

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Friday, April 24, 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.

House Papers

Bill "An Act Relating to Certain Policies of Insurance Companies Organized Under General Law." (S. P. 433) (L. D. 1210)

(In Senate on April 21, passed to be engrossed as amended by Committee Amendment "A")

Comes from the House, recommended to the Committee on Business Legislation in non-concurrence.

In the Senate, on motion by Mr. Cummings of Sagadahoc, recommended to the Committee on Business Legislation in concurrence.

Bill "An Act Relating to Statement of Income and Expense of Persons Requesting Pauper Assistance." (H. P. 873) (L. D. 944)

(In Senate, on April 21, passed to be engrossed as amended by Committee Amendment "A" and by Senate Amendments "A" and "B" in non-concurrence.) (Amendment Filings 260, 337 and 338)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Carter of Oxford, the Senate voted to recede and concur with the House in the indefinite postponement of the bill.

"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)

(In Senate, on March 24 passed to be engrossed as amended by Senate Amendment "A.")

Comes from the House indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Butler of Franklin, tabled pending consideration and especially assigned for Tuesday, April 28.

Bill "An Act Relating to Collection of Excise Taxes in Unorgan-

ized Territory." (S. P. 523) (L. D. 1420)

(In Senate, on April 10, passed to be engrossed.)

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

In the Senate, on motion by Mr. Haskell of Penobscot, tabled pending consideration.

Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels." (H. P. 225) (L. D. 252)

(In Senate on April 16, passed to be engrossed in concurrence.)

Comes from the House, enactment reconsidered, and the bill indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Collins of Aroostook, the Senate voted to recede and concur in the indefinite postponement of the bill.

Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor." (S. P. 137) (L. D. 325)

(In Senate, on April 10, passed to be engrossed without amendments.)

Comes from the House, passed to be engrossed without amendments in concurrence, and subsequently indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Boucher of Androscoggin, tabled pending consideration.

"Resolve Providing for the Revision of the Statutes." (S. P. 170) (L. D. 419)

(In Senate, on April 8, passed to be engrossed as amended by Committee Amendment "A")

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

In the Senate, on motion by Mr. Haskell of Penobscot, the Senate voted to recede and concur.

Bill "An Act to Provide for the Observance of Legal Holidays." (H. P. 819) (L. D. 850)

(In Senate, on April 22, passed to be engrossed as amended by Committee Amendment "A" in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill and reports

were indefinitely postponed, and now asks for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House: Mr. McGLAUFILIN of Portland Mrs. CHRISTIE of Presque Isle Mr. MARTIN of Augusta

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

House Committee Reports Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Sale of Malt Liquor in Non-Returnable Bottles," (H. P. 145) (L. D. 143) reported that they are unable to agree.

Comes from the House, the report read and accepted.

In the Senate, the report was read and accepted in concurrence.

The Committee on Legal Affairs on Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach," (H. P. 933) (L. D. 1027) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Inland Fisheries and Game to which was re-committed "Resolve Authorizing Survey by Commissioner of Inland Fisheries and Game to Cooperate with other States to Reduce Hunting Fatalities," (H. P. 1091) (L. D. 1225) reported that the same ought to pass.

The Committee on Labor on Bill "An Act Relating to Unemployment Compensation Regarding Remuneration for Holidays," (H. P. 1101) (L. D. 1242) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Amending the Community School District Law," (H. P. 936) (L. D. 984) reported that the same ought to pass.

The Committee on Public Health on Bill "An Act Relating to Eating and Lodging Places," (H. P. 844) (L. D. 866) 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 Liquor Control on Bill "An Act Relating to Stock in Trade of Liquor Licensees," (H. P. 940) (L. D. 1000) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Broggi of York, tabled pending consideration of the report of the committee.)

The Committee on Labor on Bill "An Act Relating to Compensation for Loss of Hearing Under Workmen's Compensation Act," (H. P. 829) (L. D. 860) reported that the same ought to pass as amended by Committee Amendment "A".

The same committee on Bill "An Act Designating Fluorosis and Fluoride Poisoning as an Occupational Disease," (H. P. 749) (L. D. 788) reported that the same ought to pass as amended by Committee Amendment "A".

The same committee on Bill "An Act Relating to Burial Expenses Under Workmen's Compensation Act," (H. P. 426) (L. D. 473) reported that the same ought to pass as amended by Committee Amendment "A".

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

The Majority of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Certain Department Heads," (H. P. 1035) (L. D. 1179) under authority of Joint Order (S. P. 495) reported Bill "An Act Relating to Salary of Treasurer of State," (H. P. 1269) (L. D. 1483) and that the same ought not to pass. (signed) Senators:

HASKELL of Penobscot
COLLINS of Aroostook
SINCLAIR of Somerset

Representatives:

CAMPBELL of Guilford
DAVIS of Harrison
JALBERT of Lewiston

The Minority of the same Committee on the same subject matter

under authority of Joint Order (S. P. 495) reported Bill "An Act Relating to Salary of Treasurer of State," (H. P. 1269) (L. D. 1483) and that the same ought to pass.

(signed) Representatives:
 JACOBS of Auburn
 COLE of Liberty
 BURGESS of Limestone
 CATES of East Machias

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

In the Senate, on motion by Mr. Collins of Aroostook, the Majority Report "Ought not to Pass" was accepted in non-concurrence.

Sent down for concurrence.

The Majority of the Committee on Transportation on Bill "An Act Relating to Weight of Commercial Vehicles," (H. P. 1065) (L. D. 1164) reported that the same ought to pass.

(signed) Senator:
 JAMIESON of Aroostook
 Representatives:
 FINEMORE of Bridgewater
 KELLY of Rumford
 JEWETT of Bucksport
 DODGE of Strong
 TRAVIS of Westbrook

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

(signed) Senators:
 HASKELL of Penobscot
 CUMMINGS of Sagadahoc

Representatives:
 TOTMAN of Bangor
 CURTIS of Bowdoinham

Comes from the House, the Majority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Jamieson of Aroostook, the Majority "Ought to Pass" report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on "Resolve Proposing an Amendment to the Constitution Prohibiting Lotteries and Gambling," (H. P. 677) (L. D. 719) reported that the same ought not to pass.

(signed) Senators:
 CHAPMAN of Cumberland
 WEEKS of Cumberland

Representatives:
 CHILDS of Portland
 WOODCOCK of Bangor
 HAND of New Limerick
 MARTIN of Eagle Lake
 STEWART of Paris
 GOWELL of Berwick

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

(signed) Representative:
 STEWART of Portland

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

In the Senate, on motion by Mr. Weeks of Cumberland, the Majority Report "Ought not to pass" was read and accepted in concurrence.

The Majority of the Committee on Inland Fisheries and Game on Bill "An Act Relating to use of Lights to Illuminate Wild Birds and Animals," (H. P. 805) (L. D. 889) reported that the same Ought to Pass as Amended by Committee Amendment "A" (Amendment Filing 108):

(Signed)

Senators:
 WIGHT of Penobscot
 WEEKS of Cumberland

Representatives:
 FRECHETTE of Sanford
 HARNDEN of Rangeley
 VAUGHAN of Hallowell
 CURRIER of Caribou
 BUTLER of Franklin

The Minority of the same Committee on the same subject matter reported that the same Ought not to Pass.

(Signed)

Representative:
 WHITNEY of Bridgton

Comes from the House, the Majority Report accepted and subsequently the Bill indefinitely postponed.

In the Senate, on motion by Mr. Carpenter of Somerset: the Majority Report "Ought to Pass" was accepted in non-concurrence; the bill read once; Committee Amendment "A" read and adopted and the bill as so amended tomorrow assigned for second reading.

The Majority of the Committee on Transportation on Bill "An Act Requiring Certain Truck Owners to File Names of Agents for Certain Purposes." (H. P. 770) (L. D. 735) reported that the same Ought to Pass in New Draft (H. P. 1270) (L. D. 1466), under same title.

(Signed)

Senator:

CUMMINGS of Sagadahoc

Representatives:

KELLY of Rumford
FINEMORE of Bridgewater
TOTMAN of Bangor
CURTIS of Bowdoinham
JEWETT of Busksport

The Minority of the same Committee on the same subject matter reported that the same Ought not to Pass:

(Signed)

Senators:

HASKELL of Penobscot
JAMIESON of Aroostook

Representatives:

TRAVIS of Westbrook
DODGE of Strong

Comes from the House, the Majority Report accepted and the Bill in New Draft passed to be engrossed.

In the Senate, on motion by Mr. Cummings of Sagadahoc, the Majority Report "Ought to Pass" was accepted in concurrence, the bill in new draft read once and tomorrow assigned for second reading.

The Committee on Labor to which was recommitted Bill "An Act Relating to Definition of Elevator under Board of Elevator Rules," (H. P. 185) (L. D. 180) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted in concurrence and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and to further reconsider its former action whereby House Amendment A was adopted; House Amendment A was indefinitely postponed in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

The Committee on Appropriations and Financial Affairs on Bill "An Act Repealing the Merit Award Board," (H. P. 899) (L. D. 990) re-

ported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed.

In the Senate, on motion by Mr. Collins of Aroostook, the "Ought Not to Pass" report of the committee was accepted in non-concurrence.

Sent down for concurrence.

The same Committee on "Resolve in Favor of the Town of Canton," (H. P. 1236) (L. D. 1429) reported that the same ought not to pass.

Comes from the House, the resolve substituted for the report, and passed to be engrossed.

In the Senate, on motion by Mr. Fuller of Oxford, the resolve was laid upon the table pending consideration, and was especially assigned for Tuesday, April 28.

