

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

Wednesday, March 13, 1935.

Senate called to order by the President.

Prayer by the Rev. H. F. Milligan of Gardiner.

Journal of yesterday, read and approved.

From the House:

Bill "An Act Relating to Temporary Loans by County Commissioners." (S. P. 458) (L. D. 657)

(In Senate on February 28th passed to be engrossed. Sent down for concurrence.)

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

In the Senate, House Amendment "A" was read; under suspension of the rules the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment "A" was adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act Relating to the Counting and Sealing of Ballots," (H. P. 1181) (L. D. 387)

(In Senate on March 5th passed to be engrossed in concurrence.)

In the House, passage to be engrossed reconsidered; House Amendment "A" read and adopted, and bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, House Amendment "A" was read; under suspension of the rules the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment "A" was adopted in concurrence.

Thereupon, on motion by Mr. Winn of Androscoggin, the bill and amendment were laid upon the table pending passage to be engrossed as amended.

Papers from the House, disposed of in concurrence.

**House Bills in First Reading**

(Under suspension of the rules the following bills and resolves were given their second reading and passed to be engrossed in concurrence)

"An Act Relating to the Pack-

ing of Sardines." (H. P. 97) (L. D. 27)

"Resolve in Favor of Daisy B. Blackman, Widow of the late Reuben Blackman." (H. P. 182) (L. D. 707)

"Resolve Relating to Fishing in Upper Range Pond", (H. P. 1052) (L. D. 696)

"An Act Relating to Smelt Fishing in St. Croix River", (H. P. 1627) (L. D. 710)

"Resolve Relating to Fishing in Taylor Pond," (H. P. 1051) (L. D. 697)

"Resolve Relating to Fishing in Taylor Pond," (H. P. 1050) (L. D. 698)

"Resolve Closing to all Fishing, Upper and Lower Hathan Bogs and Massachusetts Bog in Franklin County," (H. P. 1049) (L. D. 699)

"Resolve Relative to Regulating Fishing in Certain Somerset and Franklin County Waters," (H. P. 1048) (L. D. 700)

"Resolve Closing the Tributaries of Lake Anasagunticook to Smelt Fishing." (H. P. 705) (L. D. 701)

"Resolve Relative to White Perch Fishing in Lake Anasagunticook," (H. P. 794) (L. D. 702)

"Resolve Relating to Fishing in Round Pond," (H. P. 791) (L. D. 703)

"Resolve Relative to Fishing in C Pond," (H. P. 781) (L. D. 706)

"Resolve Relating to Fishing in Pleasant River and Hapgood Brook." (H. P. 789) (L. D. 705)

"Resolve Relating to Fishing in Songo Pond," (H. P. 790) (L. D. 704)

"An Act Relating to Forcible Entry and Detainer," (H. P. 1628) (L. D. 708)

From the House:

The Committee on Maine Publicity on Bill "An Act for placing the Word 'vacationland' on all Number Plates on Motor Vehicles", (H. P. 106) (L. D. 675) reported that the same ought to pass.

In the House, the report was read and accepted and the bill given its several readings and passed to be engrossed.

In the Senate, on motion by Mr. Fernald of Waldo, the report and bill were tabled pending acceptance of the report in concurrence.

The following petitions were received and on recommendation of the committee on reference of bills

was referred to the following committee:

#### Education

Mr. Haskell of Androscoggin presented petitions in favor of L. D. 56 Relating to Educational Program. (S. P. 558) and (S. P. 559)

Mr. Winn of Androscoggin presented petitions in favor of the same. (Senate papers 560 and 561)

Mr. Tompkins of Aroostook presented petitions in favor of the same. (Senate Papers 562 and 593 inclusive.)

Mr. Pinansky of Cumberland presented petitions in favor of the same. (Senate Papers 594 and 599 inclusive.)

Mr. Harmon of Hancock presented petitions in favor of the same. (Senate Papers 600 to 602 inclusive.)

