

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

VOLUME II

1955

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, May 6, 1955

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

Prayer by the Rev. Tom G. Akeley of Gardiner.

The journal of the previous session was read and approved.

Papers from the Senate

The following paper from the Senate, not on the Advance Journal, was taken up:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 9, 1955. (S. P. 575)

Came from the Senate read and passed.

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

Senate Reports of Committees Ought not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Bertram A. Gardner of Augusta (S. P. 295)

Report of the Committee on Towns and Counties reporting same on Bill "An Act to Increase the Salary of the Clerk of Courts of Kennebec County" (S. P. 102) (L. D. 232) as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act to Increase the Salary of the Sheriff of Kennebec County" (S. P. 103) (L. D. 233) as it is covered by other legislation.

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Business Legislation on Bill "An Act relating to Purposes of Companies Organized Under General Insurance Law" (S. P. 463) (L. D. 1307) which was recommitteed, reporting same in a new draft (S. P. 571) (L. D. 1524) under title of "An Act to Incorporate the Maine Fidelity Life Insurance Company" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Compulsory Commitment of Persons Infected with Tuberculosis" (S. P. 367) (L. D. 1063) which was recommitteed, 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. 367, L. D. 1063, Bill "An Act relating to Compulsory Commitment of Persons Infected with Tuberculosis."

Amend said Bill in "Sec. 2" by striking out the underlined word "shall" in the 12th line and inserting in place thereof the underlined word 'may'

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

Report of the Committee on Towns and Counties on Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court" (S. P. 84) (L. D. 173) which was recommitteed, 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. 84, L. D. 173, Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court."

Amend said Bill by striking out the underlined figure "\$5,000." in the 7th line thereof and inserting in place thereof the underlined figure '\$4,500'.

Further amend said Bill by striking out the underlined figure "\$4,500" in the 16th line thereof and inserting in place thereof the underlined figure '\$4,000'.

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

**Ought to Pass
with Committee Amendment
Amended in Senate
Tabled and Assigned**

Report of the Committee on Judiciary on Bill "An Act to Revise the Taxation Laws Relating to Towns" (S. P. 127) (L. D. 336) 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" and Senate Amendments "A" and "B".

In the House, the Report was read.

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

Mr. MCGLAUFLIN: Mr. Speaker, I am informed that it is necessary to have the title read into the records and I move that this lie on the table until Tuesday, May 10.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the Report with accompanying papers lie on the table pending acceptance and be specially assigned for Tuesday next, May 10. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was so tabled and assigned.

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Equipment of Rail Track Motorcars

used by Railroad to Transport Employees" (S. P. 162) (L. D. 356)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
HILLMAN of Penobscot
ST. PIERRE of
Androscoggin
— of the Senate.

Messrs. ROSS of Bath
CALL of Cumberland
JONES of South Portland
WALLS of Millinocket
— of the House.

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

Report was signed by the following members:

Messrs. LETOURNEAU of Sanford
WINCHENPAW of
Friendship
BROWN of Baileyville
— of the House.

Came from the Senate indefinitely postponed.

In the House: The Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentleman of the House: I would like to speak on this bill just for a few moments before I make a motion.

This bill had a hard time all along the way and one regret I have is that we did not kick it out a long time ago and get it over with when it had a more evenly divided report.

There are two ideas going around here that I do not quite go along with. One is that we are morally bound by previous Legislatures and the other idea is that we should not interfere with labor and management. That is, the Legislature should not be asked to make rules or laws that management and labor could settle by themselves but every day we have been passing such laws as that. Just a day or two ago we passed a couple of laws concerning the fishing industry down on the coast. You might say that the dealer represented management and the fishermen represented labor and we passed a four inch herring law. Probably nobody paid much attention to it but it is going to be pretty hard to tell whether those

herring are four inches or not until after you catch them. I feel that even although we have had that idea and the opposition is going to bring up that idea, that these people who are interested in this bill should be given some consideration and that the railroad is probably the only—

The SPEAKER: The Chair will request the gentleman to kindly defer.

At this point, a message came from the Senate borne by Secretary Winslow of that body, proposing a joint convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of extending to His Excellency, Governor Edmund S. Muskie, an invitation to attend the joint convention and make such communication as he may be pleased to make.

On motion of Mr. Childs of Portland, the House voted to concur with the Senate in the proposition for a Joint Convention.

House at Ease

Called to order by the Speaker.

Thereupon, the Clerk was charged with and conveyed a message to the Senate, informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

House at Ease

Called to order by the Speaker.

The Senate then entered the Hall amid the applause of the House, the Members rising, and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Robert N. Haskell in the Chair.

On motion of Mr. Collins of Aroostook, it was ORDERED, that a Committee be appointed to wait upon His Excellency, Governor Edmund S. Muskie, and inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as he may be pleased to make.

The Chair appointed as such Committee:

Senators:

COLLINS of Aroostook

LOW of Knox

BOUCHER of Androscoggin

Representatives:

JACOBS of Auburn

SANFORD of

Dover-Foxcroft

CATES of East Michias

SEAWARD of Kittery

ROGERSON of Houlton

WILLEY of Ellsworth

DUQUETTE of Biddeford

Convention at Ease

Called to order by the Chairman.

Mr. Collins for the Committee subsequently reported that the Committee had discharged the duties assigned it, and that His Excellency, Governor Edmund S. Muskie, was pleased to say that he would forthwith attend the Convention.

Convention at Ease

Called to order by the Chairman.

His Excellency, Governor Edmund S. Muskie, accompanied by members of his Council then entered the Hall of the House amid the applause of the Convention, the members rising.

The Chairman then presented Governor Muskie to the Convention.

Governor Muskie addressed the Convention as follows:

Mr. President and Members of the 97th Legislature:

I would like first of all this morning to state briefly my purpose in coming before you. You are vexed by many problems and burdened by long sessions and the mounting pressures which plague every legislature toward the close of a legislative session. It is not my intent to impose unduly upon your time and patience. It is my purpose to contribute what I can to a clarification of some of the issues before you in an objective and non-partisan way.

In January I placed before you the broad objectives toward which I believe State Government should reach in the years ahead. Our first objective should be to expand our capacity to produce a better life for ourselves and for our children. Prog-

ress toward this objective will enable us to approach our second objective, namely, to expand our educational facilities, to improve our state institutions, to provide for the needy and unfortunate, to construct an adequate highway system, and, in general, to make government a more effective instrument for service to our people. A third and immediate objective is to measure and take the first steps, which we can now afford, toward the first two, long-range objectives.

I discussed ways and means of achieving these objectives at length. Nothing which has occurred since last January has shaken my conviction that a vast majority of you and of our people are in agreement with me as to the long-range objectives. There are in evidence disagreements among you as to the first steps which we can and ought to take at this time. Many of these disagreements are based upon confusion and misunderstanding as to what the state's financial situation is and what it is likely to be in the next two years. Unless your decisions are based upon a sound foundation of fact in this respect, we are likely to stumble now at the very beginning of our journey into the future so seriously as to substantially delay the progress which we all want.

Under these circumstances, I conceive it to be my duty to place the facts before you as I see them in order that you may clearly understand my position.

Balanced Budget

In considering our budgetary needs, I laid down as a first principle the fact that our people cannot afford luxuries. This is a principle which I have consistently supported and in which I still believe. To implement it, the following steps were taken in the preparation of the budget recommendations.

As you know, I presented a balanced budget in order that you might know to what extent current services can be continued in the next biennium within estimated income. As a base, I used the net appropriations made available by the regular session of the 96th Legislature in the amount of \$64,457,900.78. May I point out that this fig-

ure is \$2,200,435.24 less than actual appropriations made available by the regular session of the 96th Legislature. The downward adjustment represented adjustments for actual and estimated transfers from the contingent fund and for actual and estimated departmental lapsed balances for the current biennium.

To that base was added \$5,039,995.22. This figure represents increases in current services authorized by the special session of the 96th Legislature, merit increases for state employees, the operating cost of new buildings, and other increases in current services described in detail on the second page of the budget message as it appears in the Budget Document.

The total balanced budget, then, was \$69,497,896.00. It was \$9,463,295.00 less than the total appropriation requests by State departments and agencies for the general fund operations. The Appropriation Bill, incorporating the balanced budget, is now pending final enactment with a net additional change of \$77,472.

Every effort, then, was made to get the balanced budget down to rock-bottom figures: And the work done was much more extensive than this brief recital suggests. In addition, still cognizant of the first budgetary principle which I have stated, I recommended economy measures such as line budgeting and the survey of state government which are outlined on the 5th and 6th pages of the budget message as it appears in the budget document. The savings which these measures, if enacted completely, may produce are unpredictable and should not be relied upon at this time, to support supplemental appropriations.

Supplemental Budget

Still recognizing that our people cannot afford luxuries, I was convinced, nevertheless, that our citizens are willing to make a reasonable investment to insure that we will take realistic steps forward to develop our state, to provide adequate schools, to improve our institutions, and to otherwise improve state services. The supplemental budget represents my judgment as to the minimum needs in this respect. May I emphasize that the recommendations in the supplemen-

tal budget do not represent luxuries, nor even the minimum needs which could be justified, but rather the rock-bottom price of progress in the various areas covered.

The total supplemental budget was \$9,691,840.00 for the biennium. Of this amount, \$5,691,840.00 represented operational appropriations, which, combined with the balanced budget, was still \$3,771,455.00 less than departmental requests for these purposes. And the supplemental budget included some services which were not included in departmental requests.

This analysis, it seems to me, establishes the essential conservatism of the budget recommendations. Every effort was made, all along the line, to make cuts consistent with maintaining current services while, at the same time, insuring reasonable progress.

General Fund Revenues

Let us turn, briefly, to the revenue side of the picture. Departmental estimates of revenue available for appropriation for the biennium totalled \$68,057,191.00. It had always been my position in the Legislature that revenue estimates over the years had been too low, that, in all fairness to the taxpayers, before new taxes were enacted, revenue estimates should approach as accurately as possible actual revenues. Consistent with that position, and on my own responsibility, I increased revenue estimates by \$1,440,705.00. With this increase, I was able to support the budget recommendations in the balanced budget.

To support the supplemental budget, I suggested two possible sources of revenue. At this point you have eliminated the income tax from further consideration. The proposed increase in the sales tax, with additional exemptions benefiting lower income groups, is the only remaining tax source which will support the full supplemental budget.

In my estimates of revenue from this source, I projected a net of \$9,858,000.00 for the biennium, or \$166,160.00 more than enough to support the supplemental budget. Revised total estimates of revenue

available for appropriation, based upon several months more experience in the current fiscal year, indicate that, if the increase in the sales tax is enacted, total revenues from all general fund revenue sources would exceed budget estimates by \$728,300.00 for the biennium. In addition there have been revisions in the administration supplemental budget which would add \$198,687 to this excess. These totals plus the original excess of \$166,160 would make available \$1,093,147 for use in connection with pending legislative documents. These should include the survey of state government, centralized planning of capital construction, a deputy commissioner of institutions, and such worthwhile programs as you might select from the following:

1. Increase in educational subsidies to meet 100 per cent of the proposed new formula.

2. Increased support of the state police department by the general fund to relieve highway revenues for use in connection with the allocation for state highway or state aid road construction and reconstruction under existing state law.

3. Other worthwhile L. D.'s.

May I also point out that the proposed sales tax increase, with additional exemptions for clothing, shoes, fuel, and electricity, would support the supplemental budget in full, provide for some of the additional programs suggested, and, at the same time, actually decrease the tax burden of those least able to pay.

This, then, is a summary, up-to-date, of the administration's fiscal program. You also have before you an alternative program.

Alternative Program

The Alternative Supplemental Budget, in its present form, falls short of the administration program in the following respects:

1. It reduces the recommended appropriation for the Department of Development of Industry & Commerce by \$192,038.00 for the biennium.

2. It reduces the recommended appropriation for the Maine Port Authority by \$74,000.00 for the biennium.

3. It eliminates the recommended appropriation for Vocational Rehabilitation in the amount of \$79,033.00 for the biennium.

4. It eliminates an economy measure by eliminating the recommended appropriation for an inspector in the Bureau of Purchases in the amount of \$12,320.00 for the biennium.

5. It eliminates an appropriation designed to increase our Civil Defense effort in the amount of \$28,584.00 for the biennium.

6. It reduces the appropriation for the Water Improvement Commission by \$25,000.00 for the biennium.

7. It eliminates the proposed reserve for Capital Construction in the amount of \$4,000,000.00 for the biennium.

In some respects, also, the administration's program was adjusted to conform with Appropriations Committee's recommendations.

It is my understanding that a sincere effort will be made to increase the appropriation for the Department of Development of Industry & Commerce in alternative program by \$100,000.00 for the biennium. I have made note of the present status of the bill because of the impact of the revenue which the attached tax measures are likely to produce.

With reference to Industrial Development and the Maine Port Authority, I am sure it is not necessary to restate my keen interest in these programs and my belief that they are an important key to a higher level of economic activity in Maine. Surely, the goal is so important that we should not hesitate to provide the minimum tools necessary to do the job. The difference between the two programs in these fields is \$266,038.00 for the biennium. This is only 3-10 of 1 per cent of proposed General Fund Appropriations.

I have discussed the importance of Vocational Rehabilitation, Civil Defense, Water Improvement and the Inspector in the Bureau of Purchases in my Inaugural and Budget messages, and will not add to that discussion now. It is important, however, that further discussion of the proposed long - range building program be included at this point.

Long-Range Building Program

This program, as described in my Inaugural and Budget messages, has three important aims:

1. To provide centralized and uniform planning with respect to needs, types of architecture, specifications, engineering, bidding procedures, and contracts. Such planning could save the taxpayer thousands of dollars.

2. To provide, over a reasonable period of time, some over-due and other anticipated capital construction needs.

3. To set aside a reserve to finance such needs.

There appears to be no serious dispute as to the desirability of setting up now the machinery to achieve the first aim. It is my hope that you will approve it.

As to the needs, it should be pointed out that they are related to the basic requirements of flesh-and-blood human beings. It should be unnecessary for me to describe the unfilled needs of the unfortunates in our institutions, the minimum standards toward which we should strive in our schools and colleges if we are to properly equip our young people for lives useful to themselves and to Maine, and the many other worthwhile projects described in departmental requests and the many L. D's now pending before you. The proposed increases in appropriations for operational purposes are only a minimum first step. If you really want to provide adequately for our people who are institutionalized and who are depending upon you and me—if you really want teachers' colleges which will produce enough qualified teachers to teach our children and mine—if you really want a state university which will provide educational opportunities for all our young people who ought to have them—then you have got to think realistically about providing dormitories, laboratories, libraries, housing, and other construction needs. Our capacity to provide these things is admittedly limited. Shall we utilize that limited capacity the fullest, or shall we gamble that providence somehow will find a way, whether or not we try to help ourselves?

This leads us directly to a discussion of general fund surplus as a method of financing these needs.

It is now estimated that, at the end of the current biennium, that surplus will amount to \$8,500,000.00. Of this amount at least \$1,000,000.00 to \$2,000,000.00 should be retained for additional working capital and for emergencies. In addition, \$325,000.00 should be retained in the Institutional Reserve Fund as described in the budget message. This will leave \$6,175,000.00 — \$7,175,000.00 available for capital construction in the next two years. Against this there are departmental requests amounting to \$11,853,776.00, plus other requests including armory construction, many worthwhile L. D.'s and future anticipated construction needs which have not yet been projected.

Obviously, then, we cannot provide for all essential needs now. We must expect to do so in the future.

There are those who say that we can rely on recurring surpluses in the future as we have in the past. I cannot support this position for the following reasons:

1. Surpluses in the past have not been sufficient to meet needs as they arose. There are ample illustrations of this fact. As a result, some of these needs have not been met at all. In other cases, they have been met when long overdue at a cost substantially above what they would have cost if built when the need first arose.

2. Over the past ten years a substantial portion of the surplus was produced by factors which do not now exist and which will not recur. For example, at June 30, 1953 an all time high surplus was estimated to be available for legislative appropriation. \$5,500,000.00 resulted from the fact that the State continued to receive real estate tax revenues for one year after the sales tax went into effect. In addition, because of lack of experience, sales tax revenues substantially exceeded conservative first estimates. We now have the experience to project those revenues much more accurately.

3. I have stated that it is my objective to estimate revenues as closely as possible: And that I in-

creased them, on my own responsibility, by \$1,440,705.00. To support their increases in the balanced budget, the Appropriations Committee increased my estimates by an additional \$217,300.00. To partially support the alternative supplemental budget, these estimates were again increased by \$800,000.00. This represents a total increase over original estimates of \$2,458,005.00.

Now obviously, if we achieve the goal of estimating revenues accurately for operations, we have eliminated the possibility of surplus for construction purposes. We cannot have our cake and eat it too. We must make specific provision for capital construction in the budget. Otherwise, we may well face the need in two years for additional taxes for that purpose. I cannot share that responsibility.

