

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

Monday, May 16, 1955

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

Prayer by the Rev. Mr. Ernest Johnson of Hallowell.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate
Senate Reports of Committees
Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Place Operating Expenses of Liquor Commission Under General Fund of the State" (S. P. 119) (L. D. 315) reporting same in a new draft (S. P. 582) (L. D. 1547) under title of "An Act relating to the Administration of the State Liquor Commission" 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 tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Supplemental Appropriation for Treasurer of State" (S. P. 176) (L. D. 428) 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. 176, L. D. 428, Bill "An Act Appropriating Moneys for Supplemental Appropriation for Treasurer of State."

Amend said Bill by striking out all of the 2nd paragraph, beginning with the words "Treasury Department," and inserting in place thereof the following:

Treasury Department	1955-56	1956-57
Personal		
Services	\$2,392.00	\$2,496.00
Capital		
Expenditures	945.00	—

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

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Monies for the Purchase of Salk Vaccine" (S. P. 543) (L. D. 1485) 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. 543, L. D. 1485, Bill "An Act to Appropriate Monies for the Purchase of Salk Vaccine."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Purchase of Salk Vaccine; appropriation for. There is hereby appropriated to the Department of Health and Welfare out of the unappropriated surplus of the general fund of the State for the purchase of Salk Vaccine the following sums:

1955-56	1956-57
\$60,000	\$15,000

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

**Ought to Pass
Amended in Senate**

Report of the Committee on Appropriations and Financial Affairs on the following Bills:

Bill "An Act relating to Salary of Commissioner of Labor and Industry" (S. P. 89) (L. D. 220)

Bill "An Act Increasing the Salary of the Commissioner of Agriculture" (S. P. 173) (L. D. 425)

Bill "An Act Increasing the Salary of the Forest Commissioner" (S. P. 210) (L. D. 503)

Bill "An Act Increasing Salary of Treasurer of State" (S. P. 242) (L. D. 675)

Bill "An Act Increasing Salaries of Members of Industrial Accident Commission" (S. P. 339) (L. D. 948)

Bill "An Act Increasing Salary of Director of Legislative Research" (S. P. 390) (L. D. 1104)

Bill "An Act Increasing Salary of the Insurance Commissioner" (S. P. 425) (L. D. 1185)

Bill "An Act Increasing Salary of Adjutant General" (S. P. 426) (L. D. 1186)

Bill "An Act relating to Salary of Attorney General" (H. P. 131) (L. D. 136)

Bill "An Act relating to Salary of Secretary of State" (H. P. 329) (L. D. 370)

Bill "An Act Increasing the Salary of the Bank Commissioner" (H. P. 515) (L. D. 578)

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (H. P. 635) (L. D. 712)

Bill "An Act Increasing Salaries of Members of Maine Employment Security Commission" (H. P. 699) (L. D. 767)

Bill "An Act Increasing the Salary of the State Auditor" (H. P. 815) (L. D. 907) acting by authority of Joint Order (S. P. 309) reporting a Bill (S. P. 579) (L. D. 1546) under title of "An Act Establishing Salaries of Various Department Heads and Commissioners" and that it "Ought to pass".

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

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

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

SENATE AMENDMENT "A" to S. P. 579, L. D. 1546, Bill "An Act Establishing Salaries of Various Department Heads and Commissioners."

Amend said Bill by inserting after section 13, a new section 13-A, as follows:

"Sec. 13-A. R. S., c. 41, sec. 4, amended. The 1st sentence of section 4 of chapter 41 of the revised statutes is hereby amended to read as follows:

"The Board shall appoint a Commissioner of Education whenever a vacancy occurs and fix his salary, not to exceed ~~\$3,000~~ \$10,000 per year."

(There is hereby appropriated from the general fund the sum of \$834 for the 1955-56 fiscal year and \$1,000 for the 1956-57 fiscal year to carry out the purposes of this section.)"

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

Non-Concurrent Matter

An Act relating to Flares, Lanterns and Reflectors for Large Trucks (H. P. 134) (L. D. 135) which was passed to be enacted in the House on May 11, and passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" on March 9.

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

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

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

Orders

On motion of Mr. Seaward of Kittery, it was

ORDERED, that Mr. Nadeau of Biddeford be excused from attendance three days of this week because of business.

House Reports of Committees Leave to Withdraw

Mr. Stanley from the Committee on Appropriations and Financial Affairs on Resolve Authorizing the Construction of an Airport at Fryeburg, Oxford County (H. P. 638) (L. D. 715) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Cates from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve for Purpose of Accelerating Geological Explorations of the State of Maine (H. P. 1038) (L. D. 1213)

Mr. Henry from same Committee reported same on Resolve Providing for Landing Field for Aircraft at Machias (H. P. 864) (L. D. 976)

Mr. Jacobs from same Committee reported same on Bill "An Act relating to Schooling of Non-Indian Children Living on Indian Reservations" (H. P. 1037) (L. D. 1212)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Henry from the Committee on Appropriations and Financial Affairs on Resolve Authorizing Commissioner of Education to Purchase for the State Land in Gorham (H. P. 575) (L. D. 635) reporting same in a new draft (H. P. 1257) (L. D. 1550) under same title and that it "Ought to pass"

Report was read and accepted, the Resolve read once and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Free Tolls over Deer Isle-Sedgwick Bridge" (S. P. 323) (L. D. 889)

Resolve Proposing an Amendment to the Constitution to Clarify Voting by Persons in Military Service (S. P. 580) (L. D. 1548)

Resolve in favor of Addition to Chemical Engineering Building at

University of Maine (H. P. 334) (L. D. 375)

Resolve in favor of Farmington State Teachers College (H. P. 865) (L. D. 977)

Resolve relating to Construction of a Road and Terminal in City of Rockland (H. P. 1254) (L. D. 1549)

Resolve in favor of a Science and Classroom Building at Gorham State Teachers College (H. P. 335) (L. D. 376)

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

Amended Bills

Bill "An Act relating to Salaries of Justices of Supreme Judicial Court and Superior Court" (S. P. 148) (L. D. 337)

Resolve to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson (H. P. 809) (L. D. 846)

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

Third Reader Tabled

Bill "An Act relating to Conveyance of Public Secondary School Pupils" (H. P. 644) (L. D. 721)

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

Mr. Childs of Portland then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 644, L. D. 721, Bill "An Act relating to Conveyance of Public Secondary School Pupils."

Amend said Bill by striking out the underlined word "public" in the 5th line thereof.

On further motion of Mr. Childs of Portland, the Bill was tabled pending his motion to adopt House Amendment "B".

Passed to Be Enacted

An Act relating to Appointment of Special Deputy Sheriffs (S. P. 250) (L. D. 682)

An Act relating to Compensation for Members of Mediation Panel (S. P. 340) (L. D. 949)

An Act Amending the Financial Responsibility Law (S. P. 408) (L. D. 1183)

An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs, or Bolts (S. P. 418) (L. D. 1179)

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

Enactor

Tabled and Assigned

An Act relating to the Use of Artificial Lights for Lighting Game (S. P. 570) (L. D. 1523)

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

(On motion of Mr. Jennings of Strong, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act relating to Trespass on Certain Buildings (H. P. 599) (L. D. 655)

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.

Enactor Tabled

An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare (H. P. 1134) (L. D. 1332)

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

The SPEAKER: The Chair recognizes the gentlewoman from Paris, Mrs. Mann.

Mrs. MANN: Mr. Speaker, in the light of new information that I have been able to get, I would like to have Item 7 tabled for probably one or two days.

The SPEAKER: The gentlewoman from Paris, Mrs. Mann, moves that An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare lie on the table

pending passage to be enacted and be specially assigned for tomorrow or not?

Mrs. MANN: Mr. Speaker, either tomorrow or Wednesday, I am not sure.

The SPEAKER: The Chair understands that the gentlewoman from Paris, Mrs. Mann, moves that the Bill lie on the table unassigned pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

An Act relating to Fees of Kennebec and Penobscot Counties and Increasing Salaries of County Officials of Penobscot County (H. P. 1226) (L. D. 1507)

An Act relating to Traffic Officers at Drive-in Theaters (H. P. 1245) (L. D. 1538)

An Act relating to Movement of Contractor's Equipment Over State Highways (H. P. 1247) (L. D. 1540)

An Act relating to Preference to Maine Residents in Certain Contracts (H. P. 1248) (L. D. 1541)

Finally Passed

Resolve Providing Review of Shellfish and Marine Worm Laws (H. P. 505) (L. D. 542)

Resolve Authorizing Study of Proposed Maine-Quebec Highway (H. P. 960) (L. D. 1086)

Resolve to Simplify the Open Water Fishing Laws by Counties (H. P. 1220) (L. D. 1499)

Resolve to Simplify the Ice Fishing Laws by Counties (H. P. 1221) (L. D. 1500)

Resolve Providing for Splashboard on Waterville-Winslow Bridge (H. P. 1246) (L. D. 1539)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An Act Repealing Statement of Contributions and Expenses by Certain Municipal Candidates", House Paper 191, Legislative Document 196, tabled on May 13 by the gentle-

man from Bangor, Mr. Quinn, pending further consideration. (In Senate indefinitely postponed in non-concurrence) (In House engrossed as amended by House Amendment "D")

On motion of Mr. Quinn of Bangor, the House voted to insist and request a Committee of Conference.

