

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Thursday, March 19, 1953.

The Senate was called to order by the President.

Prayer by the Rev. J. W. Turpel of Gardiner.

Journal of yesterday read and approved.

**Order
(Out of Order)**

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 24, 1953, at ten o'clock in the forenoon. (S. P. 498)

Sent down for concurrence.

Subsequently, the foregoing order was returned from the House, having been read and passed in concurrence.

House Papers

Joint Order:

ORDERED, the Senate concurring, that the Joint Committee on Claims be authorized to Employ a Reporter to take and transcribe the evidence offered at its hearing held Tuesday, March 24th. (H. P. 1201)

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, this order is a little unusual but I think it is due to the fact that the Chairman of the Claims Committee, Senator Silsby, would like to have the information that will be given at this hearing on March 24 and for that reason I think it is a very proper order. I would, however, point out that the wording "employ a reporter" would indicate to me that perhaps it might not be necessary in that we have reporters already available who could take care of the situation.

Thereupon, the Order received a passage in concurrence.

Bill "An Act to Place a Bounty on Porcupines." (H. P. 646) (L. D. 661) (In Senate, on March 17th the Minority Report "Ought Not to Pass" was accepted in non-concurrence.)

Comes from the House, that Body having insisted on its former action

whereby the Majority Report "Ought to Pass" was accepted, and the bill passed to be engrossed as amended by House Amendment A as amended by House Amendment A thereto and now asks for a Committee of Conference.

Thereupon, on motion by Mr. Wight of Penobscot, the Senate voted to insist on its former action and join with the House in a Committee of Conference.

The President appointed as Senate members of such committee, Senators Wight of Penobscot, Carpenter of Somerset and Weeks of Cumberland.

Bill "An Act to Amend the Exemption in the Sales and Use Tax Law Respecting Hospitals." (S. P. 72) (L. D. 156)

(In Senate, on March 12th passed to be engrossed as amended by Senate Amendment "A".)

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

In the Senate:

Mr. CHASE of Cumberland: Mr. President, the House Amendment is simply to correct a section number and does not change the language as passed by the Senate as amended. I move that the Senate recede and concur with the House.

The motion to recede and concur prevailed.

"Resolve, in Favor of the Town of Roxbury." (H. P. 1200) (L. D. 1367)

Which was received by unanimous consent and referred to the Committee on Appropriations and Financial Affairs in concurrence.

"Resolve, in Favor of Ervin E. Hustus, of Rockland." (H. P. 1202)

Which was received by unanimous consent and referred to the Committee on Claims in concurrence.

Bill "An Act to Incorporate the Northern Finance Company." (H. P. 1199) (L. D. 1366)

Which was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

House Committee Reports

The Committee on Agriculture on Bill "An Act Relating to Use of Certain Chemicals in Preground

Hamburg," (H. P. 604) (L. D. 616) reported that leave be granted to withdraw the same.

The Committee on Towns and Counties on Bill "An Act Relating to Rental for Millinocket Municipal Court," (H. P. 859) (L. D. 932) reported that leave be granted to withdraw the same.

The Committee on Claims on "Resolve, in Favor of Clifford Rand, of Farmington," (H. P. 906) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of Claud Nicholson of Athens," (H. P. 578) (L. D. 620) reported that the same ought not to pass.

The same Committee on "Resolve, for the Relief of Arnold M. Lehman and Abraham Mandelstam, a partnership doing business under the name of Camp Wigwam," (H. P. 489) (L. D. 573) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of Donald Miller, of Bridgton," (H. P. 799) reported that the same ought not to pass.

The Committee on Highways on "Resolve in Favor of the Town of Cranberry Isles," (H. P. 643) (L. D. 658) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of the Towns of Hartland and Athens," (H. P. 504) (L. D. 512) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of the City of Belfast," (H. P. 583) (L. D. 625) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Night Hunting for Wild Birds in York County," (H. P. 916) (L. D. 1017) reported that the same ought not to pass.

The same Committee on Bill "An Act to Change the Deer Hunting Season," (H. P. 915) (L. D. 1016) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Taking of Fisher and Sable," (H. P. 211) (L. D. 214) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Limitation of Methods of Hunting Deer," (H. P.

511) (L. D. 576) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Reimbursement of Bounty on Bears," (H. P. 644) (L. D. 659) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Hunting from Highways," (H. P. 510) (L. D. 575) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Open Season and Daily Bag Limit on Woodcock," (H. P. 918) (L. D. 1019) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Night Hunting for Wild Animals in York County," (H. P. 920) (L. D. 1021) reported that the same ought not to pass.

The same Committee on Bill "An Act Regulating the Trapping of Marten," (H. P. 585) (L. D. 627) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Bounty on Bobcats," (H. P. 645) (L. D. 660) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Open Season on Deer in York County," (H. P. 917) (L. D. 1018) reported that the same ought not to pass.

The Committee on Liquor Control on Bill "An Act Relating to Retail Sale of Vinous Liquor," (H. P. 680) (L. D. 693) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Licenses for Consumption Sale," (H. P. 683) (L. D. 644) reported that the same ought not to pass.

The same Committee on Bill "An Act to Permit Taverns to Sell Wine and Spirits," (H. P. 840) (L. D. 879) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Definition of 'Tavern' in Liquor Law," (H. P. 681) (L. D. 642) reported that the same ought not to pass.

The same Committee on Bill "An Act Defining 'Retail Store' in Liquor Law," (H. P. 938) (L. D. 998) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Hours of Sale of

Liquor," (H. P. 758) (L. D. 793) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Refund on Retail Liquor Licenses," (H. P. 116) (L. D. 118) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Consumption Sale of Liquor," (H. P. 682) (L. D. 643) reported that the same ought not to pass.

The same Committee on Bill "An Act Changing the Definition of a Hotel for the Purposes of Liquor Licenses," (H. P. 678) (L. D. 646) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Hours for Sale of Liquor," (H. P. 841) (L. D. 880) reported that the same ought not to pass.