The Committee on Transportation to which was recommitted Bill "An Act Relating to Registration Fees for Farm Trucks," (H. P. 768) (L. D. 803) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed as amended by House Amendment "B." (Amendment Filing 395)

In the Senate, on motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

First Reading of Printed Bills

Bill "An Act Relating to Retirement Compensation of Members of Superior Court and Their Widows." (S. P. 551) (L. D. 1484)

Bill "An Act Relating to Retirement Compensation of Members of Supreme Judicial Court and Their Widows." (S. P. 552) (L. D. 1485)

"Resolve Providing for Certain Construction at Portland Municipal Airport." (S. P. 553) (L. D. 1486)

Which were severally read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Haskell from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Officers and Employees of the Legislature," (S. P. 23) reported that the same ought not to pass as it is covered by other legislation.

Mr. Chapman from the Committee on Legal Affairs to which was recommended Bill "An Act Relating to Open Air Drive-In and Summer Stock Theaters," (S. P. 471) (L. D. 1314) reported that the same ought not to pass.

The same Senator from the same Committee to which was recommended Bill "An Act Relating to Motor Vehicle Racing," (S. P. 258) (L. D. 682) reported that the same ought not to pass.

Weeks from the same Committee on Bill "An Act Relating to Pari Mutuel Pool Contributions to Stipend Fund," (S. P. 274) (L. D. 763) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Reid from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Exempt Revenue Bonds from Limitations of Municipal Indebtedness," (S. P. 84) (L. D. 191) reported the same in a new draft (S. P. 578) under a new title, Bill "An Act to Confer Additional Powers Upon Municipalities in the State of Maine in Relation to Parking Facilities," and that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Authorizing Towns to Issue Revenue Bonds for Public Improvements," (S. P. 85) (L. D. 192) reported the same in a new draft (S. P. 579) under a new title, Bill "An Act to Confer Additional Powers Upon Municipalities in the State of Maine in Relation to the Supply and Distribution of Water and the Collection, Treatment and Disposal of Sewage, Including Industrial Wastes," and that the same ought to pass.

Which reports were severally read and accepted and the bills in new draft and under new titles were severally laid upon the table for printing under Joint Rule No. 10.

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act to appropriate Monies for Capital Improvements and Construction of State Government for the Fiscal Years Ending June 30, 1954 and June 30, 1955," (S. P. 75) (L. D. 182) under authority of Joint Order (S. P.

544) reported "Resolve Relating to Post War Public Works Reserve Fund and Appropriating Moneys for the Women's Reformatory," (S. P. 580) and that the same ought to pass.

The same Senator from the same Committee on the same subject matter, under authority of Joint Order (S. P. 544) Reported "Resolve Providing for Expenditures on Airports," (S. P. 581) and that the same ought to pass.

Which reports were severally read and accepted, and the resolves laid upon the table for printing under Joint Rule No. 10.

Mr. Reid from the Committee on Judiciary on Bill "An Act to Create the Waterville Parking District," (S. P. 307) (L. D. 925) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted, and the bill read once; Committee Amendment "A" was read and adopted, and the bill as amended was tomorrow assigned for second reading.

The Majority of the Committee on Labor on Bill "An Act Relating to Compensation under Workmen's Compensation Act," (S. P. 63) (L. D. 130) reported that the same ought not to pass.

(signed)

Senators:

WARD of Penobscot
REID of Kennebec

Representatives:

WEST of Stockton Springs
CASWELL of New Sharon
LEGARD of Bath
GATES of Millinocket
SMALL of Mexico
COUTURE of Lewiston
LETOURNEAU of Sanford

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

(signed)

Senator:

St. Pierre of Androscoggin

On motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending consideration of the reports.

The Majority of the Committee on Legal Affairs to which was recommended Bill "An Act Amending the Charter of the City of Lewiston," (S. P. 428) (L. D. 1155) reported that the same ought not to pass.

(Signed)

Senators:

WEEKS of Cumberland
CHAPMAN of Cumberland

Representatives:

CHILDS of Portland
STEWART of South Paris
HAND of New Limerick
WOODCOCK of Bangor
STEWART of Portland
GOWELL of Berwick

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

(Signed)

Representative:

MARTIN of Eagle Lake

On motion by Mr. St. Pierre, the Majority Report "Ought not to pass" was accepted.

Sent down for concurrence.

The Majority of the Committee on Legal Affairs on Bill "An Act Repealing Certain 'Blue Laws,'" (S. P. 413) (L. D. 1121) reported that the same ought to pass.

(Signed)

Senator:

WEEKS of Cumberland

Representatives:

CHILDS of Portland
WOODCOCK of Bangor
STEWART of Portland
HAND of New Limerick
MARTIN of Eagle Lake

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

(Signed)

Senator:

CHAPMAN of Cumberland

Representatives:

STEWART of South Paris
GOWELL of Berwick

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

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Keeping Open of Grocery Stores on Sunday," (S. P. 209) (L. D. 544) reported that the same ought to pass.

(Signed)

Senators:

WEEKS of Cumberland
CHAPMAN of Cumberland

Representatives:

STEWART of South Paris
WOODCOCK of Bangor
CHILDS of Portland
HAND of New Limerick
MARTIN of Eagle Lake

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

(Signed)

Representatives:

STEWART of Portland
GOWELL of Berwick

On motion by Mr. Chapman of Cumberland, the bill and accompanying papers were laid upon the table pending consideration of the reports.

Passed to be Engrossed

Bill "An Act Relating to Open Season on Muskrats in Cumberland County." (H. P. 804) (L. D. 888)

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

Bill "An Act Relating to Fluoride in Public Water Supplies." (H. P. 1251) (L. D. 1459)

On motion by Mr. Chase of Cumberland, tabled pending passage to be engrossed.

Bill "An Act Relating to Salary of Commissioner of Labor and Industry." (H. P. 1266) (L. D. 1480)

Bill "An Act Relating to Salary of Commissioner of Education." (H. P. 1267) (L. D. 1481)

Bill "An Act Relating to Salary of Attorney-General." (H. P. 1268) (L. D. 1482)

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

Sent down for concurrence.

Bill "An Act Creating a Division of Indian Affairs." (H. P. 245) (L. D. 226)

Which was read a second time and passed to be engrossed, as amended, in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to the Superintendent of Public Buildings." (S. P. 182) (L. D. 423)

"Resolve in Favor of Edward Alvin Hodsdon, of Presque Isle." (S. P. 548) (L. D. 1463)

Bill "An Act Authorizing Appointment of Special Guardian." (S. P. 549) (L. D. 1464)

"Resolve in Favor of the Augusta State Hospital." (S. P. 555) (L. D. 1487)

"Resolve in Favor of Maine State Prison." (S. P. 556) (L. D. 1488)

"Resolve in Favor of the Forestry Department." (S. P. 557) (L. D. 1489)

"Resolve in Favor of the Department of Adjutant General." (S. P. 558) (L. D. 1490)

"Resolve in Favor of Central Maine Sanatorium." (S. P. 559) (L. D. 1491)

"Resolve in Favor of Pownal State State School." (S. P. 560) (L. D. 1492)

"Resolve in Favor of State School for Girls." (S. P. 561) (L. D. 1493)

"Resolve in Favor of Gorham State Teachers' College." (S. P. 562) (L. D. 1494)

"Resolve in Favor of Western Sanatorium." (S. P. 563) (L. D. 1495)

"Resolve in Favor of Baxter State Park." (S. P. 564) (L. D. 1496)

"Resolve in Favor of Northern Maine Sanatorium." (S. P. 565) (L. D. 1497)

"Resolve in Favor of Reid State Park." (S. P. 566) (L. D. 1498)

"Resolve in Favor of Lake St. George State Park." (S. P. 567) (L. D. 1499)

"Resolve in Favor of Washington State Teachers' College." (S. P. 568) (L. D. 1500)

"Resolve in Favor of Aroostook State Teachers' College." (S. P. 569) (L. D. 1501)

"Resolve in Favor of Sebago State Park." (S. P. 570) (L. D. 1502)

"Resolve in Favor of School for the Deaf." (S. P. 571) (L. D. 1503)

"Resolve in Favor of Aroostook State Park." (S. P. 572) (L. D. 1504)

"Resolve in Favor of Bangor State Hospital." (S. P. 573) (L. D. 1505)

"Resolve in Favor of Reformatory for Men." (S. P. 574) (L. D. 1506)

"Resolve in Favor of the Department of Public Buildings." (S. P. 575) (L. D. 1507)

"Resolve in Favor of Farmington State Teachers' College." (S. P. 576) (L. D. 1508)

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

Sent down for concurrence.

Bill "An Act to Clarify Insurance of Harness Horse Racing Licenses." (S. P. 272) (L. D. 764)

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate, I am going to move that this bill be indefinitely postponed and in support of that motion I would like to make a few remarks.

This bill is in direct reference to a bill passed in the 94th legislature. The bill has been in effect for four years. The law has hurt no one, and no one has been particularly affected by it. I believe the law has been a definite help to harness racing. I would like to take back a few years, when the only harness racing in northeast part of this country was done on the fair tracks. That was the only type of harness racing that was available and the harness horses followed these race tracks. Now I have nothing against the fairs. I have no objection to the fairs in any way, shape or manner, but I am suspicious of the source and motive behind this bill.

For a good many years, the fair tracks were the only tracks that had racing and those tracks were narrow, with poor surface, not graded well and the stabling facilities were inadequate. Many of the stables had no floors, the roofs were leaky. In some cases the harness horses were stabled in tents, cattle-sheds and the like and it all contributed to very poor conditions, and did not attract the better type of harness horses to the State of Maine. Nothing was done to improve the tracks or conditions and they were not conducive to good harness racing.

A few years ago some tracks in New York started the so-called long meet. They built adequate

stabling facilities to. They took care of the public, put in sanitary toilets, restaurants and so forth. They built stable facilities to take care of a number of horses so that they would not have to be transported from one track to another. Then Roosevelt Raceway entered into the so-called long meet and then the Foxboro Track in Massachusetts next inaugurated the same program and as a result, the harness horses were leaving the State of Maine in droves. They went to the tracks where there were facilities conducive to good racing, and the purses were better.

