

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-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Thursday, February 22, 1951

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

Prayer by the Rev. Mr. Flower of Augusta.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

The following Order:

ORDERED, the House concurring, that there be paid to Joseph Nicholas, Representative of the Passamaquoddy Tribe of Indians, the sum of two hundred dollars (\$200) on account of compensation, and also mileage the same as received by the Indian Representative to the 94th Legislature (S. P. 341)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

From the Senate:

Bill "An Act relating to Drive-In Theaters" (S. P. 340) (L. D. 801)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Resolve Providing for State Pension for Julia E. Burt, of Augusta (S. P. 349)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the committee on Welfare in concurrence.

Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Business Legislation on Bill "An Act relating to the Government Employees Credit Union of Maine" (S. P. 32) (L. D. 15) reporting same in a new draft (S. P. 330) (L. D. 715) under same title and that it "Ought to pass."

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

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

Ought to Pass Tabled

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County (S. P. 161) (L. D. 333)

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

In the House:

The **SPEAKER**: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. **HANCOCK**: Mr. Speaker, I would like to table this Resolve pending acceptance of the Committee Report, and I promise it will not be on the table very long.

Thereupon, the motion prevailed, and the Resolve was tabled pending acceptance in concurrence.

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Regulating Fishing in DeMeyers Brook, in the County of Hancock (S. P. 158) (L. D. 334)

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

In the House, Report was read and accepted in concurrence, the Resolve was read once, and tomorrow assigned.

Non-Concurrent Matter

Report of the Committee on Public Health reporting "Ought to pass" on Bill "An Act relating to Employed Persons in Paper Mills" (H. P. 328) (L. D. 188) which was accepted in the House on February 16, and the Bill passed to be engrossed.

Came from the Senate with the Report recommitted to the Committee on Public Health in non-concurrence.

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

Bills and Resolves Requiring Reference

The following Bills and Resolves, transmitted by the Director of Leg-

islative Research pursuant to Joint Orders, were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act to Stabilize the Prices of Milk and Cream During the Present Emergency" (H. P. 1296) (Presented by Mr. Clements of Belfast)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial

Affairs

Bill "An Act to Provide for the Issue of State of Maine Building Construction Bonds for the Construction and Equipment of State Buildings" (H. P. 1297) (Presented by Mr. Woodworth of Fairfield)

(Ordered Printed)

Bill "An Act to Provide a Plan for the Administration of Certain Welfare Funds" (H. P. 1298) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Create the Office of Director of Transportation and Define the Duties of the Director" (H. P. 1299) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Paying Fire Losses" (H. P. 1300) (Presented by Mr. Campbell of Guilford)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Charles (Lucien) Levesque, of Auburn (H. P. 1301) (Presented by Mr. Delahanty of Lewiston)

Resolve in favor of Elwood N. (James) Grant, of Brewer (H. P. 1302) (Presented by Mr. Grover of Brewer)

Sent up for concurrence.

Education

Bill "An Act relating to Teachers' Tenure" (H. P. 1303) (Presented by Mr. Winchenpaw of Friendship)

(1250 Copies Ordered Printed)

Bill "An Act relating to School Subsidies" (H. P. 1304) (Presented by Mr. Woodworth of Fairfield)

(Ordered Printed)

Sent up for concurrence.

Highways

Resolve in favor of the Town of Sebago (H. P. 1305) (Presented by Mr. Spear of So. Portland)

Resolve in favor of the Town of Sebago (H. P. 1306) (Presented by same gentleman)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Maranacook Game Preserve" (H. P. 1307) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Bill "An Act relating to Crop and Orchard Damage by Deer" (H. P. 1308) (Presented by Mr. Carville of Eustis)

(Ordered Printed)

Bill "An Act relating to Smelt Fishing" (H. P. 1309) (Presented by Mr. Watson of Moose River Pl.)