The Committee on Natural Resources on Bill "An Act Relating to Outdoor Religious Signs," (H. P. 987) (L. D. 1075) reported that the same ought not to pass.

The Committee on Public Health on Bill "An Act Relating to Reports and Health Certificates of Chiropractors," (H. P. 278) (L. D. 265) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Students in Schools of Hairdressing and Beauty Culture," (H. P. 761) (L. D. 796) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Barbering, Hairdressing and Beauty Culture," (H. P. 843) (L. D. 865) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Sales of Ten Cents or Less Under the Sales Tax Law," (H. P. 194) (L. D. 205) reported that the same ought not to pass.

The same Committee on Bill "An Act Exempting Towns from Gasoline Tax," (H. P. 765) (L. D. 800) reported that the same ought not to pass.

The same Committee on Bill "An Act Exempting Medication Used in Agricultural Production from Sales Tax," (H. P. 686) (L. D. 721) reported that the same ought not to pass.

The Committee on Towns and Counties on Bill "An Act Relating to Number of Members of Superintending School Committee of Hermon," (H. P. 872) (L. D. 943) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Salary of the Town Manager of the Town of Mount Desert," (H. P. 869) (L. D. 940) reported that the same ought not to pass.

The Committee on Transportation on Bill "An Act Relating to the Issuance of Operators' Licenses From Date of Birth with Notification," (H. P. 877) (L. D. 869) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Permits to Haul Farm Products Over Certain Highways," (H. P. 449) (L. D. 444) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Business Legislation on Bill "An Act Relating to Manufacturers and Bottlers of Non-Alcoholic Beverages," (H. P. 317) (L. D. 389) reported the same in a new draft (H. P. 1195) (L. D. 1348) under the same title and that it ought to pass.

Which report was read and accepted in concurrence, and the bill in new draft was read once and tomorrow assigned for second reading.

The Committee on Claims on "Resolve, in Favor of the Town of Milo," (H. P. 486) (L. D. 506) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Rodolphe H. Morais, of South China," (H. P. 498) (L. D. 1354) reported that the same ought to pass.

The same Committee on "Resolve to Reimburse White & Hayes of Bangor," (H. P. 501) (L. D. 1358) reported that the same ought to pass.

The same Committee on "Resolve, to Reimburse Clark-Mitchell Funeral Homes, of Bangor," (H. P. 502) (L. D. 1355) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Eastern Maine General Hospital, of Bangor," (H. P.

634) (L. D. 656) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of the Town of Liberty," (H. P. 637) (L. D. 1356) reported that the same ought to pass.

The same Committee on "Resolve in Favor of the Town of Knox," (H. P. 638) (L. D. 1353) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of the Town of Sullivan," (H. P. 717) (L. D. 1352) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of the City of Gardiner," (H. P. 797) (L. D. 882) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Ray Spearen, of South China," (H. P. 908) (L. D. 1357) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Mapleton and Chapman Game Preserve," (H. P. 728) (L. D. 747) reported that the same ought to pass.

The Committee on Public Health on Bill "An Act Relating to Renewal of Licenses for Barbering, Hairdressing and Beauty Culture," (H. P. 759) (L. D. 794) reported that the same ought to pass.

The Committee on Towns and Counties on Bill "An Act Relating to Salaries of Members of Boards of Registration," (H. P. 606) (L. D. 605) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Payments to Somerset County Law Library," (H. P. 853) (L. D. 910) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salary of Judge and Allowance for Clerk Hire of the Pittsfield Municipal Court," (H. P. 854) (L. D. 928) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salaries and Fees of Western Somerset Municipal Court," (H. P. 855) (L. D. 929) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of the Western Hancock Municipal Court," (H. P. 860) (L. D. 933) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salaries of the Judge and Recorder of the Northern Aroostook Municipal Court," (H. P. 862) (L. D. 955) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of the Van Buren Municipal Court," (H. P. 863) (L. D. 935) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of the Ellsworth Municipal Court," (H. P. 876) (L. D. 947) reported that the same ought to pass.

The same Committee on Bill "An Act Authorizing Aroostook County to Contribute Funds to the Unorganized Territory Capital Working Fund," (H. P. 997) (L. D. 1084) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salaries of Certain County Officers of Sagadahoc County," (H. P. 1001) (L. D. 1088) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of the Eastport Municipal Court," (H. P. 1002) (L. D. 1089) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Powers of the City of Calais," (H. P. 1004) (L. D. 1091) reported that the same ought to pass.

The Committee on Transportation on Bill "An Act Relating to Non-Registration of Farm Tractors," (H. P. 696) (L. D. 731) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolves read once, and tomorrow assigned for second reading.

The Committee on Public Health on Bill "An Act to Establish a State Committee on Aging," (H. P. 541) (L. D. 522) reported the same in a new draft (H. P. 1197) (L. D. 1349) under the same title, and that it ought to pass.

The Committee on Transportation on Bill "An Act Relating to Speed Regulations for Motor Vehicles," (H. P. 292) (L. D. 277) reported the same in a new draft (H. P. 1198) (L. D. 1351) under the same title, and that it ought to pass.

Which reports were severally read and accepted in concurrence, and the bills in new draft were read

once and tomorrow assigned for second reading.

Ought to Pass, as amended

The Committee on Inland Fisheries and Game on "Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County," (H. P. 267) (L. D. 304) reported that the same ought to pass as amended by the Committee Amendment "A". (Amendment Filing 94)

The Committee on Public Health on Bill "An Act Relating to Requirements for Registration for Hairdressing and Beauty Culture," (H. P. 760) (L. D. 797) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing 96)

The Committee on Transportation on Bill "An Act Relating to Earth Movers," (H. P. 769) (L. D. 734) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing 97)

Which reports were severally read and accepted in concurrence, and the bills and resolve read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills and resolve as amended were tomorrow assigned for second reading.

The Committee on Taxation on Bill "An Act Exempting Ships' Stores from Maine Sales Tax," (H. P. 17) (L. D. 11) reported that the same ought to pass.

Comes from the House, recommitted to the Committee on Taxation.