Alternative Tax Measures

The Alternative Supplemental Budget calls for appropriations totalling \$5,004,706.00 for the biennium. To support these appropriations there are attached tax measures which, in the present form of the bill, will take effect on September first of this year. According to the Tax Assessor and other department heads concerned, these tax measures will produce revenue as follows:

1. One cent increase in cigarette tax	\$1,800,000.00
2. Increase in liquor tax	\$1,800,000.00
3. Increase in corporate franchise tax	165,000.00
4. 2% sales tax on casual sales of motor vehicles	225,000.00
Total	\$3,990,000.00

Added to this is the increased estimates in revenues from existing tax sources already referred to and amounting to \$800,000.00. Thus total revenues to support the alternative supplemental budget amount to \$4,790,000.00. This added to the balance in the amount of \$139,828.00 remaining after providing for the basis appropriation bill would result in a deficit the first year of \$263,927.00 and for the biennium \$74,878.00, and, consequently, I would be forced to veto the measure if it reached me in this form.

The bill in this form obviously would not support the proposed increase of \$100,000.00 for Industrial Development, the centralized planning of capital construction, the survey of State Government, nor any of the L. D.'s now pending.

If the bill is enacted in such form as to take effect on July first of this year, it would produce revenue in the amount of \$5,380,000.00 for the biennium. This added to the balance in the amount of \$139,828.00 remaining after providing for the basic appropriation bill, is \$680,122.00 more than the amount necessary to support the alternative supplemental budget. This excess compares with the \$1,093,147.00 available under the administration's program to support some of the many L. D.'s in which you are interested. And bear in mind that I have not included in the administration's program the proposed increase of \$800,000.00 in estimates from current tax sources.

Just a word should be said about the deficiencies of the alternative tax sources.

Just a word should be said about the deficiencies of the alternative tax proposals:

1. They impose on selected groups the burden of supporting additional appropriations which are of benefit to all of us.

2. They tend to increase the tax burden of those least able to pay, in contrast to the proposed sales tax which would reduce that burden.

3. With these deficiencies, they still do not produce the revenue necessary to do a minimum job. The proposed sales tax increase will overcome these deficiencies and at the same time raise the necessary revenue. These, then, are the facts as I see them. They represent a completely honest analysis on my part, and are offered as a guide to you in your deliberations. Together we have an opportunity to take a real step forward in the best interests of all our fellow-citizens. Isn't it a job worth doing? (Applause)

At the conclusion of the address, the Governor and his suite withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

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

The SPEAKER: The House will now continue with the matter previously under consideration, Senate Divided Report on Bill "An Act relating to Equipment of Rail Track Motorcars used by Railroad to Transport Employees, Senate Paper 162, Legislative Document 356.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: Maybe I should apologize for getting an extended debate started at that time, but I did not realize it was going to be such a long debate, and I just had a few words that I would like to say myself, and I will try not to go back and cover what I have already said, but I believe I was at the point where I was trying to explain that I did not go along with the idea that we should not legislate concerning management and labor, and that I believe a good many of our bills that we passed had had that view in mind. That is one of the criticisms that the opponents of this bill are going to bring out, and I was pointing out on the sea coast the dealer and the fishermen represent management and labor, and we are passing bills all the time that help the dealer and we are passing bills all the time that help the fishermen. In this particular case I believe that the railroad is perhaps one of the very few public utilities that does not give its men protection from the weather. I might say here that this bill concerns putting

canopies on railroad cars and windshields and wipers and that sort of thing, and it is a known fact that many states already have this law on their books and even some of the warmer states have gone so far as to put side curtains on their cars that have safety gadgets on them that can be kicked off quickly in case of an accident, and I believe that this bill should be given some consideration. We have worked very hard on it this winter. The only regret that I have is that we did not bring it out sooner, that it was held to near the last end where there is a tendency maybe to rush things through, and I am one of the persons that believe that once you set your hand to the plow there is no turning back unless you found that you are plowing in a dead furrow. This reminds me of a little story that I would like to put in right here about a fellow that had such a large ranch he started out in the morning plowing a furrow in an easterly direction from his house, and he plowed and plowed, and then when he got back to the return furrow he had been gone so long he found out he was a grandfather and I do not know as I will have to plow that long, but once having set my hand to the plow there is no turning back. I admire some of the men that have been battling this bill all winter. Theoretically, they set their hand to the plow and there is no turning back, and whether my motion prevails or is defeated I believe that a great deal of good will come out of this discussion, and at this time I move that we accept the minority "Ought to pass" report in non-concurrence.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the minority "Ought to pass" report be accepted in non-concurrence.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I am not sure, my worthy friend the gentleman from Friendship, Mr. Winchenpaw, said it was going to be a long debate. I do not know whether it will be long or not. I will try not to be too long.

So that our train of thought will not be interrupted, we find ourselves today on another railroad bill. This is the third day in a row. This bill, L. D. 356, which is "An Act Relating to Equipment of Rail Track Motorcars used by Railroad to Transport Employees", of course these are the cars that are normally termed "hand cars". The bill as presented proposed to do three things. It proposed to put canopies on these cars; it proposed to put an electric headlight and an electric tail light on, and it proposed to put a windshield with windshield wipers that were capable of removing not only rain, but snow, sleet and hail. Now the representatives of the various railroad brotherhoods were at the public hearing, and they presented the bill as a safety measure. Furthermore, and this point was stressed, they pointed out the extreme discomfort that the railroad employees have to go through when they travelled on these cars in rain and snow and sleet and hail and cold and wind. With heartfelt emotion they pled their case against the inhumane managements. Then in all sincerity when we were done I think every member of the Labor Committee felt genuinely sorry for these men. After an investigation of the situation several of the members of the Labor Committee felt that this was not a subject for legislation. If it were a safety measure it certainly would be justified, but we found out that we already had in our Statutes presently a law which requires the hand cars to have suitable lights both front and rear, so the canopies, and if they do anything, they restrict the men's vision, they prevent him from escaping from his hand car quickly in case of emergency, so if they do anything, they are not a safety measure, but a comfort measure, and a comfort measure in my mind is the type of a thing that definitely should be negotiated between labor and management.

When I first became a member of the Labor Committee, I think everyone thought that I was going to be pro-management. I have been amazed since then, industry has criticized me as being pro-labor.

Really I am neither, I intend to be neither, I just intend to be fair.

The main line that is concerned with this legislation right now is the Maine Central Railroad. The Bangor and Aroostook Railroad is concerned slightly but the Bangor and Aroostook, already because of increasing their employee relationships, has started to put these tops on the handcars and they have done it through management and labor negotiations. The committee felt a genuine concern for the problem of these employees, and we held the bill over in committee. This was the very first hearing that we had, and we held it until recently. Although we admitted that we were not a board of arbitration and conciliation and probably we went beyond our authority, our intentions were honorable and we thought that something might be worked out. Finally a few weeks ago the management of the Maine Central Railroad proposed to put tops on the hand cars of thirty-five of their cars. These are the cars that have to travel the longest, these are the cars that have to be out in all this kind of weather, and we thought that this was going to be an excellent solution and a very sensible one to a touchy legislative problem. We thought that now the bill might be given leave to withdraw, but the brotherhood of the railroad workers did not go along with this idea. They maintained that they would not accept a compromise. They maintained that they were going to take the whole thing or they would take nothing at all, so now as far as I am concerned, I am forced to my original conclusions which were that this is not a subject for this Legislative body and I am going to move indefinite postponement of this bill.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the two Reports and Bill be indefinitely postponed in concurrence.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I do believe that my good friend the gentleman from Bath, Mr. Ross, is sincere. I do believe that he believes what he told you. But the fact of the matter is he never was a

railroad man, he never rode one of these things in a storm and he just does not know hardly what he is talking about. As a railroad man who started riding one of these things and did so for two or three years and then eventually advanced onto the train part of it and spent many years in the service, I am rather amazed that the railroads have not of their own free will and accord adopted this measure which is not only a safety measure but as the gentleman from Bath, Mr. Ross has said, a decent sort of a measure to protect these men from the elements. Now the idea that we have got to jump off of one of those things in an emergency, that is just too funny for anyone to consider that ever ran one of them, because you have a time clock and you know what trains are running, and if you are fool enough to be caught on there when the train comes along why you would have to jump off, but I never got in such a scrape because we used our heads, so we can forget that one about the side cars. But if you ever got out in one of those things in a blinding snow storm, you would see how necessary it was to have some shelter and at least to have a windshield. Now the gentleman made quite a to-do over the fact that they had to have a windshield wiper. Well, the law requires all automobiles to have one, and they are not very expensive either, and they would not be here. Now the company of their own free will and accord did see fit while I was on the railroad to put on motors on these cars to relieve the men of pumping them. I do not know as that was a safety measure whatsoever, it did help you get over the road a little quicker and it did save the men's backs considerably so when they got done inspecting why they could probably shovel more gravel. Now this is only a sensible thing and why the railroads do not do it I just cannot understand, but I do believe it is a safety measure. It seems funny to me some of the things that we do here in this House. Yesterday we passed a truck bill which tends to put the railroads out of business, and today why we want to put the men out of business to keep the railroad in busi-

ness. It is just funny how human minds will work. Now these maintenance cars they have to be out in all kinds of weather. If one of them had been out when they should have been out instead of being kept home because of the cost of having a man out, there would not have been that wreck over here in Augusta, and if you make investigation as I have you will find that to be true. Now I can just see why a man would not want to go out that night with rain pelting down on him and pelting in his eyes, but it is a safety measure. How are you going to see banging over the road with one of these motor cars driven by a motor into a blinding rain or a blinding snow storm, it is just too fantastic to think that the railroad has not gone along with it. If they will not go along and will not be reasonable, I can see no fault for this Legislature to give them a little mite of urging.

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

Mr. BROWN: Mr. Speaker and Members of the House: As one of the maverick Republicans that signed the "Ought to pass" report I feel that we at least ought to clarify our position. I hate to oppose my good friend the gentleman from Bath, Mr. Ross, I really think he knew what he was talking about, he has put a lot of study in it, but sometimes no matter how much we study we are mistaken, and this bill as I understand it, he said it was to—I have got it here somewhere—windshield wipers to keep off the snow, the rain, snow and sleet and hail. I do not find any place where it says hail. I really think that he was so in sympathy with the bill that he included that hail because he thought they really needed it. We gave this bill a lot of consideration, and in fact we invited the management as I recall to come before the Committee, and they did not see fit to. They say that they agreed to equip thirty-five cars. Possibly they did, but I attended every meeting of that Committee and I did not see any of that agreement. In fact I never saw any letters to that effect, and I never rode on these hand cars but

I have ridden on the backs of trucks considerably and in fact when I was home they offered to take me on a hand car but I was not anxious to, the wind was blowing hard and it was a cold day, but I feel that outside of this being a safety measure, that these hand cars should be equipped with the canopy tops and a windshield. The days of putting men out in weather like that are pretty well gone by, and I hope the motion of the gentleman from Bath, Mr. Ross, does not prevail.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I know of no law or precedent that I will adhere to which makes the interests of industry sacred to the Legislature. I know of no valid reason why this Legislature should not consider any bill from a humanitarian viewpoint. That is the way I consider this bill, and I certainly hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Ross, that both Reports and Bill "An Act relating to Equipment of Rail Track Motorcars Used by Railroad to Transport Employees", Senate Paper 162, Legislative Document 356, be indefinitely postponed in concurrence.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would like to go along and more or less substantiate what my good friend the gentleman from Baileyville, Mr. Brown, has said, that the feeling was that the promise of thirty-five cars was just more or less of a promise, there was nothing in there in writing. There was a letter that came through that said that canopies would be put on certain cars, but the people that have been sponsoring this bill felt that that was not enough of an agreement, and so they insisted that the bill be brought on the floor of the House and the sponsor of the bill finally agreed to that,

and I certainly want to impress upon the members of this Legislature that we have worked on a good many bills here, I will not say we passed them all, but I have a list of them on my desk which I will not take the time to read that cover management and labor including choose your own doctor and chiropractors and what have you. There are probably twenty or thirty of them and we are either going to pass some and we are going to kick out some, but we are going to give them all fair consideration, so Mr. Speaker, I move when the vote is taken it be taken by division.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: There was a measure similar to this before the Public Utilities Committee last session. It was dissimilar in the fact that the request then was for a metal cab, and our Committee felt quite unanimously as I recall that this was not a safety measure if they had a metal cab because we could see situations where it would work very much against the man who might be trapped in there. We did, however, tell them that had they brought in a bill asking for a canvas canopy we would have been sympathetic because we could well visualize as the gentleman from Bath, Mr. Ross, has explained, that they are subjected to extremes of weather and it would be some assistance and some protection to them. The railroad management spokesman indicated at that time that they would like an opportunity to negotiate on the matter, and if the request was only for a canvas top that they would—they inferred at least that they would be very considerate of such a request. I am glad to hear that apparently one railroad has kept faith and gone along with such a negotiation. However, if the others have not seen fit in the past two years to do anything about it other than a token of assistance which I would suspect would be for the supervisory inspectors, I think that a nudge from the Legislature might be very well in order.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker and Members of the House: I am not a railroad man, but in my wife's absence I am going to lay claim to being management. I happened to be present at the public hearing on this particular bill, and as my friend, the gentleman from Bath, Mr. Ross, pointed out, the proponents of the bill made a very, very strong case in their own behalf. There was one thing brought out at the hearing and something that has been brought out this morning which I think should be stressed a little bit. The item brought out at the hearing was that labor had requested management to meet—I do not like to use the word demands—but to meet this request, and management had flatly refused. Now as I understand the gentleman from Bath, Mr. Ross, the one railroad who does not at this time provide these canopies and windshields has offered to furnish thirty-five cars with that equipment, but that offer came after this bill was introduced and after it became common knowledge that there was some sympathy on the Labor Committee in behalf of this bill. I also understood the gentleman from Bath, Mr. Ross, to say that because labor would not accept this sop to their feelings that the Committee decided that labor was being unreasonable and therefore that the bill should not be passed. Now I do not think that we should penalize labor because they stuck to their guns in promoting a proposition which one railroad, one of our two major railroads in the State has for some time recognized as being a very practical and reasonable solution to some of their problems.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, I am sorry that some of the other members of the Labor Committee who signed the majority "Ought not to pass" report are not going to speak on it this morning. Unfortunately I have not had the varied business experience of my friend the gentleman from Bowdoinham, Mr. Curtis. I have not worked on a railroad,

I have ridden on one of these hand cars, and I certainly can appreciate the extreme discomfort that these men go through. Like him, I cannot understand why management did not do this of their own volition, but they are taking a stand, they do not feel it is a safety measure, they feel that it is a measure that really will imperil the lives of their workmen. It has been mentioned that men might never need to jump off of these hand cars. In the history of the railroads there have been a great many collisions of these hand cars and trains and other hand cars. Never having run one it would not seem to me feasible that this could happen but it does happen, and when the men have to get off they have to get off in a hurry or they certainly are going to lose their lives, and management has not felt that for a comfort measure it was a good thing for the continued welfare of their employees to put these tops on.

Now this bill does not say that these will be canvas tops, it says "reasonably substantial tops". I believe that most of the tops that have been put on are now metal tops, they are aluminum tops. The windshields and the windshield wipers, it has been mentioned that automobiles have windshield wipers, and they can keep off the inclement hail and freezing sleet in the winter time. They can do that because they have a heater. They have no heater in these cars, and it would be very difficult as many of you know if your defroster is not working properly to have clear vision at all if it was a rainy day in the winter time. It has been mentioned that labor requested management to get together with them. The only thing that I can say to that is you have a diverse opinion from two groups. Labor says they asked management; management says they did not ask management, so I do not know which side you can take in a case like that. It was said that we asked management to come to the Labor Committee. We discussed asking management, but whether they were really asked or not I do not know. They did not come and neither did labor come before that Committee, but this particular management did offer to

go ahead and start a plan. This is not the reason that the Labor Committee voted this out because we thought that management should go along with labor's request. Several of us had determined that this was still not a proper thing to legislate through. If you are going to tell management how to run their businesses, when it comes to a thing like a comfort measure, I can simply see that it would be very, very far reaching in all types of industries. As I said I am sorry that some of the other people who signed the report evidently are not here this morning and can not express their opinions on this subject.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I merely want to say that I cannot imagine the laborers asking for some protection that is going to entrap them and be a menace to them. I am opposed to the indefinite postponement.

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

Mr. MCCLUSKEY: Mr. Speaker and Members of the House: I would like to correct an impression that the gentleman from Friendship, Mr. Winchenpaw, might have given you, inasmuch as it concerns the Committee that I am Chairman of, Sea and Shore Fisheries. We have not passed out any bills nor has the House passed any bills that involve anything to do with labor and management in the fishery industry. The bill that he spoke of, the four inch herring bill, has nothing to do with management and labor. The herring fisherman is management itself, he owns his own equipment, hires his own men, and I ask for the previous question.

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

The question now before the House is: Shall the main question be put now? If any member wishes to debate the merits of the main question further, he may state his desire to do so but he may not debate the main question at this time.