The SPEAKER: The Chair would state that the second tabled and today assigned matter was printed on the calendar in error. It was disposed of last week.

The Chair notes that there are fifty-three items tabled and unassigned and hopes that considerable progress can be made this afternoon in whittling away at that list.

A message from the Executive concerning appropriations measures and recommending that H. P. 1229, L. D. 1512, 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, be recalled, was read by the Clerk and ordered placed on file. (For complete text see Senate Legislative Record of this date.)

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the forty-first tabled and unassigned matter, Bill "An Act relating to Driver Education", Senate Paper 214, Legislative Document 555, tabled on May 9 by that gentleman pending adoption of Committee Amendment "A".

Committee Amendment "A" was again read by the Clerk, and was adopted.

On motion of Mr. Childs of Portland, the House voted to reconsider its action just taken whereby Committee Amendment "A" was adopted.

The same gentleman then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A"

to S. P. 214, L. D. 555, Bill "An Act relating to Driver Education."

Amend said Amendment by striking out the first paragraph thereof and inserting in place thereof the following paragraph:

Amend said Bill by striking out the underlined word "and" in the last line of that part designated "Sec. 218-A" and inserting in place thereof the underlined word "or"

House Amendment "A" to Committee Amendment "A" was adopted in non-concurrence.

Committee Amendment "A" as amended by House Amendment "A" thereto was then adopted and the Bill assigned for third reading tomorrow.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the thirty-ninth tabled and unassigned matter, Senate Conference Report on Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, tabled on May 9 by that gentleman pending further consideration.

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

Mr. COUTURE: Mr. Speaker and Members of the House: Now that it is agreeable with both branches, I move that the report of the committee be rejected and the committee be reappointed.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the Committee of Conference report be rejected and a new Committee of Conference be appointed. Is this the pleasure of the House?

The motion prevailed and the Speaker appointed as Conferees to a new Committee of Conference the following members on the part of the House:

Messrs. DUMAIS of Lewiston
COUTURE of Lewiston
COTE of Lewiston

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the fortieth tabled and unassigned matter, Senate Conference Report on Bill "An Act relating to Pensions

for Dependents of Deceased Firemen of City of Lewiston", Senate Paper 413, Legislative Document 1176, tabled on May 9 by that gentleman pending further consideration.

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

Mr. COUTURE: Mr. Speaker and Members of the House: This is a similar bill and I move that we take the same course on it.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the Report of the Committee of Conference be rejected and a new Committee of Conference be appointed. Is this the pleasure of the House?

The motion prevailed and the Speaker appointed as Conferees to a new Committee of Conference the following members on the part of the House:

Messrs. DUMAIS of Lewiston
COUTURE of Lewiston
COTE of Lewiston

On motion of the gentleman from South Portland, Mr. Fuller, the House voted to take from the table the forty-fourth tabled and unassigned matter, 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, tabled on May 9 by that gentleman pending adoption of House Amendment "A".

House Amendment "A" was again read by the Clerk.

On motion of Mr. Albert of Augusta, House Amendment "A" was adopted.

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

On motion of the gentleman from Lewiston, Mr. Malenfant, the House voted to take from the table the sixth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Providing for a 3-Year Term of Office for the City Clerk of Lewiston", House Paper 435, Legislative Document

481, tabled on April 8 by that gentleman pending acceptance.

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

Mr. MALENFANT: Mr. Speaker and Ladies and Gentlemen of the House: I hope every one of you feels in good humor. This is my last bill, my last charter bill. I hope you all support this bill. Until I come back again two years from now with another suit case full of charter bills.

Now our City Clerk in Lewiston has worked for the city for the last 17 years. His term of office was for one year until 1941. He was reappointed every year for he is a good man. In 1941, certain members of the State Legislature changed his term of office from one year to three years appointment. He was re-appointed, he was still a good man.

In 1947 one of the ex-members of this House passed a bill to change his term of office from three years to lifelong. It is a long job. It was passed without referendum. I talked two days on the floor against that bill with the help of a certain gentleman from Portland. But we did not have a majority.

Since he is appointed for life, subject to removal for cause, he knows it is quite a job to remove him. In order to remove him according to our charter, we have got to have ten signatures from qualified voters, we have got to have a lawyer, we have got to take it up to the court. A good many are willing to sign a petition but they are not willing to come to the court.

Now he is still a good man but he is much more independent and he is a much bigger politician.

Now I want to put him on a three year term to keep the peace in the City Building. On the same floor, there is another office with the city clerk's office. He is the only one that is appointed for life. The controller is appointed for one year, the city auditor, the tax collector, they are all appointed for one year. School superintendent, tax assessor and the health officer are appointed for three years.

But since, I am going to repeat again, he is appointed for life, in every election you are going to need

one candidate, he is with him soul and body. You are going to need a physician, it is the very same thing. He is with him a hundred per cent. He is the biggest politician that we have in our city building but on the job he is still a good man. Now on the job, it is just like a closed shop. Nobody likes a closed shop. In many countries, in Europe, they appoint their king for life. But he is not a king. He is the city clerk.

In Russia, the Russian people had to wait until Stalin died in order to get rid of him but we do not want the City Clerk to die, we want to put him on a three-year term. And if this bill is passed, I will be one of the first ones during my term to reappoint him. He is a good man. But in order, to keep him a good man we want him on a three-year term. There is still the jealousy on the floor there. They are all after me. They say: "Well, he is appointed for life, why am I appointed only for one year?" and I do not blame them for being jealous.

Now, this bill is not on my request. It is on the request of all of the citizens of Lewiston. A good many of my political enemies admit that this bill was one of the good bills. Now I am going to ask you, ladies and gentlemen of the House, this is my last bill, to give me a chance to go back to Lewiston and say that at least this House gave them justice, but so far this House was pretty good. You have supported two of my bills, you killed one, so that is not too bad, so I hope this bill leaves this House good and healthy. I know that several of the people are working on this bill to put it in the same grave with the rest of my bills but at least give me the pleasure to pass this bill through this House. Thank you.

Mr. Speaker, I move that we substitute the Bill for the "Ought not to pass" Report of the Committee.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee on Legal Affairs.

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

Mr. JACQUES: Mr. Speaker and Members of the House: The City

Clerk in Lewiston is not in office for life as some people would have you believe. He is in office only as long as he does the right thing and performs his duties as required. He may be removed for cause at any time, the same as the Chief of Police in Lewiston.

The reason for this provision is that this office should not be a "Political Plum" to be put up for sale to the highest bidder every time the appointment comes up. If a person knows that he is in office only for a year he has no intention to make any long range plans for the improvement of the city office, knowing that he will be thrown out by the next mayor regardless of the time and study he has devoted to the office. The Clerk cannot give the right kind of service to the public if certain individuals have to be favored. He must treat all with courtesy and give the very best to this office.

This office is the link between the government and the public and without doubt the busiest in the city. It takes two to three years before a person can become familiar with all the laws relating to elections, vital statistics, recordings and the hundred and one other duties he has to perform.

The public, the Chamber of Commerce, the attorneys, the doctors, the finance companies, the different city departments, in short all who come in contact with the City Clerk agree that the present Clerk is doing an outstanding job. He has become recognized nationally for his outstanding annual reports for the city and has won many honors among clerks.

I could produce letters and testimonials from influential citizens and heavy taxpayers of Lewiston attesting to the kind of service our present Clerk is giving the public.

It took almost twenty years to bring this office up to the standard that it now is, let us not destroy what the present clerk has devoted almost twenty years of his life to accomplish.

The newspapermen, radio and television have many times commented publicly on the high type of service the present City Clerk is

giving to the citizens of Lewiston. Even the Secretary of State and his deputy have complimented him before assemblies. All this would not happen if our present Clerk was doing just a fair job.

The Legislature saw fit to leave the Lewiston Police Chief and the City Clerk in office as long as they work impartially and satisfactorily provided "they shall be removed for cause only" to protect these offices from being placed on the "Auction Block" every year or so as "Political Plums" to the highest bidder.

The present Clerk has been honored by the National Clerks' Organization being elected to the Advisory Board of this organization.

Mr. Speaker, I now move that this bill not be substituted for the report.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Malenfant, that Bill "An Act Providing for a 3-Year Term of Office for the City Clerk of Lewiston", House Paper 435, Legislative Document 481, be substituted for the "Ought not to pass" Report of the Committee on Legal Affairs.

The Chair recognizes the gentleman from Lewiston, Mr. Malenfant.

Mr. MALENFANT: Mr. Speaker, when the vote is taken, I request a division. I want to know how many friends I have in this House.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, has requested a division.

As many as are in favor of substituting the bill for the "Ought not to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

On motion of the gentleman from Dexter, Mr. Roberts, the House voted to take from the table the thirteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve

Providing for an Increase in State Pension for Maggie Caird of Dexter, House Paper 1012, tabled on April 19 by that gentleman pending acceptance.

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

On motion of the gentleman from Winthrop, Mr. Maxwell, the House voted to take from the table the thirty-second tabled and unassigned matter, Bill "An Act relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft", House Paper 778, Legislative Document 861, tabled on May 3 by that gentleman pending further consideration. (Engrossed in House) (Indefinitely postponed in Senate in non-concurrence.)