In the Senate, on motion by Mr. Chase of Cumberland, recommitted to the Committee on Taxation in concurrence.

The Committee on Claims on "Resolve, in Favor of Bert W. Paul, of Skowhegan," (H. P. 488) (L. D. 508) reported that the same ought to pass.

Comes from the House, the report read and accepted, and subsequently was recommitted to the Committee on Claims.

In the Senate, on motion by Mr. Parker of Piscataquis, recommitted to the Committee on Claims in concurrence.

The same Committee on "Resolve, to Reimburse the Town of Millinocket for Supplies Furnished the Warren Dorr Family," (H. P. 62) (L. D. 59) reported that the same ought not to pass.

Comes from the House, recommitted to the Committee on Claims.

In the Senate, on motion by Mr. Parker of Piscataquis, recommitted to the Committee on Claims in Concurrence.

The Committee on Natural Resources on "Resolve, Authorizing the Commissioner of Education to Convey Certain Interest of the State to Town of Unity," (H. P. 1059) (L. D. 1196) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing 95)

Comes from the House, passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A". (Amendment Filing 112)

In the Senate, the Ought to Pass report was accepted in concurrence and the resolve read once.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, these amendments affect only the legal name of the corporation which is receiving this title to the property. Originally it was in the town of Unity and during the hearing we found that the property was being transferred to a library corporation and these amendments are to correct that situation.

Thereupon, House Amendment A and Committee Amendment A were adopted in concurrence without reading and the resolve as so amended was tomorrow assigned for second reading.

The Committee on Towns and Counties on Bill "An Act Relating to Salaries of Recorders and Judges of Municipal Courts, Clerk Hire and Rentals of Such Courts in Penobscot County," (H. P. 871) (L. D. 942) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment "A". Amendment Filing 114)

In the Senate, the report was read and accepted and the bill read once; House Amendment A was adopted in concurrence without reading and

the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Liquor Control on Bill "An Act Relating to Liquor Billboards and Signs," (H. P. 275) (L. D. 262) reported that the same ought not to pass.

(signed)

Senators:

TABB of Kennebec
DENNETT of York
BOUCHER of York

Representatives:

DOSTIE of Winslow
ALBERT of Augusta
LARRABEE of Westbrook
BROWN of Robbinston
CHASE of Whitefield
ANDERSON of Greenville

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(signed)

Representative:

CHRISTIE of Presque Isle

Comes from the House, the Minority Report read and accepted, and the bill to be engrossed.

In the Senate, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid on the table pending consideration of either report, and were especially assigned for Wednesday, March 25.

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of the Governor of Boys' State and the Governor of Girls' State. At this time, accompanied by the Sergeant at Arms, the Chair would request the Senator from Piscataquis, Senator Parker, by reason of the fact that the Governor of Boys' State comes from his home county; the Senator from York, Senator Broggi, by reason of the fact that the Governor of Girls' State comes from his home county, to present the respective Governors to the Rostrum.

(This was done amidst the applause of the Senate.)

The PRESIDENT: I am sure that the members of the Senate, as well as our guests here this after-

noon are aware of the fact that the Department of Maine of the American Legion and the Auxiliary of the Department of Maine have for some seven years conducted a Boys' State and Girls' State. The American Legion has, since its inception, been deeply interested in Americanization activities and activities which relate to the development of good citizenship.

In connection with these yearly Boys' State and Girls' State gatherings, I am quite certain that the thought of the Legion was that to supplement theoretical knowledge, it was highly desirable that young people of demonstrated personal leadership might have the opportunity of a week approximately of close association in the experience of government affairs.

For that reason I call particular attention to the fact that each boy and each girl who is fortunate enough to be selected to go to either Boys' State or Girls' State here in the State of Maine, have demonstrated his or her own capacity for leadership in their own communities. For that reason particularly I am very happy to be able to present to you, the Senate of Maine, this afternoon, the two individuals who this past year were selected by their own members as their own Governor.

I present to you at this time Miss Christine McKenna, town of York, County of York Governor of Girls' State. (Applause) And now I am equally happy to present to you Mr. Erving King of Milo, County of Piscataquis, the Governor of Boys' State. (Applause)

Before closing this part of these very pleasant ceremonies, I would like to call your attention to the fact that there are present here this afternoon, to accompany these young people the State Commander of the Department of the American Legion of Maine, Walter J. Leland of Dover-Foxcroft, and Mrs. Harold Owen of Milo, Past President of the American Legion Auxiliary.

The Majority of the Committee on Transportation on Bill "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations," (H. P.

197) (L. D. 213) reported that the same ought not to pass.

(signed) Senators:

HASKELL of Penobscot
JAMIESON of Aroostook

Representatives:

TRAVIS of Westbrook
FINEMORE of Bridgewater
DODGE of Strong
KELLY of Rumford
CURTIS of Bowdoinham

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(signed) Senator:

CUMMINGS of Sagadahoc

Representatives:

JEWETT of Bucksport
TOTMAN of Bangor

Comes from the House, the Minority Report read and accepted and the bill passed to be engrossed as amended by House Amendment "A".

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

The Majority of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Use of Trawls in Washington County," (H. P. 543) (L. D. 524) reported that the same ought not to pass.

(signed)

Senators:

BROWN of Washington
LITTLEFIELD of York
DOW of Lincoln

Representatives:

HIGGINS of Scarborough
HANSON of Machiasport
STANWOOD of Steuben
TUPPER of Boothbay
Harbor
GILMAN of Portland

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(signed)

Representatives:

BILLINGS of Stonington
McCLUSKEY of Warren

Comes from the House, the Majority Report read and accepted.

In the Senate, on motion by Mr. Harding of Knox, tabled pending consideration of the reports.

Mr. HARDING of Knox: Mr. President and members of the Senate, I have been given a resolve by one of the members of the House on the theory upon which perhaps more than one member of the House is operating, that the Senate will be more lenient in accepting resolves by unanimous consent. This is a resolve which proposes to grant a pension to a former teacher now eighty years old. I know nothing about it whatsoever. I do not know why it could not have been presented before. However, I do present it now and ask the courtesy of having it accepted by unanimous consent.