Shall the main question be put now? All those in favor will signify by saying aye; those opposed, no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Ross, that both Reports and Bill "An Act relating to Equipment of Rail Track Motorcars Used by Railroad to Transport Employees", Senate Paper 162, Legislative Document 356, be indefinitely postponed in concurrence.

A division has been requested.

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

A division of the House was had.

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

The SPEAKER: The question now before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the Minority "Ought to pass" Report be accepted. Is this the pleasure of the House?

The motion prevailed and the Minority "Ought to pass" Report was accepted in non-concurrence.

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

The following papers from the Senate, not on the Advance Journal:

From the Senate: The following Communication: (S. P. 576)

STATE OF MAINE OFFICE OF THE GOVERNOR

May 6, 1955

The Honorable President
The Honorable Speaker of the House
Ninety-seventh Legislature
Gentlemen:

I consider it a privilege to transmit, herewith, a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 25,025 acres of land in the Baxter State Park for public purposes.

Mr. Baxter, has, again, thoughtfully imposed no hunting restrictions within this latest gift.

Mr. Baxter, continuing the far-sighted policy proposed in his March 23rd gift, is desirous that this new grant be devoted to scientific forestry research. He points out that action today in conserving our forests will be all important to the generations who follow us. I heartily support this wise course.

I submit Mr. Baxter's generous offer and the accompanying legislation to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE
Governor

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and ordered placed on file in concurrence.

From the Senate: The following Communication:

Portland, Maine
May 2, 1955

To the Honorable Edmund S.
Muskie, Governor
and the

Honorable Senate and House of
Representatives of the 97th
Legislature of the State of Maine

It is with some hesitation that I come to you a third time during the present Legislative Session to offer an additional gift of forest land to be added to Baxter State Park. Notwithstanding this I ask your patience and your friendly consideration.

A few weeks ago you graciously accepted my gifts of fifteen thousand twenty (15,020) acres and of

three thousand five hundred sixty-nine (3,569) acres in township six (6) range nine (9) Piscataquis County. Little did I realize that in a few short weeks another township, township six (6) range ten (10), would become my property. This is now offered to you. It contains twenty-five thousand twenty-five (25,025) acres and its acquisition by the State will increase the Park to one hundred ninety-three thousand two hundred fifty-four (193,254) acres, or three hundred and two (302) square miles the same being eight (8) entire townships and a portion of a ninth township on the shore of Matagon Lake.

The terms of this gift are identical with those of the three thousand five hundred sixty-nine (3,569) acre gift; Public Park, Public Forest, Public Recreational and Scientific Forestry Purposes and Reforestation. I want this township to become a show place for those interested in forestry, a place where a continuing timber crop can be cultivated, harvested and sold; where reforestation and scientific cutting will be employed; an example and an inspiration to others. What is done in our forests today will help or harm the generations who follow us.

This township six (6) range ten (10) is what is termed by woodsmen "good growing land", an area with an abundance of wild life, especially moose. Fishing and hunting will be allowed under the general Fish and Game Laws of the State.

As the curtain falls on this Legislative Session and its books are being closed I leave with you a message which I am sure expresses your sentiments as well as mine.

We all love the State of Maine
Her fair land and fine people
Her mountains and forests
With the beasts and birds therein
Her rugged shores and clear waters.

God has conferred upon us these blessings

For which we ever should be thankful.

Respectfully,

(Signed) Percival Proctor Baxter

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and ordered placed on file in concurrence.

From the Senate:

Bill "An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Twenty-Five Thousand Twenty-Five (25,025) Acres the Same Being All of Township Six (6) Range Ten (10) Including the Public Lot, W.E.L.S., Piscataquis County, State of Maine" (S. P. 574)

Came from the Senate received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a Committee.

In the House: The Bill was received by unanimous consent.

On motion of Mr. Bibber of Kennebunkport, the Bill was given its three several readings under suspension of the rules.

House at Ease

Called to order by the Speaker.

Senate Paper 574 was then passed to be engrossed under suspension of the rules without reference to a Committee in concurrence.

The following Bill on its passage to be enacted was taken up out of order and under suspension of the rules:

Passed to Be Enacted

An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Twenty-Five Thousand Twenty-Five (25,025) Acres the Same Being All of Township Six (6) Range Ten (10) Including the Public Lot, W. E. L. S., Piscataquis County, State of Maine (S. P. 574)

Was 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.

The SPEAKER: The Chair is informed that in the rear of the House this morning is the Honorable Percival P. Baxter and if former Governor Baxter would care to the Chair would be very happy to

have him come down and share the rostrum as well.

Will the Sergeant-at-Arms kindly escort Governor Baxter to the rostrum.

Thereupon, Honorable Percival P. Baxter was escorted to the rostrum by the Sergeant-at-Arms amid prolonged applause, the members rising.

House at Ease

Called to order by the Speaker.

Thereupon, on motion of Mr. Childs of Portland, An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Twenty-Five Thousand Twenty-Five (25,025) Acres the Same Being All of Township Six (6) Range Ten (10) Including the Public Lot, W. E. L. S., Piscataquis County, State of Maine, (S. P. 574) was ordered sent forthwith to the Senate.

Divided Report Tabled Until Later in Today's Session

Majority Report of the Committee on Labor on Bill "An Act to Provide Disability Compensation for Members of Organized Fire Companies" (S. P. 299) (L. D. 807) reporting same in a new draft (S. P. 561) (L. D. 1517) under title of "An Act to Provide Special Disability Compensation for Members of Organized Fire Companies" and that it "Ought to pass"

Report was signed by the following members:

Messrs. HILLMAN of Penobscot
ST. PIERRE of
Androscoggin
— of the Senate.

Messrs. WINCHENPAW of
Friendship
WALLS of Millinocket
JONES of South Portland
LETOURNEAU of Sanford
BROWN of Baileyville
CALL of Cumberland
— of the House.

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

Report was signed by the following members:

Mr. FARRIS of Kennebec
— of the Senate.

Mr. ROSS of Bath
— of the House.

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

In the House: The Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would like to request permission from the House to table this measure until later in today's session.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the two Reports and Bill lie on the table pending acceptance of either Report until later in today's session. Is this the pleasure of the House?

The motion prevailed and the two Reports and Bill were so tabled and assigned.

Divided Report Tabled

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Defining Malt Beverage Dispensing Parlors" (S. P. 486) (L. D. 1355)

Report was signed by the following members:

Messrs. CARPENTER of Somerset
CRABTREE of Aroostook
BOUCHER of Androscoggin
— of the Senate.

Messrs. PIERCE of Bucksport
CHARLES of Portland
DOSTIE of Winslow
COTE of Lewiston
ANTHOINE of Windham
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Presque Isle
Mr. RICH of Charleston
— of the House.

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

In the House: The Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, during my legislative experience, I have been, at times, thoroughly confused but never have I been so thoroughly confused as I am at this stage. The original bill pertains to the selling of beer and I believe it says eighty per cent of the business of the store must be in other compatible items. The proposed amendment which we now have before us and which was adopted in the other House, changes the entire complexion of the bill, it changes the title of the bill. Personally, and the majority of the members of the committee are so thoroughly confused we would like to discuss it in an informal executive session. I have talked with the sponsor of the amendment, Senator Chapman. He wishes to come before us and discuss the matter.

Frankly, I question the legality under Rule 36, which does say: "No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

I believe that we can adjust this matter if you will grant me the privilege of making the motion. I now move that this matter lie on the table.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the two Reports and Bill lie on the table pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed and the two Reports and Bill were so tabled.

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (S. P. 418) (L. D. 1179)

Report was signed by the following members:

Messrs. HALL of York
WYMAN of Washington
— of the Senate.

Messrs. FINEMORE of Bridgewater
JACQUES of Lewiston
MADORE of Van Buren
PALMETER

— of Meddybemps
ALLEN of Chelsea

— of the House.

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

Report was signed by the following members:

Mr. COLE of Waldo
— of the Senate.

Mr. TOTMAN of Bangor
— of the House.

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

In the House: The Reports were read.

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

Mr. TOTMAN: Mr. Speaker, I wish to make a motion not as a member of either the majority or minority committee nor do I wish to make a motion for either report but simply as Chairman of the Transportation Committee and in accord with the proponents of the Bill that this Bill be tabled and specifically assigned for Tuesday, in order that some of the proponents may be here who are now absent.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the two Reports and Bill lie on the table pending acceptance of either Report and specially assigned for Tuesday, May 10. Is this the pleasure of the House?

The motion prevailed and the two Reports and Bill were so tabled and assigned.

At this point, the Honorable Percival P. Baxter was escorted from the Hall by the Sergeant-at-Arms amid the applause of the House.

Ought to Pass Indefinitely Postponed in Senate Tabled and Assigned

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act relating to Clerk Hire in Office of

Register of Probate of Cumberland County (S. P. 279) (L. D. 709) which was recommitted.

Came from the Senate indefinitely postponed.

In the House: Report was read.

(On motion of Mr. Charles of Portland, tabled pending acceptance of the Report and specially assigned for Monday, May 9.)

Non-Concurrent Matter

An Act relating to School Age in Public Schools (H. P. 1207) (L. D. 1476) which was passed to be enacted in the House on May 4, and passed to be engrossed in the House April 29.

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

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

SENATE AMENDMENT "A" to H. P. 1207, L. D. 1476, Bill "An Act relating to School Age in Public Schools."

Amend said Bill by adding at the end of that part designated "Sec. 44" of section 1 thereof the following underlined sentences: 'Residence as used in this section shall mean the city or town where the father maintains a home for his family. If the parents of the child are separated, residency shall be considered to be the town where the person having custody of the child maintains his or her home.'

On motion of Mr. Fuller of South Portland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter Tabled Until Later in Today's Session

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to provide Additional Revenue to General Fund" (H. P. 1229) (L. D. 1512) which was passed to be engrossed in the House on May 4.

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

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

SENATE AMENDMENT "A" to H. P. 1229, L. D. 1512, Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to provide Additional Revenue to General Fund."

Amend said Bill by inserting after Section 6 thereof a new section, as follows:

'Sec. 7. Effective date. The provisions of sections 4, 5 and 6 of this act shall become effective September 1, 1955.'

Further amend said Bill by renumbering "Sec. 7" to read 'Sec. 8.'

Further amend said Bill by striking out all of Sec. 8 thereof.

Further amend said Bill by adding at the end thereof the following section:

'Sec. 11. Intent. It is the intent of the Legislature that the provisions of this act are inseverable, and that if any provision fails for any reason to become law, the entire act shall be suspended and inoperative.'

(On motion of Mr. Childs of Portland, the Bill with accompanying papers was tabled pending further consideration and assigned for later in today's session.)

Non-Concurrent Matter

Bill "An Act relating to Overweight of Motor Vehicles" (H. P. 1212) (L. D. 1483) which was passed to be engrossed in the House on May 3.

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

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

SENATE AMENDMENT "B" to H. P. 1212, L. D. 1483, Bill "An Act relating to Overweight of Motor Vehicles."

Amend said Bill, in the 12th line thereof, by adding after the word "pounds," and before the semi-colon, the following underlined punctuation

and words '**and the above provision as to intent shall apply only to such excess as is less than 2,000 pounds**'

On motion of Mr. Finemore of Bridgewater, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act to Clarify the Employment Security Law" (S. P. 348) (L. D. 957) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on April 26.

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

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

SENATE AMENDMENT "A" to S. P. 348, L. D. 957, Bill "An Act to Clarify the Employment Security Law."

Amend said Bill by striking out, in the next to the last line of the 3rd paragraph from the end of subsection VI of section 7, the underlined words "**not to exceed**" and inserting in place thereof the underlined words '**of not less than 3 months nor more than**'

On motion of Mr. Ross of Bath, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair would state that it is informed that there are three members who would like to move for reconsideration sometime during the day. The motion for reconsideration is in order and the Chair will entertain such motions at this time.

The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I understand that the Clerk has in possession L. D. 652, Bill "An Act relating to Standard Time". I would like, at this time, to move reconsideration of our action whereby we passed the Bill to be engrossed.

The SPEAKER: The Chair would state that the gentleman is correctly informed and Legislative Document 652 is in possession of the House.

The gentleman from York, Mr. Hancock, moves that the House reconsider its action whereby on yesterday, May 5, Bill "An Act relating to Standard Time", House Paper 596, Legislative Document 652, was passed to be engrossed as amended by Senate Amendment "A" and by House Amendment "A" in non-concurrence. Is this the pleasure of the House?

The motion prevailed.

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

Mr. HANCOCK: Mr. Speaker, I now move that we reconsider our action whereby we adopted House Amendment "A". In the way of explanation, I am offering another amendment simply to correct the wording of the time, in other words, "Eastern Daylight Saving Time" is being amended to "Eastern Daylight Time".

The SPEAKER: The gentleman from York, Mr. Hancock, moves that the House reconsider its action whereby yesterday it adopted House Amendment "A" to this Bill. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on further motion of Mr. Hancock of York, House Amendment "A" was indefinitely postponed.

The same gentleman then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 596, L. D. 652, Bill "An Act relating to Standard Time."

Amend said Bill by striking out the underlined period and single quotation mark at the end of the last paragraph before the Emergency Clause and inserting in place thereof the following underlined words and punctuation:

'And said time shall be known as Eastern Daylight Time.'

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

On motion of Mr. Roberts of Dexter, the House voted to reconsider its action of May 5 whereby it ac-

cepted the "Ought not to pass" Report of the Committee on Highways on Resolve to Rebuild Part of Highway Route No. 7, House Paper 1164, Legislative Document 1393.

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

Mr. ROBERTS: Mr. Speaker, I now move that we substitute the Resolve for the Report.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that the Resolve be substituted for the "Ought not to pass" Report of the Committee on Highways.

The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: This is one of the bills that came out of my committee unanimously "Ought not to pass". It is in the federal secondary highway and we felt that at this time we did not have the funds to go ahead. The Highway Commission reports that they hate to depart from their accelerated program. In fact we have not reported any of those out favorably and I do hope that the House will not go along with the motion of the gentleman from Dexter, Mr. Roberts, to substitute the Resolve for the Report.

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

Mr. ROBERTS: Mr. Speaker and Members of the House: This piece of road lies between Dexter and Dover-Foxcroft. It is about half way from Newport to Dover-Foxcroft. It is a very bad piece of road. The culverts are too small, the ditches are too small and last year on a section of that road we put in sewers and that tended to make the road in much poorer condition. And also, in the last five years, during the sessions of the Legislature and between the legislative sessions, we have been down here and contacted the Highway Commission and in each instance they have promised to rebuild this road the next year, which they failed to do. And we feel that it is sort of a missing link between the two sections of improved road and we feel that it should be completed this year.

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

Mr. SANFORD: Mr. Speaker, well, this interests me after hearing "Dover-Foxcroft". I do think that it is a great pleasure for me to be here today and listen to you folks allowing these other people to reconsider their bills. Yesterday, you took a different attitude. But this piece of road is a road between Dover-Foxcroft and Dexter and it is a piece of road that was supposed to be on the accelerated highway and it was left out unintentionally by the Department. This is about three miles of road, I think. It starts at Dexter and goes three miles towards Dover-Foxcroft. It is the only piece of road between Dover-Foxcroft and Dexter not improved. It is a terrible piece of road. The highway people believe it should be built. We were told two years ago that there was some way to get this in the accelerated highway or build it some other way. It has not been done. I am not saying this for my own benefit but I am saying it for the benefit of the public. It is the road direct from Newport to Moosehead Lake. It is a road direct from Newport to Aroostook County if you go by the way of Dover-Foxcroft, which eventually, of course, everyone will do and myself, personally, I hope that this motion will prevail. Well, it is quite easy it seems to me for everybody to say "your good friend from so and so". I usually do that but after yesterday I do not know if I have any friends left so I am going to say that I hope the motion of Mr. Roberts, the gentleman from Dexter, will prevail.

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

Mr. MARTIN: Mr. Speaker, through the Chair I would request permission to ask a question of the gentleman from Dover-Foxcroft, Mr. Sanford, who is on his way to Dexter.

The SPEAKER: The gentleman may state his question.

Mr. MARTIN: Mr. Speaker, the question being, is that the road that he wheels his wheelbarrow over?

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

Mr. SANFORD: Mr. Speaker, I will have to answer the question of the gentleman from West Gardiner (Mr. Martin). That is not the road that I wheel my wheelbarrow over. The road I wheel my wheelbarrow over is from the warehouse into the store. As I said, there were a number of wheelbarrows passing me, going and coming, and I did not mind it because there was plenty of room.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker and Members of the House: I appreciate the fact that this piece of road is in a bad state of repair. I believe, on the other hand, that perhaps the citizens of that area are fortunate in only having three miles of bad road there. I think in other sections of the State other residents have much more than that. I do not feel that it is proper for the Legislature to direct the actions for the good or betterment of one portion of the State. I think that the Highway Commission has only so much money to spend and they are spending it in the areas where they believe it is most badly needed.

