

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

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DAILY KENNEBEC JOURNAL
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HOUSE

Wednesday, April 20, 1955

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

Prayer by the Rev. Father Herman Delaney of St. Mary's Catholic Church, Augusta.

The journal of the previous session was read and approved.

The SPEAKER: At this time, the Chair would like to call to the attention of the members certain rules that govern the proceedings of the House because there seems to be some confusion about them. The Chair will read a couple of sections from Reed's Rules which our own House Rules refer to for filling in any vacancies in the House Rules.

Under Debate and Decorum, Reed says: "The purpose of debate is to produce unity of sentiment in the assembly by such a comparison of views as will enable a majority to form a just judgment on the subject before them for action. As the interchange of views in debate necessarily involves criticism of the views presented, and as criticism of views is liable to pass into criticism of the author, a debate may degenerate into a dispute, and the object of debate be entirely lost sight of. To avoid this, and to render discussion an appeal to reason and sentiment, and not an appeal to personal passions, there are many parliamentary devices.

"Among them is the requirement that the member shall never address any one but the presiding officer. He must not allude to any member by name, but by some descriptive expression,"—and Reed is a little bit old-fashioned and some of these will amuse you—like 'the gentleman who last addressed the assembly,' 'the gentleman from Virginia,' 'the noble and learned lord,' 'the gallant gentleman, the member from Portsmouth.' Such expressions import respect, and are in themselves a great restraint."

The Chair thinks that that speaks for itself. Then another section, References to Another Legislative Branch.

"It is not permissible to allude to the action of the other house of a legislature, or to refer to a debate there. Such conduct might lead to misunderstanding and ill - will between two bodies which must cooperate in order to properly serve the people. So, also, the action of the other body should not be referred to to influence the body the member is addressing."

(Off Record Remarks by the Speaker)

Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act Authorizing the Establishment of Private Game Preserves" (S. P. 476) (L. D. 1345)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Execution for Attorney's Fees in Divorce Proceedings" (S. P. 218) (L. D. 559)

Report of same Committee reporting same on Bill "An Act relating to Assaults on Officers by Convicts" (S. P. 370) (L. D. 1066)

Report of same Committee reporting same on Resolve Proposing an Amendment to the Constitution Extending Pardon Powers of Governor and Council to Offenses of Juvenile Delinquency (S. P. 429) (L. D. 1188)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Possession of Firearms by Felons" (S. P. 337) (L. D. 901) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 337, L. D. 901, Bill "An Act relating to Possession of Firearms by Felons."

Amend said bill by striking out the last underlined sentence of section 12-B.

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

Non-Concurrent Matter

Bill "An Act relating to Legislative Research Committee" (S. P. 446) (L. D. 1238) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on April 15.

Came from the Senate with that body voting to insist on its former action whereby it was passed to be engrossed without amendment, and asking for a Committee of Conference.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I do not know what the proper motion is here. I would like to concur with the Senate on a committee of conference but not on their former action. Possibly to insist on our former action and concur on a committee of conference?

The SPEAKER: The Chair would suggest that the motion the gentleman might make is that the House insist and join in a committee of conference.

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

The SPEAKER: The gentleman from Chelsea, Mr. Allen, moves that the House insist on its former action and join in a committee of conference on Bill "An Act relating to Legislative Research Committee," Senate Paper 446, Legislative

Document 1238. Is this the pleasure of the House?

The motion prevailed and the Speaker appointed the following Conferees on the part of the House:

Messrs. ALLEN of Chelsea
CHILDS of Portland
BIBBER of Kennebunkport
SEAWARD of Kittery

Orders

On motion of Mr. Henry of North Yarmouth, it was

ORDERED, that Mr. Alden of Gorham be excused from attendance for the duration of his illness.

On motion of the gentlewoman from Rockland, Miss Lawry, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

House Reports of Committees Leave to Withdraw

Mr. Lord from the Committee on Legal Affairs on Bill "An Act relating to Exemption Under Electricians' Licensing Law" (H. P. 198) (L. D. 203) reported Leave to Withdraw.

Mr. Reed from the Committee on Taxation reported same on Bill "An Act relating to Exemption of Sales Taxes on Certain Items Pertaining to the Maine Maritime Academy" (H. P. 765) (L. D. 841) which was recommitted.

Reports were read and accepted and sent up for concurrence.

The SPEAKER: At this time, the Chair requests the Sergeant-at-Arms to escort the gentleman from Bangor, Mr. Browne, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Browne assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Trafton retired from the Hall.

Ought Not to Pass

Mr. Dudley from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Closed Time on Deer" (H. P. 255) (L. D. 240)

Same gentleman from same Committee reported same on Bill "An

Act relating to Closed Time on Deer in Certain Counties" (H. P. 655) (L. D. 732)

Same gentleman from same Committee reported same on Bill "An Act relating to Open Season on Deer in Oxford County" (H. P. 1040) (L. D. 1215)

Mr. Gardner from same Committee reported same on Bill "An Act relating to Closed Time on Deer in Franklin County" (H. P. 9) (L. D. 8)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Couture from the Committee on Correctional Institutions reported "Ought to pass" on Bill "An Act relating to Age of Commitment to State School for Boys" (H. P. 1062) (L. D. 1250)

Mr. Foster from the Committee on Legal Affairs reported same on Bill "An Act for an Enabling Act for the Town of Dedham, Hancock County" (H. P. 1201) (L. D. 1472)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman. For what purpose does the gentleman rise?

Mr. TOTMAN: Mr. Speaker, I request permission to approach the rostrum briefly.

The SPEAKER pro tem: The gentleman may.

Thereupon, Mr. Totman presented the Speaker pro tem with a potted plant. (Applause)

The SPEAKER pro tem: Thank you very much. I am humbled in the shade of this tree.

Divided Report Tabled and Assigned

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Sales of Milk by Producers to Dealers by Bulk Tank" (H. P. 862) (L. D. 974)

Report was signed by the following members:

Messrs. DOW of Lincoln
FULLER of Oxford

JAMIESON of Aroostook
— of the Senate.

Messrs. CASWELL of New Sharon
SOULE of Merrill
ROBERTS of Dexter
FOSS of Chapman
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. BOWIE of Durham
ELWELL of Brooks
BROCKWAY of Milo
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, this is not my bill but nevertheless I signed the minority report, and my reason for signing the minority report is that you folks probably realize there are a lot of our small farmers being put out of business because of these bulk tanks; and I did not go along with the fifty cents but I would accept the twenty-five cents. And I would like to say this much, that every time, in any case where these bulk tanks have gone into existence a lot of farmers have been forced out of business and they have no alternative. In other words, they either have to accept the \$3,500 proposition or else they just have to fold up. In most cases they have gone out of business. I do not think it is right. I think the dealer is the one who has promoted the program and I think the dealer, because it aids and assists in his operation because it cuts down his cost, I think he is the one who should pay more money to handle milk in this method. I am sorry the bill was not passed two years ago. I think we would have a lot more small farmers in business today if it had been passed two years ago. I think it has a lot of merit and I think the Legislature should consider well the minority report on this.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I was not expecting this bill this morning and I have considerable information that I would like to give the House before the vote is taken, and I would like to table it until Tuesday next.

The SPEAKER pro tem: The gentleman from Bowdoinham, Mr. Curtis, moves that the two reports with accompanying papers be placed upon the table pending acceptance of either report and specially assigned for Tuesday next, April 26. Is this the pleasure of the House?

The motion prevailed and the two Reports with accompanying papers were so tabled and assigned.

Divided Report

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Marketing of Milk" (H. P. 1102) (L. D. 1292)

Report was signed by the following members:

Messrs. FULLER of Oxford
DOW of Lincoln
JAMIESON of Aroostook
— of the Senate.
Messrs. CASWELL of New Sharon
SOULE of Merrill
ROBERTS of Dexter
BROCKWAY of Milo
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. BOWIE of Durham
FOSS of Chapman
ELWELL of Brooks
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker and Members of the House: Because I want to get this session over as soon as possible, I feel that we should debate this thing this morning and let the chips fall where they will. And I for the most part feel this is a vital issue, an issue that concerns every consumer in the State of Maine that drinks a quart of milk. It concerns every producer

in the State of Maine who produces a quart of milk. It is of major importance, I think. I would like to read an editorial that appeared in the Sun yesterday, parts of it. It said: "Before the committee reports — and it could be today — we hope its members will have had time to read the article in the current issue of 'Collier's' on the milk-pricing muddle, which is nearly nationwide. They would read there the opinion of dairy authorities that milk distribution is being strangled" — and I heartily endorse this statement — "in many States by a host of ridiculous regulations, while the highest prices of all are paid in those states, like Maine, which have retail price-fixing and no differential between store-delivered and home delivered prices.

"What perpetuates this muddle of regulatory laws is the strength of the special interests that have fastened themselves on the milk industry." We have those right here in the State of Maine and they are very prevalent and we have some people who are definitely enjoying prosperity under this particular bill, under the particular law we have now. "In some States they have virtually destroyed the initiative to process and deliver milk at reasonable prices. In Maine there is almost no competition because every dairy must charge the same price for fluid milk within the several regional areas of the State. And this situation will continue to exist just as long as the Legislature permits the law to stand." . . .

"Readers of the 'Collier's' article will find many experts convinced that the dairy industry is at a crossroads. Milk consumption is declining . . ." Now, I might say here that in checking over the figures since 1945 milk consumption nationwide has dropped twelve per cent, which is something to make us realize things are not right. "Before long the market will be flooded with whole-milk substitutes" . . . and by the way, I will stop to say that last year in the State of Maine twenty-three million dollars worth of milk substitutes came into the State of Maine, which is proof enough that there definitely is buyer resistance to the quart of milk. Sure they do

not show up at the milk hearings; sure they do not show up before the Legislature. They have been turned down so many times they are discouraged and I say they show when they refuse to buy our Maine fluid milk and we continue to ship twenty-three million dollars worth of money to Wisconsin and Minnesota, there definitely is price resistance to the present quart of milk in the State of Maine. "We hope the committee will take the broad view and sent the Bowie bill out with an ought-to-pass report. And its passage by the Legislature, we are sure, would bring increased consumption", that is my goal, "through lower prices in this State, and increased income to the hard-pressed small dairy farmers."