There being no objection, "Resolve Granting a Pension to Fannie Gushee of Appleton" was received by unanimous consent and on further motion by the same Senator the resolve was referred to the Committee on Judiciary.

Sent down for concurrence.

Mr. REID of Kennebec: Mr. President, I rise to ask unanimous consent to introduce a resolve which I think will be the last resolve to be so presented. I think I can answer the implied question of the Senator from Knox, Senator Harding. The fact of the matter is that earlier in the session, before the cloture rule was adopted, there were a few resolves of similar character coming in and they have all been lumped together by the Judiciary Committee, and if it is fair to consider one it is fair to consider them all. One department of state actually contacted quite a few people urging them to take advantage of getting in under this system this session, not saying whether they would be passed or not. As far as I know the one I am asking unanimous consent to introduce is the very last and for those reasons I ask unanimous consent to introduce the resolve.

There being no objection, "Resolve in Favor of Myrtle M. Brown of China" was received by unanimous consent and on further motion by the same Senator was re-

ferred to the Committee on Judiciary.

Sent down for concurrence.

Senate Committee Reports (Leave to Withdraw)

Mr. Boucher from the Committee on Liquor Control on Bill "An Act Relating to Fees for Certificates of Approval of Sale of Liquor," (S. P. 140) (L. D. 328) reported that leave be granted to withdraw the same.

Mr. Ward from the Committee on Towns and Counties on Bill "An Act Relating to Number of Medical Examiners for Cumberland County," (S. P. 334) (L. D. 842) reported that leave be granted to withdraw the same.

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Line Budget for State Appropriations," (S. P. 239) (L. D. 664) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve Providing for a Deficiency Appropriation for Hospital Aid," (S. P. 286) (L. D. 820) reported that the same ought not to pass.

(On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.)

Mr. Collins from the same Committee on "Resolve, Appropriating Funds for Related and Supplemental Instruction Under Voluntary Apprenticeship Law," (S. P. 346) (L. D. 959) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to Tuition at State Normal Schools and Teachers' Colleges (S. P. 200) (L. D. 537) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve Providing for Independent Water Supply at Maine Maritime Academy," (S. P. 161) (L. D. 406) reported that the same ought not to pass.

(On motion by Mr. Collins of Aroostook, tabled pending consideration of the report.)

Mr. Haskell from the same Committee on "Resolve, Appropriating Moneys for Westport - Wiscasset Bridge District," (S. P. 76) (L. D.

183) reported that the same ought not to pass.

Mr. Tabb from the Committee on Liquor Control on Bill "An Act Relating to Hours of Sale of Liquor in State Stores," (S. P. 225) (L. D. 591) reported that the same ought not to pass.

Mr. Dow from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Taking of Clams and Quahogs," (S. P. 228) (L. D. 594) reported that the same ought not to pass.

Mr. Brown from the same Committee on Bill "An Act Relating to the Legal Length of Lobsters," (S. P. 277) (L. D. 767) reported that the same ought not to pass.

Mr. Broggi from the Committee on Towns and Counties on Bill "An Act to Determine Liability and Responsibility of Drivers of Fire Apparatus," (S. P. 229) (L. D. 603) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Dennett from the Committee on Business Legislation on Bill "An Act Relating to Licensing of Auctions and Auctioneers," (S. P. 164) (L. D. 434) reported the same in a new draft, (S. P. 499) under the same title, and that it ought to pass.

Which report was read and accepted, and the bill in new draft was laid upon the table for printing under Joint Rule 10.

Mr. Weeks from the Committee on Towns and Counties on Bill "An Act to Increase the Salary of the Judge of the Waterville Municipal Court," (S. P. 337) (L. D. 837) reported the same in a new draft (S. P. 500) and under a new title, Bill "An Act Relating to Salary of Judge and Fees Paid to Waterville ought to pass.

The same Senator from the same Committee on Bill "An Act Increasing Salaries of Sheriff, County Commissioners and Judge of Probate, York County," (S. P. 279) (L. D. 768) reported the same in a new draft (S. P. 501) under a new title, Bill "An Act Increasing Salaries of County Commissioners, Treasurer, Sheriff and Judge of Probate, York County," and that it ought to pass.

Which reports were severally read and accepted and the bills in new draft, and under new title, were laid upon the table for printing under Joint Rule 10.

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on "Resolve Providing for a Continuous Survey of Closed Clam Areas and Study of Fuel Oil Pollution," (S. P. 94) (L. D. 229) reported that the same ought to pass.

Mr. Haskell from the same Committee on Bill "An Act Relating to Crediting of Property Taxes on Books of the State, and Making an Appropriation Therefor," (S. P. 96) (L. D. 228) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Creating the Department of Finance and Administration," (S. P. 159) (L. D. 407) reported that the same ought to pass.

Mr. Robbins from the Committee on Highways on Bill "An Act Relating to Compensation for Members of Maine Turnpike Authority," (S. P. 297) (L. D. 827) reported that the same ought to pass.

Mr. Chapman from the Committee on Legal Affairs on Bill "An Act Relating to Adoption of a Certain Child," (S. P. 438) (L. D. 1206) reported that the same ought to pass.

Mr. Dow from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Meetings by Towns to Regulate Taking of Clams," (S. P. 378) (L. D. 1041) reported that the same ought to pass.

Mr. Ward from the Committee on Towns and Counties on Bill "An Act Relating to the Salary of Register of Probate, Cumberland County," (S. P. 263) (L. D. 686) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Salary of Judge of Probate in Cumberland County," (S. P. 148) (L. D. 348) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Clerk Hire in Office of Register of Probate, Cumberland County," (S. P. 261) (L. D. 687) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to In-

crease the Salary of the Treasurer of Cumberland County," (S. P. 232) (L. D. 600) reported that the same ought to pass.