(Ordered Printed)

Bill "An Act relating to Transportation of Fish by Airplane" (H. P. 1310) (Presented by same gentleman)

(Ordered Printed)

Resolve relating to Open Season in Waters of York County (H. P. 1311) (Presented by Mr. Taylor of Lyman)

(Ordered Printed)

Resolve Regulating Fishing in Rancourt Pond in Dennistown Plantation, Somerset County (H. P. 1312) (Presented by Mr. Watson of Moose River Pl.)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Providing for the Establishment of Standards for Employees and the Public" (H. P. 1313) (Presented by Mr. Brown of Baileyville)

(1000 Copies Ordered Printed)

Bill "An Act relating to Eligibility for Employment by the State, Counties and Municipalities" (H. P. 1314) (Presented by Mr. Gay of Damariscotta)

(1000 Copies Ordered Printed)

Bill "An Act relating to Prevention of Subversive Activity" (H. P. 1315) (Presented by same gentleman)

(1000 Copies Ordered Printed)

Bill "An Act Enacting the Sabotage Prevention Act" (H. P. 1316) (Presented by same gentleman)

(1000 Copies Ordered Printed)

Bill "An Act relating to Proceedings in the Probate Court" (H. P. 1317) (Presented by Mr. Delahanty of Lewiston)

(Ordered Printed)

Bill "An Act relating to Inheritance Taxes" (H. P. 1318) (Presented by Mr. Harding of Rockland)

(Ordered Printed)

Bill "An Act Establishing a State-wide Probation System" (H. P. 1319) (Presented by Mrs. Moffatt of Bath)

(Ordered Printed)

Bill "An Act Creating the Bangor Recreation Center" (H. P. 1320) (Presented by Mr. Woodcock of Bangor)

(Ordered Printed)

Sent up for concurrence.

Tabled

Bill "An Act relating to the Enforcement of the Liquor Laws" (H. P. 1321) (Presented by Mr. Woodworth of Fairfield)

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

Mr. BROWN: Mr. Speaker, I wish to table this bill for clarification, pending reference to a committee.

(Thereupon, the motion prevailed, and the bill was tabled pending reference to a committee and ordered printed)

Labor

Bill "An Act to Provide Facilities for the Peaceful Settlement of Industrial Disputes Through Mediation" (H. P. 1322) (Presented by Mr. Delahanty of Lewiston)

(Ordered Printed)

Bill "An Act to Amend the Workmen's Compensation Act as to Waiting Period and Compensation Benefits" (H. P. 1323) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Enlarging the Powers of Wiscasset Academy" (H. P. 1324) (Presented by Mr. Gay of Damariscotta)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Entertainment in Licensed Premises" (H.

P. 1325) (Presented by Mrs. Hanson of Lebanon)

(Ordered Printed)

Bill "An Act relating to Sales of Liquor to Minors" (H. P. 1326) (Presented by Mrs. Moffatt of Bath)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Fire Protection Tax in Unorganized Territory" (H. P. 1327) (Presented by Mr. Parker of Sebec)

On motion of Mr. Parker of Sebec, the bill was referred to the Committee on Towns and Counties and ordered printed.

Public Health

Bill "An Act relating to Sanitary Facilities for Certain Places" (H. P. 1328) (Presented by Mr. Bradeen of Waterboro)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Conservation of Clams in Washington County" (H. P. 1329) (Presented by Mr. Bucknam of Whiting)

(1000 Copies Ordered Printed)

Bill "An Act Repealing Law on Interstate Transportation of Lobsters" (H. P. 1330) (Presented by Mr. Barton of Vinalhaven by request)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Taxation of Bottled Gas Equipment" (H. P. 1331) (Presented by Mr. Watson of Moose River Pl.)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act relating to By-Laws by Penobscot Tribe of Indians" (H. P. 1332) (Presented by Mr. Latno of Old Town)

(Ordered Printed)

Resolve Providing for State Pension for Arthur Robbins, of Old Town (H. P. 1333) (Presented by Mr. Latno of Old Town)

Resolve Providing for State Pension for Harold Taylor, of Carmel

(H. P. 1334) (Presented by same gentleman)

Resolve Providing for State Pension for Wayne Bates, of Old Town (H. P. 1335) (Presented by same gentleman)

Resolve Providing for State Pension for Franz Thurston, of Great Works (H. P. 1336) (Presented by same gentleman)

Resolve Providing for State Pension for Miss Annette Chasse, of Van Buren (H. P. 1337) (Presented by Mr. Madore of Van Buren)

Resolve Providing for State Pension for Guy Pulsifer, of Turner (H. P. 1338) (Presented by Mr. Ricker of Turner)

Sent up for concurrence.

On motion of Mrs. Hanson of Lebanon, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

**House Reports of Committees
Ought Not to Pass**

Mr. Patterson from the Committee on Welfare reported "Ought not to pass" on Resolve Providing for State Pension for Herbert F. Sanborn of Hollis Center (H. P. 672)

Report was read and accepted and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Jamieson from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Moneys for Continuation of Civil Defense and Public Safety Agency Due to Insufficient Funds" (H. P. 675) (L. D. 411)

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

Mr. **JACOBS**: Mr. Speaker, I move acceptance of the report, and after acceptance, that the bill be given its three readings at this time, to hasten its progress.