That is exactly why the bill is in, to increase consumption. In my own particular operation last year nearly a third of the milk I produced was surplus milk. In the case of H. P. Hood, producer shipping in that local Auburn market, a third of their milk last year was surplus milk. For clarification and so people will understand a little better, surplus milk is milk not consumed as fluid milk. In other words, milk that is used in by-products: say, ice cream, butter and cheese and so forth, for which the farmer received much less than he does for his class one milk or fluid milk sales. In fact, in my own particular case at times last summer, my class two milk sold in Portland at four cents a quart, I mean that is what I received for it delivered into Portland. My class one price was thirteen cents. Well to bring the two prices together, that is my take-home pay, which increased about eight cents a quart all last summer from the period from about March to September.

Now I feel that the solution to this whole problem lies in the stomach of the consuming public. We have got to get the milk to the place where people can buy it, the way they want to buy it and when they want to buy it. I feel it is not being done now. I feel that we should have quantity discounts; in other words, I think that a person who buys five quarts of milk or six quarts of milk or eight quarts

of milk ought to buy it cheaper than as though they were buying just one quart of milk.

That is done with every other commodity that is sold and why shouldn't it be done in milk to encourage sales but right now in the State of Maine it is illegal and it is not done. Then too, we have the gallon jug system that has been so popular in other States and the Milk Commission here has refused to give us a price to offer it under the gallon jug plan.

To go further here, I received two letters last week, very interesting, they were from the Commissioner of Agriculture, Mr. Nutter. It says: "At a recent meeting of the Milk Commission it was decided that several matters in our present milk control law need amendment and clarification, and the Commission has employed Thomas N. Weeks of Waterville to study our law and rewrite certain sections. Mr. Weeks will have this revised version of the law prepared for study by the end of this week."

"Chairman Earl Osgood has asked me to arrange an industry meeting to discuss these proposed changes. I have arranged for a meeting at the Worster House in Hallowell on April 19 at 1:30. I hope you will be able to attend."

Now, here they are acknowledging that things in the present milk law are not right. What they want to do is to amend the thing and change it in favor of a certain few who would like to carry on a bottle cap campaign or whatever you have. But I have a law in here that I consider to be fair and just to everybody and I did not write it for any particular few. The law for the most part was patterned on the Connecticut law and it has worked very satisfactorily there since 1947.

Two days afterward, I received another letter from the Commissioner of Agriculture and he says: "Members of the Joint Agricultural Committee"—of which I am a member and I want it clearly understood that to my knowledge this matter has never been brought before the Joint Agriculture Committee—"I have recently decided that, due to the fact that the Legislative Session is drawing to a close and all

hearings must be completed next week, it will not be expedient to consider additional changes in our milk laws this year. Consequently, the Milk Commission has decided to cancel the industry meeting scheduled at Hallowell next Tuesday." Which, in my humble opinion, is not true because they realized they could not get any new legislation in because of our cloture rule here. In other words, we fixed it in both the Senate and the House so they could not get any new milk bills in.

Now, here we are, the Milk Commission, admitting that the present law we have in the State of Maine is not adequate. There are things in the law that are not good for the dairy industry. And to me, I am a dairy farmer, that is my living, and my only interest is in a better dairy industry and as far as I am concerned this present law we have got now is just a law that is strangling our industry and forcing our small farmers out of business and I say to you folks that when a fellow can not produce milk on his farm and sell it at his farm in gallon jugs because of a law that is very unconstitutional and unfair and it is not the American way of doing business. And believe it or not a situation exists and I say until we get rid of this absurd law that our markets will be curtailed and I ask you to take a wide swing through your Maine country side and look at your dairy farms and see if you think they are prosperous. I certainly do not. In fact, I think they have declined like blazes and we have got to have a new program in the State of Maine within the next ten years or the dairy farmer will be practically nonexistent except for a few big operators.

I think that is about all I have to say on this thing. I wish you would consider well the situation. Like the newspaper article says, we are at the crossroads here and I have never been for the lazy, inefficient farmer. I can tell you that. I have never believed that he should be subsidized by price control or price support or soil conservation or any other of those measures. But I say to you that when we come down here and legislate small farmers out

of business, I do not think the people back home sent us down with that intention. I think farmers are complaisant. They are afraid to make the change but we have either got to make the change now or else consider ourselves on the way out as far as the dairy industry is concerned.

The SPEAKER pro tem: The Chair will inquire if the gentleman from Durham, Mr. Bowie, intends to make a motion.

Mr. BOWIE: Yes, Mr. Speaker, I am sorry I did not. I move that we accept the minority report.

The SPEAKER pro tem: The gentleman from Durham, Mr. Bowie, moves that the Minority Report of the Committee "Ought to pass" on Bill "An Act relating to Marketing of Milk," House Paper 1102, Legislative Document 1292, be accepted.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: This is a very serious question that we are considering. There are two sides to it. Mr. Bowie, perhaps I should, according to what was read, the gentleman from Durham, is a good friend of mine and a farmer and I am a good friend of his and a farmer. We do not see alike on this thing and I think it should be thoroughly discussed. I would like to have time to present the other side and so that all might be well informed before they vote for that reason I ask that this be tabled until Tuesday next.

The SPEAKER pro tem: The gentleman from Bowdoinham, Mr. Curtis, moves that the two Reports with accompanying papers lie on the table pending the motion of the gentleman from Durham, Mr. Bowie, that the Minority Report "Ought to pass" be accepted. Is this the pleasure of the House?

(Cries of "No")

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

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

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Durham, Mr. Bowie, that the Minor-

ity Report "Ought to pass" be accepted.

The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker and Ladies and Gentlemen: I am, no doubt, one of the small farmers. Last week when I was home my herdsman was milking two cows. I guess probably there are not any smaller farmers engaged in selling milk in the State than I am right now.

The gentleman from Durham, (Mr. Bowie) who sponsored this bill, as he has stated, it is an adaptation of the Connecticut law. Incidentally, in this connection, I would like to state that I did have opportunity to read the article in Collier's last week, which the Lewiston Sun has mentioned and I thought that I discovered some things in that article which favored taking into consideration all the circumstances and I think I have discovered in the editorial comments of the various State of Maine papers which have been quite voluble for some time in objecting to the present Maine law, I think I have discovered in their statements what seems to me to be a fact that they failed to take into consideration all of the problems considered.

This is an adaptation of the Connecticut law. Now, one thing which both the gentleman who wrote so fluently in Collier's and the editorials failed to take into consideration is the fact that there is a vast difference between conditions existing in a State importing milk and the State that has a large quantity of its milk available for export. Connecticut and Massachusetts are importing States. They do not produce nearly enough milk in those States for home consumption. Therefore, they import from the Boston milk shed. Vermont, New Hampshire and Maine, all of which, as I understand it, have retail control of milk are exporting states and that is where the bulk of the difference lies. Milk is a highly perishable commodity. It has to be disposed of very quickly, before it spoils, curdles.

Now, in partial refutation of what the gentleman from Durham (Mr. Bowie) has stated: It is a fact at

present that producers in Maine selling to the Maine market have for the past year been obtaining something like 90 cents a hundred more for their product than the producers in Maine who are exporting milk to the Boston market. I happen to be one of those producers. While at the same time the consumers in Maine are paying no more for milk at retail than the Boston consumers are paying or the Connecticut consumers are paying. In fact, they are not paying as much as they are paying in Connecticut. That probably is due to the extra cost of transportation in Connecticut at least that part of Connecticut because that milk has to be imported and has to come from some distance.

Now, the feeling of the majority that signed the majority report was that if in Maine retail control should be dropped that price wars would result and that would be disastrous both to the small dealers in Maine and to the producers as well. It would be comparatively easy with milk controlled retail prices disposed of, it would be comparatively easy for the large — well I might say the larger dealer because there is only one very large dealer now operating in Maine, to cut the price of his milk to the point where it would drive the small dealers out of the market. And when they were disposed of satisfactorily, to immediately put the price back to the consumer.

I recall last summer some editorial comment to the effect that it was about time to start something of that sort because it had been a long time since we had had a price war. The inference of the editorial seemed to be that if we had waited until the producers had all died off or gone out of business, who would remember the price war that was in effect back in the early thirties, everything would be all right and it would be time to start a price war again.

Now, I am old enough and was selling some milk at that time and I do not propose to die so that there will be nobody left to remember what the condition was. I might die but I am not going to die to effect that. That perhaps covers about all

the matter that I wish to speak on at this time.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I have not completely prepared to debate this subject this morning. I assumed that we would be extended the courtesy of tabling this matter when it came before the House. I have made a few notes. I am a producer and a small distributor of milk. I would like to point out one thing: the cost of plant. The cost of plant for these small distributors runs anywhere from twenty to thirty thousand dollars. That is the farm price. There is a very large investment in land. Speaking of the delivery end of it, we put our trucks on the road, making deliveries of milk and I believe that these deliveries average less than one dollar per delivery and I would like to ask any member of this House that has anything to do with the retail end of any business whether or not there is any business in the State that can put trucks on the road and make small deliveries and make it pay. I believe that the spread between the farmer and the consumer is justified. In my own operation, I am reluctant to quote my own operation because it may be or may not be run efficiently, but I have been in business 35 years, I feel, in fact I know, that if my production end of it was run as efficiently as my distribution end, I would be making more money than I am today. I think that is one thing that we have got to keep in mind. There are a lot of these farmers that are saying that they are not making any money, produce their milk, have a herd of cows on their farm, which may mean a quarter or a half a day's work to take care of and they are crying that they are not getting the price for the product that they should have. I do not believe that we can price milk to the consumer so that a dairyman can get a living with a quarter or a half a day that he should have to make himself a full day's work. So much for that.

The milk control law was passed in 1935. The prices at that time, leaning on my own operation again,

we tried to hold the line at ten cents a quart which we could get by at. The price was cut and cut and cut until we got down to six. We were delivering milk at six cents a quart. People were coming out and offering three cents for a pint of milk. We had to change our price to six cents a bottle. We certainly could not sell a bottle of milk regardless of size on anybody's doorstep for three cents. The condition of the dairyman at that time was very bad and when the dairyman does not get a fair price for his product, as I see it, he does a little different than some other business in the town. He cuts corners by mining his soil, he does not put back the fertilizer that he should and I believe that any farmer should be the custodian of the soil. It should not be mined. He should get price enough for his product so that he can sit back and leave for those who are coming behind us something to work with. Everything pertaining to living comes from the soil and if we mine it to any great extent we are going to be in trouble later.

He also lets his buildings go down and his equipment is run down. He is not replacing it to keep it up to where it should be. I wanted to point out some of the things that happen when a farmer does not get the money he should for his product.