Mr. Broggi from the same Committee on Bill "An Act Relating to the Salary of the Deputy Treasurer of the County of Cumberland," (S. P. 233) (L. D. 599) reported that the same ought to pass.

Which reports were severally read and accepted, the bills and resolve read once, and tomorrow assigned for second reading.

Mr. Sinclair from the Committee on Appropriations and Financial Affairs on Bill "An Act Creating a State Scholarship Fund for Normal School and Teachers' College Students," (S. P. 242) (L. D. 667) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Haskell from the same Committee on Bill "An Act Relating to Duties of Court Stenographers," (S. P. 104) (L. D. 318) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Robbins from the Committee on Highways on Bill "An Act Relating to Roadside Picnic Areas," (S. P. 167) (L. D. 412) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Littlefield from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Taking of Lobsters in York River, County of York," (S. P. 329) (L. D. 832) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Broggi from the Committee on Towns and Counties on Bill "An Act Relating to Salaries of County Attorney and Assistant County Attorney of Cumberland County," (S. P. 260) (L. D. 684) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted, and the bills read once; Committee Amendments "A" were severally adopted without reading and the bills as amended were tomorrow assigned for second reading.

MR. HASKELL of Penobscot; **Mr. President**, sensing the extreme strain the President has been working under in the presence of the

attractive young lady, I would move that the Senate have a five minute recess.

The motion to recess prevailed.

After Recess

The Senate was called to order by the President.

Passed to be Engrossed

Bill "An Act Relating to Admission to Practice Law." (H. P. 175) (L. D. 171)

Bill "An Act Relating to Educational Requirements and Fees for Chiropractors." (H. P. 232) (L. D. 216)

Bill "An Act Relating to Marking of Containers of Skim-milk." (H. P. 310) (L. D. 382)

Bill "An Act Relating to Exhibits of Agricultural Fair Associations." (H. P. 898) (L. D. 981)

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

House, as amended:

Bill "An Act Relating to Delivery of Ballots by Absentee Voters." (H. P. 271) (L. D. 299)

Bill "An Act Relating to Salaries of County Attorney and Assistant County Attorney of Penobscot County." (H. P. 553) (L. D. 533)

Bill "An Act Relating to Leave of Absence Under the Military Law." (H. P. 972) (L. D. 1006)

Which were severally read a second time and passed to be engrossed, as amended, in concurrence.

"Resolve, Closing Little Sebago Lake, Cumberland County, to Ice Fishing." (H. P. 260) (L. D. 290)

"Resolve to Repeal Certain Special Resolve Pensions." (H. P. 612) (L. D. 732)

Which were severally read a second time and passed to be engrossed, in non-concurrence.

Sent down for concurrence.

"Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine." (S. P. 493) (L. D. 1347)

Which was read a second time.

Mr. BUTLER of Franklin: Mr. President, I present Senate Amendment "A" and move its adoption.

This Senate Amendment "A" is merely to correct an error in transcript as the original bill left the committee and went to Mr. Slosberg's office for preparation. In the process of that preparation certain counties not having submitted a list direct to the Committee, and the Committee having considered the list which it did have, the Chairman of the Committee inadvertently laid stress with Mr. Slosberg so that he inadvertently interpolated into the bill an improper allocation in the counties of Hancock, Piscataquis, Penobscot and Lincoln, and this amendment is merely to bring in line the bill as was understood by the Committee.

Mr. HARDING of Knox: Mr. President, inasmuch as that amendment has not been reproduced, I believe it would be entirely fitting that we see it before we pass upon it, and I would move the resolve be tabled until the amendment is reproduced and distributed.

Mr. HASKELL of Penobscot: Mr. President, I would ask through the Chair if the Senator from Knox, Senator Harding, would wish to set a time definite on his tabling motion, recognizing as I know he does the time element involved in printing such a thing as this.

Mr. HARDING of Knox: Mr. President, I would be most happy to set a definite time if somebody will advise me when the amendment will be reproduced so we can examine it.

The PRESIDENT: The Chair will advise the Senator that if the Senate is still in session at five o'clock this afternoon there may be a possibility of having it ready by that time.

Mr. HARDING: Not because of your remarks, Mr. President, but I withdraw my motion.

There being no objection, the motion was withdrawn.

Senate Amendment "A" was adopted.

On motion by Mr. Haskell of Penobscot, the resolve and accompanying papers were laid upon the table pending passage to be engrossed, and especially assigned for Tuesday next.

Senate, as amended:

Bill "An Act Relative to the Uniform Health and Accident Insurance Law" (S. P. 201) (L. D. 552)

Bill "An Act Relating to Inspections by the Insurance Commissioner." (S. P. 290) (L. D. 825)

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

Sent down for concurrence.

Enactors

Bill "An Act Relating to Minimum Speed of Motor Vehicles." (H. P. 37) (L. D. 31)

Bill "An Act Relating to Old Age Assistance and Aid to the Blind." (H. P. 49) (L. D. 50)

Bill "An Act Relating to the Use of the Prefix 'Dr.' by Optometrists." (H. P. 76) (L. D. 85)

Bill "An Act Relating to Ballot Clerks in Small Towns." (H. P. 104) (L. D. 105)

Bill "An Act to Clarify Records as to Tax Mortgages." (H. P. 105) (L. D. 106)

Bill "An Act Relating to State Stipend for Counties." (H. P. 113) (L. D. 115)

Bill "An Act Regulating the Dragging for Scallops in Harrington River and Bay and Pleasant River, Washington County." (H. P. 150) (L. D. 147)

Bill "An Act to Provide a Credit Against the Sales Tax when the Price is not Paid." (H. P. 152) (L. D. 134)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Arrests on Execution." (H. P. 180) (L. D. 175)

Bill "An Act Establishing a Water Department of the Bridgton Centre Village Corporation." (H. P. 190) (L. D. 201)

Bill "An Act Relating to Funeral Expenses of Deceased Recipients of Old Age Assistance and Aid to the Blind." (H. P. 198) (L. D. 208)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act to Create a Motor Vehicle Dealer Registration Board." (H. P. 244) (L. D. 225)

Bill "An Act Relating to Salary of Judge of the Winthrop Municipal Court." (H. P. 285) (L. D. 270)

Bill "An Act Relating to Harrison Mutual Fire Insurance Company." (H. P. 314) (L. D. 386)

Bill "An Act Relating to Salaries of Certain County Officers of Washington County." (H. P. 359) (L. D. 375)

(On motion by Mr. Hanson of Washington, tabled pending passage to be enacted.)

