

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***Ninety-Fifth Legislature***

**OF THE**

**STATE OF MAINE**

**1951**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

## HOUSE

Thursday, April 12, 1951.

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

Prayer by the Rev. Mr. E. E. McCormick of Yarmouth.

The journal of the previous session was read and approved.

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act to Amend the Charter of the York Water District" (S. P. 189) (L. D. 401)

Report of the Committee on Welfare reporting same on Resolve Providing for State Pension for Julia E. Burt of Augusta (S. P. 349)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

### Ought to Pass in New Draft

Report of the Committee on Sea and Shore Fisheries on Bill "An Act relating to Sea and Shore Fisheries Licenses" (S. P. 151) (L. D. 270) reporting a new draft (S. P. 532) (L. D. 1264) 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, Report was read and accepted in concurrence, the Bill read twice, and tomorrow assigned.

### Ought to Pass

Report of the Committee on Highways reporting "Ought to pass" on Resolve Providing for Construction and Reconstruction of Road in Baxter State Park (S. P. 180) (L. D. 391)

Report of the same Committee reporting same on Resolve Naming the Guy H. Hall Memorial Bridge at Dexter (S. P. 430) (L. D. 993)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act relating to the Tagging of Beaver" (S. P. 356) (L. D. 871)

Report of the same Committee reporting same on Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 434) (L. D. 997)

Report of the same Committee reporting same on Bill "An Act relating to Licenses for digging of Clams and Quahogs in the town of West Bath" (S. P. 137) (L. D. 244)

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

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

### Ought to Pass with Committee Amendment

Report of the Committee on Agriculture on Bill "An Act Creating the Maine Economic Poisons Law" (S. P. 342) (L. D. 808) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Bill had its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 342, L. D. 808, Bill "An Act Creating the Maine Economic Poisons Law."

Amend said Bill by striking out the underlined figures "\$10" in the 2nd line of the 2nd paragraph of that part designated "Sec. 187-M" and inserting in place thereof the underlined figures '\$5'

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

Report of the Committee on Education on Bill "An Act relating to Powers of East Corinth Academy" (S. P. 497) (L. D. 1212) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 497, L. D. 1212, Bill "An Act Relating to Powers of East Corinth Academy"

Amend said Bill by adding after "assigns," in the 7th line thereof the underlined words and punctuation 'as trustees,'

Further amend said Bill by drawing a line through the words in the 8th line thereof as follows: ['the Trustees of']

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

**Senate Report with Committee Amendment Indefinitely Postponed  
Senate Amendment Adopted**

Report of the Committee on Sea and Shore Fisheries on Resolve Closing Certain Waters in Hancock County to Taking of Salt Water Smelts (S. P. 339) (L. D. 755) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Committee Amendment "A" was indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, Report was read and accepted in concurrence and the Resolve had its first reading.

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

COMMITTEE AMENDMENT "A" to S. P. 339, L. D. 755, Resolve Closing Certain Waters in Hancock County to Taking of Salt Water Smelts.

Amend said Resolve by striking out in the 4th line from the end the words "Scammons pond" and inserting in place thereof the word 'Mill'

Further amend said Resolve by striking out in the next to last line thereof the word "town" and

inserting in place thereof the word 'city'

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, in order to concur with the Senate in the adoption of Senate Amendment "A", I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The gentleman from Vinalhaven, Mr. Barton, moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and Committee Amendment "A" was indefinitely postponed in concurrence.

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

SENATE AMENDMENT "A" to S. P. 339, L. D. 755, Resolve, Closing Certain Waters in Hancock County to Taking of Salt Water Smelts.

Amend said Resolve by striking out the word "Franklin," in the 5th line thereof.

Further amend said Resolve by striking out the 3rd and 4th lines from the end thereof.

Further amend said Resolve by striking out the word "town" in the next to the last line thereof and inserting in place thereof the word 'city'.

Senate Amendment "A" was then adopted in concurrence and the Resolve was assigned for second reading tomorrow morning.

**Non-Concurrent Matter**

An Act relating to Number of Voting Districts (H. P. 1036) (L. D. 564) which was passed to be enacted in the House on March 14, and passed to be engrossed on March 2, and which was recalled to the Senate by Joint Order.

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

In the House:

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

Mr. BURKETT: Mr. Speaker, the original bill which I introduced has to do with increasing the number of voting precincts in the cities and

towns. I was somewhat surprised to learn myself that there is a statute now that says that cities and towns can have no more than three voting precincts in each ward of a city or in each town.

In the bill which I introduced I struck out the number "three" and did not insert any limit. Now the Secretary of State's Office was somewhat disturbed by the fact that if we didn't have some limit in there, the cities and towns might go overboard and have too many places. The amendment was necessary because of the fact that in Portland we have one ward that has greatly increased in population the last few years, and they really need another voting precinct in that ward. So I move that the House recede and concur with the Senate.

Thereupon, under suspension of the rules, the House voted to reconsider its action on March 14 whereby it passed this bill to be enacted.

The House then voted, under suspension of the rules, to reconsider its action of March 2, whereby it passed the bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1036, L. D. 564, Bill "An Act Relating to Number of Voting Districts."

Amend said Bill by striking out the last paragraph thereof and inserting in place thereof the following paragraph:

"The municipal officers, 60 days before any election, may, after public notice and hearing, divide towns and wards of cities into not more than [3] 5 convenient voting districts."

Senate Amendment "A" was then adopted and the Bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

#### Non-Concurrent Matter

Bill "An Act relating to Swan Island Game Preserve" (H. P. 1684) (L. D. 1259) which was passed to be engrossed in the House on April 6.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker, I move that the House recede from its former action and concur with the Senate because this is covered by another bill.

The SPEAKER: The gentleman from Moose River Plantation, Mr. Watson, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: As there is another matter which is to be acted on later in the morning, I therefore ask that this item be tabled until later in the day.

The SPEAKER: The gentleman from Lisbon, Mr. Plummer, moves that Bill "An Act relating to Swan Island Game Preserve" lie on the table pending the motion of the gentleman from Moose River, Mr. Watson, that the House recede and concur with the Senate, and that the matter be later today assigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled and so assigned.

#### Non-Concurrent Matter

Bill "An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District" (H. P. 27) (L. D. 10) which was passed to be enacted in the House on February 21, and passed to be engrossed on February 13.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

(On motion of Mr. Stevens of Boothbay, tabled pending further consideration)

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

#### Orders

On motion of Mr. Senter of Brunswick, it was

ORDERED, that Rev. James A. Doubleday, pastor of St. Paul's Church, of Brunswick, be invited to officiate as Chaplain of the House on Tuesday, April 24, 1951.

Mr. Bubar of Blaine, presented the following order and moved its passage:

ORDERED, That the Joint Order Creating a Special Investigating Committee to Study Criminal Activities and Crime in the State, which was tabled on April 3rd, be reproduced and that 500 copies be made available.

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

Mr. BUBAR: Mr. Speaker and Members of the House, I would like to explain why I want this reproduced. When it was tabled, and when I asked for permission to address the House, I considered that I was being denied my constitutional right, but I have decided that it was all for the best. I am old-fashioned enough to believe that "all things work together for good to those that love the Lord" and that there is an overruling power and so, when I was denied that privilege, that drove me into the Library and to the Press and to the papers to find out what there was in this that held so much thunder and dynamite that I should not be allowed to speak on it.

Any bill or any order or anything that involves \$20,000,000 of the people's earnings is an important matter, and I contend—you may differ with me—I contend that this order which creates a Crime Commission, I contend it is the most important thing before the people of Maine today, more than all the tax measures bundled together. Not one of those measures involves \$20,000,000. This involves \$20,000,000 and maybe more of the people's hard-earned money.

In the Press Herald of Sunday, April 1st, I read: "Maine Gambling Take is \$20,000,000. Rackets Reported Flourishing in Six Counties, Wide Open in Six Others." Now here is Androscoggin, Aroostook, Cumberland, Kennebec, Penobscot, York, and so on. Well, if it involves \$20,000,000, ladies and gentlemen, this is an important matter, and you and I had better consider it.

Now, in a Lewiston Journal Editorial here I read: "Where Bubar got his \$20,000,000 crime take in Maine is a mystery. If he knows, he ought to tell the proper authorities. Some \$5,000,000 was gambled legal-

ly in Maine last year, but that is far from the \$20,000,000 Bubar take."

I will tell the Editor where to find the \$20,000,000, and will be glad to. He will find it along the trail where he admits he found \$5,000,000. That is where he will find it. He already admits that \$5,000,000 of the people's money has been taken away, and where is this \$20,000,000? It is along this trail where these rats creep and crawl into the mills and the factories and the business places and around the back alleys and the streets, among the laborers of Maine; that is where he will find it. These rats breed fast and they breed in the dark, and the reason why we need this Crime Commission is because you can take any ordinary comb and you will dig out the big lice but it takes a fine tooth comb to get the nits and the little ones, and this Crime Commission will dig them out.

I want to read from a personal letter from New Hampshire. It is a personal letter, but I will read parts of it, because it is vitally important:

"Dear Sir:

I saw by the Portland Press Herald that you are the author of an order to establish a Crime Commission to investigate crime in Maine. You are very fortunate to have a great paper like the Portland paper join with you against one of New England's greatest enemies"—that is what New Hampshire thinks. "Here in New Hampshire between \$20,000,000 and \$30,000,000 are taken from our citizens every year by the gamblers. We are unable to get our cause to the people owing to the fact that all the big papers seem to be in league with the big gamblers and will not publish anything against them unless at the end of their articles they give the enforcement people a very pronounced slur. Many here think that the reason some of the papers will not publish anything against the rackets is that they may be getting a rake-off from the big crime Syndicates. You should thank your lucky star that the Portland Herald, which I judge is your leading paper, takes this stand with you against crime in your state."

Now then, right here I would like to comment on that. He says: "You should thank your lucky star." Well, I don't know what star it is, and I don't know as it would do any good to thank my lucky star if I did know, for I am going to be more definite and I am going to say "not thank my lucky star, but thank God for the Portland papers and the Gannett papers and all papers who take the stand against crime and immorality in this grand and glorious old State of Maine that gave me my birth."

Now he says: "These New Hampshire gamblers, which we believe are connected with those in Maine"—that is why this is so important—"are sapping the life blood out of our poor class of citizens. In thousands of cases they take the entire weekly pay check with the rosy promise that they may get one thousand or perhaps ten thousand bucks in return, but usually they get nothing and with it a mad determination to try it again and see if they can win, but they do not win and strange to say, the oftener they lose, the more often they try to beat the unbeatable machine."

Now here is another place I want to read: "Many of our citizens here are afraid to come out and openly oppose gambling because they are afraid that the syndicate heads might find a way to punish them. We are considering organizing anti-crime societies throughout the state of New Hampshire and make a determined fight against those who seem to think that gambling should be the chief business in our state. If we succeed, we may ask you to come and help us."

Now he goes on to say: "I have a large family now growing up, and the way things look, unless they join the gambling and ring crowd, they will have to migrate to some other state or depend upon the gamblers for their money."

Now members, that is what they are thinking in the state of New Hampshire. What are we going to do in Maine? Here is an editorial from our own paper, the *Kennebec Journal*: "Representative Bubar's order for a committee to be appointed by the Chief Justice of Maine, Supreme Court, to study crime points the way to definite action on the problem worrying the

states of the nation . . ." and they say it isn't important!

"Such a committee should not be made up of members of the Legislature . . ."—well, the order doesn't call for that; you can make it up from any one of the nine hundred thousand inhabitants of the State of Maine—"nor politicians. Its members would then have nothing to risk in exposing conditions that are known to exist in Maine. . ." He says they are known to exist in Maine, and is not this important?

Then we read here in the *Express*: "Maine Crime Probe Asked of the Legislature." You can see in the headlines that the papers are for it. Here, for instance, in the great *Post* I will read just a paragraph: "We can beat crime," that paper says, "we can beat organized crime if all good citizens will open their eyes to the danger we are in today. We can beat it if we organize. We should recognize the unholy alliance of crime and their respectable front men, for what they are, hoodlums, despoilers, rather than glamorous figures, but we must organize against them. If we are going to crack down effectively on organized crime, we must have all-out cooperation, all the way from Washington down to the state and counties of the nation." And you say, ladies and gentlemen, that this isn't important!

Here is an editorial in the *Press Herald*: "Has criminal and political corruption which we now know is rampant in the United States reached Maine? We agree, then, with Representative Bubar's purpose in moving for a five-member commission to study crime in Maine."

Members, the editors of the papers want a commission to study crime in Maine because they believe that \$20,000,000 have been taken away from the people, and where does it go? It goes out of the State of Maine to the racketeers that never bring anything in of value to our state. \$25,000,000 per year in graft paid the New York police! You can see what the *Press* thinks about it. Here is another editorial: "In half a dozen areas movements are on foot to follow through the State Crime Commission. This is all fine, but it is only the beginning if

America desires real freedom from the alliance between racketeers, police and politicians. Actual prosecution and punishment by local officers is the best hope of getting full results from this commission."

Now, just one more which I want to read: "Citizens want the government cleaner. Support Senator Fulbright's demand for Code of Ethics. Outraged Citizens across the United States are pouring telegrams in here to headquarters in Washington demanding a cleanup of the government."

From Texas, this comes in: "What has happened to us? We as a people, are we so hungry for money or personal power that we have forgotten every principle of decency our dads taught us? I don't believe it. Surely there are enough good people left in these United States to clean us up."

Then from New York: "Shrewdness, cleverness seem to have been readily accepted as an adequate and desirable substitute for the once respected virtues of intellectual and moral integrity," and he demands a cleanup.

Now, I won't go down into the Congressional Records, but you may go yourself if you want to go down here in the Library. I will just read this one section: This is under date of March 28th: "Just as Caesar's wife must be above suspicion, so any official directly or indirectly having to do with law enforcement must not only be good but must appear good. In other words, we must wipe out these monsters and their political partners, or we will lose our way of life."

And then you say that this is not important!

Well, here is something that is important: "Two Spies Condemned to Die." "War Threat is Greater Than Ever, the President Says."