I would also point to the last phrase in the resolve, which reads: "Such construction shall be completed in the calendar year 1955." I believe that it would be a physical impossibility to comply with this part of the resolve, and I move that it be indefinitely postponed.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that the Report and Resolve be indefinitely postponed.

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

Mr. CARTER: Mr. Speaker and Members of the House: I do hesitate to rise, my father being in this House and a member of that committee. I do respect his judgment. However, I will have to go along with the gentleman from Dexter, Mr. Roberts.

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

Mr. SANFORD: Mr. Speaker, I would just like to answer the gentleman from Pittsfield, Mr. Cianchette, that we also have plenty of bad roads around our community. This particular road was left out when they fixed up the accelerated highway accidentally. I think if they had not done it, it probably would have been built before this. That is the only reason for this resolve, I believe.

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

Mr. TOTMAN: Mr. Speaker, I would like to ask a question through the Chair. Is this stretch of road part of the road from Waterville to Moosehead Lake which is known as the "Moosehead Trail"?

The SPEAKER: The gentleman from Bangor, Mr. Totman, addresses a question through the Chair to any member who can answer it.

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

Mr. SANFORD: Mr. Speaker, I can not answer that but it should be, at least.

The SPEAKER: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, for the indefinite postponement of the Report and Bill.

The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: As we all know there were certain sections in our great State that were left out of the accelerated program. We on the Highway Committee have the assurance of the Highway Commission that there is going to be a re-do of the accelerated program for the next two years. There will be eight or nine hundred miles not completed in the accelerated program. There will be some other miles added on in two years and perhaps some of these pieces, the piece of highway section that the gentleman from Dexter, Mr. Roberts, lives on will get in there and have priority over some of the sections now in the accelerated program.

We feel that the Legislature should not come in here and direct the Highway Commission to dissolve their accelerated program. We have taken quite a firm stand on that and I think that if you do not give the Highway Commission a program to operate on we will be in a much worse position than we are in now. I hope that the motion of the gentleman from Pittsfield, (Mr. Cianchette) prevails.

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

Mr. ROBERTS: Mr. Speaker and Members of the House: In answer to the question of the gentleman from Bangor, Mr. Totman, I am quite sure that is the Moosehead Trail.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that Report and Resolve to Rebuild Part of Highway Route No. 7, House Paper 1164, Legislative Document 1393, be indefinitely postponed.

As many as are in favor of the motion for indefinite postponement will indicate their preference by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Report and Resolve were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Clerk will read a notice before the House recesses.

On motion of Mr. Childs of Portland,

Recessed until one-fifteen o'clock in the afternoon, Eastern Standard Time.

After Recess 1:15 P.M., E.S.T.

The House was called to order by the Speaker.

On motion of Mr. Ferguson of Hanover, the House voted to reconsider its action of May 5 whereby it passed to be engrossed Resolve Designating Road from Fort Kent to Allagash Plantation as a State Road, House Paper 889, Legislative Document 997.

The same gentleman then offered House Amendment "A".

On further motion of the same gentleman the Resolve with accompanying papers was tabled until later in today's session pending passage to be engrossed.

Non-Concurrent Matter

Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices" (H. P. 109) (L. D. 117) which was indefinitely postponed in the House on April 15.

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

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

SENATE AMENDMENT "A" to H. P. 109, L. D. 117, Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices."

Amend said Bill by inserting at the beginning of the 1st line thereof the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the following section:

'Sec. 2. Appropriation. There is hereby appropriated from the general highway fund the sum of \$2,400 for the purchase of 2 radar units by the Department of the State Police to carry out the purposes of this act.'

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I move that we recede.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the House recede.

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

Mr. FULLER: Mr. Speaker and Members of the House: I was going to move that we adhere, but I realize that to recede takes precedence. I have looked over the amendments to this bill and I do not think the amendments make it any better than it was before. We indefinitely postponed this bill once, and I hope that we will do the same again. I do not like the idea of Gestapo methods. I think that if

we have got some State Police that have not got anything else to do that they ought to get out and patrol the roads where they belong and I do not want them sitting around in the woods watching how fast I go, I would rather they would chase me and find out how fast I am going. I do not want them using some Gestapo methods and there is enough of them sitting around beside the road and in the woods, and the first thing we know they will all be going fishing some place, and I really believe in all sincerity that if we have got State Police that have nothing else to do that there is plenty to do right out on the roads patrolling the roads and that is the best way in the world to slow down speeders, and I hope that the motion of the gentleman from Bridgewater, Mr. Finemore, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I certainly did not expect my friend the gentleman from South Portland, Mr. Fuller, to take the action on this measure that he has taken. I was one of the members of the Highway Committee that went to Connecticut and saw this radar system in operation there, and it certainly is nothing that they can get in and hide between buildings or get into bushes to operate this piece of equipment. In fact you have to be out in plain sight of the highway, it has got to be so your camera will focus 300 feet down on the highway. You are in plain sight, and the reason for the Committee on Highways taking the position they have taken on this, is that it will relieve some of your State Police that are on the highway now perhaps patrolling fifty to sixty miles in one section, that we feel with this equipment it will relieve the load on the State Police. We have not got enough officers now to patrol our highways. With all the accidents and deaths the State Police need more help to enforce the laws. I think the psychological effect on the traveling public will have a tendency to slow down, the speeders on the highway.

I am a very fast driver myself, I admit it, I perhaps was one of the first motorists to be caught with this piece of equipment, but I still feel it is going to be good for everybody. The cost is very small, it is \$1200 for each piece of equipment and we are asking for two pieces of equipment or \$2500 to supply two radars for the whole State of Maine. It has worked out very, very well in other states. With our limited supply of policemen I might say again it certainly—I hope we will go along with the Senate in supplying the money to buy this piece of equipment for our police department.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: These things are very, very nice if you have got the wherewithal to pay for them. I do not think the State of Maine is in a position today to adopt the same ideas that Pennsylvania and New York State have. We have not got the fast roads they have, not as many anyway, we might have one or two, and in fact I have been told by a State Police Officer that we have too many officers in one district, namely we have six or seven running out of Brunswick now twenty-four hours a day, and I understand they want to put on about five more in there. Now that is around twenty-seven miles that they have to patrol in that time. Now I do not know where you are going to find time to put these two machines that you are speaking of with the six or seven State Police that you have now and they were going to put on five or six more in that small area. If you can find the money without hurting anybody why go ahead, I will go along with you, but I cannot see where it is an easy matter to get any money around here as of this moment.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker and Members of the House: Sometimes I think our conservatism leads us into a state of complacency. According to the remarks of the gen-

tleman from South Portland, Mr. Fuller, he feels that the State Police should do this. I would like to ask the gentleman from Freeport, Mr. Crockett, if he has ever tried to cross this accelerated highway they have got down there in Freeport when I am travelling down through there. Our statistics show us that a life on the State of Maine highways when taken by motorists is a loss of \$95,000. If this amendment is adopted it only requires an expenditure of \$2400. To me in budgeting that is a net gain of \$92,600 and I think it is a darn good investment for the State of Maine, and I hope the motion of the gentleman from Bridgewater, Mr. Finemore, prevails.

The SPEAKER: The Chair recognizes the gentleman from Freeport, to reply if he chooses.

Mr. CROCKETT: Mr. Speaker, I happen to have to cross the bypass in Freeport, and I believe that there have been plenty of accidents there simply because they go like the devil through there, about 90 miles an hour, and that is one of the reasons that I did have a bill in that did not get to first base on a service road to kind of slow them up going through Freeport so they would come in to see us. Now we are building high speed roads for one purpose as I can see, to get them into Canada just as fast as possible.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I just want to explain the reason I made this motion. When this bill was before the House some time ago I was very much opposed to it, but after taking and spending much time on the bill and talking with the State Police as to how they intended to use it, and I might say here that this is for just two pieces of equipment, and it is more for an experimental test than anything else, and I think for \$2400 that we should go along with it. I am very much in sympathy with fellows like my good friend the gentleman from South Portland, Mr. Fuller, who travels fast on the highways, and I do not wish that any of them would get caught, but I do think

that this after making a study on it is a very fine bill, and that is the reason I made this motion, and I hope it prevails.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I probably speed a little too, but I slow down when I come to these devices. I have seen a few of them, and I think that is what we would end up doing here, we would very soon get wise to where they were and we would very soon slow down. Only two of them I cannot see would do us any good in any way at all, I cannot see how it would be of any benefit to us because I personally have seen these devices like another representative spoke of here, but I know what they look like now and I slow down and I think we would not have one in operation more than one day and these so-called speeders would slow down when they go by it, and therefore I think the money would be wasted.

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

Mr. STORM: Mr. Speaker and Members of the House: I want to go along with my good friend the gentleman from Bridgewater, Mr. Finemore. If he travels at the rate that he did the other day when he passed me, I think we need radar to catch him and I hope he will be the first one caught.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I want to go along with my good friend the gentleman from South Portland, Mr. Fuller, for the same reason that he stated. As far as the \$2400.00 is concerned, that is not much and if we could save one life it would be well worth it. But I do not think that we are really getting what we are paying for now in our roads being patrolled, and I do object very much to this Gestapo method which is nothing more or less it seems to me.

I should hate to think that the people of Maine have to be fenced in with a law like this in order to have them live up to the rules and regulations. I do not believe that we

need it. I think we are all guilty of driving a little fast, but I do not know anybody here who has ever had an accident because they did drive so.

Now a short time ago I was in conversation with a head of the Department of the State Police, and I was complaining about a truck coming up here and making 65 miles an hour and it is impossible to get by them until they come to a hill and then there was such a string you could not get by and when they got over they lit out 65 miles per hour again, but they slowed down until they had 30 odd cars behind them going over this hill. And he said they had a right to drive, by the prima facie law whatever that is, at any speed. And I maintained that they had only a right to go 45 miles per hour. He said I was wrong. So I went over to the Attorney General's office and I asked them how they interpreted that law and the next day the Assistant Attorney General called and told me that that law was in effect 45 miles an hour and that was it.

Now the State Police are letting these trucks go by for some reason or other driving 65 and 70 miles an hour when they know, and have been complained about it. I wonder just who they would favor if they did have this thing. I think regardless of anything else that we should be opposed to such tactics of Gestapo to set up these rigamajigs and try to catch a fellow in that sort of way. We are just saying to the people who drive on these roads of the state, we believe you are all a bunch of crooks and law breakers and we are going to try and catch you at it.

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

Mr. SANFORD: Mr. Speaker, Ladies and Gentlemen of the House: It seems a while ago somebody got the idea about this apparatus catching people going fast. Somebody formed the idea that they had better send somebody out to Connecticut and look at those things. So they picked out a couple from the other body, I think, and one from this body. They had a nice trip out there I understand with a state police car

and state police chauffeur. Whether they did see this apparatus or not, I do not know. There is some doubt in my mind that they even saw it. (Laughter)

I will tell you why I say that. These three fellows do happen to be good friends of mine, I hope that one of them is not in here. They did not have interest enough when they came back to even appear before the Committee. We were down at the hotel one evening and one fellow came and showed me the paper and he said "That came out 'Ought not to pass'. Why did you let it do that?" Why did I let it do that, I did not even know anything about it. He commenced to give me the devil about it. And then along came another one of the committee and he said, "Did you know that came out of the Committee — one of the boys that went down, did you know it came out 'Ought not to pass'?" "No, did it?" "Yes, read it." He read it and he was very much surprised. Lo and behold comes the third fellow that went down to Connecticut and he read it, they showed it to him. Well, they were very much surprised that it should come out of the Committee "Ought not to pass". If they were interested enough and if they really did see it, I still doubt that they did, but if they did they were not interested enough to appear before the Committee. We had to have it recommitted to the Committee, as I remember it. I am not sure if they appeared the second time or not, I have my doubts about that.

But as far as I am concerned I do not know if it is a good thing or not. I have seen them out through the country, I have seen signs "electrical apparatus" and one thing and another. It did not bother me any, but speaking about this guy from Bridgewater; two years ago I was going home and I was going 60 or 65 miles an hour which I thought was a little bit too fast and he passed me and I swear that he was going a hundred miles an hour.

The SPEAKER: The Chair will state that the gentleman is out of order. To accuse a member of a legislative committee of misdemeanor is out of order. (Laughter)

Mr. SANFORD: Mr. Speaker, I take back that swearing that he was going a hundred, but he was going faster than he ought to go anyway. (Laughter) And I came back and I even asked him about it when he got back the next week end and he said he got a letter from the State Police asking if he would drive a little slower. Whether he did or not I do not know, I question that too. (Laughter)

Then I was coming down the other day, quite a little while ago, and he passed me again and he still was going too fast; perhaps I was going too fast, but he went by me like a shot and he said a little later that he got a new car, that that one that he had that he passed me with would not go fast enough.

I do not know how to vote on this, but that is the story from this Committee that went down to Connecticut.

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

Mr. FULLER: Mr. Speaker and Members of the House: I, like my good friend the gentleman from Bridgewater, Mr. Finemore, was very much against this Bill when it first came out and I am still very much against it. I did not intend to say a word about it because I thought it was killed. But I think the philosophy is wrong. We are not like New York, Pennsylvania or Connecticut. Some of you people that have been down there know that those cars go bumper to bumper and they have to have all kinds of gadgets to keep those people slowed down. I have driven all over the State of Maine for 20 years and I thank the Lord I have never yet had an accident and I hope I never will. But I still think that the philosophy is wrong, people checking your speed by electrical devices. We have enough of those infernal things already without starting those Gestapo methods.

The SPEAKER: The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker and Members of the House: I was interested enough in this bill to go over to the State Police and in-

quire about it. I thought the last time that it was in here that it would only take two State Police to run this thing, but on going over there I find that it will take four State Police to run one machine, one stationed on each side of it on the road and two to operate the machine. These two machines will take eight of the traffic cops off of the road where in my opinion they would do more good to help curb speeding if they were patrolling the road than they would by running this machine.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I hope if I have not learned anything in three terms down here I have learned how to sense the feelings of this body. I have a very strong suspicion how this bill is going to end up at this point. However, I have laughed with you at several of the comments made here. I have been a little bit amused by the use of the word "Gestapo" because frankly it usually is the practice when you want to discredit anything to use a word that is in keeping with the times, that is used to apply to our chief enemy, I would suggest to my opponents that they get up to date. We used to fight the Nazis and call them "Gestapos". We are now a little bit antagonistic toward the communists and I think the proper term of the day is communistic, so I suggest that change.

I do not think frankly that some of the members of the House who have spoken here, and that is why I am getting to my feet, are really seriously as scornful and contemptuous of the State Police as they have suggested. In other words, the fact that they are not doing enough, that they are not on the job. Regardless of how you treat this bill, I think it is a little bit dignified to give credit to a group of men who in my estimation are certainly not over paid. They are men frankly who are hired at your expense to protect your life, and the lives of the citizens of the State of Maine as much as possible, and incidentally, the lives of our children. I think the chief portion of this bill

that impresses me is not the rather ridiculous sum of \$2400, and I am not scornful of \$2400, but I know that in large departments \$2400 is not too hard to locate, if that department is not already stressed as the State Police are to replace their equipment. I do feel that the chief argument in favor of the radar measure is that in many local communities, maybe it is yours, maybe it would be mine, there are stretches of road where 25 mile speed signs do not mean a blooming thing. They have been over-used, they have been over-done, and no one pays any attention any more. We are a vacation state. We do have many of the people that the gentleman from South Portland, Mr. Fuller, was referring to come from Connecticut and New Jersey and New York who just laugh at 25 mile an hour speed signs, but as he says himself, they are used to being controlled, they are used to learning respect for signs that say "This stretch may be caught by radar devices."

Now I want to set your minds at ease ladies and gentlemen of the House. Two machines is frankly a ridiculous number, it is little more than an experimental device, but the essence, the meat of this bill, is to enable many communities to have signs posted on stretches of road that have a historical danger, and attempt to slow people down, and may I simply say in closing, that all joking aside, if in the next two years you find that you wish someone would help you to keep motorists from racing through a town from out of state, where too many children are being hurt and killed, just remember, that you jokingly referred to this radar bill which might have helped you.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Courtois.

Mr. COURTOIS: Mr. Speaker and Members of the House: My friend the gentleman from Enfield, Mr. Dudley, said that if they got caught once they would get wise to it. Well just to instill into this record that in the State of Maryland they went out and started to use this device to check the speed of automobiles, and they used only a courtesy measure to begin, they gave them a card,

and this article went on to say that ten miles further they were actually checking them by electrical devices, and fifty per cent of those they caught already had been notified that they were checking them, so I do not think it will stop them. Some of those that want to speed you will probably have to catch them four or five times, not only once.

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

Mr. QUINN: Mr. Speaker, through the Chair might I ask, are these stationary radar pieces or are they portable that can be moved from place to place?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, addresses a question through the Chair to the gentleman from Bangor, Mr. Totman, who may answer if he chooses.

Mr. TOTMAN: Mr. Speaker, I would like to answer that question if I may, these are mobile pieces of equipment, one designed for the northern part of the State and one is designed to be used anywhere in the southern part of the State.