Bill "An Act Relating to the Boundary Line Between the Towns of Sanford and North Berwick, York County." (H. P. 362) (L. D. 378)

Bill "An Act Relating to Fees Payable to Registers of Deeds." (H. P. 442) (L. D. 486)

Bill "An Act Relating to the Road Repair Tax Fund in the Townships of Alder Stream, Coburn Gore, Chain of Ponds, and Jim Pond." (H. P. 444) (L. D. 498)

Bill "An Act Relating to Rental for the South Portland Municipal Court." (H. P. 445) (L. D. 488)

Bill "An Act to Clarify the Aviation Laws." (H. P. 451) (L. D. 446)

Bill "An Act Relating to Registration Certificates for Airmen, Aircraft and Air Carriers." (H. P. 452) (L. D. 447)

Bill "An Act Relating to Exemptions for Non-Resident Airmen." (H. P. 453) (L. D. 448)

Bill "An Act Relating to Exemptions for Non-Resident Aircraft." (H. P. 454) (L. D. 449)

Bill "An Act to Exempt the Sale of Meals by Hospitals and Nursing Homes." (H. P. 545) (L. D. 526)

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Kennebunk Municipal Court." (H. P. 548) (L. D. 528)

Bill "An Act Relating to the Salary of the County Treasurer of Lincoln County." (H. P. 549) (L. D. 529)

Bill "An Act Relating to Payment to Lincoln County Law Library." (H. P. 551) (L. D. 531)

Bill "An Act to Increase the Salary of Deputy Clerk of Courts, Penobscot County." (H. P. 552) (L. D. 532)

Bill "An Act to Increase the Salary of the Clerk of Courts of Penobscot County." (H. P. 554) (L. D. 534)

"Resolve, in Favor of the Dragon Cement Company, Inc." (H. P. 91) (L. D. 95)

(On motion by Mr. Robbins of Aroostook, tabled pending final passage.)

"Resolve, in Favor of Clyde Moores, of Springfield." (H. P. 139) (L. D. 1160)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve, Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory." (H. P. 146) (L. D. 144)

"Resolve, in Favor of Dr. Bernard R. Marcus of Auburn." (H. P. 161) (L. D. 1161)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve, Appropriating Money for the Lands Reserved for Public Uses Trust Fund." (H. P. 312) (L. D. 384)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve, Regulating Fishing in Sourdnhunk Lake in Piscataquis County." (H. P. 413) (L. D. 461)

"Resolve, Closing Sourdnhunk Lake, Piscataquis County, to All Fishing." (H. P. 414) (L. D. 462)

"Resolve, in Favor of W. Lawrence Doble, of Milo." (H. P. 43) (L. D. 1258)

(On motion by Mr. Robbins of Aroostook, tabled pending final passage.)

"Resolve, in Favor of the Town of Friendship." (H. P. 503) (L. D. 511)

"Resolve, in Favor of the Town of Hudson." (H. P. 505) (L. D. 513)

"Resolve, Closing Georges River, Knox County, to Taking of Smelts." (H. P. 605) (L. D. 604)

Bill "An Act Relating to Financial Responsibility." (S. P. 61) (L. D. 125)

Bill "An Act to Prevent Multiple Sales or Use Taxes." (S. P. 73) (L. D. 157)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Guaranteed Loans to Veterans." (S. P. 80) (L. D. 186)

Bill "An Act to Require that a Modern Mortality Table be Used in Inheritance Tax Calculations." (S. P. 82) (L. D. 189)

Bill "An Act Authorizing the Construction of an Intake Structure and the Taking of Water from Craig Pond, Hancock County." (S. P. 115) (L. D. 329)

Bill "An Act Amending the Sales and Use Tax Law as Respects Registration and Other Matters." (S. P. 116) (L. D. 319)

Bill "An Act Relating to the Advisory Council of Health and Welfare." (S. P. 119) (L. D. 317)

Bill "An Act Relating to the Bangor Public Library." (S. P. 124) (L. D. 333)

Bill "An Act to Amend the Charter of Great Northern Paper Company, Formerly Northern Development Company." (S. P. 125) (L. D. 334)

Bill "An Act Relating to the Consolidation or Merger of Wholly-Owned Subsidiaries into Their Parent Corporation." (S. P. 126) (L. D. 335)

Bill "An Act Relating to Number of Signatures on Certain Nomination Papers." (S. P. 129) (L. D. 338)

Bill "An Act Relating to Suspension and Revocation of Liquor Licenses." (S. P. 135) (L. D. 322)

Bill "An Act Repealing Bartlett Island as a Game Preserve." (S. P. 168) (L. D. 435)

Bill "An Act Relating to Corporate Powers of Railroad Corporations." (S. P. 171) (L. D. 418)

Bill "An Act Relating to Salary of Judge of Probate of Kennebec County." (S. P. 193) (L. D. 441)

Bill "An Act to Permit Guardians and Trustees to Invest in Insurance Policies and Annuity Contracts." (S. P. 205) (L. D. 542)

Bill "An Act Relating to Insects and Diseases of Trees." (S. P. 210) (L. D. 546)

Bill "An Act to Clarify the Exemption from Sales and Use Tax of Prescribed Medicines." (S. P. 211) (L. D. 547)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

"Resolve, Directing Review of Property Tax Statutes." (S. P. 189) (L. D. 428)

(On motion by Mr. Collins of Aroostook tabled pending final passage.)

Which bills were severally passed to be enacted, and resolves finally passed.