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I now move that we insist on our former action whereby we passed it to be engrossed.

The SPEAKER: The Chair would inquire whether the gentleman desires a committee of conference as well?

Mr. MAXWELL: Mr. Speaker, I do not think that will be necessary.

The SPEAKER: The gentleman from Winthrop, Mr. Maxwell, moves that the House insist on its former action whereby the Bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

On motion of the gentleman from Portage Lake, Mr. Cook, the House voted to take from the table the eleventh tabled and unassigned matter, House Report "Ought not to pass" (covered by other legislation) of the Committee on Inland Fisheries and Game on Resolve relating to Daily Bag Limit in Red River Area, Aroostook County, House Paper 901, Legislative Document 1009, tabled on April 15 by that gentleman pending acceptance.

On further motion of the same gentleman, the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of the gentleman from Calais, Mr. Davis, the House voted to take from the table the thirtieth tabled and unassigned matter, An Act Validating Joint Tenancy Deeds, Senate Paper 483, Legislative Document 1352, tabled on May 3 by that gentleman pending passage to be enacted.

On further motion of the same gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: It is now seven minutes past two.

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

Mr. CHARLES: Mr. Speaker, would you kindly appoint a committee of conference on L. D. 119 at this time.

The SPEAKER: Would the gentleman kindly give the title?

Mr. CHARLES: Mr. Speaker, Bill "An Act Regulating the Solicitation and Collection of Funds for Charitable Purposes", House Paper 111, Legislative Document 119.

The SPEAKER: The Chair would state that the Chair is ready to appoint such a committee of conference when notified that the Senate joins in a committee of conference.

The SPEAKER: The Chair would suggest at this time a fifteen minute recess with the hope that at the end of that recess more tabled matters may be taken from the table.

Recess

Called to order by the Speaker.

The SPEAKER: The House is continuing under Orders of the Day.

The Chair would inquire if the elongated recess was productive of removing more matters from the table?

Thereupon, on motion of the gentleman from South Portland, Mr. Earles, the House voted to take from the table the fifth tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to Municipal Court Costs", Senate Paper 465, Legislative Document 1316, tabled on April 7 by that gentleman pending acceptance.

On further motion of the same gentleman, the "Ought not to pass"

Report was accepted in concurrence.

Mr. Cyr of Fort Kent was granted unanimous consent to address the House.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

Mr. CYR: Mr. Speaker, I would like to introduce a resolve under suspension of the rules. I do not like to do this because I know we are all working in a temperature and we want to go home pretty soon but this has come up because the Educational Board has decided to carry on the Madawaska Training School for another couple of years providing they have the money. I had a resolve through this House here under emergency some time passed, signed by the Governor, authorizing that board to sell us a piece of land adjacent to our high school, they seem to think that perhaps they might need that land in the future and advised me to put in this resolve authorizing them to sell us a piece of land across the road, which they believe they could readily release. That is the reason that I am putting this resolve in, because it is to build an armory on that land, and it has to be this summer and it would be too late two years hence so I am putting this resolve in and I wish it would be accepted. Thank you.

The SPEAKER: The gentleman from Fort Kent, Mr. Cyr, requests unanimous consent to introduce a resolve notwithstanding the cloture order. The Clerk will read the title.

The CLERK: Resolve Authorizing the State Board of Education to Convey Certain Land in Fort Kent to the Town of Fort Kent.

The SPEAKER: 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 further motion of Mr. Cyr of Fort Kent, under suspension of the rules, the Resolve (H. P. 1258) was given its first reading without reference to a committee, ordered printed, and assigned for second reading tomorrow.

On motion of the gentleman from Raymond, Mr. Edwards, the House voted to take from the table the thirty-fifth tabled and unassigned matter, An Act relating to Taxation of Telephone and Telegraph Companies, House Paper 1205, Legislative Document 1471, tabled on May 4 by that gentleman pending passage to be enacted.

On further motion of the same gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the thirty-first tabled and unassigned matter, House Order relative to Clearing Table each Day, tabled on May 3 by that gentleman pending passage.

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

Mr. CHILDS: Mr. Speaker, I would now like to inquire from the Clerk if he has in his possession an amendment which was submitted by me which I can not find among my papers.

The SPEAKER: The Chair would state that the Clerk has such an amendment.

Mr. CHILDS: Will the Clerk read it please?

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

HOUSE AMENDMENT "A" to House Order relative to Unassigned Matters on Table presented by Mr. Childs of Portland, May 3, 1955.

Amend said Order to read as follows:

ORDERED, that under Orders of the Day, each day, after Special Orders, Unfinished Business and Specially Assigned matters for that day have been disposed of, Unassigned Matters on the Table that are not taken up on motion, shall be taken from the Table and laid before the House by the Speaker in the order in which they appear on the Calendar so far as time permits.

House Amendment "A" was adopted.

Thereupon, the Order as amended by House Amendment "A" received passage.

The SPEAKER: The Chair would inquire if any member wishes to take up items from the table at this time?

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the seventeenth tabled and unassigned matter, Bill "An Act Relating to Marketing of Milk", House Paper 1102, Legislative Document 1292, tabled on April 21 by that gentleman pending third reading.

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

Mr. BOWIE: Mr. Speaker, I guess probably the gentleman from Bangor, Mr. Quinn, intends for me to take over from here and I am going to be as brief as possible with what I have written here. But if there is not going to be any debate on it and if the House wants the third reading of the bill now, I will move for the third reading of the bill.

The SPEAKER: The Chair would state that debate is in order either before or after third reading. The gentleman may proceed.

Mr. BOWIE: Well, Mr. Speaker, as you probably know, this bill, as we have discussed it already before, is patterned on the Connecticut law and it has worked very good in Connecticut and it will work in Maine. Contrary to what many people think, the object of changing our Maine law, as it now stands, is not original on my part. Men who have studied the milk industry nation wide with a long range consideration for a thriving industry endorse its action. The National Grange, your National Farm Bureau, Cornell University, Secretary of Agriculture Benson, to name a few, realize the importance for such action, such steps as to make for a freer competition in the milk market which aids consumption and reduces milk surpluses that plague our important industry.

We have against us, and I have given some of this testimony before but it is just as true now today as it was when I gave it at the milk hearing, we have against us the age-old problem of selfish interests. We have the shocking lack of knowledge of milk producers who

have maybe top-notch knowledge of production but only an erroneous idea of factors that constitute their milk price. We have complacency and the lack of courage to make a change. We have those who would rather look into the Dark Ages, by which I mean the period about 1935 when this law and many other state milk control laws were passed, and to point to the depression years as an excuse for not returning to a free competitive market. There are also those who would rather put it off than to face their own feelings to the extent that many more small farmers lose their milk markets and are forced out of business by surplus milk. There are those too who would rather have the consumer ill-will which associates this law now on our books. The wasteful and illegal trade practices now on our books add to the wastes, which are prevalent in Maine markets, all of which retards consumption.

The argument that our present Maine law aids the small dealer and prevents monopolies is not supported by fact. On the contrary, what it does do is encourage a legalized monopoly by large dealers, make for inefficiency in distribution and practically eliminates a vigorous sales campaign which in turn reduces and restricts the producer's market.

I would like to call your attention to a few facts that at one time twenty-eight states fixed retail prices. Now there are less than a dozen fixed prices at all, four of which set the producer prices only. I might also state that all of the federal milk marketing areas in the thirty-five states set only producer prices which, I might add here, back in the time of Harry Wallace's Day, 1933, when the Federal Milk Marketing orders were first set up, they were all set to fix retail milk prices. But they found out as early as 1935 that you could not fix retail milk prices and enforce them.

I have heard it said that a reduction in price at the consumer level, because of competition there, would be passed on to the farmer, which is nonsense. It poses several questions, one, namely, why do you propose to keep producer pricing, which my bill does. It does not do away with the Milk Commission,

and it does not change the Milk Commission set-up in any way, it merely sets the producer price and I say to you that we have got to appease distribution by guaranteeing them a profit.

I subscribe to a statement that Secretary of Agriculture, Ezra Taft Benson, made in speaking to the National Dairy Council in Chicago less than a year ago. He said: "Any industry is in a perilous position indeed when a significant part of its income is dependent upon artificial economy that leaves its future to the whims of legislative process, some dairy producers are enjoying benefits on the restricted market," end quote right there for a minute, and I would say that we have those farmers right here in Maine, they are the ones who are fighting this change. Quote again from Mr. Benson, "And again I say what government can give, government can take away; such protection is a risky foundation upon which to build a business. It may also react against the industry as a whole."

How true that is here in Maine. Those of us who see price fixing on the way out believe the day is very close at hand when we may be left without any controls on any level. A law as unpopular as the present Milk Control law, which will go out either by legislative action, legal action or maybe by popular referendum, and I might say here that I have contacted the opposition of this party in the House here and in the lobby and so forth and they would not accept a popular referendum, in fact the case is they would not accept a compromise of any kind. So I am perfectly content that if it was put up to popular referendum the vote would definitely throw the law out but good. As a farmer, I might say that I realize full well what it would mean to be without a law and I am prepared to protect that segment of the industry which must have protection, namely the producer.