To counteract this loss of the better stables in Maine, this law was passed by the 94th legislature. There was no intention of putting any member of the racing commission or the commission itself on the spot, so they would have to do anything contrary to the law. Rather it was to protect the commission and the public in general. Remember there is great responsibility on the holder of the license to race these so-called long meets. He must have a track where a sufficient number of horses can start, so that it will be equal. A good many of the smaller tracks, forty to fifty feet wide, can start five horses in front and three in back. It wasn't conducive to good racing and it opened up the so-called cheating. This bill calls for room enough for eight horses to start abreast. It also calls for adequate stable facilities. It calls for sanitary conditions around the tracks. A good many of the tracks of a few years back did not even have running water, and the toilet facilities were very poor. You cannot have such conditions under this bill that was passed by the 94th legislature. A track must qualify in order to get the license. I would like to ask how are you going to improve harness racing in the State of Maine and save the sport that was born in Maine and which was leaving Maine because the tracks in Maine were not on an even basis with tracks outside the state.

This bill was an attempt to meet on an even footing, the competition outside of Maine. This bill calls for a purse that would be comparable with purses paid outside the state.

Now as for these words "shall" and "may". I claim that the word "shall" protects the public and private enterprise at the same time, because it prevents the commission from granting a license to anyone that is not qualified. All must meet the same standards set up by law. If anyone is going to invest for the protection of the public, and the horsemen, and the horse owners, the amount of money necessary in order to apply for the license, he should be granted that license. It is only the track that does qualify that can have the license.

At the present time just one track in the State of Maine has met the qualifications. The law has as yet hurt no one. I can see no reason for a change in this law, therefore, Mr. President, I move the indefinite postponement of this bill.

Mr. FULLER of Oxford: Mr. President and members of the Senate, this change from "shall" to "may" is in the minds of the representatives of our agricultural fair associations, a step in what is hoped might afford a slight measure of protection to the fairs which operate during the same period of year which are granted by the harness racing commission for their long racing meets. Yesterday in debate it appeared that it was rather an innocuous bill and perhaps unnecessary. It does appear that with the "may" provision it would be possible, not probable but possible, that the commission in case of a direct competition of a long meet, might in its wisdom consider the position of the fair associations, and that, insofar as I understand is the purpose of the bill. If overnight some more serious complications have appeared, it is beyond my wisdom to see them, but it is a fair association bill and its purpose is to try to get a measure of protection for those organizations which we understood were to be benefited by the original creation of the pari mutuel betting law. That seems to be coming more and more a fable. I don't believe we should forget in all of our enthusiasm for harness racing, I don't believe we should forget that agriculture is one of our fundamental industries, a very essential one that all fair associations as originally

set up were for the purpose of promoting this industry, create an incentive for improvement and that we should be careful about continuing to emphasize the harness racing situation to the detriment of the fair association. I hope that the motion to indefinitely postpone does not prevail.

Mr. SINCLAIR: Mr. President, this is the fair association bill. I will accept that, but I am very definitely suspicious of the source, because along with this bill there was another bill that was tabled yesterday which if you will remember very carefully you will see, would do away with all harness racing and will not allow any from August 1 to October 20. Nobody can do anything except while we are running the fairs. Now I don't want to talk about another bill, but there was another bill this morning where the fairs were asking one-half percent out of the public, not out of the associations. The harness racing in the State of Maine does contribute one-half percent and has always contributed it toward the fairs. The runners have never contributed anything. Now there is this bill to take one-half percent out of everybody and give it to the fairs, but the one-half percent did not come from the fairs, it came out of the public.

In regard to this bill on racing, the fairs are interested in horse racing. To what extent are they interested in horse racing? The Senator from Oxford, Senator Fuller, has stated the importance of the agricultural fairs and I am all for the agricultural fairs, but just why is it that racing becomes so very important to an agricultural fair? Over the years, they have been trying to develop agriculture. I can remember going to these fairs and they had pumpkins and pies and jellies and everything else. I have worked with both the fairs and the race tracks and I feel that the fairs have done very little to contribute to or protect their own interests, if harness racing is their desire. If you have a track located in Roosevelt Raceway, that is going to attract the horses out of the State of Maine. If you have a track in the State of Maine there are going to be more horses available for the fairs in Maine than if the good

tracks are in Massachusetts or New York.

Mr. President I ask for a division when the vote is taken.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Sinclair, to indefinitely postpone the bill.

A division of the Senate was had. Nineteen having voted in the affirmative and nine opposed, the motion to indefinitely postpone prevailed.

Sent down for concurrence.

Enactors (Tabled)

On motion by Mr. Collins of Aroostook, the following bills and resolves were laid upon the table pending passage to be enacted of the bills, and final passage of the resolves:

An Act Exempting Ships Stores from Maine Sales Tax (H. P. 17) (L. D. 11)

An Act Relating to Salaries and Travel of Superintendents of Schools (H. P. 325) (L. D. 393)

An Act Relating to Building Committee on Eastern States Exposition (H. P. 628) (L. D. 652)

An Act Relating to the Salary of the County Attorney of Aroostook County (H. P. 691) (L. D. 726)

An Act Relating to Malt Liquor License Fees in Unorganized Territory (H. P. 982) (L. D. 1070)

An Act Relating to the Taking of Alewives in the Town of Gouldsboro (H. P. 998) (L. D. 1085)

An Act Increasing Salaries of County Officers of Somerset County (H. P. 1118) (L. D. 1252)

An Act to Amend the Sales and Use Tax Law Relative to Packaging and Shipping Materials (H. P. 1232) (L. D. 1426)

Resolve Appropriating Money for the Purchase of "The Length and Breadth of Maine" (H. P. 313) (L. D. 385)

Resolve in favor of Robert E. Towle of Portland (H. P. 795) (L. D. 1392)

Resolve Reimbursing Certain Taxpayers in Indian Township (H. P. 1165) (L. D. 1320)

Resolve in Favor of Presque Isle Armory Project (S. P. 121) (L. D. 330)

Resolve in favor of the Maine Historical Society (S. P. 122) (L. D. 331)

Resolve for a Recess Committee to Study All Phases of the Maine State Retirement System and Related Titles of the Social Security Act (S. P. 454) (L. D. 1264)

An Act Relating to Number of Justices of Superior Court (S. P. 402) (L. D. 1117)

An Act Relating to Salaries of County Officers in Androscoggin County (S. P. 444) (L. D. 1153)

Resolve, Providing for the Printing of Maine Pollen Survey (S. P. 478) (L. D. 1333) (Emergency Measure)

Enactors (Tabled)

An Act Relating to Following Motor Vehicles (H. P. 1006) (L. D. 1092)

(On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.)

An Act Relating to Expenses of Aids Employed by Sheriff in Criminal Cases (H. P. 948) (L. D. 1002)

(On motion by Mr. Ward of Penobscot, tabled pending passage to be enacted.)

An Act to Provide for the Approval of Degree Granting Institutions (S. P. 464) (L. D. 1299)

(On motion by Mr. Squire of Kennebec, tabled pending passage to be enacted.)

An Act Permitting Reassignment of Justice in Equity Matters (S. P. 484) (L. D. 1342)

(On motion by Mr. Chapman of Cumberland, tabled pending passage to be enacted.)

Enactors

The following bills were passed to be enacted, and the resolves were finally passed:

An Act relating to the Marking of Moosehead Trail (H. P. 26) (L. D. 20)

An Act relating to the Appointment of Guardians and Conservators for Adults (H. P. 69) (L. D. 65)

An Act relating to Appointment of Trustee in Voluntary Trusts (H. P. 70) (L. D. 66)

An Act to Enlarge the Old Town Game Preserve and to Create the Orono Game Preserve (H. P. 95) (L. D. 97)

An Act relating to Work Permits for Minors (H. P. 107) (L. D. 109)

An Act Clarifying the Boxing Law (H. P. 110) (L. D. 112)

An Act relating to Accident Insurance for Boxers (H. P. 112) (L. D. 114)

An Act relating to Appeals from Probate Courts (H. P. 177) (L. D. 172)

An Act relating to Salaries of Judge and Clerk, Clerk Hire, and Payment of Expenses of the Municipal Court of the City of Auburn (H. P. 196) (L. D. 207)

An Act to Abolish the Polling Place in Rockwood in Somerset County (H. P. 243) (L. D. 224)

An Act relating to Throwing Substances on Highways Likely to Cause Fires (H. P. 274) (L. D. 261)

An Act relating to Permits for Moving Heavy Objects Over Highways (H. P. 288) (L. D. 273)

An Act Amending the Charter of the Town of North Yarmouth School District (H. P. 345) (L. D. 363)

An Act relating to the Airport Commission of the Town of Sanford (H. P. 347) (L. D. 362)

An Act relative to Closed Season on Pheasants in Penobscot County (H. P. 408) (L. D. 457)

An Act Creating a Board of Examiners of Psychologists (H. P. 432) (L. D. 479)

An Act Revising the Charter of the Bangor Municipal Court (H. P. 521) (L. D. 557)

An Act relating to Structures Used by Spectators in Motorcycle Racing (H. P. 527) (L. D. 565)

An Act to Ratify and Confirm the Incorporation of Servantes du Coeur Immaculé de Marie, in York County (H. P. 529) (L. D. 566)

An Act to Authorize the Town of Brunswick to Provide for the Collection and Disposal of Garbage and Rubbish (H. P. 532) (L. D. 569)

An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions (H. P. 533) (L. D. 555)

An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties (H. P. 534) (L. D. 580)

An Act Amending the Charter of the City of Bangor Relative to Change in Election Date and Budget Calendar (H. P. 535) (L. D. 581)

An Act to Amend the Charter of the City of Hallowell Relating to the Election of the City Marshal and Street Commissioner by the City Council (H. P. 537) (L. D. 570)

An Act Increasing Salaries of County Officers in Aroostook County (H. P. 610) (L. D. 609)

An Act relating to Disposal of Unlicensed Dogs (H. P. 666) (L. D. 709)