Now what's the trouble? Here they are. They gambled and they lost. They fell in with these Russian gangsters who flocked into this United States to put on a gambling drive. Every Communist that has ever been before the courts admits that the reason they took a chance and took a gamble on passing out secret documents was because they were offered big pay, some of them had been offered fortunes, and they

said, "We will take a gamble" and that is the reason why our boys are dying down in Korea, and that is why the nation is swept by fire today, and the State Legislators and the Congress, because the racketeers of Russia were allowed to come in here and ply their trade, and our people took a gamble and they lost, some of them.

Others are gambling today on this thing. That is the trouble today, members. That is the trouble, and now what are we going to do about it? I contend that this is the first thing that should be taken up in the State of Maine. Now, then, someone might say that the Attorney General's Office Building take care of this, and that we do not want to infringe on his office. Members, Chapter 17 gives the duty of the Attorney General's office. The Attorney General's office is not an investigating department; it is a prosecuting department. After the police and the constabulary lay the evidence before them, they prosecute, but it is not their business to go out and search. The statute makes it plain. It is the same with the County Attorneys. Chapter 79 in the Laws of 1944 will tell you that their job is not to go out and investigate; they are not an investigating department; they are simply a prosecuting department after we lay before them the evidence acquired. Do you think that I would for a moment infringe upon the Attorney General's Office or the Office of the County Attorney? No, I do not want anything that is unjust nor anything that isn't right. I know I have taken an unpopular side and somehow or other my bills—I don't know how it is—but they all seem to take the unpopular side because I happen to take up for the underdog; I happen to take up for the common people and the poor, and when a man becomes unpopular or popular according to his bill, God helping me, I cannot take any other stand, and I don't want to.

I will tell you how it is up in the potato houses in Aroostook County. These rats, these lice creep into the potato houses and they go to the boys and they say: "Here, now, how much wages do you get?" "Forty dollars a week." "All right,



you lay that down now, and you will win maybe five hundred and maybe a thousand. They have been winning ten thousand. Of course we have to be very careful about this because it is really against the law, but still it is all right. Now you just simply bet. Now a fellow right down here at Houlton got five thousand dollars. You are liable to get it." And you know the fellow lays down his forty dollars—members, this is a fact—you know it—he lays down his forty dollars and he goes home to a hungry family with an empty bread basket.

Well, he loses. The fellow comes back and says: "Well, I am sorry you lost but say, a fellow right down below here got two thousand and last week another fellow got four thousand. If I were you, I wouldn't give up; I would try it again." And the man lays down his wages again, and he gets stung and now he is mad and says "I will beat the game anyway," and he tries it again. Members of the House, that is going on all over the State of Maine.

You and I are here today, members, to guard against anything that will harm or injure our State. We are here today to see that this gangster crowd that drove us into war and is sapping our blood and bringing nothing to the industries in Maine, that it cease. I am not going to take that order from the table this morning, Members. You think it over. I am simply asking that it be printed. Thank you.

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

Mr. BURKETT: Mr. Speaker and Members of the House: I have a lot of sympathy with the aims that the gentleman from Blaine (Mr. Bubar) for whom I have great respect, is attempting to accomplish, and I do not want to be put in any position here of objecting to anything he is trying to do, and I hope he will not understand it in any such manner. I do think, however, there are certain aspects of this procedure that should be pointed out, and the point I am making is this, that I do not believe that it is proper to use a House Order or a Joint Order for the setting up of a

Commission, especially one that carries a large appropriation of money.

If it should happen that that order was thrown out on the ground that it is not the proper way to proceed, then the point in printing the order which was introduced has no great amount of merit. I would like to see that question resolved as to whether or not a Joint Order is a proper way to set up a State-wide Commission and appropriate \$50,000 before we go to the expense of printing the order. I move, therefore, that it lie on the table until the question of the propriety of the proceedings is determined, and I would like to say that I do agree with the gentleman from Blaine, Mr. Bubar, that there is a lot of crime in Maine that ought to be investigated, a lot of mean and petty racketeering activities that should be uncovered, and I would be very glad to go along with him, and if I am wrong in the position I am taking here, about the propriety of the proceeding, I will be very glad to take the order from the table and have it passed along.

The SPEAKER: The gentleman from Portland, Mr. Burkett, moves that the order presented by the gentleman from Blaine, Mr. Bubar, lie on the table pending passage.

Mr. BUBAR: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? The motion to table is not debatable.

Mr. BUBAR: Mr. Speaker, I understand real well that we are not to discuss this, but just lay it on the table. I just ask for information. Did I understand the gentleman to say that he wishes the order to be taken from the table and discussed and decided now? Is that what I understood him to say?

The SPEAKER: The Chair does not so understand. The motion is to table the order, and the motion is not debatable.

Mr. BUBAR: Mr. Speaker, now what I was coming at. I did not just understand what the reason was why the gentleman wanted to table the matter. What was the reason? I wanted to know; that is all.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr.

Burkett, that the order lie on the table pending further consideration.

Mr. BURKETT—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BURKETT: Mr. Speaker, I was just going to answer the inquiry of the gentleman from Blaine, Mr. Bubar.

The SPEAKER: The Chair must inform the gentleman that the motion has been made to table, and it is not debatable.

All those in favor of the motion that the order be tabled will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, and the order was tabled pending passage.

The following paper from the Senate was taken up out of order and under suspension of the rules:

From the Senate: The following Order: Ordered, the House concurring, that House Paper 1471, Legislative Document 1083, An Act Relating to Schooling of Children of Parents Who Reside on State-owned Property, be recalled from the Governor to the Senate. (S. P. 539)

Came from the Senate, in that body this morning read and passed.

In the House, the Order was read and passed in concurrence.

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

Mr. Gosline from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relative to the Testing of Cattle" (H. P. 1463) (L. D. 1079)

Report was read and accepted and sent up for concurrence.

#### Tabled

Mr. Dunham from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to School Subsidies" (H. P. 1304) (L. D. 859)

Report was read.

(On motion of Mr. Woodworth of Fairfield, tabled pending acceptance of Committee Report)

#### Tabled and Assigned

Mr. Ricker from the Committee on Education reported "Ought not

to pass" on Bill "An Act relating to Superintending School Committees" (H. P. 1524) (L. D. 1106)

Report was read.

(On motion of Mr. Chase of Whitefield, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 19th)

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Fishing in Chain of Ponds, Franklin County (H. P. 1580) (L. D. 1152)

Mr. Chase from same Committee reported same on Resolve Regulating Fishing in Arnold Pond, Coburn Gore, Franklin County (H. P. 1581) (L. D. 1153)

Mr. Plummer from same Committee reported same on Resolve Regulating Fishing in Little Jim Pond, Franklin County (H. P. 1582) (L. D. 1154)

Reports were read and accepted and sent up for concurrence.

#### Leave to Withdraw

Mr. Watson from the Committee on Inland Fisheries and Game reported "Leave to withdraw" on Bill "An Act relating to Permits to Hunt and Fish for Members of the Armed Services of the United States" (H. P. 382) (L. D. 218)

Report was read and accepted and sent up for concurrence.

#### Ought Not to Pass Con'd

Mr. Watson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Fishing in Crosby Pond, Coburn Gore, Franklin County (H. P. 1583) (L. D. 1155)

Same gentleman from same Committee reported same on Resolve Establishing Limit of Catch of Fish in Certain Dead River Waters in Franklin County (H. P. 1584) (L. D. 1156)

Mr. Woodworth from the Committee on Judiciary reported same on Bill "An Act Creating the Youth Service Commission" (H. P. 1367) (L. D. 958)

Mr. Brown from the Committee on Liquor Control reported same on Bill "An Act relating to Clarification of Manufacturers' Liquor

Licenses" (H. P. 1432) (L. D. 1038)

Mr. March from same Committee reported same on Bill "An Act Re-Establishing Prohibition for the Duration of the Emergency" (H. P. 1653) (L. D. 1223)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Low from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Imposing a Sales and Use Tax for the Purpose of Raising Additional Revenue" (H. P. 1030) (L. D. 546) as it is covered by other legislation.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Dunham.

Mr. DUNHAM: Mr. Speaker and Members of the House: I move that this report lie on the table. By doing so I show no disapproval of the document which comes from the Taxation Committee. I can show no disapproval to it because I have not had time to study it. However, in deference to the number of people who supported this particular bill, House Paper 1030, Legislative Document 546, I believe it is my duty to lay it on the table for the timebeing.

The SPEAKER: The gentleman from Ellsworth, Mr. Dunham, moves that the report of the committee, with accompanying bill, lie on the table pending acceptance of the committee report. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled.

#### Ought to Pass in New Draft

Mr. Carville from the Committee on Inland Fisheries and Game on Bill "An Act relating to Permits to Hunt and Fish for Members of the Armed Services of the United States" (H. P. 923) (L. D. 539) reported the same in a new draft (H. P. 1696) (L. D. 1276) under the title of "An Act relating to Licenses to Hunt or Fish for Members of the Armed Services of the United States" and that it "Ought to pass"

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

#### Ought to Pass

Mr. Harding from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to the Financial Responsibility Law" (H. P. 1345) (L. D. 920)

Mr. Delahanty from same Committee reported same on Bill "An Act relating to the County Law Library of Franklin County" (H. P. 1366) (L. D. 957)

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

#### Tabled and Assigned

Mr. Boothby from the Committee on Agriculture reported "Ought to pass" on Bill "An Act to Clarify Laws of Division of Animal Husbandry" (H. P. 1462) (L. D. 1078)

Report was read.

(On motion of Mr. Campbell of Guilford, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 19th.)

Mr. Taylor from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court" (H. P. 1068) (L. D. 648)

Mr. Edwards from same Committee reported same on Bill "An Act relating to Salary of Clerk of Courts of York County" (H. P. 762) (L. D. 449)

Same gentleman from same Committee reported same on Bill "An Act to Authorize the Treasurer and County Commissioners of Knox County to Procure a Loan to Remodel the Court House" (H. P. 1215) (L. D. 772)

Mr. Frechette from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in Certain Waters in Franklin County (H. P. 1535) (L. D. 1128)

Mr. Watson from same Committee reported same on Bill "An Act relating to Junior Guides" (H. P. 1533) (L. D. 1126)

Mr. Dennison from same Committee reported same on Bill "An Act relating to Closed Season on Pheasants" (H. P. 1479) (L. D. 1086)

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

#### Ought to Pass with Committee Amendment

Mr. Bailey from the Committee on Agriculture on Bill "An Act relating to Adulterated Meat or Meat Products" (H. P. 954) (L. D. 566) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 954, L. D. 566, Bill "An Act Relating to Adulterated Meat or Meat Products."

Amend said Bill by striking out all after the underlined word "therewith" in the 4th line from the end thereof, and inserting in place thereof a period and single quotation mark.

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

Mr. Center from the Committee on Agriculture on Bill "An Act relating to Stamping of Meat for Human Consumption" (H. P. 1400) (L. D. 1061) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1400, L. D. 1061, Bill "An Act Relating to Stamping of Meat for Human Consumption."

Amend said Bill by inserting after the underlined word "slaughterhouse" in the 5th line thereof the underlined words "in Maine"

Further amend said Bill by inserting after the underlined word "portioned" in the next to the last line thereof the underlined words "in wholesale cuts"

Further amend said Bill by adding at the end thereof the following underlined sentence: "The provisions of this paragraph shall not apply to meat or meat by-products bearing a federal stamp."

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

Mr. Dorsey from the Committee on Agriculture on Bill "An Act relating to Cooperative Agricultural Extension Work" (H. P. 442) (L. D. 295) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 442, L. D. 295, Bill "An Act Relating to Cooperative Agricultural Extension Work."

Amend section 3 of said Bill by drawing a line through the word "shall" at the beginning of the 14th line and inserting after said stricken out word the following underline words: "may, if they deem it justifiable,"

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

Mr. Carville from the Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting from Automobiles" (H. P. 1478) (L. D. 1085) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1478, L. D. 1085, Bill "An Act Relating to Hunting from Automobiles."

Amend said Bill by striking out the underlined figure "5" in the last line thereof, and inserting in place thereof the underlined figure '4'

Committee Amendment "A" was adopted and the Bill was assigned

for third reading tomorrow morning.

Mr. Fuller from the Committee on Judiciary on Bill "An Act relating to the Recorder of the Brewer Municipal Court" (H. P. 1348) (L. D. 923) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1348, L. D. 923, Bill "An Act Relating to the Recorder of the Brewer Municipal Court."

Amend said bill by striking out all of the first sentence after the word and punctuation "recorder," in the fifth line of said bill and inserting the following underlined words 'who shall be a resident of Penobscot County and an attorney at law licensed to practice in this state.'

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

Mr. Dow from the Committee on Taxation on Bill "An Act relating to Taxation of Bottled Gas Equipment" (H. P. 1331) (L. D. 894) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1331, L. D. 894, Bill "An Act Relating to Taxation of Bottled Equipment."

Amend said Bill by striking out, in the 6th line the underlined words and punctuation "returnable containers, and"

Further amend said bill by striking out at the end thereof the underlined period and single quotation mark and inserting in place thereof the following underlined punctuation and words: 'together with tanks or other containers used in connection therewith.'

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

Mr. DeBeck from the Committee on Towns and Counties on Bill "An Act to Amend the Charter of the City of Augusta by Providing for the Appropriation of School Funds by the City Council" (H. P. 1178) (L. D. 745) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 1178, L. D. 745, Bill "An Act to Amend the Charter of the City of Augusta by Providing for the Appropriation of School Funds by the City Council."

Amend said Bill by striking out the underlined word "March" in the 13th line thereof and inserting in place thereof the underlined word 'February'

Further amend said Bill by inserting after the underlined word "committee" in the 42nd line thereof the following underlined words; 'and to have custody of school accounts'

Further amend said Bill by striking out the 2nd sentence of "Sec. 2" which reads as follows: "Failure of approval shall not prevent submitting the question to the voters again."

Further amend said Bill by adding after the words "voters voting," in the 4th line from the end of said Bill, the following words and punctuation: ', provided that not less than 20% of the registered voters of the city vote'

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

Mr. Edwards from the Committee on Towns and Counties on Resolve in favor of the Town of Stockholm (H. P. 1593) (L. D. 1165) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

**COMMITTEE AMENDMENT "A"**  
to H. P. 1593, L. D. 1165, Resolve in Favor of the Town of Stockholm.

Amend said Resolve by striking out the word "is" in the 2nd line and inserting in place thereof the word 'are' and by striking out in said 2nd line the words "or adjust"

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

The **SPEAKER**: The Chair, at this time, notes the presence in the balcony of the hall of the House of forty-eight Eighth Grade Students from the Consolidated Schools of Hampden, Maine, under the direction of Mr. Hutchins, Principal.