To mention another problem facing us now is the fact that we are also pricing ourselves out of business. If there is anyone who suggests that there is no buyer resistance to the quart milk bottle, I suggest that they check with our

supermarkets as to the extent in which dry powder or evaporated milk sales are climbing to take the place of our natural fluid milk market. Last year twenty-three million of good Maine dollars went out of the State of Maine to Minnesota and Wisconsin in the form of milk substitutes. I do not think that we can afford to lose this important market. In other words, we are doing here exactly what the butter men did in the case of oleo. Oleo has taken over and butter is going begging to the extent that the government has had to buy it up and store it on cliffs. I am claiming that that is just exactly what is going to happen to our natural fluid milk market. The fact of the case is every day that goes by new milk substitutes are coming onto the market that are more and more like our natural fluid milk products and we have just got to meet that product and one of the things that is selling dry powdered skim and milk substitutes is price and we have also got to meet their price.

We probably will have farmers who will tell you how much we are receiving in Maine. I will say here that I received my last milk check less than a week ago and I took the stub from that check. I figured it out and at the time that milk stands me a little over seven cents a quart. That milk sells in Portland on a twenty-three cent market. In other words, I am just leaving it to you folks to decide. Here a farmer is left seven cents a quart to pay his grain bill with and all his costs for maintaining his operation and that milk is selling in Portland on a twenty-three cent market. I am asking you in all fair common sense, is that fair to the farmer? Is that fair to the consuming public? In other words, I maintain one segment of our industry, the distributor, is getting fat at the expense of both the farmer and the consuming public.

I have spent no little amount of study in per capita consumption of milk in Maine and it is impossible to get accurate figures from any source as no two figures are alike. Anyone who attempts to offer any consumption figures for Maine is just guessing and such figures are propaganda.

There are several reasons for this, namely, that our summer business with its thousands of children coming in from other states consuming thousands of quarts of milk which are charged up to our regular Maine population. In the case of Portland, which many have boasted as being one of the nation's top milk-consuming cities, I call your attention to the fact that in getting these figures, these people who boasted of this high Portland consumption used Portland City population figures yet the dairies supply not only Portland but trucks run as much as twenty miles outside to deliver milk in all the small towns surrounding the city. Of course, there is also the factor that many thousands of quarts of milk leave Portland on the boats that are also charged up to Maine's consumption. In my humble opinion, it is only through the removal of artificial restrictions to permit a maximum consumption of milk at reasonable prices can the problem of milk surpluses be solved. The milk industry in Maine is saddled with monopolistic controls that create artificially high prices which thus cuts consumption.

The University of Illinois Agricultural Economist, R. W. Bartlett, surveyed the milk pricing in fifty United States cities last year and found that prices were invariably higher where state controls existed. In seventeen cities, with fewer milk markets, grocery stores charged on an average 20.1 cents a quart, 3.1 cents less than home delivered price. In eighteen state-controlled markets, the grocery store price averaged twenty-three cents per quart, only two cents less than the home delivered price. Says Economist Bartlett: "Modified regulations are absolutely essential to prevent chaos in milk markets but state control of consumer prices constitutes a legalized monopoly which is definitely against the public interest." Some in the industry do not believe that price reduction makes for higher sales and I call your attention to Kansas City, Missouri, last year, where the price dropped three cents per quart and sales promptly rose 7.4 per cent.

Milk experts all over the country are of the same opinion that a good

law is one that protects the farmer but allows the efficient distributors to pass their savings on to the housewives. There is little doubt that freer, more flexible milk markets would bring lower prices and increase milk drinking. This would not only help the dairy farmer but would improve the health of the entire nation.

A study made by the United States Senate Committee on Agriculture last year revealed some very important points. The Report, entitled "Price Spreads — Milk and Dairy Products", you can get this pamphlet by writing your Congressman, that the farmers' share of the consumers' milk dollar dropped from 48 per cent in 1951 to 43 per cent in 1954. The committee ascertained through actual examinations of records of processors, wholesalers and retailers the reason for the constant increase in the price spread. The problem was to determine how much of that spread was due to actual costs and how much went into greater profit taking, and it was found that the same plants increased their profits by amounts ranging from 29 to 100 per cent of the total increased spread.

Now, I have the latest issue of the Farm Journal here and I am surprised that more farmers have not bought this bill because every farm paper that you pick up has something to do with this particular issue at hand. This particular article had to do with Oregon's popular referendum which was held last November along with the Presidential election and it said: "The voters apparently agree that when the returns are in November 3rd, the twenty-one year old controller had been kicked out by a 43,000 vote majority." I am sure that would happen in the State of Maine if it was ever taken up here. It says: "Today, the dairy industry is no longer occupied with milk control politics, it shows signs of getting down to business and selling milk. Consumption is up about five per cent in the State compared with the same month a year ago. It is not all due to an increase in population." This is rather interesting right here because it is the same situation that we have here in the State of Maine. It says: "Some dairymen are fearful chaos will come

with flush season." They want the Legislature to pass a new milk control law less stringent than the old one; more like federal milk orders which fix minimum prices at the farm level only. Among those backers is the man who organized the resistance against the Oregon law, and guess who opposes that idea, that's right, the Oregon Dairymen's Association who were the staunch defenders of the old law. They say that the dairy industry should go it alone, and never again put its affairs in the hands of the voters. I will also refer you to another page here, page 21, the same book, which has to do with the same situation in Florida, they are trying to get rid of their milk control law down there, and the Governor down there charged that in Miami alone milk distributors must charge the same for milk giving retailers a legal kickback which amounts to \$100,000 per month. Schivers latest move is to visit the Florida citizens with a petition asking sympathetic milk drinkers to sign a deposit which heads up the list of people who want their law too in Florida to come before a popular referendum vote. In other words, when you get right down to it, we are only doing here what twenty other states have done, and I gave you a short time ago a case in New Jersey where they did away with price fixing there on the 15th of February this year because they no longer could enforce the price, and I say we have the same situation here which is pretty hard to uncover, it is all under-the-table stuff and it is just a matter of detective work to prove that this wrong-doing is going on. Of the 28 states that once had milk pricing of the less than one dozen of these left, only one state has voted it back on once they have got rid of it, that was the State of New Jersey, and this was their second try at it, and this year as I say they had to do away once again with price fixing at the retail level. I do not think we need this law in Maine, I think it is working against the industry, and as I said before the time is coming in the not too distant future when we are either going to have to have a few large farms doing it all or else we will have to set the milk industry up

here as a public utility. As the fellow who made the national study for the National Grange said, the only way you can price fix milk at the retail level is to set it up as you would any utility, and when you do that you never will receive maximum consumption and then naturally of course you will never receive maximum production either. Thank you.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I am only going to take up a very few minutes of your time, I went into this in quite a lot of detail the day it was tabled, I believe. I have petitions here that they are requesting us to go against Mr. Bowie's bill and there are approximately —

The SPEAKER: The Chair would remind the gentleman how to address another member of the House.

Mr. BROCKWAY: Mr. Speaker, I am sorry. There are approximately 230 names on these petitions. The Agricultural Committee sat on the rostrum in this House all the afternoon and there were more than 30 people came in and testified against the bill, and there was only one person, to my recollection, and according to my notes, that testified in favor of this, and he was not a producer of milk, and I have received telephone calls, state-wide, for a number of weeks on this, and they have all been in protest to the bill; there has not been anybody in favor of it, and I would like to point out that this is optional for areas, for any area that would like to go along with cutting the price on the milk can do so by petitioning the Commission and producing evidence that a majority of the industry in that area wants to de-control, and in a study of 50 cities in the United States, Portland, Maine—this study was made by the Department of Agriculture — Portland, Maine was the highest of all the studies.

I have a news item here, and I think we recognize Cornell as being a leading agriculture authority in the northeast: "E. W. Pierson and W. I. Myers have been studying

milk pricing" and I think this is probably going to say in a nutshell all that we can say, they say that "Milk is a bargain for American families these days." Milk pricing according to Cornell Professors have come down faster in recent years than ever before. In the years before World War II a quart of milk usually cost 20 per cent more than a pound of all other foods, but ever since 1946 a quart of milk has been worth less than an average pound of all other foods. In the years since Pearl Harbor the retail price of milk compared to other foods has gone down more than 25 per cent and the cost of marketing milk has dropped about one-third in comparison to the cost of marketing other foods, and I am not going to take up any more of the time of this House. I believe I have said all I could say and I thank you.

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

Mr. CASWELL: Mr. Speaker and Members of the House: It would seem to me that the sponsor of this bill has failed to take into consideration one to me very important thing. This as he has told you, is the Connecticut law, which fixes the producer price but not the retail price. I think he fails to consider fully the difference between an importing state and an exporting state. As far as milk is concerned, Connecticut is an importing state. Their farmers down there do not produce milk enough to supply the home markets. They do not need any retail control, they simply buy enough milk from outside to supply the market, and incidentally, their price down there is about 3 cents higher per quart than it is in Maine. Now Maine, New Hampshire and Vermont which all have retail control, are all exporting states. Now you all realize that where there is a surplus of any commodity, particularly a perishable commodity, that a very small surplus is apt to reduce the price far beyond the actual percentage of surplus. I think the potato fellows from Aroostook can testify to that. Here then we must in some way protect the producer from the extremely low price that he might get from surplus milk, and that is

the reason for what seems to me to be the need for retail control.