Mr. Friend of Somerset presented petitions in favor of the same. (Senate Papers 603 to 606 inclusive.)

Mr. Hussey of Kennebec presented petition of Mrs. Raymond Fish of Hallowell and 41 others in favor of the same. (S. P. 607)

Mr. Bodge of Kennebec presented petition of Wm. G. Hanson of Gardiner and 15 others in favor of the same. (S. P. 608)

Mr. Burkett of Knox presented petition of Clayton R. McCobb of Camden and 98 others in favor of L. D. 56 Relating to Educational Program. (S. P. 609)

Mr. Cowan of Lincoln presented petition of R. D. Hamlin of Wiscasset and 73 others in favor of the same. (S. P. 610)

Mr. Goodwin of Oxford presented petition of Arthur H. Holman of Norway and 14 others in favor of the same. (S. P. 611)

Miss Martin of Penobscot presented petitions in favor of the same. (Senate Papers 612 to 616 inclusive.)

Mr. Hathaway of Piscataquis presented petitions in favor of the same. (Senate Papers 617 to 619 inclusive.)

Mr. Jackson of Sagadahoc presented petition of Thos. R. Huston of Bath and 52 others in favor of the same. (Senate Paper 620)

Mr. Fernald of Waldo presented petitions in favor of the same. (Senate Papers 621 to 625 inclusive.)

Sent down for concurrence.

#### Orders

On motion by Mr. Fernald of Waldo, it was

ORDERED that 500 additional copies of "Resolve in favor of a Committee to Study County Government," (S. P. 355) (L. D. 355) be printed.

#### First Reading of Printed Bills

(Under suspension of the rules the following resolve was given its second reading and passed to be engrossed and sent down for concurrence.)

"Resolve in Favor of Harold F. Wing, of Bingham." (S. P. 275) (L. D. 748)

#### Reports of Committees

Mr. Blaisdell from the Committee on Legal Affairs on Bill "An Act Relating to Licenses for Retail Stores," (S. P. 251) (L. D. 210) reported that the same ought not to pass.

Mr. FERNALD of Waldo: Mr. President, I move that we substitute the bill, Legislative Document 210, for the report. The discussion of the subject before us this morning takes us back two years to the time when we passed in this Legislature an act placing a tax on chain stores. I think at that time we all agreed that legislation of that type was necessary for the continuance of the independent dealer in Maine and that a tax upon the chain stores was the type of legislation we wanted in order to protect the forgotten man in business. At the time that legislation was under consideration it was necessary to make a compromise, with the result, if you will turn to your Legislative Document 210, that we had to add the last three lines to that bill and by the addition of those last three lines an exemption was put into our law permitting those people, who were powerful enough to have a lobby in the State House to get those three lines, permitting them to have an exemption that has already cost the State of Maine and the taxpayers of Maine twenty thousand dollars a line. If we strike out those last three lines, as I propose in this bill, we will say to the chain gasoline stations the same as we have said to the Great Atlantic and Pacific Tea Company and the First National Stores. "If you propose to do that type of business in Maine we expect you to pay

the same taxes as the A. & P. and the First National." And as a result of that we will add to the revenue of the State of Maine sixty thousand dollars a year, over forty thousand of which will come out of the chain gasoline stations.

(At this point the Hon. J. Blaine Morrison, former President of the Maine State Senate, was escorted to a seat at the right of the President amidst the applause of the Senate, the members rising.)

And I believe that the attitude of this Legislature, the legislative policy we should adopt here, is that in every instance possible we should attempt to protect the single individual in Maine who does business in Maine, who was born in Maine and who lives in Maine. We should do our utmost to protect him.