In behalf of the House the Chair, at this time, bids you a cordial welcome. (Applause)

**Divided Report**

Majority Report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes" (H. P. 92) (L. D. 44) reported same in a new draft (H. P. 1695) (L. D. 1273) under title of Bill "An Act Imposing a Sales and Use Tax" and that it "Ought to pass"

Report was signed by the following members:

Messrs. **NOYES** of Hancock  
**ALLEN** of Cumberland  
**WIGHT** of Penobscot  
—of the Senate.

**CARTER** of Bethel  
**CHASE** of Cape Elizabeth  
**DOW** of Falmouth  
**SINCLAIR** of Pittsfield  
**LOW** of Rockland  
—of the House.

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

Report was signed by the following members:

Messrs. **DUQUETTE** of Biddeford  
**ROLLINS** of Greenville  
—of the House.

Report was read.

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

Mr. **CHASE**: Mr. Speaker, this new draft which you have before you is a new draft of the Albee bill somewhat simplified and re-arranged. It follows in general the pattern of an excellently drawn bill which was before the New Hampshire Legislature but is not identical with it by any means. This new draft conforms, in general, with the Governor's recommendation for a sales tax exempting foods for consumption in the home.

In its present form it is estimated to raise, when fully operative, about eleven million dollars per year. In its present form, it would become effective October 1st and begin to yield in January 1952. If made earlier effective, it would take care of expenditures under the budget bill in its present form and apparently give some leeway for other proposed appropriations.

The bill contains a declaration of intent to abolish the state property tax on municipalities in 1952. As you know, the state property tax is not a continuing law that is reassessed by each Legislature. Your assurance that it will be abolished in 1952, if this sales tax bill is passed, lies in your own hands because the state property tax cannot be assessed unless it is assessed by this Legislature.

Now, in presenting this bill to the House, the Taxation Committee has asked the gentleman from Rockland, Mr. Low, to explain the bill from the standpoint of the retailer including the permit, which simplifies computation especially for the small storekeepers, and he will give an estimate of what the average citizen would pay.

The gentleman from Pittsfield, Mr. Sinclair, of the committee will explain the exemptions. You have some figures to show the sources from which the estimated revenue will come. If you accept the "Ought to pass" report in new draft, you will establish this bill as your major tax measure, which, of course, will make it subject in the ordinary course of procedure to later amendment. If the bill is accepted today, we would like to have the amendments offered to-

morrow. We would like to have them presented to the Taxation Committee in advance so that we will be able to inform the House what the effects of these amendments may be to reduce or increase the probable yield from the sales tax.

The gentleman from Pittsfield, Mr. Sinclair, should be able to tell you, if you will inquire, about what it would cost to broaden an exemption or how much more would come in if an exemption were eliminated.

You, no doubt, have questions on this bill and some of them will be of a technical nature and, in order that you may have an authoritative answer, it seems to the committee that the proper procedure would be if, after the bill is accepted today, you would present your questions to the committee in writing so that we may be able, tomorrow, when the bill comes up for third reading and is subject to amendment, to give you the answers to those questions. If the sales tax becomes a law, the Attorney General will have to interpret it and the State Tax Assessor will have to administer it.

It is beyond the committee, of course, without consultation with those officials, to pass on questions of a technical nature but if the questions are presented to the committee, we will have the answers here for you tomorrow to go on the record so that there may be no question about the legislative intent.

We certainly hope that you will bring in those questions. Now, the Taxation Committee are not experts and on these technical questions we feel that we have a right to notice in advance, when an opportunity is afforded to present the question, but we do not undertake that we can deal with any technical objections off-the-cuff or from the Floor. That is why we afford this opportunity and we will get the answers when we have the questions.

I spoke of amendments. I know of one amendment which was filed today for an exemption. I think it would be better for the House if the introduction of such amendments should be deferred until we can have the cost or the price-tag on that amendment when it is introduced.

We have been into the matter of industrial exemptions very carefully and we are convinced that under this bill industry will pay its fair share. It will pay on the bricks and mortar which it buys for construction, it will pay on the machinery which it buys and it will pay on the fuel and electricity which it consumes just like you and I. It won't pay on its raw material or on the chemicals which are used in the industrial program.

At the end of this bill you will find a change in the railroad tax. The reason for that is that the railroads have for long afforded a major tax income to the State. The committee found that this sales tax would place a burden on the railroads which, when added to the major tax which they already pay, seemed excessive. The railroads now pay a very small real estate tax so that their saving from the abolition of the state property tax would be much smaller than is usual. They pay a large tax on a percentage of their gross receipts. In order that we might not have any different exemptions for railroads in the sales tax than for other people, we cut the rate a quarter of one per cent on the gross receipts by the amendment or by the change on the end.

The effect of that on the Maine Central Railroad, for example, would be about as follows:

Based on expenditures made by that railroad last year the sales tax would have been roughly \$125,000. The saving on the state property tax would apparently be about \$25,000. By reducing the rate on the gross receipts from three and a half to three and a quarter per cent that difference would be about \$50,000 a year more that that railroad would have paid and for the entire state the figures would be about double. We feel that that brings the railroad tax into line with the sales tax.

I would just like to repeat: We would like to have the vote here today on your acceptance of the sales tax as a major tax measure to take care of the financial problems. It is the best sales tax the committee can produce and we hope you will find it acceptable.

I move the acceptance of the "Ought to pass" in new draft report and, when the vote is taken, Mr. Speaker, I ask for the yeas and nays.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House accept the majority report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes" H. P. 92, L. D. 44, reporting same in a new draft, H. P. 1695, L. D. 1273, under title of Bill "An Act Imposing a Sales and Use Tax" and that it "Ought to pass"

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

Mr. LOW: Mr. Speaker, as one of Maine's 12,000 retail merchants, I have naturally been very much concerned as to what a sales tax would do to my business. It has been pointed out that a pure sales tax would cause endless trouble to our customers and a great deal of work to us, ourselves.

We have had merchants appear before us in hearings with tears in their eyes and begged us not to increase their paper work. I believe that this bill accomplishes that purpose and that the amount of paper work necessary has been reduced to a real minimum. In order to simplify the tax as regards our customers, we have adopted the bracket system. By that a customer pays no tax up to twenty-four cents. At twenty-five cents, he pays one cent. The merchant will pay a tax on all that amount, for which he will receive no payment from the customer but, at twenty-five cents, he will get a penny so it will only cost him a half a cent tax. Pursuing that trend up from twenty-five to seventy-four cents and from seventy-four cents to a dollar and a quarter ultimately the merchant loses money and then makes it back.

In order to demonstrate the fairness of this bracket system, a merchant, who is a member of this Legislature, took his tape from his cash register and figured out what tax he would have paid and what tax his customers would have paid back to him. On sales of \$580 approximately, he found that he had made exactly two cents. In other

words, the bracket system worked out fairly for him.

As regards the merchants' relationship to the tax assessor which could cause so much trouble, it has been arranged on this basis. In the case of a merchant who has no exemption, all his paper work will consist of drawing a check for two per cent of the amount of his sales. In the case of a merchant who does have exemptions, he will determine the proportion of his sales which are tax exempt. He will do this simply by figuring out what he paid for tax exempt items and how much he paid for items which were not tax exempt. He would then apply to the tax assessor for a permit which would establish his percentage and from then on he would simply pay the State two per cent on the percentage of his sales indicated by the permit. In other words, if his sales were sixty per cent taxable, he would simply take sixty per cent of his gross sales and pay the tax on that amount. He would not have to keep track of each individual sale except to the extent of not charging a tax on it but he would not have to segregate his receipts and, as far as I can see, he would do a minimum of paper work.

I do not believe that one extra bookkeeper would be hired in the State of Maine and I don't believe any merchant will have to sit up nights figuring out what his tax would be.

As regards the cost of this tax for the individual person, we have taken as figures a family of four, a man and his wife and two children. The figures show very plainly that most of what a man spends money on is not taxable. In the first place, his food will probably amount to from thirty-two to thirty-five per cent of his total expenditures. Twenty-five to thirty per cent will be spent on lodging, in one form or another, either by paying rent or interest or taxes on his house. Then he has the exemption for gasoline and cigarettes, liquor, savings and other items. So, when you get all through, here is how it hits you. If you make \$1,000 a year, the tax will probably be eleven cents a week or \$5.56 a year. If you make \$2,000, the tax will probably



be twenty-two cents a week or \$11.26 a year. At \$3,000, \$16.16 or thirty-one cents a week. At \$3,500, \$18.80 a year or thirty-six cents a week. At \$4,000, \$22.84 and forty-four cents a week. At \$5,000, \$27.40 a year or fifty-four cents a week.

In those brackets, members, you have ninety-six per cent of the taxpayers of the State of Maine. There are only four per cent of the residents of this State who make over \$5,000, and it is perfectly sure that the tax, whatever it is, is going to be paid in large measure by people under \$5,000.

We have heard a great deal about the term "regressive". The sales tax has been granted as being regressive. In the case of a sales tax with food exempted it is not regressive, it is strictly proportional. That means that a man who is richer pays the same percentage of his income out in tax as the poorer man. A perfect example of a progressive tax is the federal income tax, the richer you are the more you pay. The perfect example of a regressive tax is the labor union dues. If you make a hundred dollars a week you pay the same dues as though you made twenty-five dollars a week. That is a regressive tax.

What you get for this money is really very interesting. As everyone knows, the tax money, the retail sales tax money, goes into the general fund and will constitute a substantial proportion of the income of that fund. That fund will pay twenty-five per cent of the cost of educating your children. One out of six people over sixty-five in the State of Maine will have a pension of some sort. A great many children of unfortunate marriages will receive through ADC their aid. If you happen to get tuberculosis you can go to a State sanatorium. If you have to go to a hospital, considerable of your stay is paid through the general fund. Sometime ask your insurance agent where you could get \$42 a month guaranteed to you for eleven or twenty-two cents a week; just as insurance, the small amount paid on this tax would be well worth it. Thank you.

The SPEAKER: The Chair rec-

ognizes the gentleman from Pittsfield, Mr. Sinclair.

Mr. SINCLAIR: Mr. Speaker and Members of the House: I realize that it is very difficult to justify exemptions in any tax bill particularly when some individual or some group is going to be exempt and others are not going to be exempt. However, I do want to say that in drawing up this tax measure with the various exemptions we tried to keep in mind equitable distribution of the tax burden on the various phases of the economy of the State. We tried to be fair in that no one group would carry an undue burden or be unduly hurt while some other group might escape their fair share of the tax.

We considered the impact of this tax on groups and on individuals also. It is very difficult to draw up any legislation that is going to cover every isolated case but I do feel that the committee has tried to carefully consider most of those cases and I feel that we have covered most of them, keeping in mind the need for additional revenue and the amount of money which could be raised by this method.

Whenever exemptions are included in any tax bill, the door is open and it is very difficult to draw a line that is going to be satisfactory to every individual in every group. I would like to call your attention to the list of exemptions on pages 5 and 6 of Legislative Document 1273. You will note that there are thirteen exemptions there. Some of these exemptions are merely saving clauses, such as the first two, while others are exempt items that are already taxed by the State. The first two of these exemptions need very little explanation; they are written in practically all similar tax laws, the theory being that it would be a case of the State paying a tax and then collecting the same tax back.

Item III. "Food products for human consumption." There seemed to be a growing demand that food should be exempt and in keeping with the Governor's statement in his Inaugural Address, we included food in the exempt items. You will note there is a distinction made between the food for human consumption and meals served on and off the premises of the retailer.

The committee felt that there was a definite distinction between the two and, although there are many who, so to speak, eat out most of the time, we felt that it would be very difficult to segregate the two groups and therefore felt that the meals in restaurants and so forth should be included in the tax item.

I think the bill is written very clearly in regard to what are food products and what are not considered to be food products. Many of us have our own particular interpretation of these various items but I feel, and the committee feels, that the line had to be drawn somewhere in regard to these food items.

"Medicines." We felt the medicines prescribed by a doctor should be tax exempt. We didn't feel that we wanted to tax somebody's misfortune but we did not include in the exempt items the patent medicines and the many other allied products that go along with that field.

"School Meals" needs no explanation, I am sure. It would be a very small amount of tax money anyway and I think there is very good reason why we would consider school meals in the list of tax exemptions.

Item VI. "Seed, feed and fertilizer," we felt would fall in the same category as the exemption allowed industry by the definition of retail sales. I refer you to page 2, if you will, down in the last sentence of the paragraph in the middle of page two, under the definition of "Retail Sale" and "sale at Retail" these "do not include the sale of tangible personal property which becomes an ingredient or component part of, or which is consumed or destroyed or loses its identity in the manufacture of personal property for later sale by the purchaser, but shall include fuel and electricity." That would include pulpwood, chemicals, dyes, sulphur and other items—I use those as examples—which would go into the manufacture of property to be later taxed. We felt that seed, feed and fertilizer fall in that same category; they are the ingredients of the final product.

Items VII, VIII and IX are items that are already taxed and some people feel very heavily taxed by the State, that is motor fuel, cigars,

tobacco and cigarettes and sales of liquor. I do feel that an explanation is in order on Item VII where it says: "sales of gasoline and motor fuels upon which the tax is now imposed by the state, but the tax payable upon such fuels not used by vehicles on the highway shall be deducted from any refund of the gasoline tax sought by the purchaser." As you know, now there is no tax on gasoline consumed by off-the-highway vehicles. This bill proposes to place the two per cent tax on that fuel which is consumed off the highway.

"Containers." There has been quite a debate about this item. It is very difficult to draw the line on that particular item but we did feel that this particular definition here would serve the purpose so that nobody would be hurt or nobody would escape, I might say, and that is definitely what it says: "Sales of returnable containers when sold with the contents in connection with a retail sale of the contents or when resold for refilling." I understand there is an amendment to be presented in regard to containers which I hope we, perhaps, can take up tomorrow and explain more fully.