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

Mr. QUINN: Mr. Speaker and Members of the House: I heard one of the gentlemen say that they will cover an area of about 300 feet. I ponder on the value of the investment. Will it not be a situation where after it is known that these monuments are standing along the side of the highway, will it not be the practice that someone will come along there at unlimited speed, at the monument he slows down, goes by the restriction and off he goes again? If it is just going to restrict in that short period, is the investment worthwhile?

The SPEAKER: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I want to try to answer the problem that my friend, the gentleman from Bremen, Mr. Hilton, has brought up, that it takes four men to man each radar. That is not so. As I told you before we went to Connecticut on a demonstration, and it takes two men to operate. They are a portable set that sets on the back of

a car or can be placed on the roof of a car with the beam focused 300 feet down the highway. As the cars flash through the camera so-called, it registers on a meter at the piece of equipment. If that car is travelling over the speed limit which is decided upon for that particular day or for that particular section of the highway. What I mean by that if it is a dry day with the highways dry they might consider 60 miles an hour to give a warning tag, if they are travelling 65 they generally take them into court. The man that is operating the piece of equipment does not have anything to do with the stopping of the cars. Further down the highway possibly a quarter of a mile or so there is a second officer, and the officer operating the piece of equipment radios down ahead giving the description of the car, also the number plate. That car is stopped and pulled into the side and if he is going over the speed limit he is either given a warning or a summons to go to court. The sets that we saw in Connecticut were portable sets, they can be moved along on any passenger car.

Another thing, they are moved from one section of the State to the other. In Connecticut, the State is very small as you know, and it has had a tendency to cut down their accident rate. Another section of the state where they were used very effectively was in small communities where they got a lot of complaints about people speeding through there. They make a survey by setting up a set-up of a piece of radar equipment, and it is hooked onto a battery and it is left there perhaps for a period of twenty-four hours. The officers can come back and check on the chart to see how many cars were speeding through that particular town and whether or not they were exceeding the speed limit and how many.

Another place where they would be very useful in checking road counts, highways. I understand that the Highway Department perhaps could use these for checking their traffic counts in a section perhaps when the State Police were not using them. I think in dollars and

cents that they really would save the State of Maine from an economical standpoint and that it really is money well invested, and I certainly hope the motion of the gentleman from Bridgewater, Mr. Finemore, prevails.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I cannot see where this electrical device is going to work marvels. I have been to Connecticut in the past two weeks and I spoke to a Lt. Schwartz there and being in the service back during the war, we had radar and we had trouble with the scopes and we had trouble with the cardiographs, they vary with the weather, and I do not believe myself that the people of the State of Maine are set for anything like this at present. I do not see where you are going to curb your drunken driving or your reckless driving by this device. I do think that we have adequate police protection, and I do think that this is just to open the door to more expense. \$2400 is probably just to get a foot in the door.

The maintenance of these affairs is more so than a television set. Every time you move them around the cardiograph will go on the blink on it, or the tubes will go if you have the portable device. If you set them up stationary why it has been brought out here before that everybody will go by the thing at 25 or 30 miles an hour, and seven or eight hundred feet further down the road they will roar to beat the band, so I do not think that this State is quite ready for anything like that. If we are to scare everybody into slowing down, we will put up more signs. I certainly do not believe that this thing is something that is wanted yet. I would like to hear from somebody who has possibly served in the Navy or in the Air Force and who has known what radar has brought to them. I know quite a few ships of the late types have crashed on account of the weather setting it off, it is like an altimeter in a plane more or less, and if you have bad weather your radar will work very bad, and if you have good good weather it will work very

good, so we have so much rain and so much bad weather around here, I do think that anything like this is not quite needed yet. I certainly think that we should stick by our former action. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker, I just want to say that evidently my good friend the gentleman from Hanover, Mr. Ferguson, and I spoke to different officers over there, and evidently the one I spoke to was not too much in favor of this because he did tell me that it would require four men to operate.

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

Mr. CROCKETT: Mr. Speaker, when we started this debate a little earlier, there were two men that were going to operate these so-called radar detectors. Now Mr. Ferguson, the gentleman from Hanover, when he got up on his feet here a few minutes ago said there would have to be an officer down here after the officer in the automobile or the vehicle spotted a man going beyond the speed limits of the state — what those limits are I would like to have defined — but however, that would mean a man on the south end and a man on the north end, or a man on the east end and a man on the west end, so it would take at least four men by his own words. These radars only spot the culprit that is going over the speed limit and then he will let the other fellow know that this fellow is doing something that he should not be doing, and the other officer is going to pinch him down 300 feet beyond there or a half a mile or a quarter of a mile. Now if that is not four men, I do not know, two and two used to make four. I do not know what it makes today.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: If my mental radar is not confused, I think a motion for the previous question would be in order and I so move.

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

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: The question before the House is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House recede from its action of April 15 whereby Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices", House Paper 109, Legislative Document 117, was indefinitely postponed.

All those in favor of the House receding, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-seven having voted in the affirmative and seventy-seven having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Fuller of South Portland, the House voted to adhere.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Brunswick, Mr. Walsh, to the rostrum for the purpose of presiding as Speaker pro tem.

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

(Mr. Crockett of Freeport was granted unanimous consent to address the House off the record.)

Non-Concurrent Matter

Bill "An Act relating to the Taking of Quahogs" (H. P. 166) (L. D. 157) which was passed to be engrossed in the House on May 4.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. McCluskey of Warren, the House voted to insist on its former action and request a Committee of Conference.

Non-Concurrent Matter

Bill "An Act relating to Admittance of and Charges for Patients at State Sanatoriums" (S. P. 212) (L. D. 553) on which the House substituted the Bill for the "Ought not to pass" Report of the Committee and passed the Bill to be engrossed in non-concurrence on May 4.

Came from the Senate with that body voting to insist on its former action whereby it accepted the "Ought not to pass" Report of the Committee, and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. COLLINS of Aroostook
SINCLAIR of Somerset
CHAPMAN of Cumberland

In the House: On motion of Mr. Jacobs of Auburn, the House voted to recede and concur with the Senate.

House Reports of Committees Leave to Withdraw

Mr. Stanwood from the Committee on Sea and Shore Fisheries on Bill "An Act Permitting Importation of Lobster Meat for Commercial Freezing and Canning" (H. P. 1081) (L. D. 1264) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Bean from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Providing for Medical Aid to Indians" (H. P. 1092) (L. D. 1275)

Same gentlemen from same Committee reported same on Resolve in favor of New Canada Plantation to Repair Daigle School (H. P. 637) (L. D. 714)

Mr. Cates from same Committee reported same on Resolve in favor of Aroostook State Teachers College (H. P. 731) (L. D. 813)

Mr. Edwards from same Committee reported same on Bill "An Act relating to Interest on Organized Townships Fund" (H. P. 769) (L. D. 854)

Same gentleman from same Committee reported same on Resolve in favor of Maple Grove Cemetery Association of Randolph (H. P. 636) (L. D. 713)

Reports were read and accepted and sent up for concurrence.

Bill Substituted for Report

Mr. Henry from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to the Salary of the President of the Senate, the Speaker of the House of Representatives, and the Members of the Legislature" (H. P. 86) (L. D. 97)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker, I move that we substitute the bill for the report.

The SPEAKER pro tem: The Chair would request the gentleman to defer a moment and withhold his motion.

The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker, I move that we substitute the bill for the report on Item 7.

The SPEAKER pro tem: The gentleman from Portage Lake, Mr. Cook, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee.

The Chair recognizes the gentleman from Bath, Mr. Couture.

Mr. COUTURE: Mr. Speaker and Members of the House: I would like to speak on this subject before we take action on the motion of the gentleman from Portage Lake, Mr. Cook. Adequate compensation can be of tremendous value in luring better legislators to the State House and keeping them there. It would erase one of the fine arguments now dissuading people of patriotism, interest and talent but of limited means, from serving in the Legislature. As it is each session loses the services of good legislators who cannot afford to run for a second or third term, legislators

who drop out just when their experience is beginning to pay off. For instance, in this present Legislature the turn-over is greater than fifty per cent. It is reasonable to assume that this would not be the case if salaries were higher. Precedent proves it. Ohio increased the pay of the Legislators from \$1,000 to \$2,000 and then immediately most of the members were seeking to be re-elected. This had been true of other states. The world of law making unlike the world of economics does not lend itself with mathematical precision to the old saw that "you get what you pay for". High pay is not always a sure-fire guarantee of high quality. The point is, low pay is a definite obstacle.

Until two years ago legislators in Maine, whose salaries are fixed by statute, as they should be, and not anchored by constitutional limits, received \$850 biannually. The 1953 Legislature increased this to \$1,000, a figure far too low. Some states pay as high as \$5,000. It would not be wise, even if Maine could afford it, to make legislative salaries high enough to attract candidates for the sake of money alone, because State Legislature should not be a full-time business, only a part-time job. Furthermore, something valuable would be lost if the element of sacrifice were eliminated altogether. But Maine should pay enough to lower the financial barrier for public-spirited citizens of moderate means who wish to serve. In general, democracy gives largely to the community, but very sparingly to those who govern it. We cannot be penny wise and pound foolish.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker and Members of the House: I rise in very definite opposition to the motion of the gentleman from Portage Lake, Mr. Cook, for one very simple reason, and that is I would be very much ashamed to go home and tell my constituents that we could not find money for good highways, we could not find money for more aid to schools, we could not find money for more aid to the institutions, but we could find the

money to double our own salaries. I think it would make every one of us look pretty silly, after scratching our collective heads during the whole session looking for ways and means to raise money, and then come up with a thing like this. I am very much opposed to substituting the bill for the report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: With all due respect and regard for my worthy colleague the gentleman from Bar Harbor, Mr. Edgar, I rise in support of the motion of the gentleman from Portage Lake, Mr. Cook, and I would like to bring out a few of the facts and reasons why. You get the lists of the pays that are paid in this State House for work I do not believe is any superior or any more important than what you gentlemen and ladies here are performing, and it is very true as a public-spirited citizen you are entitled to come up here to represent them with some sacrifice. I do agree to a certain degree with the gentleman from Bar Harbor, Mr. Edgar, on the point that he has brought out, but I do not believe that is the question at stake at this present time. The lowest paid man in this House receives as much if not more than any one of you legislators and the time the service demands upon you for the sum issue for a period of two years. When you break it down it is even one-half what the lowest paid man right here is getting. Remember, you have another year to go, you will not have to sit in here it is true, but you are required by your constituents to still fulfil some of the obligations you made them when you assumed this office to represent them, so when you break it down it is a sum of \$500 per year, and your second year expense it is true is not as great as your first year, but when you get an area which vastly covers as some of these gentlemen represent of five or six townships with big mileage to cover and also have to make a few trips here to Augusta from those places with no expense allowance, I think you will feel it

is pretty small compensation. You stop and figure from a Federal level right down to the present stage, they are now paying or will pay according to the last bill that they had filed in the Federal Government increases. You did not hear any public reaction to that, they were happy and satisfied because it meant that a normal average man who could not normally afford to come up here will now be able to afford to come up here and represent them, and I do not believe because a man is financially able to come up here and spend his time that he should be penalized, but I do not believe that a man who has not the means of coming up here should be penalized either, and I think there is just as good wisdom in that group of people as there are in the men who are very financially able to do it. So I myself at this time would like to see the motion of the gentleman from Portage Lake, Mr. Cook, prevail.

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

Mr. ALBERT: Mr. Speaker and Members of the House: I think it is important to point out that the present bill under consideration is to double the salaries as has been stated by the gentleman from Bar Harbor, Mr. Edgar. However, in order to have a bill to work with that can be amended, this bill must be substituted for the Committee Report, then it can be tabled and amended as this House may see fit. I want to point out that none of us here if we should vote to substitute the bill for the report are voting for a raise for ourselves, because under the Statute, it is prohibitive for a Legislature to vote itself an increase, but it is permissible for a Legislature to vote an increase for the incoming Legislature that will replace us two years from now. So with those thoughts in mind, I will go along with the motion of the gentleman from Portage Lake, Mr. Cook, to substitute the bill for the report.

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

Mr. McCLUSKEY: Mr. Speaker, I would like to ask the House Chairman of the Appropriations Committee if he would tell us if he can about how much money this amounts to per year.

The SPEAKER pro tem: The gentleman from Warren, Mr. McCluskey, addresses a question through the Chair to the gentleman from Auburn, Mr. Jacobs, who may answer if he so chooses.

Mr. JACOBS: Mr. Speaker, it would cost about \$200,000 to change this from \$1,000 to \$2,000, you would have to include the Council in this amount, and other expenses in proportion.

Why we reported this from Appropriations as "Ought not to pass", we felt this was not a proposition for salaries for members who come here representing their constituents throughout the State. It is a matter of service. My first term here in this Legislature was \$150 and we did not get a cent until the gavel sounded at the close of the session, no expenses back and forth except the first and the last times.

Now it has progressed from \$150 down to \$1,000, from \$450, then \$650, then \$850, and now \$1,000 for the first time. It does seem to me as a man who has been here several times in this Legislature that we come here for service of our people whom we represent and not for a salary. I believe that every well-thinking man here recognizes he is here for service and not for salary, that he is compensated for his service. You have expense accounts once a week to and from your homes for so much a mile. We never had that in years gone by. I feel that every man here and every woman here is fairly compensated for the service rendered.

The SPEAKER pro tem: The Chair would inquire if that answers the question of the gentleman from Warren, Mr. McCluskey? The Chair wishes to thank the gentleman from Auburn, Mr. Jacobs.

The Chair now recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: As I look over this House it seems to me that we have as fine a group of repre-

sentatives here as they have in any Legislature. I do not know very much about other Legislatures, but I think it would be hard to improve on the membership of this House this year. I believe as the gentleman from Auburn, Mr. Jacobs, said, that we are here for service and it is my feeling that I would be glad to be here for less than I am receiving in order to be of service to my State, and I feel that although we are not being richly compensated, we are being adequately compensated when we consider that we are here as a matter of service to our State.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I was rather amused with my good friend the gentleman from Auburn, Mr. Jacobs, at the small salary that he got when he came up here the first time. He has served his State wonderfully and well, and I brag on his service and his spirit, but at the time he came up here for \$150 a year I was hiring men for \$12.00 a week, but today I am paying \$60.00 and \$65.00 for men doing the same work. In fact, they are not working as many hours. Now I have often times wondered just why the Legislature would pass without a murmur, a thousand and two thousand dollars added to the salaries of the heads of the departments and would not do anything about the men and women who came here to make the laws and to serve. I do not believe that they are adequately paid to do the job as it ought to be done, because it has been brought out here there are many other things which go with representing the people besides sitting in here. There is much to do at least there is in my area. Now I am not speaking for myself because I do not expect to be a member here again. The people in the towns that I represent have sent men from my town up here for the last four terms, and of course they must have from some other town representation. I have often times wondered if it was not a sort of a spirit of a dog in the manger, they could not have it themselves and they did not want any-

body else to have it. I know that I have served here for \$850 and for \$1,000 and I do not want to feel that I want someone else to do it just because I had to do it, so I, while I do not expect to reap any benefit from it, but I expect to pay my share of the extra cost, I think it would be wise and be a good thing for the State of Maine as a whole to increase the salary of these men and women who will be here in the next Legislature and I will be glad to pay my part of the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker and Members of the House: About every student of Government has had some remark or another to make as regards the inadequacy of the compensation of state legislators. There is one short piece that I would like to read to you here by the Hon. Richard Newberger. He says "I would list five fundamental reasons for the decline of state government in the United States, a deterioration which has accelerated in recent years. These are the reasons" and he states five reasons. The first reason: "The part time status and negligible salaries of state legislators and most state district attorneys." There is a book which is quite a textbook which I think most everybody recognizes, American State Government, by Graves. It speaks of the compensation for legislators: "The question of compensation of Legislators has long been difficult and troublesome. In early stages of the development of popular government there was no compensation. The fact that representation was permitted at all was for many classes and groups a great victory. It was an honor to serve. Sooner or later as the newness wore off those who were elected discovered that it cost money to travel back and forth to the seat of government, to maintain oneself while there and to be absent for days at a time from one's regular calling. Before any compensation for members was secured, the situation became so serious that none but the wealthy were financially able to serve. Even when compen-

sation was authorized, it was not always paid by the state, local communities being expected to supply stipends when necessary." I think that we must decide here when we vote on this question, as to whether we wish to limit or qualify the membership of this Legislature. If we wish to qualify it and limit it to just those who are financially able to sacrifice themselves to be down here, and disenfranchise as we might say, a vast number of those potentially capable of coming down here and doing a job for the state, then we will accept the report of the Committee, but if we wish to allow any of our citizens who might be capable and able to come down and serve this State regardless of their financial situation, I think we must go along with my motion to substitute the bill for the report.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I will say just a word on this bill. This is my ninth term in this Legislature, eight in the House and once in the Senate. I have never made enough money from this Legislature to pay my office expenses. I feel that the time I have given here has been for service and that is the reason that I have come here. I feel while it is doubtful if I ever come back to this House, that the members do deserve more pay than they are getting at the present time. I do not expect that pay to be big enough for a member to make a big profit, but as stated here a moment ago, we have increased the heads of departments tremendously since I first came to this Legislature. You may notice that they have passed or intend to pass an increase in pay for Congressmen as I recall it to \$21,000. I do not think those Congressmen work any harder than we do, they may spend a little more time, but then we work practically all the time, we are working as hard as many of those Congressmen. I am not sure that the amount that is stated to double the amount is the proper amount, but I do feel as stated by one of the gentlemen preceding me that it should be higher, and if this motion

prevailed an amendment could be made so that those who come in here in the future could have a little more just compensation. I therefore favor the motion.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: I do not like to hear so many distinguished members of this body say that they are not coming back, but if I may be permitted to speak personally a moment, I would like to give you a little different approach to membership in this House. I visited this House 32 years ago this session, and as a man who loves Maine I thought to myself then that this room pulls this whole state right into one room. If a person likes Maine, he likes to be here, and I thought then that if the time ever came when I could become a member of this body, I would like to do it. Within the last few years it seemed that I might, so I ran last year and was fortunate enough to be elected, and I deem it a privilege to be here. I would like to be here if there was not any salary attached to it, and unlike some of the members I hope to be back regardless of what the salary is.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: The gentleman from Auburn, Mr. Wade, certainly gave a good approach, and it is very well and able that he is in a financial way to be able to do what he suggests, but there are numerous others that would not be so fortunate. There are men who are just as capable as I or anybody else in this House who would never have an opportunity to give this so-called service which I believe we all have the same feeling, it is a service. It is not for monetary and personal gain, it is self satisfaction to do what you believe your people back home would like to have you do. That is why you are down here. On that basis I do not want anybody to misconstrue that I am here for personal monetary gain for me or any individual member of this House, I do not be-

lieve that is their intention, but it is to make it possible for those who are not fortunate enough to be in a financial way with just as much ability as any one of us individually may have, to be able to come down here and render that service.