That not only pertains to the farmer but it pertains to the milk plant. The milk plant equipment in those days before we had this law in effect they were mining equipment. They were not making the replacements that they should to properly handle milk in a sanitary manner and I have seen bacteria count come back 30 millions.

Now, that is very poor milk. We were lucky to put a quart of milk on a doorstep one morning and have it sweet the next. We were just simply telling the department when they came on their inspections and found fault with the product we were putting out that we absolutely could not do any better than we were doing at the prices we were receiving. They would either have to take our license or find some way that we could get

more money for our product because we had to eat and I would like to point this out too that this price fixing according to the law that we have now is by areas only. Probably many in this House do not know that the only way that any area is controlled is by petition to the Commission for them to come in that area and fix a price on the milk. And by the same token, any area that wants to petition them to leave, they will sell and pull up their station and leave a free market in that area.

Certainly in my experience I have never found any increase in the consumption of milk when the price is cut. I believe that to get a two per cent — I have not these figures, but the U.S. Department of Agriculture, quoting from memory, said to give a two per cent drop to the consumers that we have to have a twenty per cent drop to the producers in milk pricing. The bill of the gentleman from Durham, Mr. Bowie, is patterned, I believe he said this morning, after the Connecticut law and while it is working very well in Connecticut but we have got to give consideration to the fact that Maine is an exporting State. We export a large percentage of the milk produced and Connecticut is an importing State and therefore one law that would work in Connecticut certainly will not work in Maine, taking those facts into consideration. Our Maine prices, as has been brought out before, are about eighty per cent over the Boston price, eighty cents per hundred weight over the Boston price, which is to the farmers and our street price is lower in Maine than it is in Boston so I would point that out again that we are not over-pricing.

The consumption of milk is at the highest point it ever was in Maine and I believe also in the United States. I would contradict the statement made here earlier in the day, in the City of Portland it was the highest of any city in the United States in consumption of milk, in a study made by the United States Department of Agriculture. I believe that if we should adopt this bill of the gentleman from Durham, Mr. Bowie, and restrict pricing to the producer level only that it

would put the industry into a very bad situation causing price wars on the street and if we go into price wars, it has been the history of other states that as soon as the wars are over and the little fellows eliminated, the street price to the consumer goes up and the price to the producer goes down. I believe that is all I have to say at this moment.

The SPEAKER pro tem: The Chair is informed that there are in the balcony today a group of students from the Sherman Grade School accompanied by their teacher, Madeline Curtis.

On behalf of the House, the Chair extends to you a very hearty and cordial welcome and hopes that your visit with us will be pleasant and informative. (Applause)

Also in the balcony is Troop 120 of the Boy Scouts of America from Greenville under the supervision of Ernest Harvey, Eugene Conley, John Morrison and Leo Ashey, Committeemen; and from Dover-Foxcroft, seventeen Boy Scouts from Troop 100 under the supervision of Philip Bartram, District Commissioner; and from Sebec, Troop 113 under the supervision of William Peterson, Scout Master and Albert Preble, Committeeman.

On behalf of the House, the Chair extends to you also a hearty and cordial welcome and hopes that your visit with us will be profitable and enjoyable. (Applause)

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: We have heard words from the producer and we have heard words from the distributor of milk and I would like at this time to make a few comments in behalf of the consumer, the buying public, on this subject of this bill which the gentleman from Durham, Mr. Bowie, is sponsoring, asking us to vote on the minority report. Ever since this law was passed guaranteeing prices on the various levels and John Q. Public paying according to whatever the dictates of a board of five commissioners of milk determine they should pay, I have always

thought it to be most vicious legislation. It is the one commodity where the public has to pay the price and it does not deal in free enterprise. I am a firm believer in free enterprise. I believe that a man has a right to get out of his productions his costs plus a fair profit all along the line. And I believe that if that is done it is done in all other commodities and it should be done in milk. The producer should get a price that would cover his cost of production and net him a fair profit and after he has done that and put that commodity on the market it should be in the same category as any other commodity to be sold by the then owner of it for the price that he can get for it, not at a level price guaranteeing him a certain profit without taking into consideration that individual's costs and that individual's return. He is guaranteed his costs and a return, which, in many instances, is greater than is necessary to give him a fair profit and who pays? The greatest user of milk in our State and in any state are the poor families, families that have a lot of children and because of the fact that we try to maintain a price right here in the center of production equal to markets like Boston and New York and Connecticut that have to bring in this product and sell it, the transportation cost of the product and then they sell it up there at a profit and we here in the State of Maine, right in the middle of all the cows and the producers, have to pay a price equal to them. Now, if you do not believe it, buy a Boston paper and compare the prices of milk in Boston and the prices of milk in Maine. And I do not think that that is fair to the citizens of Maine. And if this Legislature, not this particular 97th Legislature, but it is the Legislature that has made such an inequitable thing possible and it is about time that it was righted.

The people who suffer are the poor people, the people that are living under a price which is even under the so-called minimum wage, which we are going to discuss a little later in this Legislature. How they can go out and feed milk to five or six or seven children in a

family at 24 cents or 25 cents a quart, I do not know, and still buy food and shoes and other things for that family. Now, if it was not for the fact that this Legislature has put control prices on milk, many of those people could buy a quart of milk ten cents cheaper than they are buying it today and we are making it impossible for them to do that. I think it is unfair. Now, we can right that matter if we go along on this minority report and accept it because then we are guaranteeing the producer a fair return for his product plus a net profit. From that time on, it is like any other product on the market if we make this change. It is then open to fair trade. A man can get for it a price that covers his costs and gives him a fair return and I think it is about time that we made that possible for the people of Maine and we can make it possible by voting favorably on this minority report. There is a great demand for milk, but there would be a greater demand for milk and there would be a greater demand among our poor people and milk is necessary for young children, and particularly poor young children because it gives them calcium and other things that are good for their bone structure and their teeth and they should have more of it and we should make it possible for them to have more of it at a fair price. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: My primary purpose in rising was simply to assure the gentleman from Milo, Mr. Brockway, that I think some of the people said no to the request for tabling to a special date and I speak only for myself of course in assurance, and in order to assist the leadership of this House who specifically requested us just a few days ago not to table bills specifically, but to table them unassigned. I do feel we have somewhat of an obligation to assist the leadership in expediting legislation. I personally am not opposed to anyone tabling a matter unassigned at this time. While I am here I think I can per-

haps speed up the discussion of this bill by asking one question of the gentleman from Durham, Mr. Bowie, and my question is a very straightforward one, I am one of those people who has no more right to talk about this bill other than the fact that I have to buy four or five quarts of milk for my family like probably many of you do. I would like to ask the gentleman from Durham, Mr. Bowie, through the Chair, since this is a seventeen page bill and I admit that I have not read it with a fine tooth comb, number one, where does it state that quantity discounts for the consumers can be put into effect? I am going to ask one or two questions and maybe I will speed things up. Question number one: Where in this bill and would he please point out by section the number, that the consumer will be guaranteed or at least provided a chance to have quantity discounts. Question number two: Does this bill particularly guarantee fair trade as another speaker has just got through saying, or does it in section 5 state as I read it that the Commission shall have the power to investigate and regulate all phases of the milk industry in this state, including production, handling, transportation, manufacturing, storage, distribution, purchase and sale of milk and milk products. Off hand, not trying to answer my own questions, it sounds as though the Commission could continue to have the same prices we have right now. Therefore, my question is, what guarantees that there will be any fair trade? Now those are two questions I think ought to get answered. It would clear up my mind on this particularly long bill.

The SPEAKER pro tem: May the Chair suggest that the gentleman might indicate what question he wished and what individual to answer for clarity's sake, please.

Mr. TOTMAN: Mr. Speaker, I simply request answers from any member who so cares to answer on those two questions, number one first, and number two second.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, has requested certain information

through the Chair which anyone may answer if they choose.

The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, on the question of quantity discounts the law fixes producer prices only, and when you do away with retail price fixing at that time the Milk Commission will have no control whatsoever over quantity discounts or any of that, in other words, you have a system of freer bracket, I will put it that way, through advertising and quantity discounts, gallon jugs, and all that will be allowed to be practiced under my bill.

The second question was in regard to the control apparently under the new law that the Milk Commission will have over the industry, and I might say that through the years there has been the hue and cry about the small fellow being run out of business, and I have tried to make the law as plain as possible, yet get in there a certain amount of fair trade element, and also the fact is that the dairy industry is so complicated, the milk has to be traced from its source to its final disposition in order to determine surplus and that sort of thing, so in other words, the Milk Commission will still have to follow through with bookkeeping and that sort of thing on the part of regulations.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I do not think my second question was fully understood. I would simply like to ask where in this bill, by page and by section, does it assure us that the point I believe the gentleman from Bangor, Mr. Quinn, was making as to enabling the price of milk to seek its own level, or in other words, fair trade, regardless of control, where is that section assured, because as I just read in section 5 there will be a Milk Commission and they will have the power to set prices.

The SPEAKER pro tem: Does the Chair understand that the gentleman proposes a question to the gentleman from Bangor, Mr. Quinn? The gentleman from Bangor, Mr.

Quinn, has heard the question and he may answer if he so chooses.

The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, I am in the same quandary that the gentleman from Bangor, Mr. Totman, is in. We have here a seventeen page bill, and we have before us two propositions: Which report are we to receive, either the "Ought not to pass" report of the majority, or the "Ought to pass" report of the minority. I am speaking on the bill generally at this time because I believe that we have a lot at stake here that a little thought will indicate to us that we should give more thorough inspection of and more thorough consideration to. My thought here today was that if we save the minority report bill, then we can very carefully examine this seventeen page document and make the necessary amendments to bring it down to what we want to finally pass out of the House, through the various reading stages. I did not ask to table it because we want to go home, and we want to do this as expeditiously as possible.

The SPEAKER pro tem: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, in regard to the question of the gentleman from Bangor, Mr. Totman, on page 4 of this bill, section 7, price orders, the Commission shall have the power after due notice and public hearing to issue orders prescribing minimum prices to producers, in such manner and with such terms as herein provided. And that is all in any place it says anything about setting prices except that in the case of a price war where the industry feels that it wants it, it can, under a 90 day period, set minimum prices. In other words, after that 90 days minimum retail prices must then be done away with again. In other words, they can only fix minimum prices for a period of 90 days.