An Act relating to Unlicensed Dogs (H. P. 668) (L. D. 711)

An Act relating to Motion Picture Operators (H. P. 670) (L. D. 713)

An Act relating to Manufacture of Non-Alcoholic Beverages (H. P. 712) (L. D. 736)

An Act relating to Procedure by Savings Banks When Original Book of Deposit Lost (H. P. 791) (L. D. 845)

An Act relating to the Adoption of Persons (H. P. 825) (L. D. 856)

An Act relating to Fees of Plumbers (H. P. 834) (L. D. 864)

An Act Amending the Charter of the People's Ferry Company (H. P. 835) (L. D. 874)

An Act Granting Powers to the Franciscan Fathers of Maine (H. P. 836) (L. D. 875)

An Act to Increase the Salaries of the Judge and Recorder of the Northern Aroostook Municipal Court (H. P. 862) (L. D. 955)

An Act to Increase the Salary of the Judge of the Van Buren Municipal Court (H. P. 863) (L. D. 935)

An Act to Increase the Salaries of the Judge and Recorder of the Piscataquis Municipal Court (H. P. 870) (L. D. 941)

An Act Amending the Town of Strong School District (H. P. 932) (L. D. 1026)

An Act relating to Duties of the Liquor Commission (H. P. 937) (L. D. 997)

An Act relating to Annual Meeting of Cousins and Littlejohns Islands Village Corporation (H. P. 978) (L. D. 1066)

An Act relating to Special Town Meetings in Town of Fairfield (H. P. 979) (L. D. 1067)

An Act relating to Pensions for Firemen of the City of Bangor (H. P. 980) (L. D. 1068)

An Act relating to the Salaries of Various Officers in Waldo County (H. P. 999) (L. D. 1086)

An Act relating to Payment of Blood Tests in Certain Motor Vehicle Cases (H. P. 1003) (L. D. 1090)

An Act relating to Signs Yielding Right of Way at Intersections (H. P. 1005) (L. D. 1048)

An Act relating to Facsimile Signatures Upon Corporate Obligations (H. P. 1015) (L. D. 1136)

An Act relating to Uniform Reciprocal Enforcement of Support Act (H. P. 1023) (L. D. 1142)

An Act relating to Fines and Costs for Violation of Truck Weight Laws (H. P. 1050) (L. D. 1191)

An Act relating to the Sale of Liquor on May Thirtieth (H. P. 1056) (L. D. 1171)

An Act relating to Licensed Small Loan Agencies (H. P. 1078) (L. D. 1245)

An Act relating to Apportionment to Towns for State Aid Roads (H. P. 1084) (L. D. 1219)

An Act to Grant a Charter to the City of Brunswick (H. P. 1104) (L. D. 1236)

An Act relating to Organization of the Maine Sardine Tax Committee (H. P. 1114) (L. D. 1257)

An Act relating to Penalties for Liquor Law Violations (H. P. 1131) (L. D. 1281)

An Act relating to Permits for Moving Heavy Objects and Loads Over Highways (H. P. 1233) (L. D. 1427)

An Act relating to Local Health Officers (H. P. 1241) (L. D. 1442)

Resolve in favor of the Town of Benedicta (H. P. 318) (L. D. 352)

Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 647) (L. D. 662)

Resolve Regulating Fishing in Flagstaff Lake (H. P. 736) (L. D. 753)

Resolve in favor of Fred E. Shapleigh of Lebanon (H. P. 1081) (L. D. 1389)

Resolve in favor of the Town of New Limerick (H. P. 1086) (L. D. 1221)

Resolve Authorizing State Highway Commission to Study Desirability of New Transportation Facilities Across Jonesport Reach from Town of Jonesport to Town of Beals (H. P. 1237) (L. D. 1430)

Resolve in favor of the Town of LaGrange (H. P. 1242) (L. D. 1444)

An Act to Ratify and Confirm the Incorporation of Berwick Monthly Meeting of Friends (S. P. 27) (L. D. 15)

An Act relating to Liens on Certain Personal Property (S. P. 43) (L. D. 56)

An Act relating to Dogs Attacking Domestic Animals or Fowl (S. P. 69) (L. D. 153)

An Act relating to Power of Leavitt Institute to Hold Property (S. P. 86) (L. D. 194)

An Act relating to the Powers of the Maine Turnpike Authority (S. P. 127) (L. D. 336)

An Act Creating the Department of Finance and Administration (S. P. 159) (L. D. 407)

An Act Providing for Maintenance of a Road on the North End of Baxter State Park (S. P. 202) (L. D. 538)

An Act relating to Legal Voters of Farmington Village Corporation (S. P. 207) (L. D. 545)

An Act to Create the Washington County Recreation Authority (S. P. 208) (L. D. 558)

An Act relating to Court Holidays (S. P. 253) (L. D. 676)

An Act Repealing Certain Laws relating to Teams Under Motor Vehicle Laws (S. P. 270) (L. D. 957)

An Act Creating Colby College Game Management Area (S. P. 298) (L. D. 830)

An Act relating to Pauper Settlement of Parents of Children Receiving Aid to Dependent Children (S. P. 299) (L. D. 915)

An Act Amending the Charter of the Maine School for the Deaf (S. P. 319) (L. D. 807)

An Act relating to Regulation of Posts and Wires (S. P. 325) (L. D. 815)

An Act Amending the Charter of the Waterville Sewerage District (S. P. 326) (L. D. 927)

Resolve in favor of the City of Belfast (S. P. 397) (L. D. 1105)

Bill "An Act to Amend the Charter of Aroostook Valley Railroad Company." (S. P. 328) (L. D. 816)

Bill "An Act Relating to the Revocation of an Insurance Agent's License." (S. P. 369) (L. D. 1935)

Bill "An Act Relating to Sale of Ammunition to Minors." (S. P. 375) (L. D. 1038)

Bill "An Act Clarifying the Law Relating to Registration of Voters." (S. P. 408) (L. D. 1111)

Bill "An Act Relating to Regrouping of Towns in Supervisory Unions." (S. P. 436) (L. D. 1204)

Bill "An Act to Clarify the Liquor Laws." (S. P. 439) (L. D. 1207)

Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities." (S. P. 482) (L. D. 1341)

Bill "An Act Relating to Licensing Auctions and Auctioneers." (S. P. 499) (L. D. 1374)

Bill "An Act Relating to Salary of Judge and Fees Paid to Waterville Municipal Court." (S. P. 500) (L. D. 1375)

Bill "An Act Relating to Renewal of Certificates by Certain Teachers." (S. P. 511) (L. D. 1398)

Bill "An Act Relating to Dispositions of Liquor Seized or Forfeited." (S. P. 513) (L. D. 1399)

Bill "An Act Relating to Driving a Motor Vehicle While License Suspended or Revoked." (S. P. 522) (L. D. 1421)

Bill "An Act Relating to Special Registration Plates for Amputee Veterans." (S. P. 525) (L. D. 1417)

Bill "An Act Relating to Return of Number of Registered Voters in Elections." (S. P. 531) (L. D. 1435)

Bill "An Act Relating to Return of Party Enrollments in Primary Elections." (S. P. 532) (L. D. 1436)

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

Emergency Measures

Bill "An Act Relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol, Nobleboro and Waldoboro." (S. P. 516) (L. D. 1405)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

Bill "An Act to Incorporate the Town of Poland School District." (H. P. 33) (L. D. 27)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

Bill "An Act Relating to Civil Defense." (H. P. 556) (L. D. 536)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

Bill "An Act to Increase the Borrowing Power of the Town of Her-

mon School District." (H. P. 837) (L. D. 876)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

Bill "An Act Relating to the Town of Hampden School District." (H. P. 838) (L. D. 877)

Which bill being an emergency measure and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

"Resolve, Reapportioning Certain Moneys Appropriated for Reformatory for Women." (H. P. 1125) (L. D. 1278)

Which resolve being an emergency measure, and having received the affirmative vote of 29 members of the Senate, was finally passed.

Constitutional Amendments

"Resolve, Proposing an Amendment to the Constitution to Liberalize of Municipal Indebtedness." (S. P. 313) (L. D. 912)

Which resolve being a Constitutional Amendment, and having received the affirmative vote of 29 members of the Senate was finally passed.

Orders of the Day

On motion of Mr. CUMMINGS of Sagadahoc, the Senate voted to take from the table bill, An Act Relating to the Sales Tax on Motor Vehicles (S. P. 509) (L. D. 1388), tabled by that Senator on April 23rd, pending passage to be enacted as amended.

Mr. CUMMINGS of Sagadahoc: Mr. President, I move the pending question.

The PRESIDENT: The Senator from Sagadahoc, Senator Cummings, moves that out of order and under suspension of the rules, bill, An Act Relating to the Sales Tax on Motor Vehicles be passed to be enacted as amended.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, under our rules, as the Chair has indicated to you, it is necessary that the rules be suspended, which requires a two-thirds vote of the Senate. I am going to vote for the motion to suspend the rules. I think that to speak against the motion to suspend the rules would

be eminently unfair. I doubt that two-thirds of the members present would vote for the motion if they were desirous of using stalling tactics. I do not have that desire and I think that the entire procedure of the legislature will be expedited if by tacit agreement we understand that we are voting on the main issues without the collateral suspension of the rules, and that I think is fair and right. So with those comments I will speak very briefly on the merits of the main issue.

In speaking on the merits of the main issue I would first make it clear that I have no thought of having anyone think that I express the thoughts of the Governor. Again in all fairness, the Governor has indicated in his campaign speeches that he would recommend to the legislature the passage of a bill such as we have before us this morning. I would make it clear, however, that with respect to the Republican platform, the platform itself as indicated by the resolution adopted at the Republican convention made no reference whatsoever to a motor vehicle tax law as such and the recommendations were limited to those measures seeking simplification and ease of administration. These preliminary remarks are made so there will be no misunderstanding that I am attempting to sail under false colors.