Now, somebody is going to get up and say that this is going to increase the tax on gasoline. Taking their own figures, the average profit in a chain gas station on gasoline, assuming that they sell only gasoline—and we know they all sell everything else—the average profit of a chain gasoline station is .0146 cents per gallon. Now, if we place this dollar and a half upon the individual gas stations, which would be the tax that the independent gas dealer would have to pay, it would mean that he would have to be contributing to the state treasury a profit on the first hundred gallons of gasoline only. Now, if we want to permit our economic structure in Maine to be centralized around a few chain systems whether they be chain newspapers, chain banks, chain grocery stores or chain gasoline stations, that is all right, but I don't subscribe to that theory of economic order in a state constituted as Maine is. And if we let this centralization of the gasoline business continue I wonder what we will be paying for gasoline in the future.

That is the social side of the proposition but there is a problem of taxation involved here and that problem is this: we say to the corner grocery store, "You shall pay a tax," we say to the stationer, "You shall pay a tax," we say to the dry goods man, "You shall pay a tax," and to the hardware man we say, "You shall pay a tax," but the chain gasoline people have been able to successfully lobby these

lines into our law, why shouldn't they if they could? It saves them twenty thousand dollars a line or a total of sixty thousand dollars. That is the trouble with our tax system today. We permit too many people to get a loop-hole at the expense of the tax-payers and the real property owners in Maine and I for one never shall subscribe to the theory of permitting one class of people to be exempted under our tax system.

Now they tell you that it will increase the tax on gasoline. Let us look at it from a practical business point of view. We will admit that the dollar and a half tax on the average independent gas stations in Maine is spread over his entire business, assuming that he only sells gasoline—and we know that they sell gasoline and tires and tubes and oil—I think you will all agree with me on this proposition that the dollar and a half tax on an independent gas station will be absorbed by the dealer himself and will not be handed on in the price of the commodity. Of course they will say that in the chain stores you are putting on a fifty dollar tax on the Standard Oil Company which has a chain store system. All right. Granted. But you don't for a minute believe that the Standard Oil Company, with their chain gasoline stations, is going to attempt to pass that burden on to the consumer of gasoline in higher prices of gasoline when its competitor, the independent gasoline dealer, is not handing it on, because the result would be that you wouldn't stop at the chain gas store, you would stop at the store of the independent dealer. Therefore, the only result of this bill would be that you would increase the revenue for the State of Maine sixty thousand dollars at the expense of the monopolistic gas interests that are now controlling the majority of the outlets of our business in Maine.

There are two things to be considered; the social significance of such legislation that will revert the control of our little business to Maine people, to the Maine individual, and secondly the opportunity to get sixty thousand dollars for the State treasury, which would not be an unfair opportunity, but through equalization of the tax business, tax burden, in private business.

Mr. PINANSKY of Cumberland: Mr. President, this matter came before the Committee on Legal Affairs and there was very little, if any interest in it except that taken by the distinguished Senator from Waldo, Senator Fernald, who appeared and discussed the matter. And for that reason, if for none other, I am of the opinion and I think it is the unanimous opinion of the committee, that there was no need for this legislation, which they reported "ought not to pass."

I know it is a popular thing in some corners, and I say this with the highest regard and greatest respect for the distinguished Senator from Waldo, to become enthusiastic about proposed legislation that has to do with taxation of large corporations and expect them to pay more and more as time goes on. When you look at it carelessly and superficially, it looks as if perhaps it was all right to do that, although apparently unjust, to my mind, but there are further and deeper considerations as has been well stated many times before our committee and other committees in this legislature. We seem to blind our eyes to the actual fact of the interest of others in connection with these large corporations, the small, poorer class of people who have what to them is a large investment in these corporations, and they, too, should be considered when we think of proposed legislation from the standpoint of punishing those who seem to be rich. My opinion is that we should approach these matters from the standpoint of justice regardless of whether one is a corporation, partnership or individual.

In matters of this kind, although it seems simple, there are deeper and more important considerations. The question of taxation is the most important question before this legislature in connection with the educational program which is so very important. There are those who say "no more taxes." Here is an attempt to tax further, whether it is for revenue, and whether those who fathered the bill did it to get more revenue for the state, I do not know. I make no criticism, but my opinion is that it is not advisable at this time. There are large companies operating in this state and they have more than one store, some have many gasoline stations, some have 50 and even

more, and there would be a tax on those who have a large number of stores of \$50.00 on each store. We know from a practical standpoint that if such a tax is imposed, it is my idea at least, that it will in one way or another come out of the pocket of the poor man, of the purchaser, you and me.