The SPEAKER pro tem: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, I just want to re-emphasize one or two points. The gentleman from Bangor suggests that with no retail price control that milk prices to consum-

ers could drop as much as ten cents. Now there has been for a long time more or less argument both in the Maine market and in the Boston market as to the spread between the price that producers get for their milk and the price that consumers pay for it. Now here is just a point to think of: Prior to '35 this milk control law was set up about the time that that disastrous price war took us in the '30's, and at that time, before that price war struck producers were saying that they could get along fairly well, prices of grain and the cost of labor, and so forth, they could get along fairly well with the price of \$2.00 a hundred for milk which was giving them a living price. Milk at that time was selling in the general markets for about twelve cents, and nobody was finding any particular fault. I do not know how much the consumer price actually over the state or throughout the Boston milk shed, how much the retail price dropped, whether it dropped in proportion, but during the time of the milk war it dropped — the producer price dropped very sharply. I for a time sold milk at \$1.50 a hundred, it paid the freight charges to Oakland where my milk was going. It was not a living price. Now then, at the present time, we are getting — we are paying — farmers are paying twice as much for concentrates that they feed at the dairies, and we are paying fully twice as much for labor, probably more than twice as much, and we are getting about twice as much in dollars, not in value, but in dollars, for our milk as we were getting then, and the consumer is paying about twenty-four cents which is just about twice what he was paying in 1933 or 1934 for milk. What I want to point out is, that the actual price considering the depreciation in the value of the dollar there is very little difference now and then. Now the University of Maine, the University of Vermont and Cornell have made price studies and it is the consensus of opinion that the spread is not too great between the producer price which farmers are getting now and the consumer price, that the extra cost of distributing this milk, the

high prices for instance in Boston and that would be true in some parts of Maine, the high price that they are paying for the delivery of milk due to the great increase in wages of the truckmen who deliver this milk, that the spread is not too great. And now in answer to another implied question of the gentleman from Bangor, twenty-five or thirty years ago in all small villages, every man who was able to and could reach a little pasture kept a cow, and they went around and delivered milk in a quart tin can or a two quart tin can to the immediate vicinity. That sort of thing is all changed. In my town for instance, in the village, all of the milk, practically all of the milk that is sold, comes from a Hood Plant in Rumford which is the nearest processing plant. Now I doubt if they can deliver that milk to stores very much cheaper than they deliver or are able to deliver milk in Boston, and the same thing would be true of Portland or Augusta or Bangor or any of the other cities. This method of distribution has become centralized, and the actual distance that has to be travelled by the dealers, the actual mileage does not make so much difference because they are all going on the same plan. I do not think that the cost of distribution is very much different in Portland than it would be for the same milk if it were shipped to Boston. Now as I said before, I am in sympathy, I think the majority of the Committee were in sympathy with the apparent purpose of this bill, but we feel that the passage of it would undoubtedly lead to price wars and other disastrous results, we do not think it is the best way of getting at it. Now as to enacting an actual law, the Milk Commission is in power to issue regulations and I am personally acquainted with some members of the Commission, I think they are a pretty decent sort of fellows, and I think if there is a demand for instance for a quantity discount or a change from the store price, between the store price and the delivered price, I think that they are empowered by regulations, by their authority to issue regulations, I think they are empowered to grant those things. One thing

more slipped my mind that I wanted to — well, I cannot think what it is now, never mind.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: This is a very, very serious question in the State of Maine, not only the farmers but the whole State of Maine. This is a rural state and something over \$200,000 comes to the State through the rural people, and I think this should have very, very careful consideration. I hold no brief whatsoever for the dealer. He is big enough, he has got money enough to look after himself, and the only thing that I am interested in is in these producers, because we do know, as the gentleman from Durham, Mr. Bowie, said you drive out over the countryside and look at the farms and you do not have to ask any questions, you come to a good one, a good looking place, a nice lawn, nine times out of ten it is a summer home for somebody. You come to a farm and the buildings need painting, it looks as if the sills had all fallen out from under the barn, you know that what that fellow is doing is selling milk. Now I have been through this thing. I am not talking about something that I do not know anything about. My good friend, the gentleman from Bangor, Mr. Quinn, I respect his judgment in his profession, and if I wanted a lawyer I do not know of anybody I would rather have than to have him, but when he talks about milk, he knows just about as much about it as I know about law, and that is little. He says the producer should get a fair price for his product. In the name of Heaven I ask you how the producer could get a fair price unless it was set, unless there was some restriction placed on this dealer. I am the dealer, you are the producer, what are you going to do about it? It says that my prices are not set, I have no stable price, and so there are a lot of small fellows who are going to try to get into the market. They will not stay very long, they will get in and it really would cost a farmer at least \$20,000 to get into the mar-

ket, but he would have some friends, perhaps he could sell his milk raw, and he could raise the dickens with the dealer, that is a number of them could, so what does the dealer do, does he take it on the chin? He does not, he does not have to, even this thing was law that they bring up here. He simply comes to you. I go to you and I say fella, I am having a hard time and I am not going to take another drop of your surplus milk, and by the way surplus is not the word to use, it is Class II, that is where you get your cream and your butter and things. But there is no money made in that thing, and why? Because it is sold as dog eat dog. Now our milk here is sold at the price that is set. Right now the retail price of milk is $21\frac{1}{2}$ cents, the dealer spread was $9\frac{1}{2}$ cents, and the producer gets 12. Perhaps if the dealer could save some of that $9\frac{1}{2}$, I do not know as he could, he tried it once and what happened, so many of them went in bankruptcy that this—not this legislature, but a legislature passed a bonding law whereby this dealer had to be bonded to pay his producers, and some of them were wrecked, the one I was shipping to was wrecked, and they paid us fifty cents on the dollar because they said it was unconstitutional and they threw it out. I sold milk in 1932 for 42 cents a hundred, and there are $46\frac{1}{2}$ quarts in a hundred, and that is what your producer would get, it does not matter what the dealer will—the dealer will say to you, I will not take your Class II milk and what are you going to do with it, and then if I see that I am beat that way, I am buying your milk on a butter fat basis and what do I do? I just say instead of your milk testing 4.8 it tests 4.6 and what are you going to do about it? What did I do about it when they told me we will only give you 42 cents a quart for your milk? I could dump it, I could keep it home, but what did I do, I shipped it, and that is what you would do, you would ship it and the dealer would get his own. Now if we had a law that said there was a percentage in this spread then we would have some sense to it. Now the milk has

just fallen to the consumer two cents and a half a quart, but the dealer spread still remains the same. If the gentleman from Durham, if he is so interested in farmers, if he brought his bill in here and said that this spread would be on a percentage basis so that the dealer would have to take part of this loss, I would say Amen, there is some sense to it, there is no sense to this idea. The gentleman from Bangor has told you how much cheaper milk should be sold. There have been price wars, one in Kansas this summer, it sold for eleven cents. What did the producer get out of it? He did not get much did he, he probably got about two or three cents, and when we commence to howl about the price of milk and how children have to have it, they have to have other things do they not? Now Charles Mayo of the Mayo Clinic who is supposed to know something about nutrition says that if a pound of beef steak is worth seventy-three cents, that the calcium alone in milk is worth twenty-four cents. He says if a pound of beef steak is worth seventy-five cents, the calcium and the other ingredients in a quart of milk is worth seventy-three cents. So if my friend is going to go to bat for something for the children, let us go to bat on beef steak, let us see that they put a little more nutriment in beef steak. There is not a thing that the Creator ever made that takes the place of milk. Milk and milk alone is the only thing that will sustain life and it will sustain it abundantly for we are all started on that I guess as you know, and it is one of the essential things and it is the greatest buy in this country today, and compared with other foods, milk is a real bargain, and today at $21\frac{1}{2}$ cents it is a double bargain. This bill I believe was just brought in more for personal reasons, and I am pleading for the State of Maine, not only for the producer, for you will wreck the dairy industry, it is the only industry we have in the State that is stabilized, and this price is not a fixed price, it is a stabilizing price, there is nothing in it that says you might not be able to get more for your milk, it is what they consider

is a fair price. Now how is this price arrived at? There is a hearing held. The consumer, the producer, the dealer can all come and hear and present what evidence they have and then the Commission carefully weighs the evidence, and sets this stabilized price. I think it is a proper thing to do and I assure you that just as sure as you expect the sun to rise tomorrow if this bill should be passed you will see terrific troubles start in the State of Maine in the dairy industry which will spread to other things. If you do not believe it, that is why I asked to have it tabled, I will give you the reports of the past twelve months where other states have tried it and the terrible troubles that they have got in. I would like just in fairness to everybody, to table this thing if for no longer then tomorrow, and I so move.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, I would like to ask for a division on the motion.

The SPEAKER pro tem: The gentleman from Bowdoinham, Mr. Curtis, moves that the two Reports, Majority "Ought not to pass" and Minority "Ought to pass" on Bill "An Act relating to Marketing of Milk", House Paper 1102, Legislative Document 1292, lie on the table pending the motion of the gentleman from Durham, Mr. Bowie, that the Minority "Ought to pass" Report be accepted and be specially assigned for tomorrow. Is this the pleasure of the House?

The Chair recognizes the gentleman from Durham, Mr. Bowie. For what purpose does the gentleman rise?

Mr. BOWIE: Mr. Speaker, may I argue on that tabling motion?

The SPEAKER pro tem: The Chair will inform the gentleman that he may debate as to time only.

Mr. BOWIE: Mr. Speaker, what I want to say is that we have already had one sentiment as to tabling the bill from this group already this morning.

The SPEAKER pro tem: The Chair will state that the gentleman is out of order.

The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, there is a motion before the House and I would ask for a division please.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bowdoinham, Mr. Curtis, that the two Reports, Majority "Ought not to pass" and Minority "Ought to pass" on Bill "An Act relating to Marketing of Milk", House Paper 1102, Legislative Document 1292, lie on the table pending the motion of the gentleman from Durham, Mr. Bowie, that the Minority "Ought to pass" Report be accepted and be specially assigned for tomorrow, April 20.

The gentleman from Bangor, Mr. Quinn, has requested a division.

All those in favor of the motion of the gentleman from Bowdoinham, Mr. Curtis, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixteen having voted in the affirmative and eighty-four having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, since I spoke last, I want to excuse myself for speaking so much, but I felt that I should answer the gentleman from New Sharon, Mr. Caswell, and the gentleman from Bowdoinham, Mr. Curtis, to tell you about the prices in the various markets of the commodities. Now I am a firm believer in milk as a food product and a health food product. I have been blessed with five children and I gave them plenty of milk with the idea that it was healthy, and I would rather pay milk bills than doctor bills, and it has proven out that way. Now I think that same privilege that I had should be extended just as far as this legislature can extend it to the poor children in the State of Maine, so that they can have as much of this commodity as is possible at a fair and reasonable market price, and not be compelled to pay a price that we as lawmakers in this Legislature

have established and say that they can not pay anything less than that price or they are committing an offense against the laws of the State of Maine and are subject to punishment.