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

Mr. CASWELL: Mr. Speaker and Members of the House: The gentleman from Portage Lake, Mr. Cook, has contributed an idea which was new to me and undoubtedly is a fact, that in early times the towns in some states contributed to part of the salary of their representatives. Now let us suppose that each of us felt that we might be returned here for the next session. I for one—my town and the towns which I represent will have to pay the additional salary supposing it should be raised, but I would hate very much to introduce an article into our next town warrant to see if the town would pay a portion of my salary. I am pretty reasonably sure that my town and the other towns would be very likely to elect somebody else in here.

The SPEAKER pro tem: The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Members of the House: This is the fifth time that I have heard this argument, and I am going to say at the outset that there is not one of my constituents nor there is not a newspaper in the State of Maine or newspaper editorialist that I would apologize to for voting to increase the salaries of the members of the Legislature. I am not going to follow the theory that \$2,000 is a salary. If one were allowed \$2,000 here I still contend that it is a service, you are still not going to break even at that figure. I think probably it is about time that we put the salary of the legislators on the level at which I believe it should be, and I certainly am going to go along with the motion to substitute the bill for the report and not apologize for doing it.

The SPEAKER pro tem: Is the House ready for the question?

(Cries of "Yes")

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Portage Lake, Mr. Cook, that Bill "An Act relating to the Salary of the President of the Senate, the Speaker of the House of Representatives, and the Members of the Legislature", House Paper 86, Legislative Document 97, be substituted for the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs.

All those in favor of substituting the Bill for the Report will say aye; all those opposed, no.

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

Seventy having voted in the affirmative and thirty-four having voted in the negative, the motion prevailed, and the Bill was substituted for the Report.

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

Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to Salary and Travel of Members of the Legislature" (H. P. 976) (L. D. 1124)

Report was read.

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

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen of the House: I would like to call your attention to the so-called Stanley Bill which relates to a subject matter we momentarily considered and the House passed. In this instance a provision is made for the members of the House that they shall receive \$1,000 for the regular session plus a \$10 allowance per day for each day that the Legislature is in general or regular session, plus an eight cent per mile reimbursement to and from his place of abode. I think a great many of you in considering the previous item on the calendar were somewhat concerned over the reception of the general public. It seems to me offhandedly that this bill gives you not only the present salary as before, but through the me-

dium of the \$10 a day expense account actually permits you to succeed in your previous desire, so on that basis I would move that this L. D. 1124, be laid on the table unassigned.

The SPEAKER pro tem: The gentleman from South Portland, Mr. Earles, moves that the Report and Bill lie on the table pending acceptance of the Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled.

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve for the Purchase of One Hundred Copies of "History of Bridgewater, Maine" (H. P. 176) (L. D. 183)

Report was read and accepted and sent up for concurrence.

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve for the Purchase of One Hundred Copies of "Genealogical History of Morrill, Maine" (H. P. 517) (L. D. 580)

Report was read.

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

Mr. KNIGHT: Mr. Speaker and Members of the House: I would be failing the good people in the town of Morrill who have spent so much time and effort in preparing this genealogical history if I did not rise at this time to defend this resolve. I believe it has been the practice of past Legislatures to encourage towns in this very worthwhile effort by granting to them a small sum of money to make the printing of our histories possible. The history of a Maine community is indeed interesting and informative. A genealogical history is far more than that in that it furnishes often needed personal information. These histories occupy an important place in the passing of time. This genealogical history is the result of ten years of intense research by a fine group of individuals who are dedicated to this splendid work. I believe this Legislature should

recognize their noble efforts and grant them this resolve. I therefore move that we substitute the resolve for the report.

The SPEAKER pro tem: The gentleman from Searsmont, Mr. Knight, moves that the Resolve be substituted for the "Ought not to pass" Report of the Committee.

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

Mr. JACOBS: Mr. Speaker and Members of the House: The Committee recognizes the fact that these towns who have a history to sell or have a history of their town is very commendable, but it has not been a common practice to accept these items of histories of towns. Now one is just as fair as another. If you accept one you should accept them all, and I think we have five here altogether, or will have, which were reported "Ought not to pass". It does seem to me that at this time, although it does not take a lot of money, about \$3,000 perhaps as a whole, but we feel that this practice should be stopped. I know of one particular one that has not even been printed yet, it is only in pamphlet form, so I would ask this Legislature to go along with the Committee's report "Ought not to pass".

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

Mr. FINEMORE: Mr. Speaker and Members of the House: You will notice that the previous item was for the Town of Bridgewater. I did not mention it at all; I did not even put it in because I am very much against the State buying these from the towns. I do not know how the rest of these towns are and I do not feel like speaking about them. But I do believe that if the rest of these towns that are asking to buy these different histories are as incorrect as the one that is out of Bridgewater, they would not be of much use to the State or to anyone else. I hope the motion of the gentleman from Searsmont, Mr. Knight, does not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Searsmont, Mr. Knight, that Resolve for the Purchase of One Hundred

Copies of "Genealogical History of Morrill, Maine", House Paper 517, Legislative Document 580, be substituted for the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER pro tem: In order that there may be no doubt in the mind of the Chair, will all those who are in favor of substituting the Resolve for the Report will kindly rise and stand in their places until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and forty-four having voted in the negative, the motion did not prevail.

Thereupon, the Report was accepted and sent up for concurrence.

At this point, Speaker Trafton returned to the rostrum.

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

(Off Record Remarks by the Speaker)

On motion of Mr. Childs of Portland, by unanimous consent, the House voted to take from the table Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to Provide Additional Revenue to General Fund", House Paper 1229, Legislative Document 1512, which was tabled earlier in today's proceedings.

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

SENATE AMENDMENT "A" to H. P. 1229, L. D. 1512, Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to provide Additional Revenue to General Fund."

Amend said Bill by inserting after Section 6 thereof a new section, as follows:

'Sec. 7. Effective date. The provisions of sections 4, 5 and 6 of this act shall become effective September 1, 1955.'

Further amend said Bill by renumbering "Sec. 7" to read 'Sec. 8.'

Further amend said Bill by striking out all of Sec. 8 thereof.

Further amend said Bill by adding at the end thereof the following section:

'Sec. 11. Intent. It is the intent of the Legislature that the provisions of this act are inseverable, and that if any provision fails for any reason to become law, the entire act shall be suspended and inoperative.'

House at Ease

Called to order by the Speaker.

Thereupon, on further motion of Mr. Childs of Portland, the House voted to recede from its former action of May 4 whereby the Bill was passed to be engrossed without amendment.

(Off Record Remarks by Speaker)

Thereupon, on further motion of the same gentleman, Senate Amendment "A" was indefinitely postponed in non-concurrence.

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

Mr. CHILDS: Mr. Speaker, after listening to our Governor this morning on his remarks with reference to the Supplemental Budget, I believe now that this House has no alternative but to pass this as an emergency measure. He has informed us in its present condition he would veto this measure. This is, without question, an attempt to force an increase in the sales tax. I want to say that the Republicans are sincere and honest in their attempt to do the right things for the citizens of this State. There is nothing more than an honest difference of opinion. I hope the Governor will respect our thoughts just as the Legislature respected his when we agreed with him on more than three-fifths of his requested Supplemental Budget.

Now in an effort to do what is best for the citizens of Maine, we

have attempted to tax the people where it hurts the least, to give the Governor what he has asked for. That part of the package which takes care of most of his program is an increased tax on luxuries. An increase in the sales tax can not but help reflect itself on the necessities of life. And you must consider the fact that the continued exemptions on a general tax is a continuing narrowing of the base and eventually such a tax is useless.

The Governor figures that the money raised by L. D. 1512 in emergency form, would provide \$680,000 for the biennium in excess of appropriations made in the bill. He neglected to add on telephone and telegraph companies amounting to \$150,000 for the next biennium and the new added tax on pari-mutuels which will bring in \$50,000, both measures which are now in the process of being enacted. I believe that this \$830,000 should be sufficient to cover the remaining appropriations involving legislative documents considered and to be considered. It would certainly be nice to raise more money. Good things to spend it on can always be found but there certainly is a limit to how much the people's tax bill should be increased at one time.

Therefore, I offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Portland, Mr. Childs, 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 H. P. 1229, L.D. 1512, Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to provide Additional Revenue to General Fund."

Amend said Bill by inserting before the enacting clause thereof, the following Emergency preamble:

'Emergency preamble. Whereas, acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the

beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable on or immediately after July 1, 1955; and

Whereas, the essential needs of State Government, particularly as they relate to the services rendered by the State Departments of Education, Health and Welfare and Institutional Service, require that additional revenue be raised by this Legislature; and

Whereas, the revenue to be collected under the provisions of this Act may not be sufficient to provide for said needs during the next fiscal biennium unless the tax is imposed at the beginning of the next fiscal year, namely, July 1, 1955; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by adding at the end thereof the following Emergency Clause:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect on July 1, 1955.'

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

On further motion of Mr. Childs of Portland, by unanimous consent, the Bill was ordered sent forthwith to the Senate.

The SPEAKER: The Chair requests the Sergeant-at-Arms to again escort the gentleman from Brunswick, Mr. Walsh, to the rostrum for the purpose of presiding as Speaker pro tem.

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

(Off Record Remarks by the Speaker)

Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Town of Stoneham (H. P. 574) (L. D. 634)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: There is a bill before the Appropriations that will take care of the Stoneham problem, which has not been reported out yet. I would like to have this resolve lie on the table unassigned.

The SPEAKER pro tem: The Chair would request the gentleman to kindly repeat his motion.

Mr. FERGUSON: Mr. Speaker, there is a bill before the Appropriations that will take care of Stoneham's problem. I have been assured by some of the members of the Appropriations Committee that this bill is coming out at least with a split report. In the meantime, I would like to make the motion to have this resolve lie on the table pending acceptance of the report.

The SPEAKER pro tem: The gentleman from Hanover, Mr. Ferguson, moves that the Report and Resolve lie on the table pending acceptance of the Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were so tabled.

Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Bosworth Memorial Association (H. P. 1167) (L. D. 1402)

Report was read.

(On motion of Mr. Jennings of Strong, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, May 10.)

Mr. Stanley from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to Auto Travel for Inland Fish and Game Wardens" (H. P. 975) (L. D. 1123)

Same gentleman from same Committee reported same on Resolve for the Purchase of One Hundred Copies of "History of Otisfield, Maine" (H. P. 331) (L. D. 372)

Same gentleman from same Committee reported same on Resolve Creating the Maine Vocational-Technical Institute Scholarship Fund (H. P. 332) (L. D. 373)

Mr. Dunn from the Committee on Highways reported same on Resolve Constructing Part of Route 35 in York County (H. P. 887) (L. D. 995)

Mr. Nadeau from same Committee reported same on Resolve in favor of Town of Canaan (H. P. 981) (L. D. 1129)

Mr. Call from the Committee on Labor reported same on Bill "An Act relating to Compensation for Total Incapacity under the Workmen's Compensation Act" (H. P. 542) (L. D. 599) as it is covered by other legislation.

Mr. Roberts from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Penalty for Taking Clams and Quahogs" (H. P. 849) (L. D. 935)

Mr. Willey from the Committee on Taxation reported same on Bill "An Act relating to the Taxation of and Motor Vehicle Registration or Licensing Fees of Multiple State Motor Vehicle Common Carriers" (H. P. 1152) (L. D. 1367)

Reports were read and accepted and sent up for concurrence.

Mr. Briggs of Caribou was granted unanimous consent to address the House.

Mr. BRIGGS: Ladies and Gentlemen of the House: I am feeling a little bit of remorse because of some of my recent actions, in retrospect that is; however today it has become my good fortune, I feel, to have an opportunity to act in a way which would be very favorable to some of the citizens of our State. This opportunity just came to me by the grace of God and because of the way the wind was blowing I guess.

What has happened is that, due to a rather unusual circumstance, one of the regulations that we passed earlier this year regarding the fishing in a body of water was to open that fishing to a general

law type of fishing and this was on the Chain of Ponds in Franklin County. Now that Bill has already been passed and been signed by the Governor and if you folks will reflect just a bit you will recall easily that in order for them to have any of the benefits from that this season they will have to have some other instrument put through in order to make that possible for them.

Now today, quite a large number of persons came down here and took it upon themselves to take it up with the people here in the Legislature to see if something could not be done so that they could receive rather considerable, they believe, monetary benefits from this perfectly logical move which we have made and which has already been passed as I have told you. And of course they have been told that the only way that they would be able to have that type of fishing and to encourage the persons to come there and fish and thus have some of the blessings of their patronage would be for it to be passed again as an emergency measure.

Now those folks are here today and I know that they are very proper in their desire to do this and it has the approval of the Governor and of the Fish and Game Department and I am sure that it would have the blessing of the Fish and Game Committee and in light of all that and in my desire to be helpful to these folks I am going to humbly request that you folks perhaps allow me to introduce this Bill notwithstanding the cloture order at this time.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Briggs, requests unanimous consent to introduce a resolve. The Clerk will read the title.

The CLERK: Resolve Regulating Fishing in Chain of Ponds in Chain of Ponds Township, County of Franklin.

The SPEAKER pro tem: Does the Chair hear objection to the reception of this resolve notwithstanding the cloture order? The Chair hears none and the resolve is received.

Thereupon, on motion of the same gentleman, under suspension of the rules, the Resolve (H. P. 1241) was

given its two several readings and passed to be engrossed without reference to a Committee and sent to the Senate.

Ought to Pass in New Draft Printed Bill

Mr. Soule from the Committee on Agriculture on Bill "An Act Increasing Potato Tax and Disposition Thereof" (H. P. 1119) (L. D. 1317) reported same in a new draft (H. P. 1239) (L. D. 1528) under same title and that it "Ought to pass".

Report was read.

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

Mr. REED: Mr. Speaker and Members of the House. I move that the report of the Committee be accepted and request permission to address the House on the Bill.

The SPEAKER pro tem: The gentleman from Fort Fairfield, Mr. Reed, moves that the Committee Report be accepted.

The gentleman may proceed.

Mr. REED: Mr. Speaker, this is a matter that is of vital interest to the potato industry and I realize the hour is late and I do not propose to go into any great length. However, it is a matter which many of you folks are not particularly familiar with and I will attempt at this time to bring the facts concerning the Bill and the relative matters with it to you in as concise, compact and accurate a form as possible.

First I would like to explain the original potato tax law. It was originally enacted in 1937 and it was set up at that time to assess a 1 cent per barrel tax on the grower of potatoes. Anyone who raised potatoes was assessed 1 cent per barrel. A barrel weighs 165 pounds. That tax has been yielding in the vicinity of \$125,000.00 annually and this tax is spent as earmarked in the original law, 25 per cent for research, 25 per cent for advertising and promotion and the balance of the money could be spent at the direction of the committee who administered the law and that is the Potato Tax Committee, a group of five men who are connected with the industry and ap-

pointed by the Commissioner of Agriculture.

Now this Bill that I propose would levy an increase of 1 cent per barrel, however this increase would be paid by the shipper and you probably have before you the new draft of the Bill. We had to make some changes in it and I will explain them as I go along.