My distinguished brother (Senator Fernald) makes reference to the number of things sold in gasoline stations. That is true in many instances, but in most of them you can buy a package of cigarettes, but not a good cigar, and candy. But this license fee will, in some way, affect the stranger in our midst. We are talking about attracting visitors to Maine, but still in this manner which we do not give the serious thought that we should, we are little by little in this proposed legislation and in a similar bill, giving a message to those who would come here, to stay out, because wherever they stop to get a little gasoline or something else, they are going to feel the effect of these various means of taxation.

It is true that perhaps, it would not hurt some of the larger and so-called richer concerns if they had to pay a little more, but those concerns are running on a business basis and they know just what these things cost and they know just how much they are affected by this new legislation, and I say again from a practical standpoint it is a matter of common knowledge, yours, Mr. President, my own and the rest of us, that it eventually comes back to us and we pay it, and these ramifications indicate to me, at least, that it will tend to discourage the patronage of the outsiders.

There are many more matters for us to consider; why, I have in mind the proposed tax,—it may not go through because of an error in starting the bill in the Senate rather than in the House—on games of skill, which to us or many of us has seemed to be a very good subject for taxation without hurting anyone or discouraging any trade or patronage, and still when that was looked into seriously I found objection here and there not looking upon the surface alone but discussing it with those who gave it thought and consideration, we found that even there could be found grounds for objection. But the important thing, our Commit-

tee on Legal Affairs, constituted as it is of serious minded men and a distinguished woman, considering the matter thoroughly with justice to all sides and especially justice to the State of Maine, with a keen hold out for more and more money for Maine, legitimately obtained, we decided there was no call and no demand for this and it was unnecessary, and perhaps it was just a whim of one or more who thought it was popular to have such a thing and perhaps to stir up again some activity on the part of those who would be primarily affected.

Under those circumstances, with what I have learned in the few weeks I have been here with you, it does seem to me that after a matter of this kind is referred to a committee like the committee on Legal Affairs, and those men have seriously considered its merits and demerits, it should have the consideration of this august and distinguished body, and therefore, you should vote as we recommended after a thorough investigation, after relating to you that there was no interest in the matter one way or another. We should vote, I respectfully suggest, in accordance with the report of the committee.

Mr. JACKSON of Sagadahoc: Mr. President, I fail to get from the brief address of the distinguished Senator from Cumberland, Senator Pinansky, any reason why this bill should not be substituted for the report. He says that this is a taxation measure, and in the same breath he also says it is not important. It seems to me that every taxation measure before this body this session, large or small, is important. I may be a little thick, but I cannot understand why, if I am running a little neighborhood store, which I am not, on the corner and selling a small line of groceries, cigars, cigarettes, ice cream, soda, and nick-knacks, I pay \$1.50 store tax and the filling station right next door to me, perhaps not selling groceries but selling other things in my line, cigars, cigarettes, tires and other commodities, just why he should be exempt from that \$1.50 tax because he is one of a chain and is selling gas and oil. I simply cannot get it, that is all. I think the bill should be substituted for the report, with all respect to the members of the distinguished Legal Affairs committee.