Now I would like to point out that Connecticut while it is an importing state as regards milk, it is an exporting state for various other commodities, mainly non-perishables. For thirty odd years I ran a little one man one horse hardware store. I bought I recall from Connecticut builders hardware, locks, door hardware, ammunition, arms, dollar watches, they were dollar watches at one time, and clocks, all those things Connecticut produces in excess of their demands at home. Now what happens, do we have absolutely free enterprise in that respect? There is such a thing as tariff restrictions, and Congress very promptly enacted certain tariff restrictions which protect the Connecticut producers of those articles from articles produced more cheaply abroad. Now those of course are non-perishables, but with the advance in atomic science, it seems to me that it is entirely possible that Denmark, Holland, large producers of milk, might in a comparatively short space of time be able to supply us by means of flying boxcars powered by atomic material 48 hours from the cow. What would happen in that case, would we want free enterprise to be sustained in Maine or would we ask Congress for certain tariff restrictions so we might if they produce milk cheaper than we can, I do not know whether they can or not, I know they get a good price over in the Isle of Jersey for their cows, breeding stock, as Jersey fanciers purchase in this country, I do not know even there if they would have any surplus of milk, but they certainly do in some of the European countries close by, and it would appear to me that we are very much closer neighbors to those countries now than we were even to Connecticut or even to nearer my state a generation or two ago. I think that the necessity of some sort of retail control still is necessary.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House:

This is so serious a situation it always comes up and has for a number of years in every Legislature, and it is gone over pro and con, and we have always arrived at the same decision that this was not the thing to do, and I hope we arrive at that same decision here. I know that my good friend from Durham, Mr. Bowie, the gentleman from Durham, is conscientious and interested in the milk industry from the producer level, but I fail to see where this bill would be of any help to anyone but a decided bad influence and bad thing for all concerned in the industry. He has told us that milk would be sold for less money to the consumer. Now if it can be sold for less money to the consumer someone has to take that loss. This bill provides that the producers price shall be the same so it would have to be the dealer that would have to take it. Well now can the dealer do it? At the time the dealer price is established, there is a hearing held usually in this House where all the people can be heard, the consumer, the dealer, the producer and the price is established. I sometimes think as a producer that the dealer spread may be too great, although they have all the figures and these gentlemen who are unbiased, or supposed to be, set up the price. Now if this bill provided that when a reduction in milk like has taken place in the last month of 2½ cents a quart in my area reduction from 24 to 21½, if this bill provided that the dealer had to take a part of that loss, I would be all for it, but he does not, so I think that perhaps if this bill received the same fate which I hope it will, which it has in the other Legislatures in other years, something like that might be brought out and more nearly do the trick. I do not think too many of us just know what we call our surplus milk. Class 1 milk is milk that is sold as fluid milk, regardless of whether it is sold as white milk, or chocolate or whatever may be added to it, anything that is sold fluid milk is Class 1. All other milk, what they call surplus is class 2. Now it takes about 20 per cent of class 1 milk, that is 20 per cent added to that of this surplus milk to supply the trade, that is to furnish

the cream. Practically all the rest has to be sold at a reduced price. Now this price is set every two weeks for the dairy to pay and the producer and it is set by what milk is bringing in the competitive market, that is a dog eat dog market and of course it is much less. The price would be around \$6.00 for class 1 per hundred pounds and in the wintertime it would be surplus milk of class 2 would be around \$3.00 or \$3.10, but from now on for a couple of months it will be down around \$2.40 or \$2.45 or somewhere along there simply because they cannot sell it. Now cows are bound to freshen in the spring, and they buy a herd of cows that freshen in the fall and in a couple of years time they will be — a greater part of them will be freshening in the spring for all that you can do because that is nature's way.

A month ago today I was shipping three cans of milk. This morning—my cows are out to pasture and have been out now for ten days and of course we have arranged our pasture to have rye come along and everything, and today I shipped eleven cans, and I say, you as a dealer what are you going to do with that extra milk? There is one thing that you can say for the dealer, under this set-up he takes all the milk, he does not refuse any, and he gets rid of it some place, and that price is what he gets for it whatever the market. All that he sells as class 1 we know what we will get, what is class 2 we have to take a competitive price, and I have looked over the books of dealers in years past and I have found that they have taken such a licking in these months of high milk production that it was along the latter part of September or October before they got back into the black again, they operated in the red all summer. This just cannot go on. I do think the farmer could do a lot to help out this surplus idea. He could try to arrange his herd somehow to give more milk in the wintertime when the price is high where there is no surplus than he does in the summer. Now this surplus milk what becomes of it after the cream is taken off. The dairy where I ship if the farmer wants

it back they sell it back to him for 50c for a 40-quart jug, that is about what it costs to handle it, and they will transport it back to him free. I do haul milk for the farmers to the dairy and we never make any charge. If a farmer wants to raise some cows or some pigs or what—not why he gets this milk back by paying just for the cost of handling in the dairy. Then if the milk can be sold as skim milk the farmer gets \$2.00 a jug for a 40-quart jug, that is set up by the Commission and the dealer has to pay it. But right now you see in a lot of places, in the dairy where I am hauling I think probably right away as soon as all the farmers get their cows out and get this surplus milk you will see them put the hose on the separator, they will give back to the farmer all he wants, and they put the hose from the separator right into the sewer and the milk goes down the sewer. Now it is simply because there is no demand for it.

Now according to my good friend's idea, this milk would be sold at less cost, but if you should sell this milk to be sold as fluid milk, the minute you sell a quart of milk class 2 milk as fluid milk you just cut out the fluid milk sale. In other words, if you can go out and buy class two milk and use it as fluid milk you would not buy fluid milk and pay the higher price for it, and then who would take the licking on that? Why it would be the farmer. Now we have gone through this thing over and over again, and many states are going through it now. I have the Milk Review which is not a producer paper at all, but I was looking at it yesterday and there were seven or eight states that have enacted laws this winter trying to cut out some of the inequities that happen in the milk market when it is dog eat dog. Arkansas, Washington, and several of them have set up milk controls in some way or another. One state I noticed made it a \$500 fine to sell milk to reduce the price of milk from whatever it was going at. That does not seem to be any sensible way to me to get at it, but they are trying to do it and trying to head off the trouble that we were in back in the 30's when I

sold milk for 42c a hundred pounds, there are 46½ quarts in a hundred pounds, and you just can imagine what the farmer was doing. Now I think this bill would be very bad the same as it always has been. I think there was a good deal of testimony offered in the last session of the Legislature and your legislative research and for the benefit of those members who did not have that record, I produced it at my own expense and placed it on your desk that amount of evidence. If you look that over I am sure you will come to the same decision they did in 1953 that this cannot be done and maintain a reasonably prosperous dairy business in this state from the farmer's standpoint.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I will not take any of your time to speak of. I am in agreement with the gentleman from Durham, Mr. Bowie, that we may have some important question here. As to the merits of his bill, I am not qualified to say. I do not know enough about the business, I do not know anything about the business. However, my constituents have asked me to oppose the measure. I would suggest that if there are some of you here who know as little about this subject as I do, I would recall to your attention that there is pending an order for a research study of this whole question, and that might be perhaps the best way to settle it. Thank you.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I am not a producer of milk, but I have many customers in Androscoggin County and Auburn who are in the business. I think about 35 in the Androscoggin area are my customers, and a week ago last Saturday and last Saturday I thought I was having a flourishing business when I came down at 8:00 o'clock to my store, but they were mostly producers of milk urging me and all those I could influence to vote against this bill of the gentleman from Durham, Mr. Bowie.

They do not believe it is required. I think there are about 3500 producers of milk in Maine and I do not know any member who produces milk who is in favor of this bill. Mr. Bowie mentioned Oregon in his remarks. I have a clipping here, it is in one of the New York magazines, the farmers magazine, the Editor quotes this: "I understand that Oregon has gone out of the milk control business, and just as soon as the law was passed the chain grocery stores in Oregon were advertising milk at 10c a quart." That might happen in Maine. I feel quite sure we have distributors in Androscoggin County and elsewhere in Maine that might possibly to get rid of the small producer have that same inclination to cut the price. In our business the hardware, grocery and dry goods and other businesses we have a federal law that a manufacturer set his own retail price, standard items that the large distributor or the small retailer has to sell at the same price which is a protection for me, because on the other side of the river in Lewiston large retailers could cut the price, but they have to sign an agreement not to cut the price so everybody large or small producers or retailers have the same opportunity. I hope that this bill will not pass.

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

Mr. QUINN: Mr. Speaker, through the Chair I would like to ask the gentleman from Durham, Mr. Bowie, to explain the variations in milk price to surplus in order that we are pondering a very immitation relative to that.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, addresses a question through the Chair to the gentleman from Durham, Mr. Bowie, who may answer if he so desires.