Now, to the merits of the proposition. I doubt if anything that is said in this debate this morning will change a single vote but I do think the record ought to show at least the reason for those of us who will probably vote against the enactment motion, and with respect to my own conviction the reasons are these: This is a major source of general fund revenue and amounts to some eight or nine percent of total sales tax revenue. I believe that in the estimates of general fund revenue for the next biennium those revenues have been established at a level that will not be exceeded. In other words, I believe they are fairly established so that a reestablishment of general fund revenue must be met and we must acknowledge the reduction effected by this bill. I won't quarrel with the proponents with relation to the

figures, whether it is nine hundred thousand or a million. If they insist it is nine hundred thousand I will agree. If they say the original bill plus the farm tractor provision increases that, I won't quarrel with that. So again, trying to be fair, let us use the figure of nine hundred thousand which the proponents can correct if it is incorrectly stated and let us consider and be willing to accept the impact of this nine hundred thousand to a million cut in the appropriation measure. I don't believe that the ten members of the Appropriations Committee has all the wisdom in this legislature, and should be all-powerful in determining where those cuts should be made, but I do believe that in taking a million dollars a year out of the appropriation measure the legislature will arrive at a schedule somewhere near the one we have submitted to you in an informal memorandum on April 14th.

Since we must face that problem if this bill has passage, I am one who believes that the desire to give the automobile dealers a million dollars in revenue is not sufficiently compelling to permit me to believe that that desire equals my desire to grant those things in state services which final million dollars would provide.

Now, at the expense of confusing you with figures, we have got to take into account two things and each of those two things relates to the appropriation measure and the accompanying legislative documents. No one certainly knows how many of the legislative documents calling for a new spending are going to have passage. I don't think the elderly teachers in the fourth category present a tear-jerker. I don't think the increased salaries to the legislature, because that is close to each and every one of us. Let us not talk about bookmobiles and nursing training, the study of the aged or whatever the procedure is in that spending bill, but if we cut down to a couple of hundred thousand dollars these miscellaneous L. D.'s that the Senator from Aroostook, Senator Collins, is piling up in some volume on our calendar, we still have to take about seven hundred thousand dollars out of the appropriation measure. One of the

easiest ways to do that would be to take it out of the subsidies of cities and towns for educational aid because if we do it there the service would probably be performed by the municipalities, however, I believe that would be unfair and I think we ought to take as little possible, from that.

Then your next largest spending department, of course, is institutions. Anything you do there must of necessity come out of either food or tenants wages. I will agree thoroughly that we can take it out of food. Personally I don't like to do it. I don't think that the standard of living at those institutions is at such a level that it is a great pride and joy to anyone. We then come to the Department of Health and Welfare and I have no doubt that there are many in this legislature who believe that a very substantial part of this million dollars could be taken out of that department, and I am one who believes it can, but I don't look forward with great pleasure to the impact on recipients, particularly since the three major spending departments are matching funds where each dollar we withhold from the Health and Welfare means \$213.00 to the recipient. Whatever we take from the committed children's program will come out of the board rates we can pay. Whatever we take out of the general relief will come out of the cities and towns.

Now it has been the general comment that the appropriations committee went just a little bit wild in bringing out this appropriation measure. I would ask you please not to believe that. I would ask you to accept with some truthfulness the fact that at least in my vote in that committee I tried to be reasonable, fair and consistent. I tried to follow reasonably good principles. I tried to vote with my head and not my heart, and I just have the feeling that when I weigh the million dollar bill relating to the automobile dealers and the collateral effect it will have on the people of Maine—and I doubt if there is a single dealer in Maine who would face the question that all of that would go to the dealers—it seems to me that with that

same group as municipal taxpayers in their communities if cuts are reflected back on municipal costs they will suffer far more by the cuts in service than they will by a change in the tax law that lets me, when I buy my car or when corporations, when they buy motor vehicles be given another grant from the State of Maine.

I think the position of the appropriation measure is correct. I just ask that there be understanding and willingness from those who wish the million dollar cut, to participate in fair, logical, objective debate in determining where the cuts shall be made and I predict it will be a difficult job. I predict that after we go home and consider it and say to ourselves, "I thought I committed myself to the automobile dealers but to make good that commitment I certainly had to cut pretty deep into those things which are pretty essential to the State of Maine."

Mr. President, I hope with the comments I have made indicate that at least one member of those who oppose it, will acknowledge the suspension of the rules.

Mr. CUMMINGS of Sagadahoc: Mr President and members of the Senate, I am sincerely and deeply moved by the expressed attitude of our honored member, the Senator from Penobscot, Senator Haskell. I realize that he is deeply and sincerely motivated by the highest ethical principles, in his stand. No one could ever question that. I feel the same might be true of some other members of the appropriation committee, and when I say that I don't mean to say there are some that are not motivated by that high principle. Unfortunately in this world there are times when the best of wishes and the best of principles must be stretched like and elastic and we will never agree among ourselves exactly how far to stretch the elastic. That is the proposition we are facing this morning.

I am deeply and humbly moved, however, by the fairness expressed. Inevitably in extending one's remarks one is forced to make a few remarks which might be subjected to question. I believe that this is not a bill designed to relieve the

automobile dealers of the State of Maine of paying a million dollars. I believe you will concede that that is true. Some of you may have paid a sales tax on an automobile. I submit to you, did you pay it or did your dealer pay it? This is a tax bill on the public. Let us carry that thought just a slight bit further. If we are taxing dealers I submit the question to you, should we? Is it your intent, or was it the intent of the last legislature, to tax the automobile dealers of the State of Maine a million dollars? I don't believe it was. If it wasn't the intent to tax the automobile dealers then what was the intent? I believe obviously the intent was to tax the public under a sales tax law then if we are taxing the public that's the way it should be. Now the good Senator from Penobscot, Senator Haskell, has brought out some very sensitive questions in his remarks and I believe they are pertinent questions but I submit to you that after reading this morning's paper and after our action of yesterday in which we spent seven or eight million dollars for buildings, for parks, should we spend it for those items or should we feed the people in those institutions if they aren't going to be properly fed?

In short, I submit, how can we do those things, spend millions of dollars for certain capital improvement because we technically have the money in our surplus and on the other hand bemoaning that feeling badly because we are going to insinuate that certain of our mentally handicapped people or other people are going to go hungry? It seems to me if I were on the Appropriations Committee I would feel myself in rather an unusual spot, if I had to make that momentous decision. Maybe I am wrong in that approach but it is on my mind.

I am not going to speak at length on the automobile paying public's ability to pay but I would just let you go through a short journey mentally with me at this time. The automobile paying public is paying one-third, practically, of the price of an automobile directly in the price to the Federal government in the form of excise taxes and other forms of taxes. If you put a

heater in your automobile you send to the Federal government upwards to \$10. as an excise tax, simply because you have a heater in your automobile to keep you warm in the State of Maine. We don't tax heaters in homes and I almost believe that we must change the old saying that a man's home is his castle, and perhaps say that a man's car is his castle. I am trying to make the point that the automobile paying public is well paying the Federal government.

But that isn't all. Then they pay an excise tax to the local government and on top of that excise tax before you can register your car you must pay your poll tax. In other words, the automobile public is being used as a lever to collect an extraneous tax, and probably so. Again, is the automobile public paying its full share? But that isn't all. Then the automobile paying public is asked to pay another group of items which for the moment I am going to lump as registration, gasoline taxes, etc. Now this is an interesting statement I am about to make. The entire sales tax of the State of Maine is now, for the sake of argument we will say, pushing the thirteen million dollar mark. Do you realize that this time of registration and gasoline taxes that the automobile is paying amounts to double the entire sales tax take of the State of Maine, twenty-six million plus?

In other words, on top of the taxes I have already referred to the automobile paying public is paying double the entire sales tax of the State of Maine. And that isn't all. Of course, that money is allocated to highways but if you want to drive from Portland to Boston in safety with ease, you pay \$1.20 for the privilege of driving to Boston and you pay the gas tax and other taxes I have already referred to. But that isn't all. On top of that we come to the automobile sales tax. There still is a slight bit of misunderstanding in the public mind about the actual tax but let me say that under the present method of collecting the sales tax the average automobile sales taxpayer is paying what amounts upwards to four percent

sales tax or upwards to double the sales tax that any other industry, clothing or what have you is paying. Now my proposition is simply this. I think I would have a good argument for demanding the complete exemption of the automobile paying public from paying any sales tax but indifference to the thinking of the good Senator from Penobscot, Senator Haskell, the automobile paying public of Maine is still willing to pay a sales tax of two percent on every dollar of automobile sales in the State of Maine. We are willing to assume that burden on top of the other burdens I have enumerated.

I submit to you, are we being fair or more than fair? The Appropriations Committee has given this matter considerable thought and I want you to remember as you vote that the other Body has discussed this issue even perhaps more than we have and we certainly have discussed it sufficiently. I would like to call your attention to the fact that the other Body in the last vote, that the members of the Appropriations Committee in the other Body unaniously —

The PRESIDENT: The Chair regrets the necessity of ruling that reference to actions taken in the other Body cannot be made in debate in the Senate.

Mr. CUMMINGS: I stand corrected, Mr. President, so I will proceed that I think the tax paying public has been more than fair. I believe that if this tax is unfair it should be corrected. If we need money for other expenses of the State I believe we must cut down our expenditures or levy proper taxes.

In closing, I urge you to vote under suspension of the rules to have the automobile paying public pay only a two percent tax on the dollars that they spend so that the State of Maine will collect the two percent sales tax from the automobile paying public the same as they do from any other industry. Thank you.

Mr. HASKELL: Mr. President and members of the Senate, I will speak very briefly to correct one thought with relation to the unappropriated surplus and that is the thought that that unappropriated

surplus in the general fund is properly an item with which to pay operating expenses. I am very thankful that it has been the policy of the State of Maine that operating income and operating expense shall be kept in balance and such sums as exist in unappropriated surplus of general funds shall be the sole source of capital expenditures in Maine. And I would also point out that the reason we had the first six million of that is the deliberate decision of the legislature to levy the property tax on the cities and towns for one year concurrently with the sales tax in order to build up that reserve so that this legislature could attempt to catch up on capital expenditures and the fact is that we had long gone by the time when some of those capital expenditures were necessary.