Mr. ASHBY of Aroostook: Mr. President, it is with some fear and trembling that I am going to disagree with the illustrious gentleman from Cumberland, Senator Pinansky, but I have been in the legislature now—this is my fourth term—and I never knew a bill that affected corporations yet that the same old excuses were not made. Now, you know that the whole theory of taxation is that those shall pay the tax who can afford to pay and who derive benefits from the people. The gentleman from Cumberland, Senator Pinansky is afraid it will be passed back to the consumer. I believe it will. It is always passed back except in the case of the farmer. He is the sole exception where the tax is not passed back to the consumer. When the gentleman from Cumberland, Senator Pinansky, bought the suit of clothes he is wearing he helped to pay the tax of the garment manufacturer. And I will bet a cookie that when the same gentleman from Cumberland, Senator Pinansky, makes up his budget he includes his taxes and passes his charges in his particular business,—and I do not know what his business is—but I bet he will figure his taxes in his expenses the same as you all do. When we buy a railroad ticket we are helping pay the railroad company's tax. When we install a telephone we are helping pay the telephone company's tax. The farmer is the only exception because he has nothing to say about what he sells for or what he gets. I have never yet seen a tax proposed that affected big corporations that was not opposed on the ground that there was no demand for it. Well, I do not know how big the demand was. I was not at the hearing and do not know who appeared there; but the illustrious example which has come since I have been here is that you must not tax the hydroelectric companies although their profits are greater than any other in the state and they are the only public utility in the state that does not pay a tax, but you must not tax them because they would pass it back to the consumer. You must not pass an intangible tax although it represents more than 50% of the wealth of the state and they are only paying 2½% of all the tax, but you must not tax them because in some mysterious way they will pass it back to the consumer. You must not put an income tax

on the scores of millionaires who come to the State of Maine to dodge taxes because if you do they will leave the state. In fact, the only man to tax, if you listen to these people, is the poor man who cannot dodge it and he has been consistently paying most of the taxes.

Now, I do not imagine these gasoline stations are located here out of kindness of their heart to serve the people, but they are here for the profit they can make. I cannot see any good and legitimate reason why they should not be taxed for the privilege of operating within the State of Maine. I sincerely hope that this bill will be substituted for the report.

The PRESIDENT: Is the Senate ready for the question? The question is on the motion of the Senator from Waldo, Senator Fernald, that bill, An Act relating to licenses for retail stores, be substituted for the report "Ought Not to Pass".

Mr. FERNALD: Mr. President, I ask for a division.

A division of the Senate was had, Fourteen having voted in the affirmative and thirteen opposed, the bill was substituted for the report. Thereupon on motion by Mr. Blaisdell of Hancock, the bill was laid upon the table pending first reading.

#### Reports of Committees (Cont.)

The same Senator from the same Committee on Bill "An Act to Compel Parents to Contribute to Support of Neglected Children," (S. P. 222) (L. D. 195) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to Cities and Towns Refunding Indebtedness," (S. P. 206) (L. D. 186) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to the Officers of Towns," (S. P. 416) (L. D. 530) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to the Recordation of Births," (S. P. 332) (L. D. 346) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act to Create a Board of Harbor Commissioners for the Harbor of Portland and Defining its Powers," (S. P.

254) (L. D. 215) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to Definition of Bona Fide Dealers in Motor Vehicles," (S. P. 293) (L. D. 262) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Burkett from the Committee on Judiciary on Bill "An Act to Provide for Licenses and Permits for Outdoor Advertising," (S. P. 334) (L. D. 643) reported the same in a new draft (S. P. 625) under the same title and that it ought to pass.

(On motion by Mr. Hussey of Kennebec the report and bill were tabled pending acceptance of the report.

#### Passed to be Engrossed

Bill "An Act Relative to Dogs Hunting Moose, Caribou, Deer or Elk or Worrying Domestic Animals," (H. P. 776) (L. D. 275)

Subsequently, on motion by Mr. Worcester of Washington the rules were suspended and the Senate voted to reconsider its action just taken whereby the bill was passed to be engrossed; and on further motion by the same Senator the bill was tabled pending passage to be engrossed.