Now, my friend, the gentleman from Bowdoinham, Mr. Curtis, says, quoting his words that they have to have other things, don't they? I admit they do. But they go into the open market and buy the other things at a price that the seller that owns the things sells at a fair price. They do not go out and buy those other things at a price that the law of the State of Maine says they must give but they do when they go out to buy milk. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hampden, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, I would just like to point out a few things with regard to the retailers' end of it. I do not know whether this bill refers to the grocer or whether it refers to the milk dealer himself who retails milk but I am a retail grocer and I do retail milk. The cost of my milk is twenty cents a bottle and I sell for twenty - two cents. There has been a remark about the high profits that the retailer receives. That figures about ten per cent. My operating cost as a whole in my store is around twelve per cent. Actually now I am selling milk at two per cent below my actual costs. I think this thing can revert back to a great deal of trouble and harm to the producer himself. This particular store that I have, I have refrigeration and the particular refrigerator that I use is a dairy case which cost me \$1600. I have space allotted there for milk. I intend to make some profit out of that particular space, otherwise it is no good to me. I paid for the refrigeration and receive ten per cent in return; that is the gross over all. If the retail price control is taken off, it immediately throws it into competition and I think you all know what that means that there will be certain cutthroat operators who would immediately sell their milk at a cost price. I would be forced also to sell my milk at a cost price because I

should continue selling milk. Then I would simply go to the distributor and say to him: I have got to sell this milk at this particular price. You have got to sell it to me so that I can make a profit. It is costing me money to operate this refrigeration and I can not do it for nothing. He is either going to cut his price or he is going to buy my space. If not, then a competitor somewhere along the line is going to take it over. That will go along for a little while and you can see what that would do throughout our whole city and throughout our whole area. After a while, he would go to the producer and say: You have got to cut your price because I have got to cut mine, each one of the retailers. If this producer refuses to cut his price, it looks to me as if then that distributor would not pick up his milk. He has got a perishable product; what is he going to do with it? He can not retail it. He has got to put it through these particular lines and if the middle man can not make a profit on his goods, he is going to cut somewhere along the line. Well, milk is a very important food item and it should be clean, it should be sanitary and it should be fresh and good. If we do not allow enough profit to the various men handling milk, all the way through the whole channel from the producer to the retailer, then the services are going to be cut. You may get milk that will not be fully pasteurized. That has happened in the past. I know of one particular instance, one dealer was picked up three times within two weeks time putting out pasteurized milk that was not pasteurized, or had been run through a pasteurizer perhaps two or three minutes. I believe twenty minutes is the required time.

If he can not make a profit, he is going to cut the services some way. He is going to cut something and it may be the quality of milk that your children receive. I think the great interest that you have in your basic food should be not just milk alone but a quality milk. It has been mentioned here about the sin of having a retail price control on milk yet they would continue the producers' con-

trol. I see no further sin in the retail price than I do in the producers' control on the milk. Thank you.

The SPEAKER pro tem: The Chair is informed now that there are in the balcony twelve pupils from the seventh and eighth grades of the Newfield School accompanied by their teacher, Mrs. Dorothy Chellis and also by guests, Mrs. Cook and Mrs. Gilman.

On behalf of the House, the Chair extends to you a hearty and cordial welcome and hopes that your visit with us will be enjoyable and entertaining. (Applause)

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Charles.

Mr. CHARLES: Mr. Speaker and Members of the House: I only rise for the purpose of being clarified on two or three things that are in this bill that I would like an explanation on. I wish the House would refer to page 10 of this bill, page 10 or 11. That is L. D. 1292. I am not appearing for or against this bill but I mean for the purpose of clarification for the members of the House there are some technicalities that should be clarified. I refer now to Section 27 where it requires application for a license to sell milk. Under Roman numeral IV, it would require any person who sells milk to give a financial condition of their business before they can get a license. I just want to say as far as the grocers are concerned, these fellows on the average—and if I am not correct I want to be corrected—sell about twenty-four quarts of milk a day. They would be required to purchase a license for two dollars and they would also have to give the Commission the financial condition of their business to see if they were fit to sell this milk. I wonder if that is necessary.

Secondly, on page 11, these same persons would have to obtain a bond to guarantee that they will observe the law and that if anything should happen that they are guilty that they will be able to pay for the damages incurred.

Now, I wonder if it is necessary to bond anybody to sell milk. So if there are members in the House that could answer those questions,

I would be happy to hear the clarification.

The SPEAKER pro tem: The House has heard the questions of the gentleman from Portland, Mr. Charles, addressed to any member of the House and any member may answer who chooses.

Mr. BOWIE (of Durham): Mr. Speaker—

The SPEAKER pro tem: The Chair recognizes the gentleman from Durham, Mr. Bowie, for the purpose of answering the question only.

Mr. BOWIE: Mr. Speaker, once again it is a question of "may" or "shall". In Section 27, it does not say they shall, it says they may, the Commission may prescribe.

The SPEAKER pro tem: The Chair recognizes the gentleman from Seasmont, Mr. Knight.

Mr. KNIGHT: Mr. Speaker and Members of the House: We are vitally concerned with the welfare of the producers of milk. We also must recognize that we have a surplus of this commodity. It is also good business practice when we have a surplus to dispose of our surplus in some equitable, fair manner and usually to the benefit of the consumer. That is a common practice of business and I believe that if the producer can be guaranteed a fair profit for his product that this milk should be put on the market so that the consumer can benefit from the price angle. Only this morning, and I am a retailer, I paid ten cents a quart for milk landed in my store—I mean, the producer next door to me was getting ten cents a quart for producing the milk and I paid the middle man nineteen and a half cents a quart. I think that his mark-up is being overly well taken care of and if we have a surplus of this commodity it should be put at a price that we can sell it to the consumers' benefit. If this bill of the gentleman from Durham, Mr. Bowie, will produce this and still protect the producer, I will go along with the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, I operate a farm but I do not know whether I should say, I regret to say, but I will say that the cattle I

have are beef cattle and you have to give them an anesthetic to milk them. (Laughter) However, I come from a rural area and I have sent copies of this bill to numerous people who are large and small milk producers in my area. And I must say that of the replies I received which were from a majority of the inquiries, they were opposed to this bill. They felt that there was an inherent danger in it. Some of them went into detail and some of them did not. I won't go into detail because you have had a lot of detail. I do want to say, however, that if the farmers had a rigid association such as, for instance, the Bar Association that set minimum fees, minimum amounts which they would receive for their products, that possibly legislation would not be necessary. However, it has been found difficult to hold the farmers together and something has got to be done for their protection. I believe that agriculture is certainly one of the most important items in the State of Maine and I do not think we should tamper with it too much when it has proved more or less successful with the existing legislation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker and Members of the House: Inasmuch as the gentleman from New Sharon, Mr. Caswell, who is House Chairman of the Agriculture Committee, has indicated that a majority of the committee, the members who signed the majority report, are somewhat in sympathy with this bill, and I am confused and I am sure many others here are, would a motion to have this recommitted to the committee be in order?

The SPEAKER pro tem: The Chair will state that the motion is in order. Does the gentleman so move?

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

The SPEAKER pro tem: The gentleman from Warren, Mr. McCluskey, moves that the two Reports with accompanying papers be recommitted to the Committee on Agriculture.

The Chair recognizes the gentleman from Durham, Mr. Bowie. For

what purpose does the gentleman rise?

Mr. BOWIE: Mr. Speaker, as a member of that committee, I might say that we spent all the afternoon on this bill and if we sent it back there for the next week, the report would come out just the same; I am telling you that.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I would like to ask through the Chair of the gentleman from New Sharon, Mr. Caswell, if he is of the opinion that anything can be accomplished by this going back to the committee.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, addresses a question through the Chair to the gentleman from New Sharon, Mr. Caswell, who may answer if he so chooses.

Mr. CASWELL: Mr. Speaker, in answer to that, the gentleman from Warren, Mr. McCluskey, perhaps misunderstood my intent. That is not what I said but what I intended to say. I said that the majority I thought were perhaps somewhat in favor of the apparent purpose of the bill but that we felt strongly that the bill would not accomplish the purpose intended. I am pretty sure that as the gentleman from Durham, Mr. Bowie, has stated that there would be no change on the part of the committee if the bill were recommitted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker, I withdraw my motion if I may.

The SPEAKER pro tem: The gentleman from Warren, Mr. McCluskey, withdraws his motion.

The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: Mr. Speaker, I have tried to listen very attentively to all this barrage of oratory that we have had. I think I qualify in all these categories. I was a small producer, a small retailer and now I am a consumer. I just want to go on record that I am definitely opposed to the minority report on this bill and I hope that it does not prevail and I would ask for the question.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: I am in much the same position as the gentleman from Bangor, Mr. Quinn. I am not a dairy producer nor a dealer. However, I am a member of the Agriculture Committee and I did sit down with the other members of the committee and listened to the pros and cons on this bill. I think that the committee feeling was reflected very much to the point by our House Chairman. However, myself as well as the gentleman from Durham, Mr. Bowie, felt that this bill while it might not be a cure-all, it is a vehicle. It is something that we could send to this Legislature upon which you could work and possibly amend and bring about some of the things that the gentleman from Bowdoinham, Mr. Curtis, for instance, brought out. While I am not a dairy farmer, I am a farmer. I am in the turkey business and last year produced something around 300,000 pounds of turkey meat. I would say that this matter of a markup is not peculiar to the milk industry, that we run into the same problem in our own industry. And in going into the business I found that there was a standard mark-up among the dealers of ten cents a pound on turkey meat and I took a pencil and started to figure on the thing and I discovered that when the market dropped say ten cents, that the dealers made a cent a pound more on their meat on the low market on this mark - up than they did on their high market. So, in discussing the matter with the dealers to whom I was selling, we agreed that the average market toward which we would shoot would be fifty cents. A ten cent mark-up would drop the price of turkey meat, for example, to forty cents. They felt that they needed the ten cent spread to cover the expense of operation. One factor alone in that mark-up, the factor of shrink, might affect the thing to the extent of one cent. Well a cent does not sound like too much when you speak of it only as a cent but if you apply it to 300,000 pounds of meat, you will find that it amounts to three thou-

sand dollars. We went into the problem of the ten cent mark-up as opposed to a percentage mark-up, which the gentleman from Bowdoinham, Mr. Curtis, spoke of and I proposed that we operate on a twenty per cent spread rather than a ten cent spread. This would lend strength to his argument. And what happened at the end of the year was that the price of turkey meat dropped to forty cents a pound on the wholesale level. And on the twenty per cent spread, I received eight cents under the market rather than ten. That two cents meant \$6,000 on the 300,000 pounds of meat. Now, I do not say that the exact rule would apply here. You do have the problem of shrink in your milk probably not to this extent. But with all these factors entering into it, and with the concern that I feel for the producers, I felt that we should bring to you people a vehicle with which you could work and that is the reason why I signed the minority "Ought to pass" report. I hope you people accept that report and preserve the vehicle.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I rise on a point of order. I understood the gentleman from Etna, Mr. Carter, to move the previous question.