Thereupon, the motion prevailed, and the bill having already been printed was given its three several readings under suspension of the rules, passed to be engrossed and sent up for concurrence.

Mr. Leavitt from the Committee on Business Legislation reported

"Ought to pass" on Bill "An Act to Amend the Charter of Continental Mills" (H. P. 447) (L. D. 276)

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

Passed to be Engrossed

Bill "An Act Regulating the Taking of Clams and Quahogs" (S. P. 121) (L. D. 211)

Bill "An Act Permitting Certificate of Records of Department of Health and Welfare as Evidence" (S. P. 167) (L. D. 342)

Bill "An Act relating to the Propagation and Cultivation of Clams, Quahogs and Mussels" (S. P. 173) (L. D. 348)

Bill "An Act relating to Aid to the Blind" (H. P. 172) (L. D. 103)

Bill "An Act relating to Parsonsfield Kezar Falls Village Corporation" (H. P. 1294) (L. D. 806)

Resolve Regulating Fishing in Sheepscot Bay (S. P. 172) (L. D. 347)

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

Amended Bills

Bill "An Act to Amend the Charter of the York Harbor Village Corporation" (S. P. 135) (L. D. 241)

Bill "An Act relating to Opaque Substances for Windows in Motor Vehicles" (H. P. 343) (L. D. 200)

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

**Passed to be Enacted
Emergency Measure**

An Act to Incorporate the Stonington School District (S. P. 36) (L. D. 20)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 123 voted in favor of same and none against, and accordingly the Bill was passed

to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Deer Isle School District (S. P. 37) (L. D. 19)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 128 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. Dunham of Ellsworth, the two emergency measures were sent forthwith to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 1) (L. D. 2) tabled on February 21, by the gentleman from Lewiston, Mr. Jalbert, pending acceptance of the Committee Report, and the Chair recognizes that gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: I shall make a few remarks pending my motion to substitute the Report for the Report of the Committee. This is the fourth time that I have presented this measure at a session of the Legislature. It is the nineteenth time that it has been presented since Maine became a State.

I would like to just read to you from the original book on the Constitutional debate concerning the arguments for or against when they set the date of our election. Section 4, Article II, "The election of governor, senators, representatives, judges and registers of probate and sheriffs takes place on the second Monday of September, bi-annually."

Section 4. "Mr. Holmes moved to strike out 'Monday,' and insert 'Wednesday,' as the day of election, as the arrangements for that pur-

pose are frequently attended to on the Sabbath.

"Col. Moody hoped there was virtue enough in the people of the new State, not to violate the Sabbath for electioneering purposes. There are many mechanics, who are in the habit of going home from their labor, a considerable distance on Saturday and returning on Monday morning; and it would be much more convenient for them to attend the elections on that day and not to be obliged to go home on purpose.

"Mr. Baldwin said, the farmers would be equally incommoded by the alteration. They frequently want to leave home in the beginning of the week, to go to market, or for other purposes, and be absent for the week, and this would interfere with their business.

"Mr. Parsons, of Edgecomb, said the fishermen were equally interested in preferring Monday, as they generally go out the first of the week, and return home at the end of it.

"Mr. Holmes said, as three classes of people had already been mentioned, as suffering inconvenience from the proposed change, he would withdraw his motion.

"Mr. Cutler, of Farmington, moved to strike out 'September,' and insert 'October.'

"Gen. Chandler hoped the motion would not prevail. By the Constitution, as reported, the towns are to be classed for the purpose of choosing representatives, and they would therefore need more time, in case an election is not made the first time, to complete the election.

"Dr. Phelps was in favor of October, and wished to have the third, instead of the second Monday.

"Mr. Vance preferred September, for the reasons given by General Chandler.

"Mr. Holmes said, it was the object of the committee to fix on a day between the former and latter harvest, as the least busy season, and they considered the second Monday of September, as coming nearest that purpose.

"The motion was lost.

"Dr. Phelps moved to strike out 'second' and insert 'third Monday'.

"Col. Moody thought it best as it stood; the third Monday coming so near the equinox, the weather would not probably be so favorable. This motion was also lost, and the fourth section passed without amendment."

That is the complete debate when they set the date of our election. Note that one gentleman said that that was their busiest season as far as harvest was concerned. I don't think that there is anybody in this House who will not agree with me when I make the statement that September, although no farmer ever enjoys a real slack season, if he is going to enjoy any slack season, it is not in September, that is when he has his busiest season.