Emergency Measure

Bill "An Act Amending the Charter of the City of Portland re Sinking Fund." (H. P. 420) (L. D. 467)

Which bill being an emergency measure and having received the affirmative vote of 26 members of the Senate and none opposed, was passed to be enacted.

Mr. LITTLEFIELD of York: Mr. President, I move that the Senate reconsider its former action taken earlier in today's session whereby the report of the committee "Ought Not to Pass" on bill, An Act Relating to the Legal Length of Lobsters, Legislative Document 767, was accepted. I have just received word that a conference can be arranged between the two parties concerned which might affect our vote here later.

The motion to reconsider prevailed, and on further motion by the same Senator the bill was recommitted to the Committee on Sea and Shore Fisheries.

Sent down for concurrence.

The PRESIDENT: With reference to the Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, Senate Paper 493, Legislative Document 1347, the Chair appears to have been in error regarding one point in the action taken. That was the resolve upon which the Senator from Knox, Senator Harding, was granted permission to withdraw his motion to table. The Chair does not understand, however, that it was the intention of that Senator to withdraw at this time his request that Senate Amendment A be printed. Therefore, the Chair understands that the Senator from Knox, Senator Harding, moves that Senate Amendment A be printed. Is this the pleasure of the Senate?

The motion to print Senate Amendment A prevailed.

Orders of the Day

The President laid before the Senate, Senate Report "Ought Not to Pass" from the Committee on Taxation on Bill, An Act to Exempt from the Maine Sales and Use Tax Beer, Ale and Other Drinks (S. P. 332) (L. D. 834) tabled by Br. Boucher of Androscoggin on March 17th pending consideration, and today assigned.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I shall first make a motion and then explain my position. I shall first move to substitute the bill for the report, and my reason for doing so is the following—but first let me give you a brief history of this bill. This bill was to be heard a week ago last Wednesday. I was very sorry, but I had presented my request on another bill which was heard by the Committee on Legal Affairs. It was a wonderful show but it took all my afternoon, and I finally got through and my good friend, the Chairman of the Committee on Legal Affairs, Senator Chapman of Cumberland, told me I could go, and I ran upstairs to the Taxation Committee and I found they had gone home, tired of waiting. I cannot blame them for that but I did expect the courtesy of being heard at some future time. The next thing I knew I saw the report on the calendar of the Senate, giving a unanimous ought not to pass report, when I had not even presented the bill before this committee. That is what I call expediency. (Laughter) When I attempted to table the bill again the good Senator from Cumberland, Senator Chase, pushed me to the wall with the help of our good majority leader, Senator Haskell of Penobscot, forcing me to debate this today. Well, I guess it might as well be today as any other day because I can imagine what the results will be. I can foresee the result. I think it is written on the wall. Nevertheless I want to give you my reasons for presenting this bill.

I understood two years ago in the Senate that any matter that was already bearing a heavy tax would not be taxed any more. Gasoline

was not taxed. Cigarettes, cigars and tobacco were not taxed, and liquor, hard liquor is not taxed, and I imagined that beer and ale and such drinks which already had a very stiff tax on them would not be taxed because beer, as you know is taxed 32.6 cents a gallon in the State of Maine and in excise tax of over two million dollars a year, which I thought was tax enough and it didn't have to be taxed again—a tax on a tax when a person bought a bottle of beer or ale in a store.

The next time after the legislature adjourned that I went to a store to buy a bottle of beer or ale I found I had to pay a sales tax on it. I argued with the man that it was not my understanding of the law. I understood all those articles that were especially taxed under the Maine law would not be taxed under the sales tax. He informed me that he had been informed by the State Tax Assessor that he must collect the sales tax on beer. Very reluctantly again I did pay the tax and I waited until this session of the legislature, hoping I would be reelected, which I was, so that I could introduce a bill to remove that obnoxious sales tax of two per cent on beer. We have, as you well know, under the present sales tax law exempted several things, sales of staple provisions, sale of certain foods, sales by prescription, school meals, seeds and fertilizer, motor vehicle fuel, gasoline already stated, coal, oil, cigars, cigarettes, tobacco, sales of liquor by the liquor stores, and containers are exempt, Bibles and certain publications; sales tax, of course, on hospitals and churches. Again I was wrong, apparently, in my understanding of the sales tax because it did put a tax on a tax and it was on beer and ale and other similar drinks.

Now, it seems to me the \$2,000,000 return on one article, malt beverages, should satisfy the State of Maine, but apparently the Taxation Committee and the tax officers of the State believe they must tax everything that is available unless it is written out and spelled out in a sales tax exemption law.

So, therefore, I introduced this bill but didn't have a chance to explain my position and my reasons

to the committee. They very politely made a return "Ought Not to Pass." I noticed in this legislature that a bill, L. D. 547 exempts medicine from the sales tax and clears that up. I have no argument with that. I don't fight that. I think it is a good bill. But I do dislike the fact that we have to pay tax on a tax for beer and ale. I feel it is quite unfair. I feel if we keep on doing what we are doing now we will multiply the sales tax so many times that the State of Maine will become a very very rich state. We have a wonderful Taxation Committee, who can think of everything under God's sun to tax, but they have forgotten one thing, as I told you last week, they have forgotten to tax the air we breathe. I will remind them that they should tax air and put little meters in our throats so they will know the amount we take in daily.

Mr. President and members of the Senate, I will not take any more of your time on this subject. I think I have told you exactly how I feel. If I spent half an hour more discussing this matter I don't think it would change anybody's mind; but I do resent this tax on malt beverages in the package stores. Again I want to point out to you the fact that if you buy it in a bottle you have to pay a tax but if you go into a tavern or so-called restaurant which are only beer places, you don't have to pay a tax so long as you buy it by the glass. I think it will drive people to drink in taverns and beer parlors in place of buying the beer and ale and taking it home to drink, because in that way they will not have to pay the sales tax.

Therefore, Mr. President, I hope this Senate will go along with me in my motion to substitute the bill for the report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be substituted for the "Ought Not to Pass" report of the Committee.

Mr. Carter of Oxford: Mr. President and members of the Senate, I think we are all very sorry that our good colleague, the Senator from Androscoggin, Senator Boucher, did not come before us on that day.