I am sure that numbers XI, XII and XIII need no explanation. They are self-explanatory.

As the gentleman from Cape Elizabeth, Mr. Chase, said: "We are not lawyers; we are not tax experts." We have tried to draw up a bill that would not hurt any particular individual or any particular group. If additional income is needed, we felt this bill would be fair and yet raise the amount of money necessary and I want to go along with the motion of the gentleman from Cape Elizabeth, Mr. Chase, that this report be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept the majority report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes," H. P. 92, L. D. 44, reporting same in a new draft, H. P. 1695, L. D. 1273, under title of Bill "An Act Imposing a Sales and Use Tax" and that it "Ought to pass."

Is the House ready for the question?

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

Mr. JACOBS: Mr. Speaker, if we accept this report of the Taxation Committee, do we accept the entire bill without debate?

The SPEAKER: The Chair will inform the gentleman that the acceptance of the report then makes the bill in order for its first and second readings. Amendments are always in order and also debate on the reading.

Mr. JACOBS: Mr. Speaker, I am at a loss to know just how to proceed. I think everyone knows from Kittery to Fort Kent that I am against any sales tax notwithstanding this report of the Taxation Committee. I want to be heard at the proper time upon this bill.

It seems that there are more than myself against this bill. If there are not, I am in a pretty small minority. However, I am here by the voters of Auburn against any sales or income tax which might be presented to this Legislature. I want to be heard as to my views and as to their views. If accepting this report of the Taxation Committee at this time eliminates my opportunity, I would like to know that.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I do not think there is any question that every member of the House knows how I stand on this bill but it was my understanding that the bill would have to be accepted to get it before the House before it is debatable. I would ask the Chair, am I correct?

The SPEAKER: The Chair will state that the gentleman is correct. The gentleman may discuss the new draft or the original bill at this time.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: We had on the calendar this morning two sales tax reports, one sponsored by the gentleman from Ellsworth, Mr. Dunham, which has been printed for some time and which we have

all had an opportunity to read. We had a second bill which has just been written by your Committee on Taxation and signed by a majority of that committee, which very few people have had an opportunity to read.

Now, it may be the sentiment of the House that this bill and the report thereon should be accepted without reading it. Very few people spend money for something without finding out what they are getting. If it is the sentiment of the House that this report should be accepted even though members have not read the bill, of course they will certify to that effect when they vote on it. But to me it seems a very ill-advised procedure to ask the members of the House to vote to accept this report when they have not even had an opportunity to read the bill.

There is nothing more that I can say. If the House does accept this report it will probably kill the alternative bill introduced by the gentleman from Ellsworth, Mr. Dunham, and it does seem to me that before we vote we should expect at least the right to read the bill.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept the majority report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes" H. P. 92, L. D. 44, reporting same in a new draft, H. P. 1695, L. D. 1273, under title of Bill "An Act Imposing a Sales and Use Tax" and that it "Ought to pass" and the same gentleman has requested a roll call.

All those who desire that the vote be taken by the yeas and nays will kindly rise.

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

The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept the majority report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes" H. P. 92, L. D. 44, reporting same in a new draft, H.

P. 1695, L. D. 1273, under title of Bill "An Act Imposing a Sales and Use Tax" and that it "Ought to pass." All those in favor of accepting the majority "Ought to pass" report will answer yes when the Clerk calls the roll; those opposed will say no. The Clerk will call the roll.

#### ROLL CALL

YEA—Albee, Archer, Bailey, Barton, Bates; Bearce, Caribou; Bearce, Hebron; Berry, Boothby, Bradeen; Brown, Robbinston; Brown, Wayne; Bucknam, Burkett, Campbell, Carter, Carville, Caswell; Center, Standish; Chaples; Chase, Cape Elizabeth; Chase, Whitefield; Clapp, Clements, Cobb, Cole, Crabtree, Daggett, Davis, DeBeck, Dennison, Dickey, Dorsey; Dow, Falmouth; Dunham, Emerson; Fuller, Bangor; Fuller, South Portland; Gay, Gosline, Hall; Hanson, Machiasport; Hayes, House, Hussey, Jacoby, Jamieson, Jennings, Jones, Keene, Knapp, Lackee, Larrabee, Leavitt, Lord, Lovely, Low, Ludwig, Macomber, March; Martin, Augusta; Martin, Frenchville; Maxwell, McGlauffin, Moffatt, Morneault, Moulton, Nowell, O'Dell, Patterson, Perry, Peterson, Philbrook, Pierce, Plummer, Ricker, Robbins, Roundy, Sanborn, Sinclair, Spear, Stevens, Stewart, Story; Taylor, Lyman; Taylor, Norridgewock; Thomas, Jr.; To t m a n, Travis, Vaughan, Wallace, Watson, West, Winchenpaw.

NAY—Brown, Baileyville; Burgess, Castonguay; Chase, Belgrade; Cote, Couture, Delahanty, Duquette, Edwards, Farley, Fay, Fenn, Finnegan, Fogg, Frechette, Gowell, Hamilton, Hancock; Hanson, Lebanon; Harding, Ingraham, Jacobs, Jalbert, Kelly, Lacharite, Latno, Lessard, Letourneau, Littlefield, Madore, Maguire; Martin, Eagle Lake; Nadeau, Parent, Phillips, Roberts, Rollins; Senter, Brunswick; St. Pierre, Turner, Walls, Williams, Wood, Woodworth.

ABSENT — Albert, Bubar, Dostie; Dow, Eliot; Gerrish, Gilman, Hand, Hawkes, Parker, Potter, Woodcock.

Yes 94, No 44, Absent 11.

The SPEAKER: Ninety-four having voted in the affirmative, forty-four in the negative, eleven being absent, the majority "Ought to pass" report of the committee has been accepted.

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

#### Passed to be Engrossed

Bill "An Act relating to the Assets of The Farm Rehabilitation

Corporation of Maine" (S. P. 153) (L. D. 327)

Bill "An Act relating to Membership of the Blueberry Industry Advisory Committee" (S. P. 387) (L. D. 935)

Bill "An Act relating to Boats for Hire on Inland Waters" (S. P. 392) (L. D. 1010)

Bill "An Act relating to Vital Statistics" (S. P. 401) (L. D. 949)

Bill "An Act relating to Transfers and Commitments to Pownal State School" (H. P. 436) (L. D. 256)

Bill "An Act relating to the Salary of the Deputy Clerk of Courts of Penobscot County" (H. P. 659) (L. D. 375)

Bill "An Act to Increase the Salary of the Judge and Recorder of the Yorkshire Municipal Court" (H. P. 660) (L. D. 368)

Bill "An Act relating to Open Season on Otter" (H. P. 729) (L. D. 419)

Bill "An Act Authorizing the Town of Fort Fairfield to Appropriate Money for the Community General Hospital" (H. P. 1136) (L. D. 663)

Bill "An Act to Increase the Salary of the Judge of the Eastport Municipal Court" (H. P. 1138) (L. D. 670)

Bill "An Act Increasing the Salary of the Judge of Probate for Somerset County" (H. P. 1216) (L. D. 773)

Bill "An Act relating to Trappers' Licenses" (H. P. 1343) (L. D. 918)

Bill "An Act relating to Salary of Register of Probate of York County" (H. P. 1438) (L. D. 1049)

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

#### Amended

Bill "An Act relating to Swan Island Game Preserve" (H. P. 1577) (L. D. 1149)

Was reported by the Committee on Bills in the Third Reading.

Mr. Plummer of Lisbon offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1577, L. D. 1149, Bill "An Act Relating to Swan Island Game Preserve."

Amend said Bill by adding before the period at the end thereof the following underlined words and punctuation:

‘, except at Maxwell’s Cove, so called, where he shall regulate to low water on the tidal flats to be marked with red posts’

House Amendment “A” was adopted and the Bill had its third reading and was passed to be engrossed as amended and sent to the Senate.

#### Passed to be Engrossed (Cont’d)

Bill “An Act relating to Transportation of Fish from Moosehead Lake” (H. P. 1649) (L. D. 1219)

Bill “An Act to Incorporate the Jay School District” (H. P. 1670) (L. D. 1241)

Resolve Proposing an Amendment to the Constitution to Change the Term of Office of Treasurer of State (H. P. 1073) (L. D. 686)

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

Resolve Regulating Fishing in Round Pond and Fry Pan Pond, Somerset County (H. P. 1617) (L. D. 1177)

Was reported by the Committee on Bills in the Third Reading.

Mr. Watson of Moose River Plantation offered House Amendment “A” and moved its adoption.

House Amendment “A” was read by the Clerk as follows:

HOUSE AMENDMENT “A” to H. P. 1617, L. D. 1177, Resolve, Regulating Fishing in Round Pond and Fry Pan Pond, Somerset County.

Amend said Resolve by striking out the period at the end thereof and inserting in place thereof the following: ‘; and be it further

**Resolved:** That the commissioner of inland fisheries and game be, and hereby is, authorized and directed to issue a rule and regulation establishing a daily bag limit of 7½ pounds of fish per person from Moose river from Brassua dam to Moosehead lake.’

House Amendment “A” was adopted and the Resolve was given

its second reading, passed to be engrossed as amended and sent to the Senate.

#### Passed to be Engrossed (Cont’d)

Resolve Extending Appropriations of Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 1634) (L. D. 1199)

Resolve Limiting Catch of Pickerel in Brann’s Mill Pond, Piscataquis County (H. P. 1636) (L. D. 1201)

Resolve Closing Brann’s Mill Pond, Piscataquis County, to Ice Fishing (H. P. 1637) (L. D. 1202)

Resolve to Make Lawful the Fishing for Cusk in Long Lake and Sebago Lake, Cumberland County (H. P. 1689) (L. D. 1266)

Resolve Regulating Fishing in the Fish River Chain of Lakes (H. P. 1690) (L. D. 1267)

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

#### Amended Bills

Bill “An Act relating to Interstate Transportation of Clams” (S. P. 259) (L. D. 558)

Bill “An Act Concerning Coercion in the Placing of Insurance on Real Estate or Personal Property” (S. P. 428) (L. D. 992)

Bill “An Act to Clarify the Employment Security Law” (S. P. 457) (L. D. 1071)

Bill “An Act relating to the Board of Examiners and Funeral Directors and Embalmers” (H. P. 1591) (L. D. 1163)

Bill “An Act relating to Appropriations for Aid of Public and Private Hospitals” (H. P. 1592) (L. D. 1164)

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.

Bill “An Act relating to Teachers’ Contracts” (H. P. 1655) (L. D. 1216)

Was reported by the Committee on Bills in the Third Reading.

Mr. Woodworth of Fairfield offered House Amendment “A” and moved its adoption.

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

HOUSE AMENDMENT "A" to K. P. 1655, L. D. 1216, Bill "An Act Relating to Teachers' Contracts".

Amend said Bill by striking out from the 20th and 21st lines thereof the underlined words "reorganization of schools or other".

Further amend said Bill by striking out from the 21st line thereof the underlined word "warrants" and inserting in place thereof the underlined word "warrant".

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

#### Passed to be Engrossed (cont'd)

Bill "An Act relating to Place of Taxation of Personal Property" (S. P. 409) (L. D. 969)

Bill "An Act relating to Uniform Reciprocal Enforcement of Support Act" (S. P. 437) (L. D. 1000)

Bill "An Act relating to the Salary of the Register of Probate in Penobscot County" (H. P. 940) (L. D. 545)

Bill "An Act to Increase the Salaries of Certain County Officers in Washington County" (H. P. 941) (L. D. 537)

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Western Washington Municipal Court" (H. P. 1067) (L. D. 647)

Bill "An Act relating to Display of Unauthorized Signs Upon or in View of Highways" (H. P. 1691) (L. D. 1271)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (S. P. 436) (L. D. 999)

Resolve in favor of the Town of Cornville (S. P. 506)

Resolve in favor of Certain Towns in York and Oxford Counties for Snow Removal (H. P. 821) (L. D. 481)

Resolve Providing for State Pension for Florence I. Cain, of Clinton (H. P. 1692) (L. D. 1269)

Resolve Providing for a Pension for George M. D. Grant of Milbridge (H. P. 1693) (L. D. 1270)

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

#### Amended Bill

Bill "An Act relating to Fees of Sheriffs and Their Deputies" (H. P. 1435) (L. D. 1046)

Was 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.

