of the Senator from Kennebec, when on one exemption he says the farmers are being favored and on the next exemption, that of the public utilities, he would tax public utilities and put further charges upon those people living in our cities and towns.

It seems to me that the bill as drawn is a fair bill and I hope the amendment is indefinitely postponed.

Mr. ELA of Somerset: Mr. President and members of the Senate, a sales tax at best is more or less of a complicated document, but if we are going to have a sales tax, it is essential that we do have one as workable as possible, as sound as possible, and with as few loopholes in it for trouble as possible.

Probably you have all studied the matter more or less and know that there are two different trends of thought in such a tax. One is the transaction tax where, as the Senator from Penobscot has said, you tax every transaction. That doesn't seem to be feasible or workable. Very, very few states use it and in some cases it taxes a single product many times. This bill attempts to tax goods once at the retail level. The chief objection, of course, of Senator Cross, is to the inclusion of commercial establishments in the retail business. There are so few manufacturers in rela-

tion to retailers that you cannot properly exempt a manufacturer and the farmer is essentially a manufacturer; the goods he produces, when they are sold for the last time, are taxed. I feel that if we are going to arrive at the ultimate perfection in every last definition, you will have an unworkable bill. You will have a document which will take not the week-end to read but the summer.

So I believe that if we are to have a sales tax let us use the seasoned experience of those states which do have it, following whatever opinions may have developed in our study of the matter. While we do not claim this bill is perfect still we believe it is as good as can be produced with relation to the criticism which he brings up.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I hesitate to spend further time on this but I would like to make clear one point which is that this bill was not designed or developed by manufacturers and public utilities people. The group that worked for about three months on the bill included many others, representatives of organized labor in the state of Maine, faithful representatives of the League of Women Voters, the Womens Legislative Council I think they were called, and certainly an attempt was made to get a cross section of all of the consumer groups as well as the manufacturer group. I don't mean to indicate that every group represented there agreed wholeheartedly with every section of the bill but I do think it is a fair representation of what a fair cross section group of all the people representing all types of people in our state, think we should have.

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

A viva voce vote being had,

Senate Amendment B was not adopted.

Mr. CROSS of Kennebec: Mr. President and members of the Senate, as Senator Cross, and not as your floor leader, I still believe it would be of benefit to this Senate, that this bill lie on the table over the week-end and I so move.

A viva voce vote being had,

The motion to table did not prevail.

Thereupon, the bill was passed to

be engrossed in non-concurrence, House Amendment B having been indefinitely postponed earlier in today's session.

On motion by Mr. Savage of Somerseset, the Senate voted to take from the table bill, An Act Relating to Unorganized Townships Fund (S. P. 398) (L. D. 1147) tabled by that

Senator on April 23 pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Cross of Kennebec,

Adjourned until Monday, May 5, 1947 at 3 o'clock in the afternoon, Eastern Standard Time.