The SPEAKER pro tem: The Chair understood that the gentleman from Etna, Mr. Carter, asked for the question and not for the previous question. Does the gentleman now move the previous question?

Mr. CARTER: Mr. Speaker, it was my intention to ask for the previous question.

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

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

A sufficient number arose.

The SPEAKER pro tem: Obviously more than one-third of the members present having arisen, the

motion for the previous question is entertained.

For what purpose does the gentleman from Durham, Mr. Bowie, rise?

Mr. BOWIE: Mr. Speaker, to ask for a division of the House.

The SPEAKER pro tem: The question now before the House is: Shall the main question be put now?

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

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

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Durham, Mr. Bowie, that the Minority "Ought to pass" Report on Bill "An Act relating to Marketing of Milk," House Paper 1102, Legislative Document 1292, be accepted.

The same gentleman has requested a division.

As many as are in favor of the acceptance of the Minority "Ought to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-five having voted in the affirmative and sixty having voted in the negative, the motion prevailed.

Thereupon, the Bill was given its two several readings and assigned for third reading tomorrow.

At this point, Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Bangor, Mr. Browne, to his seat on the floor, amid the applause of the House, and Speaker Trafton resumed the Chair.

The SPEAKER: The Chair would like to thank the gentleman from Bangor Mr. Browne, and state that the gentleman certainly earned his pay in more than the flowers given him this morning.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Thereupon, that gentlewoman presented the following order out of order and under suspension of the rules and moved its passage:

ORDERED, that Richard Crandall, of Presque Isle, be appointed Page for this Legislative Day.

The Order was read and passed.

Mr. Storm of Sherman presented the following order out of order and under suspension of the rules and moved its passage:

WHEREAS, a most serious situation has arisen which affects the status of a member of this House; and

WHEREAS, it is the considered opinion of this body that it must of necessity protect its own standing and reputation before the public; and

WHEREAS, the status of any member thereof is of serious concern to the body as a whole; and

WHEREAS, the principle of strict observation and close watch of all condemned persons, whose sentence is about to be executed, is well established; and

WHEREAS, it is an equally universally accepted principle that such persons, as the hour of execution approaches, are not liable nor responsible for their actions, committed under such stress,

NOW THEREFORE BE IT ORDERED, that the Speaker of this House forthwith appoint a committee to watch, carefully, continuously, yet with such tenderness as the exigencies of the situation may permit, the goings, the comings, the twistings and the squirmings—the sighing, the perspiring, the blushing and the paling of the Gentleman from Ogunquit, Mr. Brewster—until such time as he may be led before the bar of justice, and sentence executed, and he be given unto the custody of his duly appointed KEEPER—forever, and until death do him part,

AND BE IT FURTHER ORDERED, that this House hereby expresses its best wishes for the continued happiness and well-being of its esteemed member, the Honorable Gentleman from Ogunquit, Mr. Brewster, and his charming bride.

On the above Order, the Speaker appointed the following Committee:

Messrs. STORM of Sherman
FLYNN of South Berwick
Mrs. FILES of Portland
Messrs. MARTIN of West Gardiner
SEAWARD of Kittery

The Order was read and passed.

The SPEAKER: The Chair will forthwith appoint to said committee the gentleman from Sherman, Mr. Storm; the gentleman from South

Berwick, Mr. Flynn; the gentlewoman from Portland, Mrs. Files; and the gentleman from West Gardiner, Mr. Martin.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works" (H. P. 436) (L. D. 482) the Speaker appointed the following Conferees on the part of the House:

Messrs. JACOBS of Auburn
COTE of Lewiston
COUTURE of Lewiston

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore. For what purpose does the gentleman rise?

Mr. FINEMORE: Mr. Speaker, would it be in order to ask to approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum. The House may be at ease.

House at Ease

Called to order by the Speaker.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Right of Officer to Kill Dogs" (H. P. 411) (L. D. 458) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HILLMAN of Penobscot
HALL of York
— of the Senate.
Messrs. POTTER of Medway
HARDEN of Rangeley
ROSS of Brownville
DUDLEY of Enfield
GARDNER of Hartland
BRIGGS of Caribou
— of the House.

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

Report was signed by the following members.

Mr. CARPENTER of Somerset
— of the Senate.

Mr. REYNOLDS
of Mount Desert
— of the House.

Reports were read.

Thereupon, on motion of Mr. Potter of Medway, on a viva voce vote, the Majority Report "Ought to pass" as amended by Committee Amendment "A" was accepted.

Thereupon, the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 411, L. D. 458, Bill "An Act relating to Right of Officer to Kill Dogs."

Amend said Bill by striking out the last 2 lines thereof and inserting in place thereof the following: "wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper. For the purpose of this section "enclosure" shall mean the kennel, kennel run, or fenced-in area in which the dog is ordinarily confined. "Immediate care" shall mean that the dog shall be close enough to the owner or keeper that he can exercise control over the dog."

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

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

Senate Order Out of Order

ORDERED, the House concurring, that Bill "An Act relating to Excise Tax on Aircraft", House Paper 123, Legislative Document 126, be recalled to the Senate from the Governor. (S. P. 540)

Came from the Senate read and passed.

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

Passed to Be Engrossed

Bill "An Act relating to Fraudulent Practices in Operation of Motor Vehicles for Profit" (S. P. 111) (L. D. 272)

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

Third Reader Passed over Temporarily

Bill "An Act relating to Bounty on Bears" (S. P. 245) (L. D. 678)

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

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker, may I table this item until after the other items in the third reading are completed, at which time I would like to speak very briefly.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that this Bill be passed over at this time. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act relating to the Teaching of the Industrial and Natural Resources of Maine" (S. P. 536) (L. D. 1462)

Bill "An Act Providing for Rental of Caribou Municipal Court and Presque Isle Municipal Court" (S. P. 538) (L. D. 1464)

Bill "An Act relating to Service of Process on Nonresidents Operating Aircraft" (H. P. 541) (L. D. 598)

Bill "An Act relating to Payments from Benefit Account of Maine Employment Security Commission" (H. P. 996) (L. D. 1144)

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

Third Reader Tabled

Bill "An Act relating to Taxation of Telephone and Telegraph Companies" (H. P. 1205) (L. D. 1471)

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

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, I would like to table Item 7 unassigned for the purpose of an amendment.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that this Bill be tabled pending third reading and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Resolve in favor of A. Edwin Madden of Gardiner (S. P. 294) (L. D. 1442)

Resolve Requesting Judicial Council to Study Certain Problems (S. P. 298) (L. D. 806)

Resolve Regulating Fishing for White Perch in All Counties and Setting Daily Bag Limit in Franklin, Kennebec, Piscataquis and Somerset Counties and in Mattawamkeag Lake, Aroostook County (H. P. 1204) (L. D. 1470)

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

Amended Bills

Bill "An Act relating to Jurisdiction of Cases of Forcible Entry and Detainer of Recorders of Municipal Courts" (S. P. 220) (L. D. 561)

Bill "An Act relating to Organization of Certain Corporations Without Capital Stock" (S. P. 482) (L. D. 1351)

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

Passed Over Temporarily

Bill "An Act relating to Fees of Town Clerks in Recording Copies of Instruments" (S. P. 354) (L. D. 963)

Bill "An Act relating to Employment of Minors" (H. P. 306) (L. D. 282)

Bill "An Act relating to Bridges Built Under the Works Program Flood Relief Program" (H. P. 646) (L. D. 723)

Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta (H. P. 841) (L. D. 931)

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

Item 2, Bill "An Act relating to Bounty on Bears" (S. P. 245) (L. D. 678)

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker and Members of the House: Yesterday the previous question was moved before I had the time to mention the fact in rebuttal to my good friend, the gentleman from Sherman, Mr. Storm, that in the area which I represent as far as I know there were no sheep killed in the last year or possibly two years.

I move indefinite postponement of this bill and accompanying papers.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that this Bill be indefinitely postponed.

The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: I am heartily in favor of keeping this bill alive and not going in accord with the gentleman from Medway, Mr. Potter. Therefore, I hope that his motion does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Medway, Mr. Potter, that this Bill be indefinitely postponed.

The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I thought we had finished with the bears yesterday, but it seems to me that we are going to have to listen to some more bare facts today. I expect there are not too many in this House that have ever seen a live bear in the woods, but I can assure you that although they are not too dangerous, they are not a pet you would want your children to play with. When you get a concentration of bear in any one area they eat up the natural food and begin to raid the livestock. I honestly think I have done as much bear hunting and trapping as anyone in this House, mostly to protect livestock. One spring I put out 31 sheep and the bears that fall had left only five. Now one chap in my area got seventeen bear and another eight and we got two all within a radius of a few miles of those sheep. Can

you blame us for wanting to keep the bounty on? If you people who have not got bears want some for pets, I would be the last one to object, but in my district they are a serious menace to livestock, and I think most of you would object to having to stop and shake hands with a bear or two every time you went out in the back field. Bounty at least helps keep their numbers in check, and I hope the motion of the gentleman from Medway, Mr. Potter does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hartland, Mr. Gardner.