I know that. The Senator from Sagadahoc, Senator Cummings, and the Senator from Aroostook, Senator Collins, won't be as bad as I am in this debate but please let us not attempt to convert state finance policies by getting the unappropriated fund into the solution of the loss of revenue or using it to support expenditures. That, I hope you will agree with.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, I feel that my thinking will have to go along with the stand of our majority floor leader. All the things that the Senator from Sagadahoc said about the automobile taxes no doubt are true but this fact remains, we all have them. Now I suspect, in fact I think it is going to be true that, if you take a million dollars out of income and where is it going to hurt the most? The other day I noticed on my desk a summing up of what we would have to suffer from that. Where was most of the money coming from? Out of the school subsidy program. They estimated two hundred thousand dollars each year. The biggest gripe I have gotten from my town in this legislature has been about the school subsidy program.

I am not going to vote to take four hundred thousand dollars more out of it. And I suspect that is exactly what is going to happen if

you take a million dollars out of our income. I think we should go along as we are. I think we should catch up with things which we have neglected in the past years such as our institutions and perhaps the state office building and other things of that nature. And in a couple of years from now perhaps we would be able to straighten this thing out. But let's not prevent it from going back to our cities and towns for the education of the children, which is exactly what is going to happen. Let's leave it as it is for a couple of years.

Mr. COLLINS of Aroostook: Mr. President, speaking on the issue of the tax I simply want to supplement the remarks of the Senator from Penobscot, Senator Haskell, particularly in relation to what he said in regard to the unappropriated surplus. We certainly must not confuse the issue in that regard. What we are looking for in our appropriation measure from the general funds is the revenue that will come from tax sources during the next two years. We cannot, in my opinion, with any fairness dip into that surplus which has been accumulated and for which there are specific purpose and uses.

I haven't heard too much comment from the people who buy cars. I have had a dealer approach me and say that he would like to see the net sales tax passed but in all fairness I can say that during this session of the legislature individuals as such, car owners, people who are buying cars have not approached me to say, "put the thing on the net sales basis." I grant you we would all like it, it is a nice thing to have. But I think the essential thing to remember is the fact that if we do it we certainly must cut our appropriations. If you are willing to do that, then of course, the thing can be done but, just as the Senator from Hancock has said, it means some cuts in all of the phases of the appropriations bill. I think it is a simple thing to decide. We must decide whether we should cut our bills or whether we should pass this measure.

Mr. BROGG of York: Mr. President and members of the Senate, many general conclusions have been

mentioned this morning on general aspects of this tax, but I would like to take a moment to mention a specific one from an unsolicited letter I received in my morning's mail. I repeat, it was unsolicited. I don't know the lady who wrote it. It is addressed from 12 Park Avenue in Saco: "Assuming that you will be interested in the discussion of bill L. D. 77 to increase the pensions of older retired teachers, I would like to present a few facts. After graduating from Thornton Academy and Gorham Normal School I taught for seven years in Mass., then, beginning in 1903, served in Saco for 30 years. For a period of eight or nine years or thereabouts I received less than \$500 per year. My case is typical. One could not lay by much for old age with that income but I tried to save a little every year. I never received more than a thousand, and if my memory serves me right did not quite attain that."

I am not going to read all of the letter. She goes on to say that she had surgery to her eyes. She is eighty-one years of age. Surgery and medical expenses have cost her \$400 last year which was half of her teaching pension, leaving her about \$8.00 per week income for living expenses. She goes on to say, "I do not expect you to be interested in my case, but have used it as a sample of what we are up against. Respectfully yours, Ina A. Dennett."

The Senator from Penobscot, Senator Haskell, has mentioned that we not only have the cutting back in the appropriation package of seven hundred thousand but that approximately only two hundred thousand dollars would be left for L.D.'s. The L.D. that involves the elderly teachers pension amounts to \$290,000, more than the total amount left to apply to all other L.D.'s. And as a consequence the elderly teachers pension could not be picked up. My conscience will not permit me to leave this legislature with a seven hundred thousand dollar cut-back in the appropriation package plus the loss of various worthy expenditures, among them the one I have made reference to in my remarks this morning. I sincerely

hope the legislature will not enact this measure because I believe the benefits that will accrue will not measure up in any degree to the damage it will do to our services to the State of Maine.

Mr. CUMMINGS of Sagadahoc: Mr. President and members of the Senate, I feel deeply with the good Senator from Hancock, Senator Dunham, and his reluctance to deal lightly with the question of a million dollars. I did not mean to insinuate that we were going to spend surplus or that we should spend surplus. I have no quarrel with the bookkeeping system of this state. But I also say that if it is true that certain people in institutions are going to go hungry I might be prevailed upon to confuse the bookkeeping system of this state, that is all. I don't want to and I don't intend to. Many of you will remember better than I what the situation was two years ago, how critical it was said to be. We needed this sales tax and as soon as we got it our troubles were over. The sales tax was assumed to provide a certain amount and today we find it is substantially over that amount but today we can't afford to make the major correction in that piece of legislation passed two years ago. I do not believe that. I believe we can afford to make the major corrections of grievances in the original sales tax bill, which was the automobile sales tax. Many people who voted for the sales tax bill understood that the bill was to provide for a sales tax only on the net amount of the automobile sales.

Since that time we have increased our revenue by some thirteen million dollars and today we hear that we cannot afford any cut in revenue although in two years we have progressed at the rate of thirteen million dollars. I hope you will remember when you vote on this exemption measure that the automobile paying public should not be taxed at some other rate than any other business and I hope you will remember that if this measure passes the State of Maine will still have well over two million dollars more to spend than we are now comfortably and happily living under.

I do not believe that we are in want at the present time. Sure,

there will be cases of want. There always will be, even if we double the spending of the state. I think it is important to bear that in mind. And I hope you will also bear in mind that there are certain sources of revenue rising every day that will still further increase the revenue to the state through sales taxes. Remember that the number of automobiles being shipped into the state every day is twenty-five percent to a third greater than it has been this past two years under the sales tax law, that every time an automobile is shipped into Maine the sales tax take of this state will increase. Also remember that we have other articles coming on the market: television sets, for example. It is quite possible that in the next biennium the television business will produce close to or upward to a million dollars and may entirely offset this exemption bill. Do not be misled that we will not have greater increases in our sales tax revenue.

And we are going to have other revenue bills that will increase revenue. The racing business is going to increase revenue, the tourist trade is increasing, and there are other sources of revenue that will increase the take under the sales tax law. So, even though you believe that this economy measure will reduce revenue to the state by a million dollars, we will still have two million plus, more to spend than we are living under today.

Mr. WARD of Penobscot: Mr. President and members of the Senate, I shall vote against the enactment of this bill and I will vote against it because I believe it has been clearly shown that we cannot afford it. And if that were not true, before I would vote for a bill that would cut state revenue one million dollars it would seem to me that I would have to save some confidence that such a measure was justified. It seems to me also that the Senator from Sagadahoc, Senator Cummings, has answered a part of that, at least in connection with the automobile dealers, when he has just told you, as I understand it, that we are now selling thirty-three and one-third percent more new automobiles in the State of Maine than we did before the sales tax was enacted. It is my understand-

ing, from all automobile dealers I have talked with, that last year they had the best year they have ever had and in my area, at least, the dealers cannot get cars fast enough to supply the demand. So it does not seem to me that the sales tax has affected the automobile dealer financially in any way whatsoever.

I wish to point out to you that one of the arguments which has been advanced for the passage of this bill is that it amounts to double taxation, but I call your attention that this particular bill makes no reference whatever to a trade-in, to any trade-in, that a sales tax has been paid on. I ask you to bear in mind that this tax has only been in effect since the last session of the legislature and this is only those cars which have been sold since this law became effective that have paid a tax. We have a very large number of motor vehicles, farm machinery, and so forth, in the State of Maine now in existence upon which a tax has never been paid and this bill permits those people the extra bonus of whatever the value of the car is when they trade it in and buy a new automobile.

I mentioned very briefly the other day the proposition that in my opinion this bill, if it is enacted, may possibly be unconstitutional. I still maintain that is so. The Senator from Sagadahoc, Senator Cummings, says that the automobile dealers do not wish to pay, or have the people that do business with him, pay a greater rate of tax than anyone else. It is my opinion that the tax itself is assessed uniformly at two percent. If you pass this measure you are then putting the man who happens to be in the business of selling automobiles in a much more favorable position than the man who is selling other items of personal property. You are setting up two definitions of a retail sales, one definition of a retail sale very decidedly in favor of the automobile dealer as against the other dealer who may be dealing in television sets, radio sets and all the other items which are traded in, in the course of business.

I do not believe we have paid too much attention to the particular vehicle which we are passing to be

enacted but I would like to call your attention to the fact that it seems to me if this bill becomes a law we are going to put on our statute books a measure which is going to be extremely difficult for the paying public and it is going to be extremely difficult for the State Bureau of Taxation. The original new draft, L. D. 1388, provides that when one or more motor vehicles are traded in towards the sales price of another vehicle, the tax imposed by the provisions of this chapter shall be leveled only on the difference between the sales price of the purchased motor vehicle and the sales price to the purchaser for the motor vehicle traded in. If you will examine the substitute bill, which is filed under filing number 344, you will notice that the language is very radically changed and the language in that particular which is now the bill before us is that when one or more motor vehicles or farm tractor are traded in towards the sales price of another motor vehicle or farm tractor, the tax imposed by the provisions of this chapter shall be levied only upon the difference between the sale price of the purchased motor vehicle or farm tractor or tractors taken in trade. That is a different proposition entirely from the proposition which the amount of money which the dealer pays to the person who is trading the car in. As we all very well know, a dealer takes a car in on a trade, perhaps on an allowance of a thousand dollars and when you are going to determine what the sales price of that car is, I don't know. Perhaps when the sale is made. But in any event the car on which he is allowing a thousand dollars may be a sales price of eight hundred dollars or a sales price of fifteen hundred. I wonder just how the thing is going to work out.