#### Finally Passed

##### Constitutional Amendment

Resolve Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation (H. P. 1114) (L. D. 694)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 112 voted in favor of same, and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Passed to be Enacted

An Act relating to Inheritance Tax (S. P. 218) (L. D. 468)

An Act relating to Penalties for Violations of Liquor Laws by Unlicensed Persons (S. P. 381) (L. D. 907)

An Act relating to Deposit of Potatoes into Waters of the State (S. P. 417) (L. D. 977)

An Act relating to Distribution of Antitoxins in Emergencies (S. P. 418) (L. D. 978)

An Act Exempting Navy Clubs from Taxation (S. P. 419) (L. D. 979)

An Act relating to the Transmission of Television Signal by Wire (S. P. 489) (L. D. 1169)

An Act relating to the Trustees of the University of Maine (S. P. 515) (L. D. 1234)

An Act relating to Overtaking and Passing School Buses (H. P. 94) (L. D. 39)

An Act relating to Motor Vehicles Parking in Dangerous Places (H. P. 95) (L. D. 40)

An Act Adding Korean Veterans to Laws relating to Veterans (H. P. 98) (L. D. 45)

An Act relating to Employed Persons in Paper Mills (H. P. 328) (L. D. 188)

An Act relating to Request for Tax Exemption (H. P. 333) (L. D. 192)

An Act to Change the Law relating to Apothecaries (H. P. 545) (L. D. 310)

An Act relating to Salary of Judge of the Bar Harbor Municipal Court (H. P. 559) (L. D. 317)

An Act relating to the Salary of the Judge of the Western Hancock Municipal Court (H. P. 560) (L. D. 318)

An Act relating to the Breeding and Raising of Mink (H. P. 628) (L. D. 351)

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

#### **Tabled and Assigned**

An Act relating to the Excise Tax on Certain Types of Oleomargarine (H. P. 657) (L. D. 366)

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

(On motion of Mr. Low of Rockland, tabled pending passage to be enacted and specially assigned for Wednesday, April 18th)

An Act relating to the Military Law (H. P. 661) (L. D. 376)

An Act Clarifying the Definition of "Compact" in the Highway Laws (H. P. 1112) (L. D. 692)

An Act to Designate Certain Waters of the Dead River as Flagstaff Lake (H. P. 1124) (L. D. 696)

An Act Increasing the Salary of the Recorder of the Bar Harbor Municipal Court (H. P. 1139) (L. D. 671)

An Act to Create the Veazie Sewer District (H. P. 1208) (L. D. 766)

An Act relating to Police Docket in re Juveniles (H. P. 1232) (L. D. 785)

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

#### **Tabled and Assigned**

An Act relating to Sewer Service Charges (H. P. 1238) (L. D. 790)

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

(On motion of Mr. Delahanty of Lewiston, tabled pending passage to be enacted and specially assigned for Tuesday, April 17th)

An Act relating to Fluoride in Public Water Supplies (H. P. 1280) (L. D. 819)

An Act relating to Smelt Fishing (H. P. 1309) (L. D. 862)

An Act Permitting Incorporation of Veterans of Foreign War Post Under General Law (H. P. 1428) (L. D. 1034)

An Act relating to Assessments for Road Repairs in Unorganized Territory (H. P. 1442) (L. D. 1053)

An Act Regulating the Dragging for Scallops in Harrington River and Pleasant River, Washington County (H. P. 1446) (L. D. 1042)

An Act Providing for Merger and Dissolution of Domestic Mutual Insurance Companies (H. P. 1512) (L. D. 1118)

An Act relating to Mill Privileges, Dam Sites, Flowage Rights, Pole Lines and Roads (H. P. 1680) (L. D. 1248)

An Act relating to Elderly Teachers' Pensions (H. P. 1681) (L. D. 1251)

#### **Finally Passed**

Resolve relating to the Use of Purse or Drag Seines in Certain Waters (H. P. 656) (L. D. 374)

Resolve Permitting the Building of a Fish Pond in Chapman (H. P. 1369) (L. D. 960)

Resolve Appropriating Moneys for Compilation of Certain Decisions of Supreme Judicial Court (H. P. 1510) (L. D. 1104)

Resolve in favor of the Town of Bethel (H. P. 1677) (L. D. 1245)

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

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

Mr. CHASE: Mr. Speaker, I note that the next item is an emergency measure and the attendance is a little light. I wonder if the House could be at ease and off the record for a moment while we find out about the possibility for an afternoon session and for an earlier meeting tomorrow.

The SPEAKER: The House may be at ease.

#### HOUSE AT EASE

Called to order by the Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, requests unanimous consent to address the House for just a moment on the matter of a picture being brought here from the Legislature of 1907. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. JACOBS: Mr. Speaker and Members of the House: I think it might be interesting to those present to note the members of the House of 1907, quite a number of years ago, back in the horse and buggy days. Our salary at that time was \$150 for the session and we couldn't get a cent until after the gavel sounded for the adjournment.

At that time the Republicans of the House were, as I recall, eighty-three, the Democrats, sixty-eight. (Applause) I hope that you will look at the picture because it is composed, excepting one, of a very fine group of men in different attitudes and with various facial expressions; mostly all of them have mustaches, myself included, and beards, but still we were there to execute and transact the business of this State. (Applause)

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House recess until four o'clock this afternoon. Is this the pleasure of the House?

(Cries of "No")

Those in favor of recessing until four o'clock will say aye; those opposed, no.

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

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, now moves that the House recess until three-thirty o'clock this afternoon. Is this the pleasure of the House? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the House recessed until 3.30 P. M.

#### AFTER RECESS

The House reconvened at 3.30 P. M. and was called to order by the Speaker.

The SPEAKER: The House is proceeding on bills on their passage to be enacted.

#### Passed to Be Enacted Emergency Measure

##### Tabled

An Act to Incorporate the Town of Hancock School District (H. P. 1276) (L. D. 845)

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

(On motion of the gentleman from Orono, Mr. Bates, tabled pending passage to be enacted.)

##### Tabled

Resolve Providing Funds for Maintenance at Teachers' Colleges and Normal Schools (S. P. 224) (L. D. 499)

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

(On motion of the gentleman from Orono, Mr. Bates, tabled pending final passage.)

#### Passed to be Enacted

An Act relating to the Taking and Sale of Clams in the Town of Boothbay (H. P. 30) (L. D. 7)

An Act relating to the Taking and Sale of Clams in the Town of Westport (H. P. 330) (L. D. 166)

An Act relating to the Military Law (H. P. 344) (L. D. 203)

An Act relating to Non-Resident Commercial Fishing Licenses (H. P. 439) (L. D. 262)

An Act relating to Special Dog Training and Field Trial Areas (H. P. 630) (L. D. 352)

An Act relating to Composite Certificates of Organization of Cor-



porations (H. P. 1108) (L. D. 688)

An Act relating to Clerk Hire of the Lewiston Municipal Court (H. P. 1135) (L. D. 667)

An Act relating to the Taking of Alewives in Winnegance Lake in the City of Bath and the Towns of Phippsburg and West Bath (H. P. 1186) (L. D. 744)

An Act relating to the Digging of Shellfish and Marine Worms in the Town of Yarmouth (H. P. 1395) (L. D. 987)

An Act Creating Beauchamp Point Game Preserve (H. P. 1412) (L. D. 1020)

An Act to Authorize Towns to Own Scales (H. P. 1443) (L. D. 1054)

An Act relating to Time of Registration of Voters in Towns (H. P. 1554) (L. D. 1115)

An Act relating to Purposes for Which Cities and Towns May Raise Money (H. P. 1645) (L. D. 1208)

An Act relating to Scallop Fishing Licenses (H. P. 1682) (L. D. 1256)

An Act relating to the Employment of Women During War and Other Emergencies (H. P. 1683) (L. D. 1257)

#### Finally Passed

Resolve Authorizing Expenditure of Certain Moneys in Possession of Bangor State Hospital (S. P. 336) (L. D. 752)

Resolve Authorizing the Trustees of the Town of Houlton School District to Convey Certain Land to the Inhabitants of the Town of Houlton (S. P. 480) (L. D. 1143)

Resolve to Repeal Certain Special Resolve Pensions (S. P. 482) (L. D. 1145)

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

#### Orders of the Day

The **SPEAKER**: Under Orders of the Day the Chair lays before the House the first item of unfinished business, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Elderly Teachers' Pensions", H. P. 738, L. D. 425, tabled on March 30 by the gentleman from Presque

Isle, Mr. Jamieson, pending acceptance of the report; and the Chair recognizes the same gentleman.

Mr. **JAMIESON**: Mr. Speaker, I would like to make an inquiry. I want to table this bill again. Will it have to be taken off the table now or can I just move to have it retabled?

The **SPEAKER**: The Chair will state that the matter is not on the table; it is now before the House. The gentleman may move to retable.

Mr. **JAMIESON**: Mr. Speaker, I so move.

The **SPEAKER**: The gentleman from Presque Isle, Mr. Jamieson, moves that the first item of unfinished business on today's calendar lie on the table pending acceptance of the report. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was retabled.

The **SPEAKER**: The Chair lays before the House the second item of unfinished business, House Report "Ought to pass" of the Committee on Education on Bill "An Act relating to Bookmobile Service, H. P. 966, L. D. 572, tabled on March 16 by the gentleman from Cape Elizabeth, Mr. Chase, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. **CHASE**: Mr. Speaker, this is one of the appropriation L. D.'s which the House ought to consider. In its present form, it would cost \$85,000 the first year and \$60,000 the second year.

I note on my desk certain contemplated amendments which I presume are to be presently offered I will, therefore, yield to any member who wishes to speak regarding the matter.

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

Mr. **ROUNDY**: Mr. Speaker and Members of the House: The Education Committee, when they considered what seemed to them this very excellent bill, had full realization, I think, of the expense that would be involved, the extra expense in launching and the continued expense thereof. Nevertheless, it did seem to the Education Committee that there was such

excellence and such values in this Bookmobile that it should be reported as it was, that it ought to be accepted.

May I say that Maine as a part of New England, as a part of northern New England, in this particular has been rather slow compared to the other states of Vermont and New Hampshire in entering into this excellent library service. Vermont has had a successful and meaningful experience for thirteen years with the Bookmobile. New Hampshire has had nearly as long a time as that. While those two states are rural states, like our own, and have a good many agricultural pockets where people live—and I know something about that because I grew up in an agricultural pocket in the State of Vermont—they have found, however, that this kind of service was a means whereby the library in all its excellence could be brought to the rural schools and there are over 1300 of them here in Maine, could be brought to the rural people and over 500,000 of Maine's people are classed among rural people and could bring to them the excellency of the meanings of the library. I, therefore, very much hope that, at this time, we shall consider this matter of such importance that we will be ready to go along with the recommendation of the Education Committee and accept this report.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Roundy, that the "Ought to pass" report be accepted.

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

Mr. WOODWORTH: Mr. Speaker, I haven't checked the references on this bill carefully enough to be sure of the figures but the figures mentioned by the gentleman from Cape Elizabeth (Mr. Chase), were \$85,000 for the first year and \$60,000 for the second year, and an amendment would propose \$25,000. At any rate, whether it is amended or not, we are asked to add a very substantial sum to the already great sum that is recommended by the Appropriations Committee. This would benefit only a comparatively small part of the people and if we

are going to practice economy at any time, I don't know why we should look further than this and I move that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the report and bill be indefinitely postponed. Is the House ready for the question?

All those in favor of the report and Bill, "An Act relating to Bookmobile Service" being indefinitely postponed will say aye; those opposed, no.

A viva voce vote being doubted, A division of the House was had. Sixty-one having voted in the affirmative and forty-one in the negative, the motion prevailed and the report and bill were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the third item of unfinished business, House Report "Ought not to pass" of the Committee on Public Health on Bill "An Act Providing for the Study, Treatment and Care of Alcoholics," H. P. 1487, L. D. 1094, tabled on March 28 by the gentleman from Blaine, Mr. Bubar, pending acceptance of the report.

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

Mr. BURKETT: Mr. Speaker and Members of the House: Mr. Bubar is unavoidably out of the House this afternoon on some business and I move that this matter be retabled until he returns.

The SPEAKER: The gentleman from Portland, Mr. Burkett, moves that item three of unfinished business on today's calendar lie on the table. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was retabled.

The SPEAKER: The Chair lays before the House the fourth item of unfinished business, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Inland Fisheries and Game on Bill "An Act Assenting to Act of Congress relating to Fish Restoration and Management Projects," H. P. 525, L. D. 287, tabled on March 29 by the gentle-

man from Greenville, Mr. Rollins, pending his motion to recede. (In Senate, Report accepted, Bill engrossed as amended by Committee Amendment "A." In House, indefinitely postponed.)

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

Mr. ROLLINS: Mr. Speaker and Members of the House: For once we are starting on a bill that will bring us money instead of some of these that are spending money. Therefore, I move that the motion to recede prevails.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, due to the fact that the gentleman from Wayne, Mr. Brown, who is vitally interested in this measure, is not here this afternoon, I move that this matter be retabled.

The SPEAKER: The gentleman from Vinalhaven, Mr. Barton, moves that item four of unfinished business lie on the table pending the motion of the gentleman from Greenville, Mr. Rollins, to recede. Is this the pleasure of the House?

All those in favor of the motion to lay the matter on the table will say aye; those opposed, no.

A viva voce vote being doubted.

A division of the House was had.

Sixty-four having voted in the affirmative and fourteen in the negative, the motion prevailed and the report with accompanying papers was retabled.

The SPEAKER: The Chair now lays before the House the fifth item of unfinished business, House Report of the Committee on Appropriations and Financial Affairs, Majority "Ought not to pass", Minority "Ought to pass" on Resolve Appropriating Moneys for Municipal Airport Construction, H. P. 956, L. D. 568, tabled on March 29 by the gentleman from Presque Isle, Mr. Jamieson, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion of Mr. Jamieson of Presque Isle, the report with accompanying papers was retabled pending acceptance of either report and specially assigned for Thursday, April 26.

The SPEAKER: The Chair lays before the House the sixth item of unfinished business on today's calendar, House Report "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Funds for Civil Defense and Public Safety", H. P. 792, L. D. 472, tabled on March 30 by the gentleman from Cape Elizabeth, Mr. Chase, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, a parliamentary inquiry. Is it all right and in order to take some definite action on this bill? (Laughter)

The SPEAKER: The Chair will state that the gentleman may use his own judgment. (Laughter)

Mr. CHASE: Mr. Speaker, I offer House Amendment "A" and move its adoption. It is filing number 152.

The SPEAKER: The Chair would suggest that the gentleman from Cape Elizabeth, Mr. Chase, make his motion on the acceptance of the report. The bill is not before the House at the moment.

Mr. CHASE: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House accept the "Ought to pass" report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Funds for Civil Defense and Public Safety". Is this the pleasure of the House?

The motion prevailed and the report was accepted.

Thereupon, the bill, having already been printed, was given its two several readings under suspension of the rules.

House Amendment "A", presented by the gentleman from Cape Elizabeth, Mr. Chase, was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 792, L. D. 472, Bill "An Act Providing for Funds for Civil Defense and Public Safety."

Amend said Bill by adding after the underlined word "empowered" in the 2nd line of the 2nd paragraph of that part designated "Sec. 19." thereof, the following underlined words: ' whenever an emergency has been declared as provided in section 6;'

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

Mr. CHASE: Mr. Speaker, this bill is an addition to an emergency Civil Defense chapter and the obvious intent is that the Governor, when an emergency exists, shall have the right to transfer to the Emergency Civil Defense Fund any State money in the general fund of the State. But, this particular paragraph doesn't make it clear that that power exists only when there is an emergency. In order to clarify that, this amendment is offered and I move its adoption.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A"?

The motion prevailed and House Amendment "A" was adopted, and the bill as amended was assigned for third reading tomorrow morning.

The SPEAKER: The Chair lays before the House the seventh item of unfinished business on today's calendar, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont", H. P. 928, L. D. 541, tabled on March 30 by the gentleman from Portland, Mr. McGlaufflin, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. McGLAUFLIN: Mr. Speaker, I laid that on the table by request and know nothing about it.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bates.