Bill "An Act Relative to the Salary of the Recorder of the Yorkshire Municipal Court," (H. P. 854) (L. D. 693)

Bill "An Act to Authorize the Erection and Maintenance of a Dam Across Spruce Creek in the Town of Kittery," (H. P. 1128) (L. D. 327)

Bill "An Act Relating to Corporation Without Capital Stock," (H. P. 1213) (L. D. 460)

Bill "An Act to Extend the Charter of Kennebec Reservoir Company," (S. P. 238) (L. D. 715)

"Resolve in Favor of the First National Bank of Houlton, Maine," (S. P. 271) (L. D. 722)

"Resolve Relative to Open Season on Pheasants," (S. P. 277) (L. D. 718)

"Resolve Relating to Ice Fishing for Perch in Orneville Ponds or Boyd Lakes," (S. P. 281) (L. D. 717)

"Resolve Relating to Ice Fishing in Summit Pond," (S. P. 282) (L. D. 716)

Bill 'An Act Relating to Incor-



porating the Madawaska Log Driving Company." (S. P. 284) (L. D. 315)

Bill "An Act Relating to Deputy Clerk of Courts in Penobscot County." (S. P. 304) (L. D. 713)

Bill "An Act to Provide for Annual Audits in Cities, Towns, Plantations and Village Corporations." (S. P. 457) (L. D. 653)

Bill "An Act to Authorize the Acceptance of a Surety Company Bond in Lieu of Bail-Bonds or Other Sureties." (S. P. 550) (L. D. 712)

Bill "An Act Relating to Offenses against Habitations and Other Buildings." (S. P. 551) (L. D. 711)

Bill "An Act Relating to Clerk Hire in Penobscot County." (S. P. 552) (L. D. 714)

Bill "An Act Relating to the Transportation of Poultry." (S. P. 554) (L. D. 720)

"Resolve Relating to Plug Fishing in Howards Lake." (S. P. 555) (L. D. 723)

Bill "An Act Relating to Exemptions." (S. P. 556) (L. D. 724)

Sent down for concurrence.

#### Orders of the Day

The President laid before the Senate, House Report from the Committee on Taxation "Ought to pass in new draft" on bill, An Act to tax games of skill (H. P. 1415) (L. D. 633), tabled by Mr. Blanchard of Franklin pending acceptance of the report in concurrence; and on motion by that Senator the report was accepted in concurrence and the bill was given its first reading.

Thereupon, the same Senator offered Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to House Paper 1415, Legislative Document 633, bill, An Act to tax games of skill. Amend said bill by adding to the end of Section 4 after the word 'applicant' the following: 'The licensing of any such games of skill shall not be a defense on the part of the part of the holder of such license to prosecution for violation of any of the provisions of Chapter 136 of the Revised Statutes as amended, relative to gambling nor to seizure and forfeiture thereof if used or permitted to be used for gambling purposes.'"

Thereupon, on motion by Mr. Cowan of Lincoln, the bill and amendment were laid upon the table pending adoption of the amendment.

The President laid before the Senate, House Report from the Committee on Salaries and Fees, Majority Report "Ought to Pass", Minority Report "Ought Not to Pass," on bill, An Act relating to fees of jurors (H. P. 14) (L. D. 75), tabled by Mr. Cowan of Lincoln on March 7th pending acceptance of either report; and the Chair recognized that Senator.

Mr. COWAN of Lincoln: Mr. President, in tabling this matter I felt that four dollars a day is enough money to pay jurors. They are subject to a draft once in three years only, they owe it to the civil part of our government to respond to a draft just as much as those who are drafted into our armies and made to fight perhaps even against their wish. A juror may be excused on reasonable grounds but should not be because of the fact that he should go and help be a part of our court and do it from a patriotic standpoint rather than a commercial one. I simply place before the Senate this brief argument and ask that the Minority Report be accepted.

Mr. WINN of Androscoggin: Mr. President, I move that the matter be laid upon the table that I may prepare an amendment.

The motion prevailed and the bill and reports were laid upon the table pending acceptance of the Minority Report.

The President laid before the Senate, Senate Report from the Committee on Claims "Ought Not to Pass" on, Resolve in favor of F. Harold Dubord of Waterville, Maine (S. P. 272), tabled by Mr. Burkett of Cumberland on March 7th pending acceptance of the report; and on motion by that Senator the report of the committee "Ought not to pass" was accepted.