My recollection is that we sent down for him at least a couple of times but, as he said, he was very busy on that day and couldn't be with us. At the same time, we were very much afraid that if he did come up that day that he would present this bill to us as being among the necessities of life. All these exemptions we have listened to, or at least for the most part, have been strictly for the necessities of life and exemption has been demanded on that point. Perhaps he would not have presented it to in that manner but we were a little doubtful at that time that he might.

This bill would take considerable revenue from the sales tax, upwards of a hundred thousand dollars, I think, and it is quite a broad bill. If you read the bill it is a little bit hard to decide where it would end. With the other drinks, beer, water, and what have you, in it I think it would be quite a strong bill and very hard to decide what the exemptions really were. For that reason I hope the Senator's motion will not prevail.

Mr. REID of Kennebec: Mr. President, whether or not there should be a tax on water is a debatable subject but so long as there is a tax on water I shall not vote to remove the tax on beer.

Mr. CHASE of Cumberland: Mr. President, my recollection of the events of the particular day of the hearing in question agrees with that of Senator Carter but with the following addition: After the hearing, as I seem to remember, I encountered the Senator from Androscoggin, Senator Boucher, in the corridor and said to him something like this: "You didn't come up to appear before us on this bill; do you want an opportunity to appear?" And he asked, "Would it do any good?" And I said, "No, it wouldn't." Whereupon he said, "No, no, I guess it wouldn't." And when he said that I didn't know from his tone whether he had reference to the stupidity of the Taxation Committee or its obstinacy, but I certainly understood that he did not intend to come before the committee, and that is the reason the bill was reported out as it was.

Mr. TABB of Kennebec: Mr. President, after hearing the remarks

of my good colleague, Senator Reid, I would like to point out that I do not pay a tax on water because I have my own artesian well. I do not pay a tax on beer because I don't drink it. But, on the other hand, I am one who does not believe in tax upon tax, regardless of what it is. I feel that there is a discrimination against malt beverages. It seems to me that with the business we do legally in the State of Maine we can have some consideration. We don't tax hard liquor and they tell me one can get as drunk on beer, or some people can, as you can on hard liquor. That, I cannot testify to either way. But we do not, as the Senator from Androscoggin has said, tax cigars, cigarettes, tobacco, gasoline, and so forth, because they are already taxed.

I understand that this tax alone brings into the state over a million dollars on the amount of business done in our state which is over twenty million dollars and it seems to me to be very, very unfair, if we are going to tax beer, not to tax hard liquor. I am glad to say at this time that I will go along with the Senator from Androscoggin County.

Mr. BOUCHER: Mr. President, my good friend, Senator Carter, has put words into my mouth. However, he thought I was going to claim it was one of the necessities of life. Well, I didn't intend to make that claim but as long as he put those words into my mouth I will tell him that to some people it is. Yesterday, sitting in or a hearing on liquor control I was told by many a witness that beer and ale were food, hard liquor wasn't. That is the information I received and that was brought out in relation to the question of restaurants, whether they should have wine and hard liquors to serve cocktails to their customers and the sentiment seemed to be, excepting for one person, that wine and hard liquor were not food but that beer and ale were food and reduced the consumption of other foods.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be substituted for the report.

Mr. BOUCHER: Mr. President, I was under the impression that my good friend, Senator Haskell, the Big Chief from Penobscot County, intended to answer my remarks in the debate, and I wish he would.

The PRESIDENT: The Senator from Penobscot, Senator Haskell, may speak on the subject if he wishes.

Mr. HASKELL of Penobscot: Mr. President, I appreciate the invitation to enter the debate on this matter and I will be happy to do so by asking that when the vote is taken it be taken by division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be substituted for the report, and the Senator from Penobscot, Senator Haskell, has requested that when the vote is taken it be taken by division. Is the Senate ready for the question?

Mr. BOUCHER: Mr. President, if the hour were not so late I would ask for a yea and nay vote but under the circumstances I will go along with my good colleague from Penobscot on his request for a division.

A division of the Senate was had.

Two having voted in the affirmative and 23 opposed.

The motion to substitute the bill for the report did not prevail.

Mr. BOUCHER: Mr. President, I call to the attention of the Chair that we are more than 25 in the Senate chamber so someone has not registered his vote.

The PRESIDENT: The Senator has a pertinent point. The Secretary will ascertain how many Senators are in the Senate Chamber.

Mr. SQUIRE of Kennebec: Mr. President and members of the Senate, and my good friend from Androscoggin, I did not vote for the simple reason that I had some feeling that the tax on beer was a little unfair but in as much as I voted to keep the tax on water I couldn't vote not to keep the tax on beer. I thought I was in an embarrassing position, and I did not vote.

The PRESIDENT: The Chair will assume that the Senator from Androscoggin is fully satisfied.

Thereupon the "Ought Not to Pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, Report from the Committee on Appropriations and Financial Affairs, "Ought Not to Pass," on Resolve Providing for Independent Water Supply at Maine Maritime Academy (S. P. 161) (L. D. 406), tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator, the "Ought Not to Pass" report of the Committee was accepted.

Sent down for concurrence.

On motion by Mr. Chase of Cumberland, the Senate voted to take from the table, Bill, An Act Permitting Savings Banks to Invest in Certain Preferred Stocks (S. P. 292) (L. D. 823) tabled by that Senator on March 11th pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: At this time the Chair would like to appoint members of the Committee of Conference on the Resolve in Favor of the Town of Freeport (H. P. 500) (L. D. 1177), and Resolve in Favor of the Town of Medway (H. P. 63) (L. D. 1176). In each instance the Chair at this time appoints as members on the part of the Senate, on the Conference Committee, the Senator from Penobscot, Senator Haskell; the Senator from Androscoggin, Senator Kavanagh; and the Senator from Piscataquis, Senator Parker.

On motion by Mr. Haskell of Penobscot

Adjourned until next Tuesday, March 24th, at ten o'clock in the forenoon.