Also the equinox, and I think the weather has changed very definitely when we call September "Indian Summer". Those were the two arguments that were used in setting the election date.

I was particularly interested this summer in travelling with a friend of mine who was running for major office when we called on various meetings in small communities and our farmers could not get there until dark. They were busy from dawn to dusk.

I was particularly interested also in the apathy that exists because of people being on vacations, and people not being available for meetings, where they would be if we moved the date to November.

This measure must necessarily go to the people. It is a Constitutional Amendment and it must go to the people in referendum. That is all this measure asks. I am not asking to change the date; I am asking to allow the people to decide for themselves whether they want to change the date of the election. The money involved so far as economy is concerned has not necessarily become secondary but it plays now an equal part, in my opinion, with the apathy that exists. Money is saved by everybody concerned. Every good citizen of Maine will appreciate the logic that it costs twice as much to do anything twice as it would to do it once. I believe that holding two elections, as far as the State of Maine is concerned, the saving by the election division itself, would

pay the expenses of our Executive Department.

When you come to realize the cost of these elections in the various towns and communities; when you go to some of their town meetings where, in a good Yankee, American way, they argue about \$1.50, loud and long, I think, when it comes to these items here, it might be well if we would really make an effort to save some of this money.

I have done considerable research work on this measure. I conducted a poll of city and town managers a while back, mayors of Maine communities, asking if they did or did not favor a change and asked them to estimate the cost to their communities of the double election, September and November. I received 195 answers, of which 176 officials favored the change, seventeen opposed and two held no opinion. In the 195 communities answering my poll, it cost \$19,920.26; estimated for all other towns, \$25,000.

I have, Mr. Speaker, the record of the last—Ninety-fourth—1949 Legislature and due to the fact that our stenographers have enough work, might I ask for unanimous consent to insert these pages into the record—I am also motivated by timesaving. This is a record of the towns and cities and whether they say yes or no and the amount. I would merely like to have it in the record and I will not take the time to read it to you, it is quite lengthy—it will tell you whether or not your town favored the change and, motivated by timesaving, may I ask unanimous consent to have it inserted in the record?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, asks unanimous consent to insert in the record certain excerpts from the record of the 94th Legislature. Is there objection?

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

Mr. CHASE: Mr. Speaker, I have no objection if the record clearly shows that the remarks were not made in the House and were, therefore, not subject to rebuttal. If the extension is made, I believe it should so state in the record.

The SPEAKER: The Chair will inquire of the gentleman from

Lewiston, Mr. Jalbert, if the remarks were made in the House.

Mr. JALBERT: Very definitely, Mr. Speaker. I withdraw my motion. I will read the section.

Towns and Cities answering "Yes"

	Amounts
Buckfield	\$ 25.00
Arrowsic	13.00
Winthrop	37.05
Liberty	25.00
Brooklin	45.00
Bradley	23.00
Hancock	25.00
Bridgton	65.00
Waldoboro	75.00
Oakfield	15.00
New Limerick	11.50
Falmouth	92.20
Albion	35.00
Alexander	42.00
Deer Isle	79.00
Monroe	20.00
Sumner	20.00
New Gloucester	60.00
So. Thomaston	35.00
So. Portland	671.57
Stoneham	30.00
Winter Harbor	35.00
Houlton	125.00
Aurora	25.00
Greenville	No Amount
Hampden	50.00
Naples	No Amount
Lincoln Plant.	13.50
Bristol	38.00
Van Buren	50.00
Haynesville	10.00
Carroll	45.00
Hodgdon	15.00
Newcastle	35.00
Hudson	29.00
Wade	14.00
Holden	30.00
Stockton Springs	20.00
Dyer Brook	9.00
Bar Harbor	76.29
Cutler	25.00
Springfield	40.00
Eddington	25.00
Milford	24.65
Alfred	40.00
Westfield	20.00
Grand Lake Stream Plant.	15.00
West Bath	18.00
Glenburn	16.00
Livermore Falls	50.00
Grand Falls Plant.	29.41
Rangeley	25.00
St. Agatha	76.50
Mt. Desert	83.00