Mr. BOWIE: Mr. Speaker, I thought Mr. Curtis the gentleman from Bowdoinham, did a fairly good job on that. I will say that a farmer is paid on two prices, he is paid on his class 2 price and his class 1 price. His class 1 price is fluid milk, milk that you buy on the doorstep or delivered to your doorstep or you buy in the store, and your

class 2 price is the milk which goes into by-products, ice cream, cheese, butter, etc. At the present time the price of class 2 milk is about 4c a quart while the class 1 price is approximately 13. You blend those two prices together and you have your class 1 price or your take home pay I should say, you have your blend price or your take home pay, that is the pay the farmer has to pay his bills with. Now the catch to this whole bill is this, there are variations in surpluses. In other words, the Milk Commission's job is to ascertain what milk is class 1 milk and what milk is sold as fluid milk, and at the present time on my own particular business it is approximately 35 per cent of my milk that is being sold, or over a third, being sold at approximately 4c a quart, and by the time I pay the freight into Portland, which the farmer has to pay which in my particular case is 43c a hundred weight or a cent a quart, you average that up and it brings you down to around a little over 7c a quart at my farm to pay the bills with. Now you take in the case of Hood last year in the Auburn area contrary to some statements that have been made here already today, many farmers are for that, I have got over 100 letters from all over the state, some from some farm organizations as well as the individual farmer. One particular farmer went to the work of figuring out all the surplus for a year that he had in shipping to Hood last year, and it figured up over 30 per cent, about 34 per cent of his entire supply went as class 2 milk or surplus milk. That is the thing I am trying to head off right there, each year it grows and gets greater and greater and last summer at one time 47 per cent of my milk went as surplus milk. At the same time the kids in Portland, which is where my milk goes, were going without milk and I out on the farm am shipping milk for less than 7c a quart which is to me not fair, it does not add up and it does not make sense. In other words, if we are going to have this surplus milk, the law of supply and demand was there to take care of it, the consumer in Portland would be getting the benefit of it and I would not

be shipping 47 per cent of my milk as surplus milk, the figure would be down around 20 per cent or 15 per cent and my actual take home pay in the long run would be a good deal greater.

Now in the case of Hood last year in the Auburn area it went over 50 per cent, and when anybody is shipping 50 per cent of their milk as surplus milk, in other words 50 per cent of a dealers milk he cannot sell or put on the doorstep or sell to the store, then something is radically wrong, it must be price.

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

Mr. WALSH: Mr. Speaker and Members of the House: I know nothing about this bill so I felt that I should call people in my area that sent me up here to represent them to find out how they felt about these various milk bills that we we have had. So the first week in April when these milk bills came across the counter, that week end I went home and personally called sixty-one different people in the milk business from producers who have only four cows to producers who produce over half a million pounds of milk a year. I talked to producer-dealers, to dealers alone, to producers alone, to distributors alone, to the various combinations, independent grocers, chain store grocers, small consumers and consumers who use over \$25,000 worth of milk a year, and they were unanimous, every single one of them were absolutely opposed to any change in their present milk laws so you people know how I must vote.

The SPEAKER: The Chair recognizes the gentleman from Benton, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House: The order I presented the other day was not at all presented with the idea that I think this Milk Commission is 100 per cent right. As I stated the other day, I think it needs to be brought up to date, but we here are not qualified I do not believe to jump into this. If we do we will find we are going to get into a bad mess. I do think over the period of the next two years that it should be well studied, and if they at that

time want to pay us producers and let it stop there I am perfectly willing to go along with it. Now about this powdered milk that the gentleman from Durham, Mr. Bowie, has mentioned, I think that that is one of the modern conveniences. I can remember out on the farm there were a lot of little houses out back. Today we have bathrooms. I also think that is about the same thing, we want things better. You can get this powdered milk and have it on the shelf at any time you want to use it. I do not know if it is any better or any cheaper, I do not happen to use it, but I do think that is the trend there, you would have it regardless of whether you sold milk for 5c or 25c. I move for the indefinite postponement of this bill and ask for a division.

The SPEAKER: The gentleman from Benton, Mr. Woodworth, moves that Bill "An Act Relating to Marketing of Milk", House Paper 1102, Legislative Document 1292, be indefinitely postponed.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I hope that the House will not support the motion of indefinite postponement. I hope that the House will support the bill of the gentleman from Durham, Mr. Bowie, because I think it is the best thing that we have had for some time to help the people of the State of Maine. Now when I say people of the State of Maine I am not restricting myself to the milk producers or the milk dealers, I am referring to the people that voted for you and me and sent us down here. If we can save them a cent, two cents or three cents on their milk bill and get milk down to a fair price so they can have more milk to use in their families, it is our duty to do that. Now there is no question about it that milk is one of the most valuable health foods that we have, and it should be made available to our people instead of when we have surplus milk as you heard the gentleman from Durham, Mr. Bowie, say, he could only get 4 cents for his surplus milk while poor families are paying 21 and 22 cents a quart for milk. Now is that right? There is

something wrong somewhere. Now since I tabled this bill I have had a lot of people call me and write me letters relative to this milk situation. I have had producers, I have three large producers here that say that the Bowie Bill does not go far enough, that all controls should be taken off, that it should be placed on a free market just like it was before the emergency that created this child. Now you know that this milk control went on in 1935, and if you reflect back you will reflect and consider what the condition of the country was at that time. The banks closing in 1933 in the depression and things were pretty much in a turmoil, and it was under conditions of that sort that this bill was fathered and created, and has been with us ever since. Now it appears to me that when you have milk that is being sold to Hood down in Boston for 4 cents a quart all because the law says you cannot sell milk under a certain price, and there is no demand, that it is time to make a demand so the public can buy the milk and demand the milk at a reasonable price. It would be better for our families in the state if they could get more milk, but the way things are now the poor families have a limited income, and I was surprised when we considered this minimum wage law how many people were affected by it. All those people that are affected by that minimum wage law are also affected by the price of milk. They have limited means whereby they can buy this necessary food product for their families. Now it appears to me that if we pass this Bowie Bill we will be able to give the producer a fair price for his product, and then from then on it would become a free enterprise product and the people could buy it when and where at a price that would be fair and reasonable. Now it appears to me that large users of milk such as institutions, orphanages, children's homes, schools, colleges, and so forth, should be able to buy milk at a very distinct discount rather than sell it at 4 cents a quart to the Hood creameries and other big creameries like that.

Now I had some experience in this when it first went into effect

back in the '30's. At that time I was on the school board and I attended one of these regional meetings where you could meet with the board and the board would give you a fair hearing. At that time, the board was made up of two producers, a dealer-producer and a dealer and the Secretary of Agriculture. You got your fair hearing all right; I think I attended two of them. And there was a large group of citizens that attended, they were interested in getting discount prices for school children and for the institutions, for the welfare cases and what-not. The board very respectfully heard their pleas, they heard the producers, they heard the dealers, and at that time the consumers were in the majority, and the board was as near to being a legal conspiracy as anything I have ever seen. When they got through they came right out with something that served the producers and the dealers and the consumer was left hanging. And it has been that way ever since.

It is a monopoly and it is the only monopoly in our economic life in the State of Maine. And if you vote for the Bowie bill, it will be the first step to remove an institution in the State of Maine that is not an American institution. America was built great upon free enterprise. Now let us return to our people that sent us here, let us give them some consideration. Do we owe an obligation to them? They have been before these milk boards when this thing first started 20 years ago and did not get anywhere, just like I was. So they think it is an impossible situation, they will not go any more.

I hope you will vote against this motion for indefinite postponement and give the people who sent you here an opportunity to buy milk at a better rate, at a rate that is reasonable. And if there is any surplus in this State, have the controls fixed so the price will come down commensurate and let the people of Maine have the benefit of that surplus milk rather than ship it away to make cheese or dried milk or something else. Thank you.

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

Mr. RICH: Mr. Speaker and Members of the House: I feel somewhat abashed to attempt to debate this question after my friend, the gentleman from Bangor, Mr. Quinn, has spoken so effectively on his side. But, however, I must take issue.

I represent a rural area and the people in my area are overwhelmingly against this bill. It is my opinion that ultimately consumers will not benefit at all by taking the controls away; for we will have perhaps a price war, or something like that and for a short time the consumer might get a lower priced milk but in the end I believe that our small dealers would be driven out of business and many of our small farmers out of business and it will react to the injury, of not only the farmers, the dealers, but the consumers alike. Thank you.

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

Mr. ROBERTS: Mr. Speaker and Members of the House: The statement of the gentleman that you only received seven cents for cooperative milk is probably true. But in a way, he goes a little farther and gives us the impression that that milk is selling for 23 cents in Portland, which is misleading. The milk that sells for 23 cents in Portland, or 21 cents, is class one milk, which is 13 cents per quart. And this class two milk that is selling for 4 cents per quart is used for by-products such as cheese and ice cream and powdered milk and different commodities. And those two prices together make a blend price which is 7 cents a quart. But this surplus milk, this class two milk, is not too serious only in a couple or three months at this time of year when a good many cows are freshening and they are turning them out to pasture and they give a lot more milk and perhaps at that time of year the surplus is not too serious although there is some surplus and they always have to have some surplus. Anyone who is dealing in milk has to have surplus in order to supply his customers with

milk in case they want extra milk at any time.

I was reading the other day of a gentleman who complained that he could not afford to buy milk enough for his family as it would take one-tenth of his take-home pay to pay for the milk. After all, that is not too bad when you consider that 50 years ago it would have taken one-fifth of his pay to pay for the same amount of milk at 6 cents per quart. Besides, he would have had to work 60 hours per week instead of 40 hours per week as now.