Mr. GARDNER: Mr. Speaker and Members of the House: I rise to explain or try to explain why I signed the minority "Ought not to pass" report on this bill. I worked for the Fish and Game Department for sixteen years and had the occasion to investigate a good many claims for damage done to sheep by bear, and I will say that sixty per cent of the damage was done by dogs. Somebody may ask a question: How do you know that it was done by dogs and not by bear? That is very easy. If you go into a pasture and you find wool all over the pasture, find that the ears of the sheep have been bitten, and their legs, and they have been worried, and so forth, that damage was done by dogs. If you find that a sheep has been killed right on the spot and nine times out of ten the neck will be broken, you will know that has been done by bear. I do not think that the bounty accomplishes anything on any wild animal, and I would say at this time that not all bear kill sheep. I know of a bear and two cubs that stayed around a pasture where there were forty sheep all summer, that bear did not molest those sheep. Neither do all dogs kill sheep, but after they get to killing sheep why the only way to stop them is by destroying them, and that is true of the bear. Thank you.

Mr. SPEAKER: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, I suppose some of you think I should not speak on this question coming from Knox County, but I do want to lend

a little weight to the motion of the gentleman from Medway, Mr. Potter, and I feel it is wrong to use Fish and Game money to subsidize trappers for bear. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I am not going to extend argument over this bill. We do need this in our district very much, but if you vote it down I will not feel too bad because I know you have been told a lot of things here that I believe is a lot of propaganda. Up in our county it is no trouble at all to tell when a bear kills a sheep. I am like the gentleman from Hartland, Mr. Gardner, because the tracks and evidence of being crushed there is not much chance to mix dogs with bear killings, but we have bear up in our county I have heard them say that are trained pretty well, they will kill a sheep and roll up its hide and put it under a rock, so maybe some of their arguments are good, but I do hope that if some counties feel like taking it off I will not feel against them because I am not familiar with any other county, and I am not going to try to pass a law that will hurt them, but I do say that Aroostook County, and especially in my district from Presque Isle to Houlton we do need a bear bounty very much, and I think it would be very expensive to the Fish and Game Department to pay the damages over and above what the bounty will come to, and I hope that the motion of my good friend the gentleman from Medway, Mr. Potter, will not prevail. And again I say, if any county would like to be taken off I believe that is good and proper, but I hope that Aroostook County is left on.

The SPEAKER: The Chair recognizes the gentleman from Chapman, Mr. Foss.

Mr. FOSS: Mr. Speaker and Ladies and Gentlemen of the House: I rise here not so much for the bear bounty as I think there is a matter of principle involved here that has not been recognized by the Legislature. I am a farmer, and if I have a bunch of livestock and they get into my neighbors field and do

damage, I look after them myself. My neighbor does not usually want damages if he thinks it is an accident. But when it becomes a continuous thing, and he persists in letting his stock ravage my crops, I have no recourse but to go to the Courts for damages. I think that our State when they take under their protection the wild animals of the State, have a duty to the other land owners and the land owners of the State, especially the farmers, to look after and protect the farmer from the damage of these animals when they have taken them under their custody. Now at the present time the bear bounty is the only vehicle that we have to do that, and I believe that it should be kept in force until the State makes some provision for looking after this predatory and crop damage. In the deer damage we do have the warden service, they do a lot of work keeping the deer out of the fields and orchards, and they recognize to some extent that principle that they are responsible, and I think that until we have a better vehicle that this bounty should be kept on.

The SPEAKER: The Chair recognizes the representative of the Polar Bears, the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I have had trouble with black bears ever since I first stepped foot into the State of Maine, and I presume as long as I hold the position I do, the wonderful institution which it is—thank you, you men from Maine—that I still will have trouble but it is mostly with the two-legged variety, and I can assure you if you put a bill through here that would place a bounty on the two-legged variety of bear that comes down from the north that I would not have as much trouble in the next twenty years as I have had in the last twenty. We are not troubled with the four-legged variety down in Cumberland County, but I certainly would go along with the motion of the gentleman from Medway, Mr. Potter, if for no other reason in the world than strikes me in the words of the gentleman from Hartland, Mr. Gardner, who has spent so many years in the woods, that as far as I can see, when you are allowed a claim on livestock that is killed, you will get

more money if you take the bounty off of bear because that money will be available to pay for livestock as I understand it, and I think we have to stop some time the killing off of all the wild animals we have in the State that we so widely advertise as Vacationland.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, with reference to the remarks by the gentleman from Hartland, Mr. Gardner, who has spent so many years in the woods, I certainly agree that not all bears kill livestock, and we thank the Lord for that. There are those bears who are not in the habit of killing livestock which are vegetarians, and the farmers in my area try very hard to produce some crops, and if you gentlemen have had the chance as I have over the past few years to travel around in some of these back fields and see some fields of grain or peas or clover as the case may be which these bears have mauled down and totally destroyed so that they are impossible to harvest, I think you would agree with me that these bear do damage to things other than livestock, and I sincerely hope that the motion of the gentleman from Medway, Mr. Potter does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, if I was having trouble with bears killing livestock, I do not think I would wait for a bounty in order to dispose of the bears. Ever since I was a child I have heard the story of "The Three Bears", but as I am getting older the tale is getting longer. I feel that probably it would be good if we went along with the motion of the gentleman from Medway, Mr. Potter, because I feel that it will certainly cut this bear tale much shorter.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I have much more trouble with skunks than I do with bear, but I know quite a lot about the bear around

the farming country where I live and I do not think the gentleman from Brunswick, Mr. Walsh, has ever been up any farther than Dover-Foxcroft up in the county. I can see why he has not had any trouble with bear around Brunswick because I do not think there are many down there, but if he had lived up in the country where some of the rest of us fellows have, up in Dover-Foxcroft and north of Dover-Foxcroft, we could show him plenty of trouble with bear. Now around Dover-Foxcroft the bear certainly get after the sheep. I spent eight years in Sherman Station and I know that the gentleman from Sherman, Mr. Storm, is right when he says they also give a lot of trouble up there, particularly down in Benedicta. My good friend from Benedicta, I think probably this is the only year that he has not appeared for the bear bounty, he is gone now and he could not appear, but he has always fought it very strongly. I know him personally and I know the people around Benedicta very well, they raise a lot of sheep and they certainly have a lot of trouble with bear. I do not think we put too much stock in what the gentleman from Brunswick, Mr. Walsh, says about bear, because as I said before, I do not think he knows too much about them. I hope the motion of the gentleman from Medway, Mr. Potter, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Dover-Foxcroft, Mr. Sanford. Looking directly at me before he got up on his feet to make his remarks, and stating to the House that there was trouble of a great number of skunks up in Dover-Foxcroft, I just wondered if he was making a recommendation that I move to Dover-Foxcroft?

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, addresses a question through the Chair to the gentleman from Dover-Foxcroft, Mr. Sanford, who may answer if he chooses.

Mr. SANFORD: Mr. Speaker and Members of the House: I felt personally and I think I speak for the majority of the people in Dover-Foxcroft, we prefer that the gentleman from Brunswick, Mr. Walsh, would stay in Brunswick.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: I will attempt not to get personal in my talk on bear, but I would like to state that I live in an area where we have many bear and also we have farmers that have sheep. We have people that have dogs, and I do know from the reports of our Selectmen and from my own observance, that we have had more sheep killed by bear in our area than by dogs. Therefore, that is the reason that I rise for the second time, and I still hope that the motion does not prevail.

The SPEAKER: The Chair would state for the benefit of the gentleman from Strong, Mr. Jennings, that a motion to amend this bill, if the gentleman wishes Franklin County to be included in this bill, is in order at this time.

Mr. JENNINGS: Mr. Speaker and Members of the House: At this time, I am going to offer House Amendment "A" to Senate Paper 245, Legislative Document 678, Bill "An Act relating to Bounty on Bears" and I move that this amendment be adopted.

The SPEAKER: The gentleman from Strong, Mr. Jennings, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 245, L. D. 678, Bill "An Act relating to Bounty on Bears."

Amend said Bill by striking out from the 5th line thereof the words "Franklin County" and inserting in place thereof the words "that portion of Franklin County north of the Appalachian Trail."

Thereupon, House Amendment "A" was adopted in non-concurrence.

The SPEAKER: The question before the House is now again the mo-

tion of the gentleman from Medway, Mr. Potter, that the Bill as amended be indefinitely postponed.

The Chair recognizes the gentleman from West Gardiner, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I am a new man in this House as I have had occasion to remark before, and as you could judge by my actions without me even saying so. I have been surprised at many things that have happened here, but I assure you I am most surprised at the number of people running around bare here. There is one thought in connection with this bear business that I would like to suggest now, and that is this, if the object of the bear bounty is to eliminate bear or to decrease them in number, I would suggest that a year or two ago there was an attempt made to make bear hunting with dogs a sport in the State of Maine. There was considerable publicity on it, and hunters came from, well, Tennessee and other places where it is quite a sport hunting bear with dogs. I have been told that the reason the sport did not succeed in Maine was because so many dogs were caught in bear traps. Now I am not offering this as a fact, I am only saying that it is what I have been told, and I would leave with you the suggestion that if we instead of trapping bear, if we encouraged the hunting of them with dogs, making it a sport, we would bring money into the State from out-of-state sportsmen, we would make one more sport in the State, and it might be in the long run the best way out.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Members of the House. It is not very often that I get up, I have been doing more listening during this session being a freshman than I have talking, but, however, I do want to say a word or two in regard to the bear. Mr. L. L. Bean, that happens to be a citizen of my town, probably sells more out-of-state licenses than any other agent of the Inland Fisheries and Game in the State. He is heartily in favor of taking all bounties off from the bear, and he says that the money that will come in if you do that will

take care of all damages that the bear do. That is Mr. Bean's story.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to clarify again the fact that the particular issue here is not one of skunks or other four-footed species, but one of bear, and the contention that we made originally, and which still stands, is that bounties have been proven more or less all over the world to be a completely ineffective instrument for predatory control. I would like to say too that in some of our neighboring provinces they have a means of accomplishing a purpose similar to that which I think we are striving for, and that is that in the springtime when bear first come out of hibernation and are very easy to get, they are doing a lot of traveling for food, they widely advertise a free open season, and surprising as that may seem to some of you, there are a great many United States residents who take advantage of the opportunity to go shoot a couple of mangy bears while they are scrouging around to fill up after their long winter's sleep. I think that would be one effective bit of means by which we could more effectively control the bear population and eventually, I might just add that I think it is possible that we may find it necessary to more effectively control this predator problem—I realize that it is a problem, by probably having professional hunters available like they do in many of the mid-western and western states. Those fellows use snares and dynamite, cyanide, bullets and dogs and every means available to them and they do make quite an inroad on the predator population whatever it is, but generally speaking, the thing that I wanted to point out to you, is the fact that usually when you take off a few of the specie that you are seeking to control, it has the actual result of leaving the remainder all the more healthy and all the more precocious and able to take care of themselves. I realize that is it a problem and that they do do some damage, although that is controversial too, but the point that I wanted to bring out

specifically is that now as before, the only issue is that we feel that bounties are not an effective instrument for predator control. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Medway, Mr. Potter, that Bill "An Act relating to Bounty on Bears", Senate Paper 245, Legislative Document 678, be indefinitely postponed.