Amounts

Princeton	28.00
Coplin Plant.	6.00
Turner	25.00
Stockholm	25.00
Hiram	45.00
Burlington	24.00
Shirley	10.00
Danforth	45.00
Bancroft	3.00
Rockport	41.00
Plant. No. 21	25.00
Orient	36.00
Pownal	50.00
Parkman	25.00
Sherman	21.00
Medway	40.00
Milbridge	20.00
Littleton	28.00
Ripley	15.00
Lebanon	63.50
Sanford	539.71
Thomaston	65.00
Harrington	15.00
Fairfield	50.00
Crawford	40.50
Minot	100.00
Portage Lake	40.00
Baileyville	16.40
Skowhegan	100.00
Whitefield	39.00
Fort Kent	75.00
Perham	20.00
Avon	50.00
Perry	25.00
Amherst	14.88
Pittsfield	42.00
Machias	25.00
Madison	77.00
Solon	25.00
North Yarmouth	70.00
Raymond	6.00
Brunswick	500.00
Jay	100.00
Phillips	28.00
Glenwood Plant.	24.80
Masardis	40.00
Bowdoinham	40.50
Vassalboro	60.00
Palmyra	40.00
Gilead	10.00
Orneville	25.00
Lake View	35.00
Mechanic Falls	75.00
Carthage	25.00
Lewiston	969.98
Poland	75.00
Dexter	43.00
Ashland	50.00
Dover-Foxcroft	56.00
Sangerville	36.80
Benedicta	15.00
Belmont	26.88
Gouldsboro	24.00

	Amounts		Amounts
Richmond	60.00	Windham	36.00
Searsmont	50.00	Hallowell	320.33
Presque Isle	No Amount	Wells	(Very Little)
Newport	66.00	Madrid	40.00
Sullivan	55.00	Patten	30.00
Mapleton	25.00	Greene	40.00
Brewer	655.00	Northport	27.50
Wallagrass Plantation	50.00	Island Falls	12.00
Westbrook	250.00	Litchfield	42.00
Corinna	12.00	Webster	20.00
Livermore	30.00	Troy	30.00
Madison	50.00	Easton	20.00
Steuben	25.00	Charleston	20.00
Eagle Lake	50.00	Cumberland	93.39
Veazie	25.00	Augusta (no opinion)	1429.82
Harrison	51.00	Portland (no opinion)	1939.00
Wales	50.00		
Edgecomb	40.00		
Abbot	40.00		
Mariaville	21.00		
Belgrade	32.00		
Farmington	85.00		
Biddeford	758.00		
Dennysville	50.00		
Dixmont	19.84		
Unity	46.00		
Crystal	40.00		
Palermo	50.00		
Industry	36.00		
Southwest Harbor	51.00		
Lee	36.00		
Gardiner	468.64		
Mars Hill	30.00		
Monmouth	75.00		
Freeport	50.00		
Rockland	584.75		
Fort Fairfield	65.00		
Calais	500.00		
Frenchville	42.00		
Ellsworth	350.00		
Mexico	47.37		
Rangeley	12.00		
Winslow	60.00		
Hebron	40.00		
Friendship	41.00		
Plymouth	35.00		
Lubec	No Amount		
Orono	33.34		
Auburn	1000.00		
Enfield	40.00		
Dallas Plantation	No Amount		
Jackson	36.00		
Blaine	22.00		
Cushing	25.00		
Waterville	1500.00 plus		
Blue Hill	75.00		
Appleton	35.00		
Guilford	50.00		
Towns and Cities answering "No"	Amounts		
Southport	34.00		
Kingfield	18.00		

I have taken so much time reading this that I will simply say that it speaks for itself and I don't want to take any more of your time except to make one very brief remark, and that is this: Remembering Governor Payne's statement regarding re-election, he stated very definitely in his announcement that he would conduct his campaign from his desk in the State House. During last summer—I don't think anyone here can deny it—all you heard was Mr. Johnson, Mr. Acheson and Korea. That is all we heard from the time the battle started until the war was off, up to September 12th.

I would have loved to have gone into some of these other issues but I have been wanting so very badly to get this off my chest, I will now yield.

I have also circulated petitions. I have got in return 55,000 names, who signified they wanted the change presented in the bill.

The SPEAKER: The question before the House is on the acceptance of the committee report.

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

Mr. JALBERT: Mr. Speaker, is this my second time? I now move that the bill be substituted for the report and, when the vote is taken, I move that it be taken by the yeas and nays.

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

Mr. McGLAUF LIN: Mr. Speaker and Members of the House: I must give my friend, Mr. Jalbert, credit for his persistence. This is the

fourth time he has introduced this bill in the House, and I was just wondering whether he expects to find some legislature more dumb or more brilliant than preceding legislatures in order to get this thing through. I give my friend credit also for being sincere. I really think that he believes his own argument. In some of the arguments that he did not state today and has not commented on, I cannot go along with his final reasoning.