By this same token it takes 4 hours each week to pay for this same amount of milk at present, while 50 years ago he would have had to work 12 hours and this on a free market without control.

Everyone associated with the industry is entitled to a fair and just income and a living standard comparable to city dwellers.

Not only should consideration be given to the consumer, but the poor devil who has to work 80 or 90 hours every week for small pay should have some consideration.

I am fully convinced that, primarily, these bills are aimed at eliminating the milk commission, especially at the dealer level, in other words leaving the dealer without any protection from chiselers, who would sell milk of questionable quality at any price they could get, and at the same time the bill would protect the producer.

I submit to you or any fair-minded person that if the division of dairy inspection forces any one to go out and hire money or to build and equip a modern dairy they should have some protection, and only through the milk commission could they get that protection.

At the hearing on these bills, the testimony was 90 or more per cent against them.

Last December the commission held a state wide hearing in this House; no opposition developed from the people who were there, producers, dealers and consumers who filled this hall, and there was no opposition to the methods and pricing of the commission, they were approved by all present and the hearing was over in less than an hour's time.

I want to say that no other set-up or program or call it what you may, has done as much for the dairy industry in the State of Maine as the Maine Milk Commission. It has established a staple price and created a feeling of security throughout the industry as nothing else has ever done. It has been accepted by the industry from the producer to the consumer as doing a fine job, fair and equitable to all concerned and I do not believe there is any major demand for a change.

If we wish to attain maximum quality we must have a uniform and staple price, which only the milk commission can assure, and without which an inferior quality of milk may well be considered.

In 1935 the milk control board was established for the purpose of insuring an adequate supply of pure and wholesome milk at a price that was fair and reasonable to the producer, the dealer and the consumer and that goal, I am sure, has been attained and maintained.

Previous to that time, milk was selling on the street from anywhere from 8c to 4c per quart, all over the State, with confusion rampant everywhere and milk of all kinds of quality on the market. I know of one man who gave away his entire product for a whole week.

Soon after the control board was established, the industry got down to an even keel and has been running along smoothly ever since, with few complaints or dissatisfaction from anyone, and today milk sold in the State of Maine is of the finest quality obtainable anywhere, thanks to the Maine Dairy Division and the Milk Commission of Maine.

Dealers as well as producers are under strict supervision and regulations and are regularly inspected. All purchased milk is required to be pasteurized.

A survey conducted in more than 100 dairies indicates that the net profit to the distributor is about 2 per cent or less than $\frac{1}{2}$ cent per quart, also, that the consumer's take home pay or dollar will buy more than twice as much milk as 15 years ago.

I will agree that a raw milk dealer or a farmer with no expensive equipment can sell milk a few cents

cheaper than a dealer with all the equipment necessary to produce pasteurized and homogenized milk of the finest quality. Now how about the dealer who has been forced to install all of this equipment? Where is he going to get off? How can he stay in business? He will be obliged to drop his producers leaving them without a market, simply shifting the surplus from one producer to another.

We all know that milk is the cheapest food on the market. Almost any other food costs double for the same amount of nourishment. Difference in price makes little difference in consumption, if any. In fact, I do not sell any more milk for 20 cents per quart than I did for 24 cents. If you ask my customers what they are paying, three-fourths of them would not be able to tell you. I do know of one poor fellow who was unable to pay for his milk but at the same time he could pay \$8.00 per week for beer.

Last month, the New York producer price for milk, I would say that was six weeks ago now, was 4 cents lower than the Maine price and the Boston price was 2 cents lower to producers yet in both of those states retail price was higher than in Maine.

Milk prices have increased only 92 per cent in the last 15 years while some other products have increased as much as five or six hundred per cent. Labor has increased four hundred per cent or more.

If there are those who wish to go into the retail milk business there is no law to prevent them from so doing and they do not have to be under the Commission's jurisdiction unless their particular area wishes it.

Dealer plants as now set up are modern and expensive. I wish all of you could visit Drew's Dairy right here in Augusta and see and inspect the expensive machinery and the expert personnel it takes to operate a modern dairy required to handle such an essential product as milk.

We have a good law that covers practically everything this bill does. Rather than control it, it stabilizes the industry. So why change from something that has proved itself to

be and has the endorsement of a large majority of the people for something untried and unwarranted?

The time has come when we must have some sort of protection on almost everything if we are to avoid ruinous competition, if both business and labor are to survive. Labor has a minimum, doctors have a minimum, and even lawyers have a minimum and many other professions.

Without dealer supervision, we will most certainly have ruinous competition as before with the raw milk dealers on one side and the big operators on the other side and they will surely squeeze out the small dealer. Surely no one, not even the consumer, wants that to happen again.

If we must have competition, let it be in quality rather than price. Competition in price tends toward a poorer product while competition in quality always means an improved product.

When we vote, let us not forget the people most vitally interested, the ones who appeared at this hearing who were 90 per cent or more against this bill and the people back home who sent us down here who are also opposed to this bill. And I hope the gentleman's motion to indefinitely postpone does prevail.

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

Mr. HILTON: Mr. Speaker and Members of the House: I think I would be failing in my duty here as a Representative if I did not go on record as opposing this bill as all the producers in my areas definitely instructed me to oppose this bill. I think this Legislature wants to be very careful in its deliberations and not legislate into law something that will hurt the agricultural interests of our State.

Our whole country was founded on the agricultural interests and I would like to read a little clipping which I clipped out of a paper many years ago. And I believe this would be an opportune time to read it. It has to do with the farmer and what he has done and what he means to the country.

"Of all the tools that man has used since the dawn of time to raise

himself above the level of the brutes, there is none so great as the farmer. Without him there would be no sword and no pen; no armies and no books; without the plow the cities would perish and the conquering grass and wilderness would overtake the haunts of man.

"With his plow, the pioneer farmer conquered the woods, subdued the soils of centuries and bent the various soils of a virgin continent to the uses of mankind. Upon the foundations made and maintained by the plow, and the man who holds it to its furrow, America has built the greatest civilization of all time. With the plow and his sublime faith, which leads him forth to turn the soils with renewed hope each springtime, the farmer makes possible all other industries of man; the plow and the man who holds it feed and clothe the world.

"The smoke of industry rises from a million plants. Railroads and the instruments of communication bind the world together. Ships sail the seas of earth, great cities with inhabitants out-numbering the plowmen rear their massive buildings at every natural trade center. But without that which the plowman obtains from his scratching of the earth's soil, all would become again as Nineveh and Tyr.

"It seems sometimes that we in America are forgetting what we owe to the plow and to the American farmer. Many are becoming so far removed from natural country life that they fail to appreciate their debt to the plow and the high standards that have been set in America by its master, the plowman. We must not forget the importance of the plow for it is the lesson of history that the civilization of countries began to fail when their cities began to overshadow and dominate their rural life.

"The plowman will not let that happen in America. He asks for no special favors, but in the name of all citizens and for the welfare of America itself, he demands and will obtain a square deal."

And again I want to urge you to be very careful in your deliberations here today and not legislate into a law something that will hurt the farmer. I do not care whether he is

a milk farmer, a poultry farmer, a blueberry farmer or a potato farmer.

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

Mr. CROCKETT: Mr. Speaker, I believe that this question has been well discussed on both sides pro and con. I now move the previous question.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, 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 Benton, Mr. Woodworth, that Bill "An Act Relating to Marketing of Milk", House Paper 1102, Legislative Document 1292, be indefinitely postponed.

A division has been requested.

All those in favor of the indefinite postponement of the Bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-three having voted in the affirmative and twenty-one having voted in the negative, the motion prevailed, the Bill was indefinitely postponed and sent up for concurrence.

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

Mr. BOWIE: Mr. Speaker, since we are on the subject of milk, we might just as well get this milk situation cleared up, I would like to

take item twenty-two from the table.

The SPEAKER: The gentleman from Durham, Mr. Bowie, moves that Item twenty-two be now taken from the table, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Agriculture on Bill "An Act relating to Milk Control", House Paper 1101, Legislative Document 1291, tabled on April 26 by that gentleman pending the motion of the gentleman from Dexter, Mr. Roberts, to accept the Majority Report. Is this the pleasure of the House?

The motion prevailed.

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

Mr. BOWIE: Mr. Speaker, if you will check, you have House Amendment "B" to this act. The original act was to have a milk administrator instead of a milk commissioner. I still think that is the way it should be but nevertheless, realizing full well that we probably cannot get that through, I have offered this amendment and this amendment, I might say, is a far cry from what I think the industry needs. Nevertheless, it is for the most part recommendations of the present Milk Commission to assist them in the enforcement of the law we now have on the books. In other words, this does not change the set-up of the Milk Commission one dog-gone bit. A lot of things have come up in the last few years and this being an antique law had to be amended in such a way that they could cover the various situations. The only section over which there seems to be any controversy is section 4 in that amendment and that amendment is under the filing of 503. if it is any help to you folks, and that is the section that sets up discounts on retail deliveries in amounts of four quarts or more effecting normal savings to delivery trucks. Actually that is where more of your bad public relations to the law comes than any other part. In other words, it only makes sense to me, that the person who buys large quantities of milk should buy cheaper than if he bought merely a quart or two. It

also would be an incentive to greater consumption and greater buying and I am going to let you folks decide if you want to accept this bill or not but I will say this much, if you had decided to vote for these bills, I question that you would need any investigations of any kind either by the Research Committee or from any other source. In other words, price fixing on the retail level seems to be where the greatest amount of wrong doing is going on. This particular section, right here, seems to be the bad public relations in the law. It is what the newspapers and those people who deplore price fixing of any commodity dislike the most. And I might say when you go in the store to buy practically any commodity whether soap or cereal or whatever it may be, if you buy several of the various articles you buy them cheaper and I would like to see milk sold the same way. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Dexter, Mr. Roberts, that the Majority "Ought not to pass" Report be accepted.