As many as are in favor of the indefinite postponement of this Bill will kindly rise and remain standing until the monitors have made and returned the count.

Mr. DICKER (of Lakeville Plantation): Mr. Speaker, is it too late to table this?

The SPEAKER: Would the gentleman from Lakeville Plantation, Mr. Dicker, kindly state his reason for standing?

Mr. DICKER: Mr. Speaker, I have not said anything on this but around my area, if I —

The SPEAKER: The Chair will inquire if the gentleman wishes to debate the bill.

Mr. DICKER: Mr. Speaker, I do not know. Perhaps I had better keep still. I have waited too long. That is all right.

The SPEAKER: The Chair will restate. The question before the House is on the motion of the gentleman from Medway, Mr. Potter, that Bill "An Act relating to Bounty on Bears," Senate Paper 245, Legislative Document 678, be indefinitely postponed.

As many as are in favor of the indefinite postponement of this Bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty having voted in the affirmative and fifty-five having voted in the negative the motion did not prevail.

Thereupon, the Bill was given its third reading, passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

Item 13, Bill "An Act relating to Fees of Town Clerks in Recording Copies of Instruments" (S. P. 354) (L. D. 963)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Hilton of Bremen then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 354, L. D. 963, Bill "An Act relating to Fees of Town Clerks in Recording Copies of Instruments."

Amend said Bill in the 7th line by indicating the striking out of the figure "\$1" by drawing a line through said figure and inserting immediately after said stricken out figure the underlined figure "\$1.50"

House Amendment "A" was adopted and the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act relating to Criminal Appeal Cases in Cumberland County (S. P. 491) (L. D. 1358)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957. (S. P. 529) (L. D. 1444)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Sale and Use of Electric Fences (H. P. 729) (L. D. 791)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 112 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate The Memorial School District in Belfast (H. P. 1118) (L. D. 1284)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Clerk Hire in the Office of the Recorder of the Portland Municipal Court (S. P. 81) (L. D. 170)

An Act relating to the Salaries of the County Commissioners of Cumberland County (S. P. 83) (L. D. 172)

An Act relating to Fees of Deputy Sheriffs in Attendance at Court (S. P. 86) (L. D. 175)

An Act Excluding Outboard Motors from Jurisdiction of Public Utilities Commission (S. P. 182) (L. D. 434)

An Act relating to Wharf in Long Lake at Naples (S. P. 206) (L. D. 500)

An Act to Amend the Workmen's Compensation Act (S. P. 221) (L. D. 562)

An Act relating to the Practice of Physical Therapy in the State of Maine (S. P. 326) (L. D. 902)

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

**Enactor
Tabled and Assigned**

An Act Increasing Salary of the Recorder of the South Portland Municipal Court (S. P. 357) (L. D. 966)

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

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

Mr. CHARLES: Mr. Speaker, because of the absence of the gentleman from South Portland, I have been requested to table Item 12, and have it specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Charles, moves that Item 12, An Act Increasing Salary of the Recorder of the South Portland Municipal Court, Senate Paper 357, Legislative Document 966, lie on the table pending passage to be enacted and be specially assigned for tomorrow, April 21. Is this the pleasure of the House?

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

An Act relating to Rights and Stock Options of Stockholders (S. P. 372) (L. D. 1068)

An Act relating to Appointment of Collector and Assessors of Taxes and City Treasurer of City of Eastport (S. P. 376) (L. D. 1072)

An Act relating to Liens for Inheritance Taxes and Fixing a Period of Limitations Therefor (S. P. 410) (L. D. 1174)

An Act relating to Registers of Probate Pro Tempore (S. P. 430) (L. D. 1189)

An Act to Create a Central Register of Attorneys (S. P. 484) (L. D. 1353)

An Act relating to the Appointment of Conservators (S. P. 503) (L. D. 1385)

An Act relating to Definition of Contract Carrier (S. P. 522) (L. D. 1427)

An Act Revising the Maine State Retirement System (S. P. 524) (L. D. 1432)

An Act relating to Payments Received by State from Portland Terminal Company (S. P. 530) (L. D. 1445)

An Act relating to Audit of Counties (S. P. 533) (L. D. 1447)

An Act to Create the Bath Parking District (H. P. 65) (L. D. 70)

An Act relating to Exceptions from Outdoor Advertising Law (H. P. 184) (L. D. 189)

An Act relating to Zoning in Village Corporations (H. P. 310) (L. D. 287)

An Act to Create the Augusta Sewerage District (H. P. 498) (L. D. 549)

An Act relating to Power to Hold Property by Corporations Without Capital Stock (H. P. 593) (L. D. 649)

An Act relating to Unlicensed Dogs (H. P. 595) (L. D. 651)

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

An Act relating to Construction of Fishways (H. P. 654) (L. D. 731)

An Act relating to Powers and Duties of Special Administrators (H. P. 664) (L. D. 740)

An Act relating to the Wells and York Game Preserve (H. P. 739) (L. D. 820)

An Act to Ratify and Make Valid the Incorporation of the Sebago Lake Congregational Church (H. P. 784) (L. D. 867)

An Act relating to Bar Harbor Property Owners Corporation (H. P. 829) (L. D. 921)

An Act relating to the Fifth Maine Regiment Memorial Society (H. P. 831) (L. D. 922)

An Act relating to Use of Photostatic Reproductions (H. P. 832) (L. D. 923)

An Act Increasing Salaries of Certain County Officials of Franklin County (H. P. 856) (L. D. 942)

An Act Increasing the Salary of the Recorder of the Van Buren Municipal Court (H. P. 950) (L. D. 1053)

An Act Amending the Charter of the City of Ellsworth (H. P. 1001) (L. D. 1166)

An Act relating to the Appointment of Trustees for the Kennebec Water District (H. P. 1007) (L. D. 1154)

An Act relating to Public Camp Sites and Lunch Grounds Maintained by Forestry Department (H. P. 1078) (L. D. 1261)

An Act relating to Apothecaries and the Sale of Poisons (H. P. 1080) (L. D. 1263)

An Act relating to Fees for Jurors and Witnesses (H. P. 1185) (L. D. 1440)

An Act relating to Records of Time Worked (H. P. 1191) (L. D. 1454)

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

Finally Passed

Resolve to Reimburse the City of South Portland for Support of Margaret Dawson (S. P. 215) (L. D. 556)

Resolve in favor of the Town of Milo (H. P. 32) (L. D. 49)

Resolve in favor of John C. Bonnell of Portland (H. P. 53) (L. D. 1435)

Resolve Regulating Fishing in Rattlesnake (Pequawket) Pond, Oxford County (H. P. 189) (L. D. 194)

Resolve in favor of Henry Michaud, of South Berwick (H. P. 248) (L. D. 236)

Resolve in favor of the Town of Bowdoin (H. P. 251) (L. D. 367)

Resolve in favor of Frederick Standley of South Windham (H. P. 340) (L. D. 1436)

Resolve Regulating Fishing in Kewayden Lake and Virginia Lake in Oxford County (H. P. 357) (L. D. 395)

Resolve Closing Spring Pond in Piscataquis County to Fishing Except Fly Fishing (H. P. 470) (L. D. 515)

Resolve in favor of West Shore Hotel Company (H. P. 522) (L. D. 585)

Resolve Regulating Fishing in Cobbosseecontee Stream in Kennebec County (H. P. 538) (L. D. 595)

Resolve in favor of Claude Boyington, of Prentiss (H. P. 585) (L. D. 1425)

Resolve in favor of Kathryn C. Douglas of Augusta (H. P. 640) (L. D. 717)

Resolve Regulating Fishing in Second Gardner's Lake in Marion Township, Washington County (H. P. 657) (L. D. 734)

Resolve Regulating Fishing in Johnson Pond in Knox County (H. P. 660) (L. D. 736)

Resolve Regulating White Perch, Bass and Pickerel Fishing in Lake Anasagunticook (H. P. 741) (L. D. 822)

(This item subsequently tabled and assigned)

Resolve in favor of Stockton Springs (H. P. 773) (L. D. 879)

Resolve Regulating Fishing for Black Bass in Androscoggin County (H. P. 825) (L. D. 917)

Resolve to Reimburse Roscoe Morse of Rockland for Damage by Escaped Prisoner of State Prison (H. P. 870) (L. D. 982)

Resolve in favor of Gunnar Sandstrom of Sinclair (H. P. 873) (L. D. 1441)

Resolve in favor of Francis Coyne of Westbrook for Damage by Escapees from Reformatory for Men (H. P. 958) (L. D. 1438)

Resolve Providing for the Payment of Certain Pauper Claims (H. P. 1180) (L. D. 1420)

Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Passagassawaukeag River (H. P. 1190) (L. D. 1453)

(This item subsequently tabled and assigned)

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

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman, For what purpose does the gentleman rise?

Mr. TOTMAN: Mr. Speaker, I would like to specially assign for tomorrow Items 59 and 66.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves with respect to Item 59, Resolve Regulating White Perch, Bass and Pickerel Fishing in Lake Anasagunticook, House Paper 741, Legislative Document 822, that it lie on the table pending final passage and be specially assigned for tomorrow, April 21. Is this the pleasure of the House?

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

The SPEAKER: With respect to Item 66, Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Passagassawaukeag River, House Paper 1190, Legislative Document 1453, the gentleman from Bangor, Mr. Totman, moves that this Enactor lie on the table pending final passage and be specially assigned for tomorrow, April 21. Is it the pleasure of the House that this Resolve lie on the table pending final passage and be specially assigned for tomorrow for reasons privy to the gentleman from Bangor, Mr. Totman?

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

The SPEAKER: The Chair will inquire if there are any other Resolves that any member wishes passed over or tabled at this time?

Thereupon, Items 44 to 66 inclusive, with the exception of Items 59 and 66, were finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: If there are any notices not on the listed notices, the Clerk will read them. There are none.

On motion of Mr. Whiting of Skowhegan,

Adjourned until ten o'clock tomorrow morning.