The record of 1949 shows that Mr. Jalbert claimed that the State of Maine lost \$200,000 a year, and he reckoned that \$200,000, and he reckoned that \$200,000 on this one item: that it took time to vote. Now my friend, the gentleman from Lewiston Mr. Jalbert, I understand, is studying the law profession. I think he will turn out to be a good lawyer, but he will learn in time that there is what we call "remote damages," and this \$200,000 I should certainly call remote damages.

I want to give an illustration of a case that I actually had some years ago, because it is rather interesting.

A man bought a 125-acre farm for \$1700; he paid \$300 down and gave back a mortgage of \$1400; the mortgagee later died and he left his property to his children. The executors, finding that this mortgage of \$1400 was outstanding, asked for payment, whereupon the purchaser came back with a statement that he was buying this land for orchard purposes and that the owner had guaranteed that there were a certain number of acres of tillable land, and he claimed that there were not as many as represented. He did not get the reduction he thought he ought to have, so his attorney brought a bill in equity against the heirs, and, before this case came into my hands, this is what happened. The attorney—and he is a pretty good attorney too—and his client figured that they intended to plant so many trees; they never planted them but they intended to plant them. If they planted them, each tree would be worth so much, and they finally worked it out that instead of the purchaser owing them, the executors, \$1400, that this man's heirs

owed them \$1050. (Laughter) Now Judge Pattangall, to whom I happened to mention this case, said it was the worst decision he ever heard of in his life. Remote damages! Before I got through with the case they paid the mortgagee and we did not pay them anything.

Now let us look at the actual cost \$20,000; 1942, 16,000; 1944, \$21,000; to the State. I got these figures from the Secretary of State. In 1940 the September election cost \$20,000; 1942, \$16,000; 1944, \$21,000; 1946, \$24,000; 1948, \$31,000; and last year, the highest in history, went up to \$34,000 that it cost the State for the September election.

Now I have found that there are some members of this House who think that we are going to make a great saving by changing this election date. I have worked it out, and this is what I find. You can figure it yourself. There are 910,000 people in the State of Maine, and if you allocate that cost according to the population it is very, very little. It will be just two cents apiece once a year. I want to point out that it would take five years for you to save enough to buy a ten-cent cigar, and it would take ten years to save enough to buy a package of cigarettes for twenty cents. Think of it! Think of all this enormous waste of money! And I figured out what the cost would be to the City of Portland, this terrible waste. It would cost about one cent apiece a year for the inhabitants of Portland to have that special election.

Now there is no need of being too greatly alarmed at the expense of this election. Do I not want to save money? Why, I surely do. But the reason I am for the September election is because I consider it one of the greatest advertising mediums that we have, in fact I think it is the greatest one that we have in the State.

Last summer, while we were holding some political meetings, I met a man, a politician, from the Bronx, New York. I said to him, "It is my opinion that the September election means a great deal in the way of advertising for the State of Maine. You are an outsider, and I would like to ask your opinion. What do you think?" He said, "It

most certainly is. We in New York watch with the greatest of interest every September election in Maine."

As I pointed out two years ago when this same question came up, in my opinion Margaret Chase Smith being elected in September gave this state a million dollars worth of advertising.

Now I will come to the question of the demand for this change. My Brother, the gentleman from Lewiston, Mr. Jalbert — and I do not want to say anything disparaging of him for I like him very much — says that we just want a chance to vote on it. At the hearing before the Judiciary Committee there was so much excitement over getting this that there were four people that appeared and gave a very weak argument for this change.

If you look at the Constitution of the State of Maine you will see that it says there may be an amendment to the Constitution whenever two - thirds of both branches of the Legislature deem it necessary. Now how in the world can you find that we deem it necessary to put this up to the people at considerable expense when four people come before the Judiciary Committee to say they want a change?

As soon as you vote on this matter, I have confidence you are going to vote as you have in the past, to kill this motion. I will then move to accept the unanimous report—get that, "the unanimous report"—of the Judiciary Committee that it should not pass.

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: I believe that any man who is elected to this House, no matter whether he comes from a city or from a plantation, whether he is in the majority or in the minority party, has a right to present any bill that his constituents may wish him to present, and that he should have a chance to be heard on that bill and that he should have the attention of all, because it must be important to someone or he would not present the issue. Now Mr. Jalbert has been for this bill again and again, and I contend that he has a right

to present it two years from now, four years from now and six years from now, and right along, as long as we are a Republic or a Democracy or until such time as we have a dictator.