Mr. BATES: Mr. Speaker and Members of the House: I am the sponsor of this bill and I consider it permissive legislation to enable the States of New Hampshire, Vermont and Maine and now, with the amendment as submitted by the Committee on Legal Affairs, it shall also include the States of Massachusetts, Connecticut and Rhode Island to further the studies on the treatment and possible building of institutions and adequate care of defective delinquents.

I move that the committee report

be accepted and the bill have its first and second readings.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that the "Ought to pass" as amended by Committee Amendment "A" report of the Committee on Legal Affairs on Bill "An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont" be accepted.

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

Mr. BURKETT: Mr. Speaker, possibly the House could be a little better informed about the class of people which this bill is supposed to refer to and I would like to offer just a little explanation about it. For some time theologians and psychiatrists and doctors have been interested in a group of people, sort of a shadowed group, in between those who are insane on the one hand and on the other, those who are mentally defective, such as are sent to Pownal State School. That group is defined in the act as follows: "a defective delinquent is any person afflicted with intellectual impairment from birth"—now, this, I am afraid, might be applied to some of us here for it goes on with some qualifications, "to such an extent that he is incapable of managing himself and his affairs; and who is charged with, arrested for or convicted of criminal offense." There are not enough people in the State falling within that classification to allow the State building a separate institution for them but there are enough of them so that they create quite a problem. They can't be sent to either one of the insane hospitals; they are not insane and they are not fit subjects for the Pownal State School. So, for some time the officials of the New England States have been getting together trying to arrive at some solution of the problem and have conceived the idea of building in one or the other of the New England States a hospital or a place where these unfortunate people can be taken care of, and, as you can well imagine, such a project involves a multitude of details which haven't yet been resolved.

At one time Connecticut and Massachusetts were interested with Maine, New Hampshire and Vermont. Connecticut became cold on the subject and Massachusetts did. Now, I understand that Connecticut is reviving its interest in it and the conferences between the proper officials are continuing with the idea that within two or three or four years we can draft an act, with which the other states will go along, on building something that will take care of these people. This act, of course, is incomplete and it is merely a vehicle for the purpose of continuing the discussions.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Orono, Mr. Bates, that the House accept the "Ought to pass" as amended by Committee Amendment "A" report of the Committee on Legal Affairs on Bill "An Act Establishing a Tri-State Authority to enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont."

All those in favor of accepting the "Ought to pass" report will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, the bill, having already been printed, was given its two several readings under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 928, L. D. 541, Bill "An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont."

Amend said Bill by inserting after the underlined word "**Vermont**" in the 1st sentence of that part of said Bill designated "Sec. 1" the following underlined words: '**and any other of the New England states as may be included within this compact by the signatory states hereto**'

Further amend said Bill by striking out all of "Sec. 13" at the end thereof and inserting in place thereof the following:

**'Sec. 13. Other New England states. The signatory states hereto may at any time include any of the other New England states within this compact.**

**Sec. 14. Effective date. The provisions of this chapter shall take effect at such time as the compact herein provided for shall become fully effective by compliance with its terms.'**

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

The SPEAKER: The Chair lays before the House the eighth item of unfinished business on today's calendar, House Report "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Digging of Clams for Commercial Purposes in the Towns of Waldoboro and Bremen", H. P. 1189, L. D. 743, tabled on March 28 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I should like to explain my reason for introducing this bill before I make a motion. It seems to me that some of the clam laws need clarifying but it is apparent that I was alone in my thinking in this matter.

We have a personal joke in our section. There is a rather prominent gentleman in State Affairs, Mr. Forrest Bond, who resides in Jefferson. He can buy a \$3.00 clam license but there aren't very many places where he can go to dig clams, because Jefferson has no clam flats. There are very few towns where clams can be dug without a town license and in order to buy a town license you have to be a citizen of that town, but in order to dig clams for commercial purposes you also have to buy a \$3.00 State license.

It seems to me that this is a little overlapping of authority where you have to buy a state license and then go and buy a town license before you can dig clams in that town, when both licenses cover the same thing.

I, for one, would like to see either some of these town laws repealed or repeal the \$3.00 clam diggers license. It seem to me a little unfair to have to pay \$3.00 for the privilege of standing on your head in the clam flats all days.

This bill is not too important and in order to expedite matters I move acceptance of the committee's "Ought not to pass" report.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the House accept the "Ought not to pass" report of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Digging of Clams for Commercial Purposes in the Towns of Waldoboro and Bremen". Is this the pleasure of the House?

The motion prevailed, the report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, House Report "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Digging of Clams in the Town of St. George," H. P. 1188, L. D. 742, tabled on March 28 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance of the report; and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman, the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the tenth item of unfinished business, House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Charles Boynton of Calais, H. P. 1515, tabled on March 29 by the gentleman from Baileyville, Mr. Brown, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion of Mr. Brown, the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the eleventh item of unfinished business, House Report "Ought not to pass" of the Committee on Claims on Resolve in

favor of Waldo F. Weston of Dexter, H. P. 375, tabled on March 29 by the gentleman from Dexter, Mr. Roberts, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. ROBERTS: Mr. Speaker and Members of the House: I received the additional evidence and I move that this resolve be recommitted to the Committee on Claims.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Waldo F. Weston of Dexter be recommitted to the Committee on Claims. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was recommitted to the Committee on Claims and sent up for concurrence.

The SPEAKER: The Chair lays before the House the twelfth item of business on today's calendar, House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Clinton J. Abbott, of Kingfield, H. P. 220, tabled on March 29 by the gentleman from Eustis, Mr. Carville, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. CARVILLE: Mr. Speaker and Members of the House: I would also like to have this go back to the committee. There is some misunderstanding on this resolve and I have the consent of the Chairman and members of the committee to recommit the resolve.

The SPEAKER: The gentleman from Eustis, Mr. Carville, moves that House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Clinton J. Abbott, of Kingfield be recommitted to the Committee on Claims. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was recommitted to the Committee on Claims and sent up for concurrence.

THE SPEAKER: The Chair lays before the House the thirteenth item of unfinished business, House Report "Ought to pass" in new draft of the Committee on Labor on Bill "An Act Relating to Fees for Boiler Inspection and Certificates", H. P. 1018, L. D. 578, tabled on

March 30 by the gentleman from Baileyville, Mr. Brown, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion of the same gentleman the "Ought to pass" in new draft report of the committee was accepted and the bill, have already been printed, was given its two several readings under suspension of the rules and assigned for third reading tomorrow morning.

The SPEAKER: The Chair lays before the House the fourteenth item of unfinished business on today's calendar, Bill "An Act relating to Automobile Travel by State Employees", H. P. 791, L. D. 471, tabled on April 3 by the gentleman from Fairfield, Mr. Woodworth, pending second reading. (Committee Amendment pending)

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

Thereupon, on motion of the gentleman from Fairfield, Mr. Woodworth, the bill was given its second reading.

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

COMMITTEE AMENDMENT "A" to H. P. 791, L. D. 471, Bill "An Act Relating to Automobile Travel by State Employees."

Amend said Bill by striking out the figures "8c" in the 7th line and inserting in place thereof the following: '[8c] 7c'

Thereupon, Committee Amendment "A" was adopted.

The gentleman from Fairfield, Mr. Woodworth, then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 791, L. D. 471, Bill "An Act Relating to Automobile Travel by State Employees."

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

**'Provided, however, that the Governor, with the advice and consent of the Council, may suspend the operation of this section and require State Officials and Employees to travel in automobiles owned or controlled by the State, if such automobiles be available.'**

House Amendment "A" was then adopted.

The gentleman from Falmouth, Mr. Dow, thereupon offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 791, L. D. 471, Bill "An Act Relating to Automobile Travel by State Employees."

Amend said bill by striking out all after the underlined word "miles" in the 11th line thereof and inserting in place thereof the following:

['. provided, however, that the state shall pay inspectors of seed potatoes 7c for every mile so travelled. Provided further, that the rate may be set by the travel supervisor at not exceeding 10c per mile on any one trip when more than 1 passenger from one or more departments are assigned by the travel supervisor and that the charges for such mileage shall be apportioned by the travel supervisor to the various departments involved.]

House Amendment "B" was thereupon adopted.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker, I wonder if it would be in order at this time to state just what that amendment proposes.

The SPEAKER: The gentleman is in order. He may proceed.

Mr. DOW: Mr. Speaker, it proposes to put members of all State departments on the same mileage basis. As the law is at present there is a different schedule of reimbursement for mileage for different departments and even for different divisions in the same department.

What this amendment is intended to delete refers to the inspectors of seed potatoes of which last year I believe there were 29, receiving reimbursement for mileage, the lowest one for 155 miles and the highest for 22,599 miles. If this amendment is adopted, it will result in slight increases over the present schedule up to 10,000 miles, where it will decline. This would result in slight decreases after 10,000 miles. In the same department, it seems that many of the seed potato

inspectors were also paid mileage at other than the seven cent rate while working as inspectors on other programs. This seems to create dissatisfaction in the department, in some instances, and in employees in other departments. That is why this amendment was introduced because I believe that all State employees should be on the same mileage basis. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: When the gentleman from Cape Elizabeth, Mr. Chase, asked what the cost would be, I had gone down to ask the gentleman from Orono, Mr. Bates, what it was and the figure was \$20,000 each year. I was told that the figures were in error. It means \$1000, \$2.00 over a \$1,000 each year; it calls for seven cents a mile for the first 5,000 miles; and six cents for everything over 5,000 miles. The bill was discussed and held in committee at length and I felt that the committee's report was just and consequently I move the indefinite postponement of House Amendment "B."

The SPEAKER: The Chair will inform the gentleman from Lewiston, Mr. Jalbert, that House Amendment "B" has already been adopted. Does the gentleman care to move that the House reconsider?

Mr. JALBERT: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House reconsider its action whereby it just adopted House Amendment "B" to Bill "An Act relating to Automobile Travel by State Employees." All those in favor of reconsidering will say aye; those opposed, no.

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

The SPEAKER: What time will the House assign for third reading of the bill?

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

Mr. BURGESS: Mr. Speaker, I move that this item lie on the table.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the fourteenth item of

unfinished business, Bill "An Act relating to Automobile Travel by State Employees" lie upon the table pending assignment for third reading. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The SPEAKER: The Chair lays before the House the fifteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Liberalizing Certain Limitations on Old Age Assistance," H. P. 1245, L. D. 799, tabled on March 29 by the gentleman from Blaine, Mr. Bubar, pending acceptance of the report.

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

Mr. BURKETT: Mr. Speaker, I call the attention of the House again to the unavoidable absence of the gentleman from Blaine, Mr. Bubar, this afternoon and I move that this matter lie on the table until his return.

The SPEAKER: The gentleman from Portland, Mr. Burkett, moves that item fifteen of unfinished business on today's calendar lie on the table. Is this the pleasure of the House?

All those in favor of the matter lying on the table will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and thereupon the report with accompanying papers was retabled pending acceptance of the report.

The SPEAKER: The Chair now lays before the House the sixteenth item of unfinished business, Bill "An Act to Clarify Certain Provisions of Motor Vehicle Law," S. P. 72, L. D. 78, tabled on April 4 by the gentleman from Bowdoinham, Mr. Jones, pending third reading.

The Chair recognizes the gentleman from Chelsea, Mr. Perry.

Mr. PERRY: Mr. Speaker and Members of the House; I move that item sixteen lie on the table due to the absence of the gentleman from Bowdoinham, Mr. Jones, who has two amendments and it is not clear to me what they are supposed to be.

The SPEAKER: The gentleman from Chelsea, Mr. Perry, moves that



the sixteenth item of unfinished business on today's calendar, Bill "An Act to Clarify Certain Provisions of Motor Vehicle Law" lie on the table. Is this the pleasure of the House?

The motion prevailed and the bill was retabled pending third reading.

The SPEAKER: The Chair lays before the House the seventeenth item of unfinished business, Bill "An Act relating to Equal Pay for Women Teachers," H. P. 1506, L. D. 1059, tabled on March 28 by the gentleman from Orono, Mr. Bates, pending third reading; and the Chair recognizes that gentleman.

Mr. BATES: Mr. Speaker, I move that item seventeen be retabled and specially assigned for Wednesday, April 25th.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that Bill "An Act relating to Equal Pay for Women Teachers" be retabled and be specially assigned for Wednesday, April 25th. Is this the pleasure of the House?

The SPEAKER: All those in favor of the matter lying on the table will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the bill was tabled pending third reading and specially assigned for Wednesday, April 25.

The SPEAKER: The Chair lays before the House the eighteenth item of unfinished business on today's calendar, An Act relating to Membership in State Board of Education, H. P. 816, L. D. 479, tabled on March 28 by the gentlewoman from Bath, Mrs. Moffatt, pending passage to be enacted; and the Chair recognizes that gentlewoman.

Mrs. MOFFATT: Mr. Speaker and Members of the House: I tabled this bill because I am not too sure of the duties and workings of the State Board of Education and, if you will read the last sentence of the bill, it says: "Members of the board shall serve without pay other than their actual expenses while carrying out the functions of the board."

We are faced with rather serious financial problems and it is my opinion that we should take bills

of this nature and set a limit of expense upon them.

I have an amendment which I would like to offer but before I offer the amendment I wish some members of the Committee on Education would explain to us the duties and obligations of the State Board of Education. After that, I will try to make a motion to reconsider and offer an amendment putting a limit on the expenditure on the bill.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker and Members of the House: I realize that I, as a freshman member, have been up about four days in a row but I trust you will bear with me as this is my bill.

I do not think I need to go into the duties and so forth of the members of the Board of Education because that has already been set up. The purpose of this bill was to clarify the appointment of the five members, the outside members. If you will read L. D. 479, you will note that the Governor appoints five members with the consent of his Council; formerly there were five members from different groups, the Maine Municipal Association and so forth, they appointed their members. There is a question of the constitutionality of this and this bill simply states that these five various organizations may nominate one member from their group and submit the names to the Governor and he, with the consent of his Council, will then appoint.