I also call your attention to the amendment to the farm tractor proposition in which they describe a farm tractor as being any self-propelled vehicle designed and used primarily for a farm implement for drawing plows. I ask you, if a person from my town takes a tractor which has been designed primarily for use on a farm and takes that tractor to Bangor and trades it

in, how is the dealer in Bangor going to know whether or not that tractor, in addition to being designed for farm purposes, was primarily used by him as such? If I tell him that I have been using it primarily as a farm implement and if he allows me credit on it against the sales price and if it ultimately proves out that I did not use it as a farm tractor, who is stuck? Is the dealer stuck with the difference in sales price, does anybody pay it, am I fined, is the dealer punished, or is this going to be just another law we enact and then pay no attention to? If we do pay attention to it how much is it going to cost to enforce that little item in the bill?

As I said before, my opposition to the bill is the fact that I do not think we can afford it. Consequently, I would be opposed to this or any other bill unless it were across the board and used all retail dealers alike.

I hope that when you vote you will vote against the enactment of the measure.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, to me it seems that we are rehashing what we hashed and rehashed two years ago, four years ago, six years ago, and in fact twenty years ago, or ever since I have been in this legislature. Every time we have had an appropriation bill and cut it back someone has come up with a very forceful argument about what would happen to state government throughout the State of Maine. To the very best of my recollection, even in the years when we used anticipated profits, the State of Maine has always come out in the black. Of course, some departments were in the red but the over-all picture was in the black. I don't believe for one minute that this one million dollar exemption, so-called, on the automobile sales tax is going to bankrupt the State of Maine.

I want to take up a point that the majority floor leader seems to be very fussy about. That is the surplus fund. Let's go into that a little more. I will agree to what he has said that it could be used for capital expenditures but let's go a

little further and find out where that surplus comes from. I say to you, members of the Senate, that it comes from the fact that we over-taxed the people of the State of Maine for the purpose of getting those extra millions of dollars. It was done purposely and I say to you, and I want the opposition to explain it to me if I am wrong, that we can go along with the present budget and even if it is four million dollars more than the original budget I will prophesy we will come out in the black two years hence.

And what have I got to back that up? It is very simple. I have said in this Senate time and time again that on June 30, 1953, this state will have a balance or a surplus of about ten million dollars, not including that famous revolving fund of two million dollars. To me, it will be twelve million dollars cold cash.

Yesterday we were very liberal and big hearted. We spent almost nine million dollars. I didn't support any of those measures because I thought they weren't necessary but I do support this measure to save one million dollars to the people who use automobiles. I have used automobiles practically all my adult life and I am still using them. I need them, not for pleasure but for business, and if you took my automobile away from me through the fact that the taxes were too high, you might just as well cut my legs off. The result would be the same. I need those automobiles just as much as I need the water that we refused to tax the other day and the air that you tax in the carburetors of our cars, and the food that, thank God, you exempt.

One of the good Senators said that the tax was uniform. I can't go along with that. I had an automobile, a 1950 car, that wasn't taxed under the sales tax but when I traded it in for a 1952 car I had to pay almost five percent sales tax on the amount of money I spent in the change of automobiles. In plain figures, on a car at \$3,400 would have been paid \$1,500 to trade in had there been no sales tax, but I had to pay \$68 sales tax on top of that. I don't call that a two percent sales tax. I call it practically

a five percent sales tax, and I say it is unfair.

The Senator from Sagadahoc, Senator Cummings, says how much we pay in taxes for the privilege of using automobiles and I think there is a limit to what one group can pay. Two years ago we were sold on this sales tax—that is, I wasn't but everybody else was, and I was a member of the legislature that passed it—the legislature was sold on this sales tax because we were told that it would be a broad tax that would be fair and square and hit everybody alike, all on the same level. But I can't go along with that reasoning when it hits me for five percent on an automobile but two percent on any other taxable commodity that I buy in my construction business.

When we passed the sales tax — and I say “we” because, as I said, I was a member of the legislature that passed it — we anticipated eleven million dollars from it in revenue and that that would take care of all our needs for years to come. We would have no more financial troubles in the state. That sales tax, as far as I know, produced thirteen million dollars the first year, two million more than was anticipated. I believe this year it will still further increase and I am not a pessimist. I am not looking for a depression such as we had in 1932 and 1934.

I say to you, we haven't got to cut back the budget and if you do cut it back all you have got to cut it back is less than two percent and then you are still going to get three million dollars more than we had in 1951 and 1952, that you had given under the present budget to the departments. And what is wrong with that? You would cut off a little of the gravy to the departments of state and give a little bit of that gravy to John Q. Public.

I can't quite reconcile myself to the idea that the Republicans of Maine have become the Democrats now. I can remember in these halls of hearing moaning and groaning by the Republicans because the federal government, which was then democratic, all they had in their minds was “tax and spend.” Well, apparently the Republicans in the State of Maine have got around to it. They have on their minds, “tax

and spend," get all the money you can and be sure you get it soon because some day you might wake up and find out that people are going to change their minds about how they are going to vote.

That isn't a warning, nor a threat. I am trying to make a plain, fair statement of the facts. I am all for this bill. I am going to vote for it. I think it is the fair thing to do, the fair thing to use everybody alike. Everything else you buy as of today, everything else that is taxed, has a two percent sales tax. The automobile buyers already have a five percent sales tax and I suspect that next year they will probably have to pay another four or five percent. And I don't like the idea.

I also disagree very much with the new statements by the opposition that this is an automobile dealers bill. I think it is a John Q. Public bill. I believe most automobile dealers are honest. I believe they collect the tax from the public and turn it in to the State. I have heard remarks that they have connived and that they do this and that, but I don't believe it. There may be some few instances where there are those practices but as a general rule the automobile dealers are honest and play fair and square.

In the last two years we have raised ten million dollars in surplus and I will grant that that is more than came from the property tax but that still leaves four million over and above what we expected two years ago and I want to predict to this Body this morning that probably it will be just as large in the next two years so it will make another four million dollar surplus in the next two years.

Let's go along, pass this bill for the automobile buyers of the State of Maine and let's go over the appropriation bills in a careful manner and not hurt anybody. That is in my mind and is the way I shall vote unless someone can convince me otherwise.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, I like the optimistic picture of our income for the next two years, but there must be some reason in the mind of the Appropria-

tion Committee, some reason why my elderly teachers bill is on the table, calling for \$200 increase for these old people who now have reached the age where they have to spend out money for medicines and other needs. There must be some reason why my bill calling for \$30 extra for a game warden who is now lying in the Eastern Maine General Hospital, critically ill, and his family trying to live on \$70 a month and that bill is still in committee and not out where we can talk about it. There must be some reason why the bill for aid to the disabled is on the table and the able Senator from Penobscot calls it a tear jerker. I am going to tell you it is a tear jerker. If you had had the privilege of sitting for the past sixteen weeks and listening to these people's stories, you would say it is a tear jerker, too. \$20, \$30, \$40 a month for these people to live on.

Here is a bill which will take this thing right out of the category of politics and put it where it belongs, where somebody can realize the situation. And then this morning, word comes from the Health and Welfare department that we must back 25% on these cases. Now you just think of that. Cut it back 25%! And then we argue about a million dollars in the automobile business. You take care of these things, and then I'll talk about a million dollars away from revenue. We have lived with this thing for two years now. We can live with it two years more until we take care of the things that I have mentioned and then we can talk about straightening out the situation.

Mr. BOUCHER: Mr. President, I wish to answer my good friend, Senator Dunham because apparently he picked me out as a victim, but I sat with him all through the winter and heard these very pitiful cases for which I had all the sympathy in the world and I will give him the answer to that problem. Let's not bleed it out of the auto business, but if we must, and I will put a big question mark there, because I don't believe in it, but if we must, two years hence, I will go along with him to raise the ante, if we must, raise the tax to

2½ or 3 %, whatever we need. But I'll have to be convinced first, on all these stories.

I have heard them through the years and years and years, probably too long. Maybe my heart is hardened and I only think with my head because I have lived through all these things for twenty years, as an alderman in the city of Lewiston, as Mayor of the city of Lewiston and here in the legislature and I have had my good wife ready to beat me up because somebody has come and cried, but I got the record of the case from the case worker and got all the material on the case, and usually showed her that we were doing the right thing. I will admit some of the cases are pitiful. Some are heartbreaking. But some of it is there own fault. Again I repeat, let us go along with this bill. Let us pass the appropriations bill and go home. Then if it must be, the Governor can always call us back. I am willing to bet that he won't have to in the next two years because of any deficit in any department. I think we will come back here in two years and see what the situation is and then if there is a need for it we can rearrange our financial system.

Mr. HANSON of Washington: Mr. President, I would like to indulge just a few minutes of the Senate's time to explain my position. When this bill originally came up I voted for the exemption of the tax. This time I am going to vote to leave the tax on, not particularly because of the arguments I have heard here, but because of the arguments I have not heard. We have heard the discrimination against the public and against the automobile dealer. If we resolve it to simple arithmetic, I cannot see any discrimination anywhere. If you take a car in trade for a car you already had and you pay the tax on the trade in value, you have bought a new product for less than it is listed. I'll grant that you traded in a commodity that you had but you go along to the next year and you trade the car for one again and you pay a tax on the diminished amount and you carry it through far enough and in the long run, if you trade enough, you'll only pay the 2%.

I don't think anybody is being discriminated against. All my life it has been my wish to see taxes diminished. I believe when taxes rise and keep arising, it is a bad situation in government but I do not want to take this way to get rid of it.