Sent down for concurrence.

The President laid before the Senate, bill, An Act relating to the use of steam boilers (H. P. 66) (L. D. 22), tabled by Mr. Schnurle of Cumberland on March 7th pending enactment; and the Chair recognized that Senator.

Mr. SCHNURLE of Cumberland: Mr. President and members of the Senate, there has been a conference arranged for two o'clock today to try and correct some things in the bill that it would seem to be advisable to correct and I ask per-

mission and so move to retable this bill until such time as we have had a chance to work out something proper.

The motion to retable prevailed.

The President laid before the Senate, House Report from the Committee on Legal Affairs "Ought Not to Pass" on, bill, An Act relating to terms and salaries of City of Lewiston officials (H. P. 594) (L. D. 173), tabled by Mr. Blaisdell of Hancock on March 8th pending acceptance of the report in non-concurrence; and on motion by that Senator the bill and the report were recommitted to the Committee on Legal Affairs in concurrence.

The President laid before the Senate, House Report from the Committee on Taxation "Ought Not to Pass" on bill, An Act to provide for equalization of taxes (H. P. 1293) (L. D. 468), tabled by Mr. Pinansky of Cumberland on March 8th pending acceptance of the report; and the Chair recognized that Senator.

Mr. PINANSKY of Cumberland: Mr. President, there are matters pending before the committees on Taxation and Education that are very closely related to this matter and those matters have not as yet been determined by the committees they are referred to. I therefore respectfully request and move that the matter continue to lay on the table.

The motion to retable prevailed.

The President laid before the Senate, bill, An Act relating to the sale of intoxicating liquors (H. P. 1530) (L. D. 677), tabled by Mr. Bissett of Cumberland on March 8th pending second reading; and on motion by that Senator the bill was retabled.

The President laid before the Senate, House Report from the Committee on Inland Fisheries and Game "Ought to pass in new draft" on, Resolve relating to ice fishing in Eagle and St. Froid Lakes (H. P. 1604) (L. D. 691), tabled by Mr. Burns of Aroostook on March 12th pending acceptance of the report; and the Chair recognized that Senator.

Mr. BURNS of Aroostook: Mr. President, I tabled this matter yesterday and I have examined the re-draft and have talked with the chairman of the Committee and it

appears that the new draft includes Square Lake along with Eagle Lake and St. Froid Lake, so that ice fishing may be permitted there under rule of the Commissioner, and it seems to me that Square Lake should be eliminated from the new draft, which would leave us where we were under the original bill. There is also another change that was made making it permissible to start fishing from the time ice formed in the fall, whereas in the original draft it dated as of January first of each year, and unless the chairman of the Committee feels otherwise I think, in order to bring the matter to a head and facilitate action on the situation, that a motion should be in order to substitute the original draft or resolve for the new draft, and I make that motion.

The PRESIDENT: The Senator from Aroostook, Senator Burns, moves to substitute the original resolve for the new draft, in other words to substitute the resolve for the report. Is it the pleasure of the Senate that the original resolve be substituted for the report?

Thereupon, the resolve was substituted for the report and was given its first reading and tomorrow assigned for second reading.

The President laid before the Senate, Resolve in favor of Edwin P. Clifford (S. P. 325) (L. D. 721), tabled by Mr. Hussey of Kennebec on March 12th pending assignment for second reading; and on motion by that Senator the rules were suspended and the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate, bill, An Act relating to Emergency Municipal Finance Board (S. P. 557) (L. D. 719), tabled by Mr. Fernald of Waldo on March 12th pending first reading; and the Chair recognizes that Senator.

Mr. FERNALD of Waldo: Mr. President, this matter was tabled by me yesterday and I would like to have it retabled for further study and so move.

The motion to retable prevailed.

On motion by Mr. Burns of Aroostook,

Adjourned until tomorrow morning at ten o'clock.