The matter of the expenses of the department is taken care of in the appropriation for the Education Departmental Operations. I might say that the past year—I don't think this has anything to do with the bill but I will answer the gentlewoman from Bath, Mrs. Moffatt—the State Board of Education was set up in November 1949 and during the remaining eight months of 1949-50 fiscal year the amount of \$1,152.37 was expended for it. This was a monthly average cost of \$144.04. I would have given an estimated cost for the year of \$1,728.48. For the nine months of this fiscal year, the cost has been

\$1,271.37. As far as setting up for the next year, the budget within the department, for the Board of Education for departmental operations, they have set up in their own budget \$2,000 for 1951-52 and \$2,000 for 1952-53.

This will not mean an added appropriation. It is already taken care of. Therefore, I see no reason for objecting to this bill. It is just to clarify or constitutionalize what has gone on before.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Just for the sake of talking, I would like to make a couple of remarks. I will say that I am for this bill. I will also tell you that in reference to the fifteenth matter of unfinished business, the tabling of the bill of the gentleman from Blaine, Mr. Bubar, just for thought, the bill calls for \$5,106,675 for the first year and \$5,588,175 for the second year. Going on to the motion that you asked me if I cared to reconsider, Mr. Speaker, the reason I stated that I moved the indefinite postponement of the amendment was because, unless my hearing has totally left me, I didn't think the amendment had been adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: It seems that the figure I had set, which I wish to offer as an amendment to this, is certainly substantial enough to carry out what they wanted, at least it is the amount set up at the present time and we should try to carry through on these bills instead of giving blanket bills with no exact price tags on them as we are trying to arrive at definite figures and know that we should put a financial limit on these things.

At this time, I will make the motion that we reconsider our action whereby we passed the bill to be engrossed.

The SPEAKER: The gentlewoman from Bath, Mrs. Moffatt, moves that the rules be suspended whereby the House may reconsider its

action whereby Bill "An Act relating to Membership in State Board of Education" was passed to be engrossed. All those in favor of suspension of the rules will say aye; those opposed, no.

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

Mrs. MOFFATT: Mr. Speaker—  
The SPEAKER: For what purpose does the gentlewoman rise?

Mrs. MOFFATT: Mr. Speaker, I now move that the bill pass to be enacted.

The SPEAKER: The gentlewoman from Bath, Mrs. Moffatt, moves that An Act relating to Membership in State Board of Education, H. P. 816, L. D. 479, pass to be enacted. Is this the pleasure of the House?

The motion prevailed and the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the nineteenth item of unfinished business on today's calendar, Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees, H. P. 804, L. D. 477, tabled on April 4 by the gentleman from Fairfield, Mr. Woodworth, pending the motion of the gentleman from Liberty, Mr. Cole, to reconsider passage to be engrossed under suspension of the rules. (In the House engrossed as amended by Committee Amendment "A") (In the Senate, Committee Amendment "A" indefinitely postponed and engrossed as amended by Senate Amendment "A" in non-concurrence).

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

Mr. MARTIN: Mr. Speaker and Members of the House: To clarify this in the minds of some, I would like to make a few remarks.

The 94th Legislature appropriated the sum of \$35,000 to have a study made of the salaries paid to the State employees. A firm from Chicago was employed and this firm spent fifteen months in this State making studies of the salaries of State employees and comparing them with the salaries of employees in comparable industries throughout the State. They have made

their report and they have proposed certain plans. This plan has been accepted by the Personnel Board but, without funds, it cannot operate.

The other day, while considering the appropriations bill, this House adopted an amendment putting in \$300,000 but that amendment for the \$300,000 would not start until after July 1st of this year. The Governor, in his budget, and the Governor, in his Inaugural Address, stressed the fact that prices have risen. I don't think he had to do this; I think every one of us here knows that prices have risen and they are rising every day.

This resolve originally intended to give the employees of the State of Maine an increase in wages from January 1st to July 1st of this year. Or, in other words, it goes to recognize the fact that since last October throughout the country and throughout Maine prices have gone up and this resolve would give the employees of the State of Maine a raise in salary to meet the prices.

I understand that employees are leaving the state at a rapid rate and I do not blame many of them. At the present time, I understand that the institutions are hunting for seven doctors and so far no applications have been filed. I don't need to talk about efficiency in government, we all know that when Maine points to efficiency it points to satisfied workers. We can hire all the workers we want at \$25 a week but we won't get efficiency.

Mr. Speaker, I therefore move, in accordance with the motion of the gentleman from Liberty, Mr. Cole, that Senate Amendment "A" be adopted. As this amendment now states that the price increase will start from March 10 to July 1st. Not from January but it will be from March 10th.

The SPEAKER: The question before the House is on the motion of the gentleman from Liberty, Mr. Cole, that the House, under suspension of the rules, reconsider its action whereby this resolve was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Augusta, Mr. Martin, moves

that the House, under suspension of the rules, reconsider the adoption of Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Augusta, Mr. Martin, now moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Clerk will read Senate Amendment "A".

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

SENATE AMENDMENT "A" to H. P. 804, L. D. 477, Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees.

Amend said Resolve by striking out in the 15th line thereof the word and figure "January 1" and inserting in place thereof the words and figure 'the week ending March 10'

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

Mr. CHASE: Mr. Speaker, for the clarification of the House I would like to inquire if this retroactive pay bill which goes back to March 10 is based on a wage scale on the basic reclassification plan or whether it is based on the wage scale of the basic classification plan plus step one, so-called. In other words, I would like to know: first, what this costs and second, what it may imply in other costs projected into the two fiscal years.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The bill without the Amendment "A" would cost from March 1st to June 30th, \$197,500. As it stands now with the amendment of bringing it to March 10th, it costs \$188,088. I understand that the pay bill is the bill, however, that pertains to the step-up on the basis of Mr. Johnson's report.

Does that answer the gentleman's question?

I mean it is a four and a half per cent average increase based on the \$3.00 per week we had previously.

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

Mr. CHASE: Mr. Speaker, I want to take care of this retroactive pay and I am as anxious as anyone that the State employees should be adequately paid but it is still not clear to me what the salary scale is upon which this one hundred and eighty odd thousand dollars is based. Does it involve a commitment to raise the wage scale from the basic level of the reclassification plan or not? As I understand it, the so-called pay bill or Bureau of Labor Statistics bill is in addition to this other matter and provides a contingency by which salaries may in future be raised automatically when this Bureau of Labor Statistics index reaches a certain figure and I think this should be fully explained to the House before we act further upon the matter.

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

Mr. JALBERT: Mr. Speaker, I was partly in error. The basic level was on the date of last October and this does raise it one step.

The SPEAKER: The question before the House is on the adoption of Senate Amendment "A".

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

Mr. MARTIN: Mr. Speaker and Members of the House: The gentleman from Lewiston, Mr. Jalbert, is correct. This puts the plan which was accepted by the Personnel Board into effect and raises it one step. I will point out to the House that this resolve calls for money from unappropriated surplus up to July 1st. We still have before the House or in the process of coming before the House another legislative document which would take care of these same increases for the biennium, but that is a subject for the House to discuss at a later date.

The SPEAKER: The question before the House is on the adoption of Senate Amendment "A". Is it the pleasure of the House to adopt Senate Amendment "A?" All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and Senate Amendment "A" was adopted in concurrence.

Thereupon, the resolve was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

The SPEAKER: The Chair now lays before the House the twentieth item of unfinished business, An Act relating to Sale of Liquor Near Togus Hospital, H. P. 1485, L. D. 1092, tabled on April 4 by the gentleman from New Sharon, Mr. Caswell, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. CASWELL: Mr. Speaker, like the gentleman from Portland, Mr. McGlauffin, I tabled this matter by request. Slightly unlike his position, I might say I knew nothing about the bill at that time. I understood that an amendment was to be offered. I now understand that no amendment is to be offered, and I therefore move its passage to be enacted.

The SPEAKER: The gentleman from New Sharon, Mr. Caswell, now moves that the twentieth item of unfinished business, An Act relating to Sale of Liquor Near Togus Hospital pass to be enacted. Is this the pleasure of the House?

Thereupon the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the twenty-first item on today's calendar, House Report "Ought not to pass" of the Committee on Agriculture on Bill "An Act to Stabilize the Prices of Milk and Cream During the Present Emergency," H. P. 1296, L. D. 854, tabled on April 6 by the gentleman from Standish, Mr. Center, pending the motion of the gentleman from Belfast, Mr. Clements, to substitute the bill for the report; and the Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I cannot believe that this House will take very seriously the legislation proposed in this bill. It has too much of the flavor of the proposals, directives and so forth that we are getting from Washington these days.

This bill aims to roll back the prices of milk and cream to July 1, 1950 and peg them there. In my

opinion, the Maine Milk Commission has been doing a very satisfactory job in holding the line and maintaining the prices of milk at a level which is fair to the producer, the dealer and the consumer. There is no need for this particular piece of legislation.

Since July the 1st, 1950, there has been but one increase in the price of milk and that was on October the 1st, 1950, at which time, and I am quoting now figures from the Portland market and figures compiled by the Market Milk Administrator of Boston, there was an increase in the consumer price of from 21½ cents to 23 cents per quart, which is a percentage increase of 6.97. At the same time, the producer price increased from \$5.86 per hundred weight to \$6.31 per hundred weight or a percentage increase of 7.68.

During this time from July, 1950, to March, 1951, there had been an increase in the cost of dairy ration from \$80.01 per ton to \$90.07 per ton, or an increase in feed cost of grain of 12.5%. At the same time there has been an increase in farm labor costs in Maine from \$104 per month to \$114 per month, or an increase of 9.6%. I think it is evident from those figures that in comparison of the cost of grain and labor, the price of milk has held a pretty good ratio.

This legislation, to my mind, obviously discriminates against the dairy farmer and if this bill were enacted and the price of grain and labor and so forth continue to rise, I would predict that many dairy farmers would be forced out of business and that milk, that very important, vitally necessary food, would be in very short supply. This is not even fair deal practice. I trust that the motion will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Clements, to substitute the bill for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Belfast, Mr. Clements.

Mr. CLEMENTS: Mr. Speaker and Ladies and Gentlemen of the House: Talk about being confused. Either I am crazy or this milk bill is

crazy, and I am not sure which. But here is the condition: the producers of milk are shipping milk into Massachusetts and the milk is selling for less than it is selling in Maine, and here we have our local dealers, the man from Vassalboro who delivers milk in Augusta; he delivers at a great deal cheaper price until he reaches the Augusta line and then he ups the price from there in. What is the matter? Can he produce it in this area where he is selling it cheaper? Can he produce it cheaper than he can in the area that is controlled by a control board? A dealer and a producer was telling me the other day that he has to have a certain amount of extra milk. Where does he get his milk from? Illinois. Now what is wrong with this set-up? We have heard a lot of stories about the farmers; we have heard a lot of stories about the farmers' daughters. But I think that if we would throw this control board out of the window and do away with the subsidies that the farmer and his daughter would both take care of themselves.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, as a member of the Agricultural Committee, possibly I could answer a few questions.

The gentleman from Belfast, Mr. Clements, speaks about a man who produces milk and sells it at a cheaper price. We know that there are those who will work for a short period even though they are working at a loss, and that the farmer is the only one that can do it. After a while this farmer that is working at a loss will get a job in some other plant and go out and that will leave those he is supplying without any milk. That is really a short explanation of why the Milk Control Board was organized.

I remember very definitely, back in the early thirties, when there was a chaotic condition going on, not only in this State but in other states of the Union—that was when we were in the depression—there were these farmers who were out of employment in other things, and they would start in producing milk. Well, they did that for a while, and they put the

price down so low that the man who had been supplying the market for a long period of time had to give up and go off and leave it to these fly-by-night producers. Then it was shown definitely that that was not an economic condition to work under. After these difficulties with the other states it was decided that the only thing to do was to form a Milk Control Board, boards of different names in the various states to take care of the milk situation, and today we have the larger part of the country under control in some regulation or other.

Here in the State of Maine we had a Milk Control Board organized in 1934, and the industry has been carried on since under the laws of the State. At the present time, as I have said, there are small localities or perhaps there are outlying towns where there may be one or two little producers who produce milk and work in the mill and sell some milk to the neighbors. They have a little surplus milk and they can sell it at a reduced rate provided that area is not under control.

The reason why the State is not wholly under control is because there has never been any attempt for legislation to force control upon any locality or any district. At any time when it is found that the people in that district feel they want supervision they apply to the department and the department, upon their request, holds hearings in that locality, and if it is shown clearly in that locality that the requirement is beneficial to the industry and the people who consume the milk, it is set up. Evidently the special town or the special milkman that this gentleman refers to must come from one of those little localities.

Now referring to the price of milk since last July, it has been said there has been just one change and that is October 1st. As a member of the commission at that time, I had the opportunity of sitting for two days with representatives from the University of Maine who are some of our best economists, representatives from Massachusetts, New York, Washington and the middle west, going over the economic situation as well as the dairy situation all over the country from

A to Z, to decide where it would be advisable not only for the industry but for the people as well to make a change at that time. It was shown very clearly that the economic condition of the country and all industries was rising at that time and that milk might well stand in the same position as other industries, and it was felt that it should be increased one and a half cents a quart. Since that time milk has stayed on the same basis in the State of Maine as was set up then. In some other states in New England and in the east the price of milk, as many of you realize, can go up one month and down the next, and you really cannot tell just what it is going to do. But, as a whole, we have held the retail price of milk very closely in the State of Maine to what it is in Massachusetts.

The matter of Massachusetts was brought up. One-half of the State of Massachusetts is under control, that is the western half. The eastern half is partially under control of the State and also there is what is known as a federal regulation which controls the marketing end, that is the end of the consumers, and if there were anything done here in the State of Maine to lessen the control of the commission it is very definite that the federal regulation will be brought into the state, as they will certainly not be left without having something to control.

Also, in regard to the prices here: We have heard about the price of production and distribution. There is another thing to be considered. Milk in the State of Maine is considered to be a milk with a four per cent butter fat; that of Massachusetts is considered as 3.7; in New York it is considered as 3.5 and 3.6. That is a matter which is considered also.

I certainly hope that the motion of the gentleman will not prevail.

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

Mr. BOOTHBY: Mr. Speaker and Members of the House; I want to go along with these other gentlemen who have spoken here against this bill. I think the bill is dilatory in the first place. I do not know what other product has been

rolled back—it certainly has not been labor—in the last few months. It has been stated by other speakers here that we are facing an increase in grain costs and in labor costs. We have had one increase in the price of milk since July first.