Now in Aroostook County, in fact for the whole State of Maine, people in the potato industry fall into these three general categories. First, we have the grower, and the grower-shipper and just the shipper. Now the grower is a farmer who raises potatoes and sells them to a shipper who does the shipping. This grower does not operate potato houses or graders or load cars or trailer lots. He delivers them into the shipper who does the shipping. And then we have the grower-shipper and there is a great number of them that fall into this category who raise potatoes and also ship. And then we have a smaller number of people who are in the business just for the shipment of potatoes, who buy from growers or from grower-shippers and ship their own. Now there are those three categories.

Now the original tax, as I mentioned, was levied on the grower, 1 cent per barrel. Now the industrial leaders have recognized in the past few years that this tax has not been sufficient to do the job adequately and those concerned with the business have felt for some time that we have needed more money and during the last of 1954 they have had various meetings discussing it, recognizing the need and discussing how it should be levied. They felt that the grower as a whole is generally a smaller operator and he pays his 1 cent, the regular shipper as of now pays nothing. Of course, if the man grows and ships his own he pays the 1 cent so they felt that it was fair to levy this increase on the shipper and the grower-shipper and we estimate that that would bring in about double the taxes, which would give us about \$250,000.00 to work with.

Now why do we feel we need this additional revenue? Well now here are some pertinent facts why we feel

we do. The State of Idaho, as you know, is one of our stiffest competitors in the potato industry and in 1954 towards the last of the season they voted for an increase in their tax. They have a tax of 1 cent per hundred weight in Idaho. And they raised their tax to 2 cents per hundred weight. And 20 per cent of the people voting in Idaho voted for a 3 cent increase. So you can see that they recognize out there the value of promotion and advertising and merchandising of their potato crop.

Now in Kern County, California, which is a new entry more or less in the potato field, however, they have grown by leaps and bounds, set up in their budget last year on an experimental basis \$25,000. They were so pleased and elated with the results that this money brought them that they are budgeting \$125,000.00 for this coming season and I will read later how they intend to spend that money and the kind of competition we are going to receive from that area.

Now in the Legislatures of New Jersey and New York, two of the late state producers and which we have heavy competition from, they are considering legislation to levy a tax, a voluntary tax, upon their growers so they also can promote the sale of their crop.

The Red River Valley is proposing to raise a considerable amount of money to promote the sale of their Red Bliss coming from that area.

So with the competition coming from these other areas and such a long time has elapsed since 1937, we feel that we definitely need an increase in this tax in order to keep up with our competitors. Now we do not feel that this tax is excessive and to point that out the potato industry in Maine for the past five years has a gross revenue of \$50,000.00 and we have a tax of \$125,000.00 total for research, promotion and advertising. Now the industry is spending one-quarter of one per cent of the total gross revenue for advertising. All this Bill asks for is one-half of one per cent. I wonder how many other industries who are selling a consumer product are spending that small amount of money for advertising and research.

Now the major portion of this money, it is felt by the proponents of the Bill, should be spent for promotion and merchandising. We have changed our original draft and in the new draft the committee has come out and we have 18 per cent instead of 25 per cent going for research. The research people were down to the hearing, they were well satisfied with the money they were getting but we know that there is much more that can be done in research and the committee and the proponents were happy to go along with the increase up to 18 per cent of the total additional money that is going to be available, we hope, under the provisions of this Act.

Now a new innovation that has been used recently, very effectively in the merchandising field, is the employing of field service men who go into these market areas, check with the super markets and the retail outlets for potatoes. They go in and they see how the display is being handled now. They work with the chain operators or the retail operator and they see that adequate supplies of well-packed Maine potatoes are coming in there. Years ago, we did have difficulty with a poor quality crop going on to the market. The advertising was going on all right but when the consumer came in and could not find that product, of course, the advertising fell flat. However, with the implementing of the program of putting field service men, men who know the potato business, know the merchandising business, to go into these stores, set up the displays, we have had amazing results. They go in and make the arrangements, have the potatoes come in, set up the displays and then put on their promotion advertising in radio, television and in the newspapers. In that way it is effective, the folks hear about it, they come in, they see the product there and they are able to buy it, and then they go back and spot check these markets that they have been in. They have done extensive work along this line. However, we only have two field service men out. Other industries certainly employ them to a greater extent.

In Florida the citrus people have 50 men who do nothing but work

the markets and the retail end setting up the displays and working with your retail outlets.

The Sun-Kist people from California have 46 field men. The Kraft Cheese Company, in the City of Detroit alone, have one man and that is his entire job, servicing these outlets, seeing that the cheese is properly displayed. And we feel that this is a most effective means of getting our product in front of the public. So that is one of the phases we that intend to exploit to the nth degree if this money is available.

Now in the potato industry, we have an organization known as the Potato Industry Council of Maine. It was known as the Maine Potato Council a few years ago. However, it was felt by many in the industry that this group did not actually represent the grass roots of feeling, backing the smaller farmers in the remote areas or even where the central areas were. And this organization was completely revamped and reorganized and they had area meetings and they set up five different districts in which every farmer can come in, every shipper, grower-shipper can come in, and participate in the election of representatives who in turn would represent their areas and their districts on the Potato Industry Council and it certainly has proven to be a very effective means of getting at the feeling back of the grass roots area. And it is this potato council, in order to find out the feeling regarding an increase in tax, who mailed out ballots to the 44 representatives in the 5 districts. There were 27 returned, 23 were for it, 4 against. They have had meetings since and the feeling has increased definitely in favor of this tax.

I would like to point out some of the other grower-shipper organizations that we have in Aroostook County. Within the last year, you probably recall the potato marketing order was instituted on a federal basis and it is felt that this has been a great benefit to the industry in this past year, especially in view of the fact that Maine had such a poor crop that, without the marketing agreement on, poor quality potatoes would have been shipped and we would have had difficulty

with our markets if these potatoes had gone out. However, with this marketing order such a practice as this was stopped to a very great degree and it was very effective.

Now in promoting and getting this marketing agreement across, there was opposition to it. There is no question about that. But there was such a strong ground swell of feeling among the people in the industry that we should have the marketing agreement that they formed these various potato growers associations feeling that there was a definite need for organization in the industry as it is spread out over a large county and in central Maine that we needed organizations to keep continually getting the feeling of the people and these organizations work in conjunction with your Potato Industry Council. These organizations voted in favor of this Bill. The Fort Fairfield Potato Growers Association, The Limestone Growers Association, The Eastern Association of Washburn and the Mars Hill, Westfield and Blaine Association. These are the total number of the associations that have been formed. Others are being formed. The Maine Farm Bureau who represent a great many farmers all over the state and many of the potato industry appeared at the hearing and gave this measure their whole-hearted support.

In total, there were twenty-two proponents in favor of this Bill and they ranged from your growers, grower-shippers and your shippers and they were down here at their own expense because they feel so strongly that the potato industry needs this additional money to adequately promote the sale of Maine potatoes that they feel that this Bill is certainly worthwhile. There were only three opponents who opposed it at that time. The thing has been well publicized starting back in December of '54. There has been information gone out from the Potato Council to the representatives who were asked time and again to keep sounding out the sentiment of their organizations.

Now we had originally intended to put this Bill on a referendum basis. However, after checking with the Attorney General we find that

the Legislature cannot delegate its power to tax. Therefore, we could not use the referendum. Now in lieu of that, we felt that in order to be entirely fair to those folks who did not feel that this was a good measure that we would set it up on a two year basis. In other words, in two years, as you will notice by your new draft, the provisions of this Act will expire and at that time a new Bill can be introduced, we can have a hearing down here and the proponents can come down and show the industry what has been done, what has been accomplished, and at that time justify the need for the continuance of this program.

Recently Secretary of Agriculture, Ezra Taft Benson, addressed a large group of farmers in Aroostook County and at that time he recognized the dismal surplus problem we have had in the county in the recent years. And he said that we either must expand production or expand markets for reduced production. Now those of you who are familiar with the industry realize that we have reduced our acreage considerably in the last three or four years. In fact many farmers are at the point now where reducing their acreage any more they might just as well go out of the potato business because there is a limit beyond which it is not economical to operate a farm.

I feel that it is difficult for anybody to make up their mind on something that does not necessarily concern them particularly but I know we are all interested, certainly in the potato industry here in the State of Maine, and I know you are going to weigh the facts, consider what has been said and place your vote accordingly.

I would like to read a short editorial from the Bangor Daily News to indicate that other interests here in Maine are interested definitely in progress for the potato industry and more promotion.

"Recent news from California indicates that the Maine potato growers are in for about the stiffest competition they have ever encountered in the national market. Californians, you know, like to do things in a big way. And that is

just how the State's potato men are going about a sales campaign designed to get American housewives to buy California potatoes.

"Here are some of the schemes they have lined up, according to the Wall Street Journal.

"Newspaper and billboard advertisements in the nation's 30 largest cities will extol the succulent virtues of California's long white potato. Large illustrations will attract the consumer's eye to the 'eye' of the California spud. There will be 'jingles' on the radio stations in which 'Whitey', the selfsame long white California potato, assures the housewife that he takes a shower before going to market, a reference to the potato-washing process.

"The industrious California potato men are also going to flood the country with potato recipes, each recipe naturally claiming the best results will be obtained by using the California variety. Statements by nutritionists will be issued, pointing out that potatoes contain 'no more calories than an apple, half the vitamin C of an orange.'

"That is not the whole California story. But it gives you an idea. The birthplace of this campaign, please note, is in California's Kern County, whose potato output is second only to Aroostook's.

California, by the way, is not the only potato-growing state that is going to give Maine a hard time. Idaho, which seesaws with Maine as the nation's top potato-producing state, has doubled its promotion fund for this year. The California and Idaho campaigns should help boost national potato consumption. Thus Maine may gain a few sales at the other fellow's expense. But Maine growers will eventually wind up in the rear unless they get on the bandwagon of modern marketing. Better yet, they might try to get in front of the bandwagon. A strong merchandising campaign worked out with initiative and imagination, could help a lot toward solving the dismal surplus problem."

I know the opponents of the Bill will produce for you as evidence many letters from individuals in the State of Maine who are opposed to this increase for one reason or another. But I would like to

point out the fact that the organizations, and these are not high pressure organizations, they are strictly grower and shipper organizations, feel wholeheartedly, and I say that a substantial majority feel definitely that we should have this money for this coming year and not lag behind in this marketing and merchandising of potatoes.

In conclusion, I would like to read you a letter from the president of the Potato Industry Council of Maine. This is addressed to the representatives of The Potato Industry Council:

"Next year, even more so than during this current crop season, our competition from other areas will be much greater because of a concerted move by our neighboring production people to place much more emphasis on merchandising and promotion. Our major competitors are now in the process of raising more money on which to do a better advertising and promotional job. Maine certainly must fall in line or be driven farther and farther back from her own markets. Everyone seems to agree that the cent a barrel now assessed on producers is not adequate to do the job that needs to be done in these constantly changing times. Probably two cents per barrel is not adequate but we must start somewhere and at least attempt to formulate a more effective promotion program. Back in 1937, when the dollar was worth a dollar, the one cent a barrel might have done the job. Now, with the dollar worth from thirty to forty cents, it must follow that proportionally more money will be needed to achieve the desired results. The Council has assumed the responsibility of spearheading the move for an additional cent per barrel. It is felt that the best way to sell the merits of an increased tax to the growers and shippers of Maine is through a number of personal contacts with shippers in the respective localities. As time is short, we are thereby requesting that each representative make enough contacts to satisfy his conscience as to the will of the majority and pass on his final decision to the Council in Presque Isle at the earliest possible time. It seems that one approach in making your contacts

would be to find out if there is any desire to improve conditions within the industry and within the trade which more promotion money could probably do or will we continue as the underdog in the same old-fashioned way. It is up to us, the forty-four representatives of the Potato Industry Council of Maine to make this decision. It could very well mean the start of a program we have been seeking and could open the door to a better deal for the potato industry.

Let us all work and produce results on this, the most important and constructive move we have ever made. You have a responsibility to your growers and your industry," and your shippers, "so please do not let them down." Signed by Donald C. Umphrey, President of the Potato Industry Council of Maine.

It is very urgent, it is very vital. I implore that you consider the facts in this case and I know that you will have an opportunity, a very fine opportunity, to help the potato industry in Maine take a great step forward. I certainly hope that you will consider the facts and assist us in this move of progress. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: After this able discourse from my good friend, the gentleman from Fort Fairfield, Mr. Reed, it seems that nothing I could say could change anybody's mind, yet I do want to present to you the other side of this matter. When this bill for the increase of one cent per barrel tax on potatoes was first proposed and was heard in the areas back home, there was a strong opposition to this bill, but the people who opposed the bill had sort of a gentleman's agreement with the Potato Industry Council and those who were proponents of this measure agreeing that they would not appear against the bill if there were a referendum, so that they might be able to vote on the measure after the bill was passed in the Legislature.

As you have heard my friend say, the gentleman from Fort Fairfield,

Mr. Reed, the referendum was declared unconstitutional. Accordingly, when the bill was prepared the Attorney General ruled that the referendum applying only to members of the industry was unconstitutional. Consequently it was deleted from the bill, which left my constituents and those of other constituencies, who oppose this measure no opportunity to voice their opposition to this legislation.

Now, the bill has been redrafted, making the tax effective only two years, but my people who have contacted me and others who have voiced their opposition to other members of the Aroostook delegation still do not want this measure enacted. I have here letters and telegrams from twenty-five growers and shippers strongly opposing it. Let me read some of them.

I want to read first this one from Mars Hill: "Very few people are satisfied with the present tax. Why double the amount of dissatisfaction?" And another one: "The proposed measure increasing the potato tax in our opinion should be shelved. Failing this it should at least go to referendum before it goes into effect. We are overloaded with expenses now and this looks like the final straw that could break our backs. We have never hesitated to spend money that we considered a justifiable or recoverable business expense but the present one cent tax has never returned value for money expended so how can doubling it result in anything further than more wasted money?"

Another one signed by six growers and shippers in Presque Isle: "With you as our representative we shall expect you to do all in your power to prevent getting additional cent a barrel tax on potatoes."

And a letter from another farmer and shipper: "I feel that, generally speaking, when we are overly critical it is apt to be from ignorance of the complete picture, and not an attitude that is helpful either to ourselves or those to whom we talk.

"However, in spite of that feeling, in this instance concerning the potato tax law, I am overly critical. I disagree with what I have understood to be Mr. Reed's thinking when he stated that the extra tax would not come from the grower's

pocketbook. I think you know the potato picture well enough to know that the costs of advertising, shipping or producing a crop of potatoes, except in years of shortages, are borne by the producer, and we are not generally dealing with a crop that is in short supply.

"I feel that, theoretically, merchandising and advertising are necessary, but I have not yet become convinced that we have in effect a real, live efficient program with the tax money the farmer has been paying."

Then another one, from the president of one of the big fertilizer companies in Aroostook County. He said: "I believe that good results can be obtained from advertising providing the delivered product is what the advertiser claims it is. But so long as we permit the shipment of U. S. Grade No. 1 potatoes as we have in the past, advertising is doing us more damage than good. It is like advertising a dump truck and delivering a wheelbarrow. There is a market for small potatoes, medium potatoes and large potatoes, but there is no market for all three of them in the same package. When the shippers of Aroostook County are compelled by law to ship potatoes graded both as to size and quality then and then only will we get good results from advertising."

You may have heard much about the great profits made in the potato business. It was my lot for 17 years to be employed in the office of a large potato firm. Then for 19 years I was married to one of the larger growers and shippers. I have seen my employers broke, I have seen them affluent, but they, in those days, knew that it was the quality of the product rather than the advertising which brings in the orders. My husband found the same to be true, and his remark so frequently in the later years of his life after so many groups were trying to help him run his business, was "Oh, if they would only let me alone!"

My experiences and my knowledge of the business gained through these many years of close association with it have led me to believe that the product is the best advertisement and that the dealer himself can do his own advertising better

than it can be done by a commission or a group who themselves know all too little about potatoes.

This tax amounts to approximately \$2.50 per carload. Not much, you say? However, it would often mean \$250.00 a week for shippers who ship as many as a hundred cars in that period of time. This amount, as one shipper wired us, might be the last straw in a year when prices are below cost of production. Why force the grower and shipper to pay this amount for advertising which may not help him at all, or at least would be of less value to him than if spent individually to promote his own product?

I hope this legislation is not enacted. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker and Ladies and Gentlemen of the House: It is not often that I take issue with my good friend the gentlewoman from Presque Isle, Mrs. Christie, but I think perhaps that I represent, perhaps I am the only potato grower from Central Maine, if there are others here I would be glad to have them speak up, but I have talked with some of my fellow growers up around Dexter, Corinna and Newport and I find that they are in favor of the Bill presented by the gentleman from Fort Fairfield (Mr. Reed).

I do believe that a little more money put into advertising is well spent. In the last legislature we did that thing for the milk producers and I believe it was a good thing when we increased the milk tax which the milk producers and dealers voluntarily paid. That is why I go along with the gentleman from Fort Fairfield (Mr. Reed) favoring this Bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Madawaska, Mrs. Michaud.