Mr. BUTLER of Franklin: Mr. President, we must face the issue, this issue here today, particularly in the reduction of revenue. How much is this reduction of revenue actually going to cost the state? Your guess is good as mine. We only have an estimated figure to go on. Prior to the time that we came here to convene as the 96th legislature, there was such a thing known as the budget committee. That budget committee spent hours, days and weeks in going over the necessities of our government. We, in a few short hours of quick deliberation, not with our heads but with our hearts, have been enabled to change the work of that budget committee so that it is not even now recognized.

I don't feel that the aged are going to be injured, nor is education going to be hurt. I feel that education is of primary importance to the State of Maine but there are cuts that can be made, not cuts in the sense of the word of taking away something which someone has, but in refusing to give that which they do not now have. We have many L. D.'s in front of us asking for teachers' pensions, which are only outright gifts, because they are asking for credit to impose upon our existing system. When we come to worry about the legal interpretation of the law, we had a very good illustration of that yesterday—every department in the state worries about something and they might just as well worry about this as something else. When we come to think of the money back to the public which we never have had and which we should not count on getting at the present time, until such time as our needs actually require it, then I feel we can only justify voting with out heads in this particular instance, and go along with the measure for a reduction.

Mr. BOUCHER: Mr. President and members of the Senate, I can-

not let the Senator from Washington, Senator Hanson, get away with the statement he made unchallenged. For his information I bought a car in 1952. On a \$1500 payment, I had to pay \$68 tax. In my book that is about 4½% and I went to school and I know that the way of figuring has been changed through the years but I think the result is the same. Now I intend to change that car, possibly next year and at that time I will have to pay another \$68 or \$70 in tax and I do not see where I am going to get my reduction in tax when they are again going to charge me from four to five per cent sales tax. That I can't let go unchallenged.

Mr. BROGGI of York: Mr. President and members of the Senate, it has been mentioned by those who favor this reduction this morning that we have lived comfortably for the last four years. I just want to know their idea of comfort. I will mention a few things and then leave it to your discretion as to whether we live in comfort.

We have a state university charging Maine boys and girls a higher tuition rate than any other land grant college in America. Is that your idea of comfort? We have teachers colleges without a sufficient appropriation to make them accredited colleges. Is that comfort? We have crowded mental institutions. I have been in them many times. I have been on the institution committee. Under staff personnel we found that they don't have enough doctors. Is that your idea of comfort? We have sanitariums with a waiting list. People with tuberculosis waiting because there is no room for them. That is not my idea of comfort either.

Mr. HANSON: Mr. President, I would like to answer the Senator from Androscoggin, Senator Boucher. Arithmetic works both ways. The fellow that buys the car, trades in his car for a new deal under the proposed set-up he is going to pay taxes on half the list price. He is the public. He represents the public. He takes his car and keeps it a year and trades it in again. He represents the public. He gets a trade-in value on his car and pays the difference. He has diminishing taxes all along the line. Somewhere

along in the middle, someone is going to pay increasing taxes. But I think that is up to the individual to look out for the way he is going.

Mr. HASKELL: Mr. President, not by any way of indicating that anyone desires to limit this debate, I would now move that the rules be suspended and hope that my motion goes under the gavel.

The motion prevailed and the rules were suspended.

Mr. BOUCHER: Mr. President, when the vote is taken, I ask for a division.

The PRESIDENT: The question before the Senate is in the motion of the Senator from Sagadahoc, Senator Cummings that S. P. 509, L. D. 1388, be passed to be enacted, and the Senator from Androscoggin, Senator Boucher has requested a division.

A division of the Senate was had. Nineteen having voted in the affirmative and nine opposed, the bill was passed to be enacted.

The PRESIDENT: If there is no objection the Senate will take a short recess.

After Recess

Mr. COLLINS of Aroostook: Mr. President, I would like to ask if there is in the possession of the Senate, L. D. 1316, bill, An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30th, 1954 and June 30th, 1955?

The PRESIDENT: The Chair will state in answer to the question of the Senator from Aroostook, Senator Collins, that the document is in the possession of the Senate.

Thereupon, on motion by Mr. Collins of Aroostook, the bill was recommitted to the Committee on Appropriations and Financial Affairs in concurrence.

On motion by Mr. Haskell of Penobscot, the rules were suspended in order to allow that Senator, out of order, to present the following order: "Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet on Monday, April 27th, 1953, at nine o'clock in the forenoon."

Mr. HASKELL of Penobscot: Mr. President and members of the Sen-

ate, the Senate having resolved this morning one of the major problems between us and adjournment, it seems quite reasonable that if a majority of the Senate will vote to give this order passage and will themselves appear here Monday morning and go to work, which will give us six full days of legislative effort next week, and if those who have tabled matters will show the spirit, which I know they will show, in getting such matters off the table, and if we go about our business conscientiously and carefully, there is nothing so far as the mechanics in the Engrossing Department are concerned, to make me feel that we couldn't have an orderly adjournment at the end of next week, but I don't think we can unless they are willing to come over here early Monday morning and go to work.

I hope this order has passage, and if it does, I move it be sent forthwith to the House. After those motions, if they are carried, we would have at least a few minutes before we adjourn for lunch while waiting for the order to come back from the other Branch in which to dispose of a few odds and ends on the calendar.

Mr. BOUCHER of Androscoggin: Mr. President, I think the Senator from Penobscot, Senator Haskell, was looking at me while he was addressing his remarks to the Senate and I can assure him that I will take off all the tabled matters that I have next week and be ready to go home at the end of the week.

Thereupon the order received a passage and was sent forthwith to the House.

On motion by Mr. Sinclair of Somerset the Senate voted to reconsider its former action taken earlier in today's session whereby bill, An Act Relating to Permits for Moving Heavy Objects Over Highways (H. P. 288) (L. D. 273) was passed to be enacted and on further motion by the same Senator the bill was laid upon the table pending passage to be enacted.

On motion by Mr. Chase of Cumberland, the Senate voted to reconsider its former action taken earlier in today's session whereby

bill, An Act Amending the Community School District Law (H. P. 936) (L. D. 984), was assigned for second reading; and on further motion by the same Senator the bill was laid upon the table pending assignment for second reading and especially assigned for Monday, April 27th.

On motion by Mr. Weeks of Cumberland, the Senate voted to reconsider its former action whereby the Ought Not to Pass Report of the Committee on Legal Affairs was accepted on bill, An Act Relating to Pari Mutuel Contributions to Stipend Fund (S. P. 274) (L. D. 763), and on further motion by the same Senator the bill was laid upon the table pending consideration of report and especially assigned for Tuesday, April 28th.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table bill, An Act Relating to Collection of Excise Taxes in Unorganized Territory (S. P. 523) (L. D. 1420), and on further motion by the same Senator the Senate voted to recede and concur with the House in passing the bill to be engrossed as amended by House Amendment A.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds for 1952 Educational Subsidy to Towns (S. P. 392) (L. D. 1096), tabled by that Senator on April 10th, pending consideration of the report; 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. Boucher of Androscoggin, the Senate voted to take from the table bill, An Act Relating to Revolving Funds for Administration of Social Security for Political Subdivision of State, (H. P. 1007) (L. D. 1134), tabled by the same Senator on April 22nd, pending passage to be engrossed.

Mr. BOUCHER of Androscoggin: Mr. President, this bill gave me quite a shock. I came in late the

morning this was reported and to my great surprise it had been accepted and gone along by my good friend the majority floor leader who knows I am against all revolving funds, so the next day I moved to table it. I have since read the bill and realize this represents Social Security in the very small amount of ten thousand dollars so I have no real objection at this time and I move the bill be passed to be engrossed as amended.

Thereupon, the bill was passed to be engrossed as amended by Committee Amendment A, in concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table House Reports from the Committee on Appropriations and Financial Affairs on Resolve in Favor of Bosworth Memorial Association (H. P. 23) (L. D. 18), Majority Report "Ought Not to Pass," Minority Report "Ought to Pass," tabled by that Senator on April 21st, pending motion by the Senator from Aroostook, Senator Collins, to accept the majority report; and on further motion by the same Senator the majority report "Ought Not to Pass" of the Committee was accepted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table Senate Reports from the Committee on Legal Affairs on bill, An Act Relating to Keeping Open of Grocery Stores on Sunday (S. P. 209) (L. D. 544), Majority Report "Ought to Pass," Minority Report "Ought Not to Pass", tabled by that Senator earlier in today's session pending consideration of the Committee Reports.

Mr. HASKELL of Penobscot: Mr. President, I move the acceptance of the Majority "Ought to Pass" Report of the Committee on Legal Affairs. I think in support of that motion I should make a brief comment as to just what it relates to. We have a section of the Statutes called "Blue Laws" and they are prohibitive in a broad area. They

permit a restricted area of Sunday activities. This section of the law excludes the right to sell groceries on Sunday. I doubt that any of us in this Senate is not aware of the fact that public convenience requires the sale of food on Sunday just as it does the sale of gasoline, which is permitted. I put the bill in with the thought that certain persecutions were going on where any citizen under the Statute may cause the arrest of any person who does sell groceries on Sunday in spite of the fact that it is done all over the State. I think the report is sensible and right and I hope the majority report is accepted, and I would be ungrateful if I did not express my appreciation to the Committee on Legal Affairs because I know how difficult it is to consider objectively a bill of this type.

Thereupon, the majority "Ought to Pass" report of the Committee was accepted, the bill was given its first reading and tomorrow assigned for second reading.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to know if the adjournment order has been returned from the House.

The PRESIDENT: The Chair will inform the Senator that the order has been returned to the Senate with a House Amendment.

Thereupon the Senate voted to reconsider its former action taken earlier in today's session whereby the order for adjournment was passed.

The Secretary read the amendment: "House Amendment A to Joint Order re Adjournment. Amend said order by striking out the words 'ten o'clock in the forenoon, daylight saving time' and inserting in place thereof the words, 'nine o'clock, Eastern Standard Time'."

The order was passed in concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until Monday, April 27th, 1953, at nine o'clock Eastern Standard Time.