Now, in so far as the cost of this election is concerned, at the beginning of this session my Brother, the gentleman from Lewiston, Mr. Jalbert, was a no-taxation man, a solid, sure, firm, outspoken no-taxation man. Yesterday he put on an acrobatic act here, and right before our very eyes where all could see, he turned a complete and perfect somersault and he came out for taxation.

Well now, if we are going to have taxes and are going to have plenty of money, why argue against this September election? I cannot see why you should do so. There will be plenty of money from this time on, so I am in favor of this old-time September election.

Now, another thing I noticed: Yesterday my good friend and brother—and I say this not to discredit him because I honor him for his persistency—my good friend Mr. Jalbert came out four-footed—no, only two-footed—but he came out solid and square and outspoken against the referendum. Today he wants to use it, and I am just wondering if tomorrow he will ask for another constitutional amendment and remove the referendum from the Constitution. Now I do not want to try to discredit anybody. I want to say that I honor this man's persistency, and I would listen to him until tomorrow morning if he had any bill that his constituency wanted him to present; but I want to stand firm and square, and I believe Aroostook County does to a man, for the continuance of the September election. Thank you.

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

Mr. BROWN: Mr. Speaker and Members of the House: Many times I have been out of step in this Legislature and have taken a stand where I was very much alone as far as the majority party goes. Today I am going to be out of step again. I believe it is my right. I think it is pretty near time that we lined up with the rest of the States in

the Union and go along and conduct our elections on the same date.

I noticed in the reading of the list of towns that some of the towns in my district favored a change in the election date. I have asked many people over the State in my travels, and they favor a change in election date. I cannot see where this voting in September adds any prestige to the State of Maine. The theory that "As Maine goes so goes the Nation" since 1930 has not meant a thing except in two elections, and in those elections as Maine went so did go the Nation, but they went Democratic.

Now that is my feeling on this, and I shall certainly vote to support the contention of my good friend and colleague, Representative Jalbert of Lewiston.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Since Senator Smith has been brought into this picture, I would like to read to you, in rebuttal, my remarks made at the last session:

"Mrs. Smith was brought into this picture. It gave us a great deal of publicity; it was a fine thing for Maine; and my good friend, the gentleman from Portland, Mr. McGlaulin, did make the remark that somebody in Washington told him that in Maine we grew men; but from the way this little lady ran roughshod over three men, I think we grow pretty good women.

"Here are her own words. This was in Newsweek and in Life and on the front page of every paper in the country. Here are her words: 'I've had to learn the new ropes in the Senate—and I'll probably be doing this for many months if not years. I've been deluged with radio, television and speaking requests. Some try to make me feel good by saying that it is because I'm popular. But I'm realistic enough to know that it is because I'm an oddity. People just want to see what a woman Senator looks like—they don't want to see me particularly.'"

Now the four people who appeared before the committee represented thousands of people. One individual, Horace Howe, a gentleman from Portland, said he represented thou-

sands of people and that in convention assembled they adopted a resolution to change the election date. Another lady who appeared was former Republican State Committeewoman, Dorothy Roberts, owner and publisher of the Lincoln County News and Chairman of the Legislative Council for Maine Weekly Newspapers. If you read the Lincoln County News, an excellent newspaper, you will find the article on the front page in the left-hand corner, on top. This is a Republican newspaper.

As far as the "five times two is ten cents" is concerned, I will say to my good friend, the gentleman from Portland, Judge McGlaulin, that I know he is of the athletic type and can drive very forcefully after ten cents. Remember that tax you brought on two years ago. In other words, if we are going to go on the assumption that it cost only two cents to go and vote, labor is pretty cheap in Maine. The average time of going to vote in Maine is about thirty minutes, and some people have to travel eleven, twelve, or thirteen miles. In my opinion, the time of a good farmer in Maine today is worth more than two cents. Maybe I am wrong.

As far as not necessarily knowing whether we are going to have plenty of money, I will remind my good friend, the gentleman from Blaine, Mr. Bubar, that wherever I have taken a stand on taxation I still have my own red pencil and where that red pencil should be used I will continue using it of necessity. Those were my words. If you want to amend the Constitution of Maine it must be by referendum. I was born in Maine and I think I am a fairly good citizen. When the Constitution says one thing I like to abide by it. The Constitution has been amended eleven times, and I am only using the same procedure provided by law, a referendum.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the Resolve be substituted for the "Ought not to pass" report of the Committee. The gentleman from Lewiston, Mr. Jalbert, has requested a roll call.