Mrs. MICHAUD: Mr. Speaker and Members of the House: I hope that every one of you appreciate that this is a very delicate measure for me to oppose as a member of the Aroostook County delegation, but I do have some very definite views on this matter and I feel that I must express them.

It is my understanding that the proponents of this tax increase promised that it would not be enacted unless the Bill carried a referendum to be voted upon by the potato shipper, because it is assumed that they are the people who are to pay this 1c per barrel tax. We have since learned that such a referendum is unconstitutional.

In Aroostook County, we believe that bargains of this kind are not to be taken lightly. I am satisfied that the majority of the people connected with the potato industry are opposed to this tax and would have defeated it on referendum. I feel that this Bill should be defeated at this time, and if it appears that the industry as a whole favors such a measure two years from now, then we can enact one.

I can assure the members of the Committee on Agriculture, and the members of this House, that had the growers and shippers known that this Bill would be without a referendum, there would have been a large delegation from Aroostook down here appearing in opposition.

Let me point out to you some of the reasons why this Bill is not favored by the people of my County.

First: Although the amount of revenue is to be doubled by this measure, the percentage dedicated to research has been cut by one-third. It seems to me that research would need to be stepped up more than does advertising. If we are going to improve the quality of the potatoes we market, then some means of using the remainder of our crop profitably must be found. We cannot afford to reduce the percentage of marketable potatoes materially if we have to dispose of the lower grades at nothing better than starch prices.

I personally feel that a large portion of our problem is eventually going to be solved through well organized research.

Secondly: We must also deal with the question of who pays the tax under this Bill. At present, the grower pays one cent per barrel. The idea of this measure is that the shipper should be burdened with 1 cent too. But, if you will look at the definition of shipper or handler under the present law, you will find that the term applies to just

about anyone who has anything to do with potatoes. The same definition, practically, is used in the Federal Potato Regulations. This has been interpreted by the Federal Courts in such a way that it would be difficult for any of us here to say who would pay this tax if it was imposed.

The most important aspect seems to me to be the erroneous theory behind this type of advertising. It is effective, perhaps, for Florida or California to talk about their oranges, but we must take into consideration that the area in which they can be grown are limited. If you want to buy an orange almost anywhere in North America, it will be from one of these two states. Not so with potatoes. Almost every farming section in the United States raises potatoes. Every small potato producing area cannot attempt to antagonize the others and try to exist alone. Our problem is a national one. Potato consumption is declining nationally. Our most effective program would be a country-wide campaign to increase potato consumption, not of Maine potatoes nor Long Island potatoes, but just potatoes. If we do this, I am not afraid for Aroostook County. With a good marketable package we will get our fair share of any increased demand. No one can afford to carry on alone this type of program. Milk producers learned this and joined in a national campaign which seems to be the only sensible program.

If and when the potato industry generally indicates that they have faith in an increased tax for advertising, I will support it, but I feel that is not the case now, and I do hope you will join with me in voting against it.

I now move the indefinite postponement of L. D. 1528 and ask for a division of the House.

The SPEAKER pro tem: The gentlewoman from Madawaska, Mrs. Michaud, moves that the Report of the Committee on Agriculture and Bill "An Act Increasing Potato Tax and Disposition Thereof", House Paper 1119, Legislative Document 1317, reported in a new draft, House Paper 1239, Legislative Document 1528, under same title and that it "Ought to pass" be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: We the people of Aroostook live dangerously in that we live near the Loring Air Force Base, which is supposed to be the world's largest bomber base and as such is the number one target in the United States to be attacked. Any minute day or night we may find ourselves in the middle of an atomic war at the whim of the European dictators.

We also live dangerously in the potato business. Last year thousands of carloads of Aroostook potatoes went for 50 cents per barrel. This year a few have sold for \$7.00. At the present time, we have a one cent a barrel tax, that is not much but figured on 10,000 barrels it is one hundred dollars. At 50 cents per barrel it is a 2 per cent tax on gross sales. In 1951, this House turned down a one-fourth of one per cent gross sales tax Bill because they felt it was too high.

The present potato tax law has undoubtedly had a measure of success but its results have not been so outstanding that it needs to be doubled. Many feel that in bad years no promotion scheme will help us much and in good years we do not need it. This doubling of the potato tax could be a serious financial drain on the growers in the bad years. This extra 1 cent tax started out to be paid by the shippers or dealers, in this Bill this shipper designation is a little vague. But you may be sure that in the end the grower pays.

This one cent tax amounts to \$125,000.00 annually. Even on years when we are losing our shirts. It looks to me that a tax of a quarter of a million dollars on this industry is excessive. If this were a referendum, I would have no objection, the grower would take care of it. Thank you.

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

Mr. SANFORD: Mr. Speaker and Members of the House: I think we can all remember when Maine was the leading state in the potato business. Now we find that Idaho and California are more or less beating us out and I believe the

reason for it is that on advertising, perhaps not advertising alone, they put up a good pack, but they advertise the pack and they spend thousands and thousands of dollars more than we have in advertising potatoes.

Now I believe that we need more money to advertise the potatoes in the State of Maine. The growers around our section and the shippers are deeply interested in this Bill and they would like to see that we pass it. I believe if we are going to get back into the potato business and get back where we have been we have got to do more advertising. I believe everybody will believe as I do that in order to make more demand for any article you have got to do a lot of advertising. In order to do advertising you have to have money to do it with.

I hope the motion for indefinite postponement does not prevail.

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

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I am from the section of the State where there are a lot of important things that begin with "P" and one of them is potatoes.

I have talked quite a little with folks around Caribou about this matter and everyone that I have happened to talk with so far is in favor of it with the exception of one person.

Now I would like to remind you folks that this industry is one of tremendous size in this State. It is worth millions of dollars and I am sure that from what you people know about industry you know that generally speaking the bare minimum which would ordinarily be expended for advertising and research purposes would be ever, ever so much higher than that amount being proposed by the gentleman from Fort Fairfield, Mr. Reed. Now I feel that we need this added tax, I feel that the people want it, the majority of them, and I feel that we must have it if we are going to try to regain the position which Maine once enjoyed in the potato industry. You folks know that in anything as big as this where there are thousands and thousands of shippers and growers of potatoes

combined that there are bound to be some persons who are opposed to this measure as there would be some opposed to any. I am sure that you have heard their views expressed here but I believe that the majority are in favor of it and I hope the motion of the gentleman from Fort Fairfield, Mr. Reed, will prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I am not in the potato business now but I was born and raised on a potato farm in Aroostook. And I remember the long hard days that I spent in picking up potatoes and still I did not learn my lesson, when I came south to this clay land I tried to raise them down here but the elements were against me. Yet I have been much interested in potatoes because my nephew still owns the old farm where I spent those many back-breaking hours. Now he was opposed to this tax a couple of years ago, and **probably** is now, and I asked him: In view of the fact that they were losing the market to Idaho and other people who did advertise, why he was against it? He raised back his head and said he was just against it anyway.

The fact of the matter is, sad enough, because of the inroads made by these other states who do advertise, taking the market away from Aroostook County, this year he did not raise any potatoes because he lost so much money before, the old farm is lying idle now and he is out in Connecticut working.

I feel that if they had had this amount of advertising and held the market that they did have, he would be back on the old farm raising potatoes and doing better than he is out in Connecticut working by the hour.

Now I think the whole thing resolves right down to this: Does it pay to advertise? Well Coca Cola thinks it does and practically all of the leading businesses of the country think it does and are spending millions of dollars. I just cannot go along with the thinking that if the people spend a great amount of money for advertising they will not

follow it up with a good package. I believe they would and I have talked to people down in this area of the country who have said they would not buy potatoes from Aroostook County because of the inferior quality. They were buying Idaho potatoes. I feel that if they would spend \$250,000.00 to advertise their potatoes they surely would put out a good package and get back some of this Idaho business that is robbing the people of Aroostook County and the small farms like the farm on which I was raised and put them back into business.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I did not intend to speak on this Bill but being from Aroostook I feel, and my reactions to this Bill have been very similar to those of the gentleman from Caribou, Mr. Briggs.

As many weekends as I have been home since this Bill has come up, I have had just one out of my four towns and one plantation who have felt that this Bill was unfair. Therefore, I hope the motion of the gentlewoman from Madawaska, Mrs. Michaud, does not prevail.

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

Mr. STORM: Mr. Speaker and Ladies and Gentlemen of the House: These arguments seem very familiar to me. I have heard them over and over down through the years. We heard them in 1937 when the original one cent a barrel tax became a law. At that time I was very much in favor of the tax. Down through the years I have not had any occasion to change my mind. There has been opposition to it and there still is. I felt at that time that it was a good thing for the industry. I feel now that it is, and certainly we all realize that two cents under present conditions will not accomplish any more than one cent would in 1937.

This is not costing the general public anything and it is not costing the taxpayers of the State of Maine anything. The industry is trying to do this for itself and I certainly hope that the motion of the gentlewoman from Madawaska

to indefinitely postpone does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker and Ladies and Gentlemen of the House: I unfortunately cannot lay claim to being an expert in the potato business. I am not a farmer and I have no association with it. It does, however, give me a great deal of pleasure to get up in support of my good friend and neighbor, the gentleman from Fort Fairfield, Mr. Reed, not simply because he is a good friend and neighbor but because like Mr. Briggs, the gentleman from Caribou, and the gentleman from Bridgewater, Mr. Finemore, not being familiar with this potato situation I have tried to find out what the reaction of the people in my district is in regard to this Bill.

I have contacted about 35 different growers and shippers in my district. Of that number I have found only one that had any opposition at all to this Bill.

It also gives me a good deal of pleasure to rise in support of this Bill because it represents the type of philosophy I like. I have never been one to be too much in favor of artificial supports, ceilings or floors, but I have always been very much in favor of seeing any industry try to help itself and make every endeavor that it possibly can to better itself and it seems to me that this is just that type of legislation. There is a group of people that want to help themselves by imposing upon themselves a slight tax to help promote their own industry. And I think that as long as these people are willing to do that and are anxious to do that, we should certainly support them in that and I do hope that the motion of the gentlewoman from Madawaska, Mrs. Michaud, does not prevail.

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

Mr. FULLER: Mr. Speaker and Members of the House: I think that this has been very ably covered and owing to the lateness of the hour I move the previous question.

The SPEAKER pro tem: The gentleman from South Portland, Mr.

Fuller, 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 please 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.

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 gentlewoman from Madawaska, Mrs. Michaud, that the Report of the Committee on Agriculture and Bill "An Act Increasing Potato Tax and Disposition Thereof", House Paper 1119, Legislative Document 1317, reported in a new draft, House Paper 1239, Legislative Document 1523, under same title and that it "Ought to pass" be indefinitely postponed.

The same gentlewoman has requested a division.

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

A division of the House was had.

Twenty having voted in the affirmative and fifty-seven having voted in the negative, the motion did not prevail.

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

At this point, Speaker Trafton returned to the rostrum.

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

The SPEAKER: The Chair wishes to thank the gentleman from Brunswick, Mr. Walsh, and thinks that with or without his legal adviser, he has done an excellent job.

Ought to Pass Consolidated Resolve

Miss Cormier from the Committee on Retirements and Pensions on the following Resolves:

Resolve Providing for an Increase in State Pension for Dorothy Bates of Hallowell. (S. P. 118)

Resolve Providing for State Pension for Clifton G. Spinney of Bath. (S. P. 136)

Resolve Providing for State Pension for Florence Watson of Richmond. (S. P. 231)

Resolve Providing for State Pension for Mrs. Christie Davis of Jonesboro. (S. P. 232)

Resolve Providing for an Increase in State Pension for Donald M. Laughlin of Great Pond. (S. P. 255)

Resolve Providing for State Pension for Madeleine Grant of Rockland. (S. P. 314)

Resolve Providing for an Increase in State Pension for Jane Antworth of Bath. (H. P. 26)

Resolve Providing for State Pension for Mrs. Delma Bragg of Bath. (H. P. 27)

Resolve Providing for State Pension for Leon C. Haynes of Dennysville. (H. P. 45)

Resolve Providing for an Increase in State Pension for Alabama Dumphy of North New Portland. (H. P. 47)

Resolve Providing for State Pension for Warner Wales of Limerick. (H. P. 70)

Resolve Providing for an Increase in State Pension for Lillian Sibley of Old Town. (H. P. 75)

Resolve, Providing for an Increase in State Pension for Alice Sirois of Old Town. (H. P. 76)

Resolve, Providing for an Increase in State Pension for Kenneth Graves of Brewer. (H. P. 77)

Resolve Providing for State Pension for Addie Johnson of Perham. (H. P. 115)

Resolve Providing for State Pension for Leroy Batron of Lubec. (H. P. 117)

Resolve Providing for an Increase in State Pension for Harold Weymouth of St. Albans. (H. P. 158)

Resolve Providing for State Pension for Marian Martin of Rumford. (H. P. 209, L. D. 294)

Resolve Providing for an Increase in State Pension for Raymond Longway of Rumford. (H. P. 210)

Resolve Providing for State Pension for Bertha M. Morrison of Lubec. (H. P. 211)

Resolve Providing for State Pension for Perley McEachern of Mapleton. (H. P. 212)

Resolve, Providing for an Increase in State Pension for Stephen G. Johnson of Old Orchard Beach. (H. P. 216)

Resolve Providing for State Pension for Hazel Whalen of Gardiner. (H. P. 217)

Resolve Providing for the State Pension for Stella Pocius of Rumford. (H. P. 223)

Resolve Providing for State Pension for Donat J. Clavette of Madawaska. (H. P. 224)

Resolve Providing for an Increase in State Pension for Marie A. Fongemie of Madawaska. (H. P. 227)

Resolve Providing for State Pension for Yvonne Jeanne Dubois of Madawaska. (H. P. 228)

Resolve Providing for State Pension for Roland Laurence Green of Orrington. (H. P. 243)

Resolve Providing for State Pension for Minnie Shaw of Sebago. (H. P. 245)

Resolve Providing for State Pension Increase for Jennie Mower of Belfast. (H. P. 318)

Resolve Providing for State Pension for Guy Brisley of Oakfield. (H. P. 383)

Resolve Providing for an Increase in State Pension for Harold Parsons of East Machias. (H. P. 387)

Resolve Providing for State Pension for Helena St. Pierre of Rumford. (H. P. 389)

Resolve Providing for State Pension for Bessie A. Trott of Wynn. (H. P. 392)

Resolve Providing for an Increase in State Pension for Allen M. Scott of East Machias. (H. P. 393)

Resolve Providing for State Pension for Donald Chaloult of Caribou. (H. P. 444)

Resolve Providing for State Pension for Roland E. Whitney of East Newport. (H. P. 447)

Resolve Providing for State Pension for Roland Duntun of Rumford. (H. P. 448)

Resolve Providing for State Pension for Franklin B. Leveille of West Enfield. (H. P. 449)

Resolve Providing for State Pension for Vena Cote of Augusta. (H. P. 453)

Resolve Providing for State Pension for Sturgis Piscopo of Augusta. (H. P. 454)

Resolve Providing for State Pension for Rita Label of Hamlin. (H. P. 501)

Resolve Providing for State Pension for Frank Eldridge of Milbridge. (H. P. 504)

Resolve Providing for State Pension for Richard A. Holbrook of Livermore Falls. (H. P. 554)

Resolve Providing for State Pension for George Blair of Norridge-wock. (H. P. 610)

Resolve Providing for State Pension for Lillian M. Dennis of Saco. (H. P. 677)

Resolve Providing for State Pension for Garnet Shaw of Dyer Brook. (H. P. 683)

Resolve Providing for State Pension for Zilda E. Ricker of Buxton. (H. P. 718)

Resolve Providing for State Pension for Hildred Leighton of Cherryfield. (H. P. 795)

Resolve Providing for State Pension for Raymond Guy of Mount Vernon. (H. P. 798)

Resolve Providing for a State Pension for Simon Oakes of St. John Plantation. (H. P. 808, L. D. 845)

Resolve Providing for State Pension for Edith Skinner of Eastport. (H. P. 811)

Resolve Providing for State Pension for Bessie Tibbetts of North Whitefield. (H. P. 847)

Resolve, in Favor of Nettie Johnson of Brownfield. (H. P. 1010)

Resolve Providing for State Pension for Lewis Schillinger of St. Albans. (H. P. 1116)

Resolve Providing for State Pension for Emily Page of St. Albans. (H. P. 1117)

Resolve Providing for State Pension for Jennie Nichols of Kingfield. (H. P. 1137)

Reported a Consolidated Resolve (H. P. 1240) (L. D. 1529) under title of Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons and that it "Ought to pass"

Report was read and accepted, the Resolve read once and assigned the next legislative day.

The SPEAKER: The Clerk will read any notices.
has done an excellent job.

On motion of Mr. Childs of Portland,

Adjourned until Monday, May 9, at nine o'clock in the morning, Eastern Standard Time.