There is one thing that has not been brought out here today. I do not know how many of you understand this index price on feed, but it is put out by the United States Department of Labor, so I think that probably it is all right. The milk prices as of March, which are the last figures I have, and certainly the price of milk has not changed since that time, the index on the cost of our feed stands at 209.9; on milk it is 173.2. That is the comparison between the two indexes, and if you understand how they are made up you will understand pretty near where the price of milk stands in regard to other foods.

Now the bill says there is an emergency. I don't know when the emergency started in and I don't know when it will be over. It looks to me as if we have been in an emergency here for about twenty years, and probably we will be in an emergency for twenty more. I can assure you that if you freeze the price of milk, roll it back and freeze it, that you people here in the State of Maine are going to be looking around for some milk outside of the State of Maine before too long. If you want to strike a death-blow to the dairy industry, this is a good thing to do. I think the most of you people here today have probably lived on milk pretty much the first year after you were born because it is a very vital thing to start people off on, and, by the way, it is pretty good as you get older too. There is no industry in the State of Maine that is probably building up — and you hear a lot in these days about conservation in the State of Maine — as much as the dairy industry, especially in the last few years when we are getting into more of this grass farming and we have less erosion; we are bringing back more fertility from other parts of the country and putting it onto our farms. We are building up the State. It is about a thirty million dollar industry. Now, if you want

to throw that out the window, pass this bill, that is all.

Another thing, the price of beef is pretty good. We can get out from under the dairy cows pretty well right now, but I can assure you that after they are gone if you eat them up in beefsteak you won't milk them. None of you can produce dairy cows in a week the same as they make a Liberty ship, even if you have got a lot of money. It takes about four years. So I move that this bill be indefinitely postponed.

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

The Chair recognizes the gentleman from Dexter, Mr. Roberts.

**MR. ROBERTS:** Mr. Speaker, I don't like milk and I don't drink milk; I sell it; but I am opposed to this bill, L. D. 854. The producers and dealers in our area, the Dover-Foxcroft area, which includes all towns in Piscataquis County of any size and Dexter and Charleston in Penobscot County, are opposed to it.

My reason for opposing this bill is that previous to 1935 the milk industry was in a chaotic condition with everyone who owned a cow selling milk at any old price, oftentimes much lower than a legitimate dealer could produce and distribute it. One producer-dealer in the Dover-Foxcroft area gave away his entire product for a whole week. Consumers were getting milk of varying quality and very little was pasteurized or handled in a satisfactory or even in a sanitary manner. All this could happen again. The Milk Commission was established to overcome this situation, to stabilize the industry as a whole from the producer to the dealer and the consumer.

The milk industry from the producer to the dealer also to the consumer has been under fire ever since the commission was set up, why I cannot understand. Neither can I understand why the milk industry, any more than the grocery business, the hardware business, the dry goods business or any other business, should be continually held up for criticism and legislative action.

Milk is the cheapest food on the market today and is one of the very few foods that has not shown an increase in price in the last six

months. There is no other food that you can buy that you can get as much value for your money. One of our home demonstration agents says that milk is one of the very best buys and has increased only one cent in a year.

There is as much calcium in a quart of milk as in twenty-eight oranges which cost \$1.25, or twenty-seven pounds of potatoes at eighty cents,  $7\frac{1}{4}$  pounds of carrots at \$1.45, six and three-quarters pounds of cabbage at \$1.20, or thirty-nine eggs at \$2.10, and calcium is a very important and necessary food element; there is as much riboflavin, which is another important element, as there is in fourteen ounces of cheese at 42 cents, one dozen eggs at 70 cents, and compares very favorably with other protein foods which are much higher in price.

Very few people realize the amount of money, time and hard work involved in producing, processing, collecting and delivering milk on the consumer's doorstep from the farmer who works from seventy to one hundred hours a week to the dealer who is on the job seven days a week summer and winter.

There are very few business ventures that return such small profits. It costs me twenty and a half cents per quart to produce milk and process it and put it on the doorstep, and that is exactly what we sell it for at wholesale. Hospitals and various other institutions get their milk for much less money in cans, 18½ cents a quart, I believe. The only profit is on the milk left on the consumer's doorstep, which, in our case, is only about three-fifths of our output. If we process cream from milk that costs 13.6 per quart into 40 per cent cream, the cream would cost us 41 cents per half pint and we are selling it for 35 cents per half pint.

The objective of the milk commission is to provide the consumer with an adequate supply of high quality milk at a fair price that will insure the producer the cost of production and a reasonable profit. I have never known the producer to get a reasonable profit in all the sixteen years I have been farming.

This bill seeks to destroy the protection the industry receives from

the Milk Commission. If the Commission is directed to suspend all the regulations and provisions of the law, it will not accomplish what the sponsors claim. On the contrary, it will, if this bill is accepted, create a most unsettled condition, with chiseling to the point that it will drive many reputable dealers who operate under the regulations and restrictions of the Department of Agriculture, which are many and costly, out of business, and result in the consumer receiving less milk of an inferior quality.

The commission receives no state funds and functions only on money received from the producers and dealers.

I hope that this motion will not prevail.

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

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

The SPEAKER: The gentleman from Augusta, Mr. Albert, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Belfast, Mr. Clements, that Bill "An Act to Stabilize the Prices of Milk and Cream During the Present Emergency" (H. P. 1296) (L. D. 854) be substituted for the "Ought not to pass" report.

All those in favor of the motion of the gentleman from Belfast, Mr.



Clements, that the bill be substituted for the "Ought not to pass" report will say aye; those opposed, no.

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

Thereupon the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

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

Mr. FULLER: Mr. Speaker and Members of the House: I would like to make a motion, but before I do so I would like to make just a very few remarks.

The SPEAKER: The gentleman must make his motion first.

Mr. FULLER: I would like to make a motion that we reconsider our previous action whereby we voted to indefinitely postpone H. P. 966, L. D. 572, "An Act Relating to Bookmobile Service."

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House reconsider its action on Item 2 of unfinished business on today's calendar, where it voted to indefinitely postpone Bill "An Act relating to Bookmobile Service" (H. P. 966) (L. D. 572)

The Chair recognizes the same gentleman.

Mr. FULLER: Mr. Speaker, I think it is a shame to kill this completely. I would just like to make this explanation. We had a very large hearing on this bill, we had a large crowd, and there was not a single person that opposed it, in fact every person that was present favored it. The committee realized that this was too much money to ask for at this time, \$85,000 for the first year and \$60,000 for the second year. That money was for six units, and we realize that is too much to ask for.

The gentleman from Friendship, Mr. Winchenpaw, had an amendment that he was going to produce, but the gavel beat him to it. If we could reconsider our previous action, we were going to ask for \$25,000 each year to set up two units. After all, thirty-three states in this Union have bookmobiles. Five hundred thousand people in

this State, the State of Maine, live in rural areas, and if we could have two units we could try them out for a couple of years, and if they did not work we would not have to go along with them any longer. But I think it has a lot of merit. Therefore I did want to make myself clear on this matter.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from South Portland, Mr. Fuller, that the House reconsider its action taken earlier in today's session where it indefinitely postponed the second item of unfinished business to today's calendar, the "Ought to pass" report of the Committee on Education on Bill "An Act relating to Bookmobile Service." Is it the pleasure of the House to reconsider?

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

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

The SPEAKER: Forty-seven having voted in the affirmative and thirty-nine in the negative, the motion to reconsider prevails.

Mr. WINCHENPAW of Friendship: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. WINCHENPAW: Mr. Speaker, I would like to offer an amendment to L. D. 572.

The SPEAKER: The Chair would inform the gentleman that the question before the House is on the acceptance of the report, and it is not in order for amendment at the moment.

Does the gentleman so move?

Mr. WINCHENPAW: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the House accept the "Ought to pass" report, the second item of unfinished business on today's calendar, of the Committee on Education on Bill "An Act relating to Bookmobile Service" (H. P. 966) (L. D. 572). Is it indefinitely postpone Bill "On Act relating to Bookmobile Service" (H. P. 966) (L. D. 572). Is this the pleasure of the House?

All those in favor of accepting the "Ought to pass" report will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the "Ought to pass" report was accepted. The bill, having already been printed, under suspension of the rules, it was given its two several readings.

Mr. Winchenpaw then presented House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to H. P. 966, L. D. 572, Bill "An Act Relating to Bookmobile Service".**

Amend said bill by striking out from the 2nd line of Section 2 thereof the figure "\$85,000" and inserting in place thereof the figure '\$25,000'

Further amend said bill by striking out in the 3rd line of said Section 2 the figure "\$60,000" and inserting in place thereof the figure '\$25,000'

House Amendment "A" was adopted, and the bill as amended was tomorrow assigned for third reading.

The **SPEAKER**: The Chair now lays before the House the 22nd matter of unfinished business on today's calendar, Bill "An Act relating to the Municipal Regulation of Motor Vehicles" (S. P. 397) (L. D. 944) tabled on April 6th by the gentleman from Vinalhaven, Mr. Barton, pending third reading; and the Chair recognizes the same gentleman.

Mr. **BARTON**: Mr. Speaker and Members of the House: I tabled this bill because the intent was not apparent to me. I find that in the printed copy there is an error. The original bill strikes out the comma and the word "buy" in the first line. It appears to me that this clarifies the provisions in the present statutes under which the municipalities establish traffic and parking regulations. I now move that the bill be given its third reading.

The **SPEAKER**: The gentleman from Vinalhaven, Mr. Barton, moves that the 22nd matter of unfinished business on today's calendar, Bill "An Act relating to the Municipal Regulation of Motor Vehicles" (S. P. 397) (L. D. 944)

receive its third reading. Is this the pleasure of the House?

The motion prevailed, and the bill was given its third reading, and passed to be engrossed in concurrence.

(Mr. Totman of Bangor was granted unanimous consent to address the House)

Mr. **TOTMAN**: Mr. Speaker and Members of the House: I shall be brief, I shall try not to take more than two or three minutes on this subject. I would like to make a few remarks which I promise I am making not to be controversial but simply to put this House on record as recognizing the same as other Legislatures in the United States have recognized, an issue which seems to be sweeping across the country at the moment, regarding the firing or dismissal of General MacArthur.

I do not wish to discuss the merits or the reasons why the President of the United States removed General MacArthur. I have read too many editorials, I have read too many comments and seen the President's own reasons, to ask for any debate on that subject. But I would like to mention for one moment my personal feelings which I shall relay to the proper people in Washington, simply because I feel that we, as members of the Legislature, should show some interest in this question, which is one of the most momentous that seems to have hit this nation in many years, that we are interested too, in the State of Maine, and expect to be interested.

I personally deplore the manner in which General MacArthur was removed. In my own experience I have seen one other outstanding general removed to the detriment of the prestige of the United States overseas. I am referring specifically to General Mark Clark when he was Commanding General of the United States forces in Austria. He was not removed for reasons of criticism or controversy; he was removed for reasons that were never divulged. In effect and substance, his removal reduced our prestige in Austria at a time when we were very much concerned with winning over the Austrian people

in competition with the Russians. For some strange reason, General MacArthur has been removed in a manner which I think is most unfortunate for the prestige of the United States in Asia. Senator Smith in Washington sums it up, I think, very well, in one sense, which I will not quote verbatim but I will repeat in gist. It was to the effect that regardless of whether the causes were justified, there is no doubt in anyone's mind that the United States' prestige in Asia must suffer. I personally would like to have seen General MacArthur, if necessary, forcibly recalled, taken into conference behind locked doors, and if he still refused to cooperate with the President of our Nation, then he would be given the privilege of resigning, being told in advance that he would be asked to resign. I do not think that disciplining a man is of anywhere near the importance of losing the prestige of our Nation in an entire theater of war. At the present time there are serious attempts to invade Japan by the Communists. I do believe that the manner—and I emphasize that—the manner only in which General MacArthur was removed, has lost this Nation a great deal of prestige. I hope that the members of this House—and some of us may once again be back in uniform; we do not intend to be politicians all our lives—some of us may be back in uniform again and may be serving in Europe or in Asia—and I hope that if by chance they decide to remove General Eisenhower, that you remember this incident and protest any summary removal and request that a great leader such as MacArthur or Eisenhower be given an opportunity to come back and resign in a more dignified manner.

The SPEAKER: The Chair lays before the House An Act Relating to Swan's Island Game Preserve which was tabled earlier in today's session by the gentleman from Lisbon, Mr. Plummer, pending the motion to recede and concur and assigned for later in today's session.

The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker and Members of the House: I move that we recede and concur with the Senate in the indefinite postponement of this bill.

The SPEAKER: The pending motion having been made by the gentleman from Moose River Plantation, Mr. Watson, is it the pleasure of the House that the House recede and concur with the Senate?

The motion prevailed and the House voted to recede and concur with the Senate.

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

Mr. CHASE: Mr. Speaker, I move that the House do now adjourn until 9:00 a. m. tomorrow morning.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House—

Mrs. MOFFATT: Mr. Speaker—

The SPEAKER: For what purpose does the gentlewoman rise?

Mrs. MOFFATT: In order to hasten the matter along, I would like to have permission to remove the 25th unassigned matter from the table and recommit it.

The SPEAKER: Does the gentleman from Cape Elizabeth, Mr. Chase, care to withdraw his motion for adjournment?

Mr. CHASE: I do, Mr. Speaker.

The SPEAKER: The gentlewoman from Bath, Mrs. Moffatt, requests unanimous consent to take from the table out of order the 25th tabled and unassigned matter on today's calendar, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Repeal the Charter of the Bay Point Village Corporation" (H. P. 1183) (L. D. 738) tabled on March 28th by that gentlewoman pending acceptance of report. Is there objection? The Chair hears none and the gentlewoman may proceed.

Mrs. MOFFATT: I ask that permission, Mr. Speaker and Members of the House, in order to try to clear the docket and get many of these things on the way. I have permission from the Legal Affairs Committee to ask that L. D. 738, "An Act to Repeal the Charter of the Bay Point Village Corporation"

now be recommitted to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Bath, Mrs. Moffatt, now moves that the 25th tabled and unassigned matter on today's calendar, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Repeal the Charter of the Bay Point Village Corporation" be recommitted to

the Committee on Legal Affairs. Is this the pleasure of the House?

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

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 9:00 o'clock tomorrow morning.