All those who desire that the

vote be taken by the yeas and nays will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously a sufficient number having arisen, the yeas and nays are ordered.

The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, to substitute the Resolve for the "Ought not to pass" report of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election. (H. P. 1) (L. D. 2)

All those in favor of substituting the resolve for the "Ought not to pass" report of the committee will answer "Yes" when their names are called and those opposed will answer "No."

The Clerk will call the roll.

ROLL CALL

YEA—Brown, Baileyville; Cote, Couture, Delahanty, Dostie, Duquette, Edwards, Farley, Fogg, Frechette, Hancock, Hanson, Machiasport; Jalbert, Kelly, Lacharite, Lessard, Letourneau, Lord, Madore, Maguire, Nadeau, Parent, Pierce, Stewart, St. Pierre, Totman, Walls.

NAY—Albee, Albert, Bailey, Barton, Bates, Bearce, Caribou; Bearce, Hebron; Berry, Boothby, Bradeen, Brown, Robbinston; Brown, Wayne; Bubar, Bucknam, Burgess, Burkett, Campbell Carter, Carville, Caswell, Center, Standish; Chaples, Chase, Belgrade; Chase, Cape Elizabeth; Chase, Whitefield; Clapp, Clements, Cobb, Cole, Daggett, Davis, DeBeck, Dennison, Dickey, Dow, Eliot; Dow, Falmouth; Dunham, Emerson, Fay, Fenn, Finnegan, Fuller, Bangor; Fuller, So. Portland; Gay, Gerrish, Gilman, Gosline, Gowell, Grover, Hall, Hamilton, Hanson, Lebanon; Harding, Hawkes, Hayes, House, Hussey, Ingraham, Jacobs, Jacoby, Jamieson, Jennings, Jones, Keene, Knapp, Lackee, Larabee, Latno, Leavitt, Littlefield, Lovely, Ludwig, Macomber, March, Martin, Augusta; Martin, Frenchville; Maxwell, McGlauffin, Moffatt, Morneault, Moulton, Nowell, Parker, Patterson, Peterson, Philbrook, Phillips, Plummer, Potter, Ricker, Roberts, Rollins, Roundy, Sanborn, Senter, Brunswick; Sinclair, Spear, Story, Taylor, Lyman; Travis, Turner, Vaughan, Watson, West, Williams, Winchenpaw, Wood, Woodcock, Woodworth.

ABSENT — Castonguay, Crabtree, Dorsey, Hand, Low, Martin, Eagle Lake; O'Dell, Perry, Robbins, Stevens, Taylor, Norridgewock; Wallace.

Yes 27, No 109, Absent 12.

The SPEAKER: Twenty-seven having voted in the affirmative and one hundred and nine having voted in the negative, the motion does not prevail.

Thereupon, on motion of Mr. McGlauffin of Portland, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

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

On motion of Mr. Dunham of Ellsworth, the House voted to take from the table the third tabled and unassigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Liquor Control on Bill "An Act relating to the Sale of Intoxicating Liquors to Minors" (S. P. 66) (L. D. 66) tabled on February 9th by that gentleman pending acceptance in concurrence.

On further motion of Mr. Dunham, the report of the committee was accepted in concurrence.

Thereupon, the bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 66, L. D. 66, Bill "An Act Relating to the Sale of Intoxicating Liquors to Minors."

Amend said Bill by deleting the underlined words "not be deemed a violator" in the next to the last and the last lines of said bill, and inserting in place thereof the underlined words: **'be held not administratively liable'**

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

On motion of Mr. Brown of Baileyville, the House voted to take from the table the fourth tabled and unassigned matter, Resolve Proposing an Amendment to the Constitution to Change the Term of Office of Treasurer of State (H. P. 1073) (L. D. 686) tabled on February 14th by that gentleman pending reference.

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

Mr. BROWN: Mr. Speaker, as I understand it, there are two bills which pertain practically to the same matter, that were referred to the Committee on Appropriations and Financial Affairs, so I move that this bill take the same procedure.

The SPEAKER: The gentleman from Baileyville, Mr. Brown, moves that the fourth tabled and unassigned matter, Resolve Proposing an Amendment to the Constitution to Change the Term of Office of Treasurer of State (H. P. 1073) (L. D. 686) be referred to the Committee on Appropriations and Financial Affairs. Is this the pleasure of the House?

The motion prevailed and the resolve was referred to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

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

If there is no further business for the House to consider, the Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.