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

Mr. ROBERTS: Mr. Speaker and Members of the House: I do not see wherein this bill accomplishes anything. There is nothing in the bill that cannot be accomplished by the present law we already have and I think it is wholly unnecessary and I still hope that you will accept the majority report on the bill.

The SPEAKER: Is this House ready for the question?

The question before the House is on the motion of the gentleman from Dexter, Mr. Roberts, that the Majority "Ought not to pass" Report on Bill "An Act relating to Milk Control", House Paper 1101, Legislative Document 1291, be accepted.

As many as are in favor of accepting the "Ought not to pass" Report will signify by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, and the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of the gentleman from Durham, Mr. Bowie, the House

voted to take from the table, House Joint Order for Joint Select Committee on Study and Survey of the Operation of the Milk Control Law as to Price Fixing at the Retail Level, House Paper 1160, tabled on April 6 by that gentleman pending the motion of the gentleman from Milo, Mr. Brockway, to indefinitely postpone.

Thereupon, the motion to indefinitely postpone prevailed.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I would like to make an inquiry through the Chair. I believe there was another order asking the attorney general to make an investigation of the Milk Commission. I thought it was tabled but I do not find it on today's calendar. I was wondering if it was lost or whether we could find it somewhere.

The SPEAKER: The Chair would state that the gentleman is correct in his impression. An order was introduced in the House on May 10, 1955, given the number of House Paper 1252. It was introduced by the gentleman from Durham, Mr. Bowie, and was tabled by him on May 11 pending passage. It is on the table at this time and was, in error, left off the printed calendar.

The SPEAKER: The Chair would inquire if there is any other member who would like to make a motion to take something from the table at this time.

The Chair would inquire if the House wishes to continue working at this time. The Chair would like an expression off the record.

(Off Record Remarks)

The Chair believes that the House would like to continue working perhaps until 5:30.

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

Mr. STILPHEN: Mr. Speaker, I would like a point of information. On what?

The SPEAKER: The Chair would state on the unassigned matters on the table to answer the gentleman's question.

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

Mr. MCCLUSKEY: Mr. Speaker, if I am in order I think that the order that was passed lets us take the next unassigned item off the table, that would be Item number one. I will take that off the table.

The SPEAKER: For what purpose does the gentleman from Freeport, Mr. Crockett, rise?

Mr. CROCKETT: Mr. Speaker, to explain the reason why Item one is still lying on the table.

The SPEAKER: The Chair would state that the gentleman would need unanimous consent to address the House.

Mr. CROCKETT: Mr. Speaker, I ask for that.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, requests unanimous consent to address the House. Does the Chair hear objection?

The Chair hears none and the gentleman may proceed.

Mr. CROCKETT: Mr. Speaker, due to the fact that Item one on the table is a companion bill to one that I have pending now in the Senate, the bill was placed through the request of the special town meeting at home and I do not think that I would be doing right by my people at home if I took it off of the table until I disposed of the other one already in the Senate, therefore I ask for another day or two to allow it to remain on the table.

The SPEAKER: The Chair would state that if the gentleman wishes to move that the House adjourn, his motion would have precedence.

Mr. CROCKETT: Mr. Speaker, I make the motion that we adjourn at this time.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, moves that the House adjourn untill nine o'clock, Eastern Standard Time, tomorrow morning.

All those in favor will indicate by saying aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

Thirty-seven having voted in the affirmative and forty-eight having voted in the negative, the motion did not prevail.

The SPEAKER: At this time, the Clerk will read any notices.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the twenty-sixth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for a Director of Recreation Under the State Park Commission", House Paper 1121, Legislative Document 1319, tabled by that gentleman on April 27 pending acceptance.

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

Mr. CHILDS: Mr. Speaker, this bill was originally heard before the Appropriations Committee and calls for a \$10,000 price tag. Apparently the Appropriations Committee at that time was of the opinion, because of financial reasons, that this particular measure was not necessary. The sponsor of the bill was the gentlewoman from Rockland, Miss Lawry, and she and I have worked together on this bill. We have discussed the matter with Mr. Dyer, who is at the head of the Department of Parks, and he has agreed to an amendment which has been reproduced in the name of the gentlewoman from Rockland, Miss Lawry, under filing number 526.

The amendment will more or less give the Park Department some authority and also give certain municipalities and towns in the State the opportunity to work with the Park Department for the purpose of getting information and setting up recreation programs and so forth. With the amendment, there is no price tag whatsoever. The Department is under the impression that with this amendment they could work this out without any necessary funds to carry it out. I, therefore, will make a motion that we substitute the bill for the report and if I am successful, I feel quite sure that the gentlewoman from Rockland, Miss Lawry, will introduce this House Amendment "A", which is filing 526, to take care of the matter that I have just discussed.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves

that the Bill be substituted for the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was given its two several readings.

Miss Lawry of Rockland then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1121, L. D. 1319, Bill "An Act Providing for a Director of Recreation Under the State Park Commission."

Amend said Bill by striking out all of the Title thereof and inserting in place thereof the following Title: "An Act Relating to Duties of State Park Commission as to Recreation."

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., c. 36, Sec. 34, sub-Sec. VI-A, additional. Section 34 of Chapter 36 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered VI-A, to read as follows:

'VI-A. To cooperate with Federal Agencies in the planning, development, maintenance and use of recreational areas; to assist state, county and municipal agencies in the study and planning of their recreational areas and programs.'"

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

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

Mr. TOTMAN: Mr. Speaker, may I request of the Chair whether the order of the majority party permits us to take tabled items off the table out of order or must they be in order numerically?

The SPEAKER: The Chair would state that any member at any time may take a matter from the table that he has tabled.

Mr. TOTMAN: I have reference, Mr. Speaker, to an item which the gentleman from Lewiston, Mr. Malenfant, tabled, Item 51, which I believe—

The SPEAKER: The Chair would state that when that order once becomes used, it takes matters up in order from the table. However, so long as any member wishes to take something from the table, the Chair does not have to invoke that order.

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

Mr. BOWIE: Mr. Speaker, I understand you to say that order is in effect now? Cannot we take a matter from the table by a vote, I mean if someone who has tabled an order here and he does not want to take it off, can't we by vote take it from the table?

The SPEAKER: The Chair would state that it would be in order to take an item from the table at this time or any time.

Mr. BOWIE: What is the matter with taking the second item from the table, then?

The SPEAKER: The Chair would state that Item two could be taken from the table at this time, however, the gentleman from Lubec, Mr. Denbow, tabled it so that the only way it can be taken from the table in his absence is under the order.

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

Mr. EDGAR: Mr. Speaker, while the members of the House are deciding whether or not to take anything more off the table, I would greatly appreciate consent to very briefly address the House.

The SPEAKER: The gentleman from Bar Harbor, Mr. Edgar, requests unanimous consent to address the House. Does the Chair hear objection to the gentleman's request?

The Chair hears none and the gentleman may proceed.

Mr. EDGAR: Mr. Speaker and Ladies and Gentlemen: As many of you know, there will occur this summer in the Town of Bar Harbor, an event which has already been recognized as having major importance in the general picture of the tourist business in the State of Maine.

I refer, of course, to the inauguration of the car and passenger ferry service to operate between the Maine terminal at Bar Harbor

and the Town of Yarmouth in Nova Scotia.

The materialization of this ferry service is the result of six years of hard work and enthusiastic planning. The over all cost of this ferry, exclusive of the effort involved, will stand at about eight million dollars, including the ship and both terminals. The ship will make one round trip daily between Maine and Nova Scotia and will accommodate 150 cars and 600 people.

As many of you also know, the 96th Legislature made possible the construction of the terminal at Bar Harbor by lending toward the project the sum of one million dollars. For this, the Town of Bar Harbor will be eternally grateful to all concerned.

For the day which will mark the maiden voyage of this ship, Bar Harbor is planning a gala celebration which, we hope, will serve as recognition of size and fitness in due proportion to the importance of the event.

It is my happy privilege to rise here today to most cordially invite all of you members of the 97th Legislature to be with us in Bar Harbor on that momentous day.

The exact date of this occasion remains yet to be definitely established but we have every reason to believe that it will be on or about August 1st. Whatever day it may be, we of Bar Harbor would be highly honored to have you all with us.

While the detailed plans for our party have yet to take definite shape, I can assure you all that you will be welcomed with a most sincere and cordial greeting. Within the limits of conditions and our ability to cope with them, you will be accorded the honor and the gratitude which you as Representatives of this State so richly deserve. Watch the newspapers for final plans and please do us the honor of being with us on that day. Thank you. (Applause)

On motion of Mr. Childs, of Portland,

Adjourned until nine o'clock, Eastern Standard Time, tomorrow morning.