

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, April 22, 1937.

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

Prayer by the Rev. Mr. Lincoln of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The House is honored this morning by the presence of the Speaker of the House of Representatives of our next neighboring State of New Hampshire. The Chair will ask the Sergeant-at-Arms to escort Mr. Speaker Henderson to the rostrum.

Mr. ELLIS of Rangeley: Mr. Speaker, I move that the rules be suspended and the Honorable Mr. Henderson, Speaker of the House of our neighboring State of New Hampshire, be invited to address us.

The motion prevailed, and Speaker Henderson of New Hampshire was escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the House, the members rising.

The SPEAKER: The Chair takes great pleasure in presenting to the House Mr. Speaker Henderson, of New Hampshire. (Applause, the members again rising.)

SPEAKER HENDERSON of New Hampshire: Mr. Speaker, I hardly know how to address this body. I failed to ask your Speaker how to address the members of this House. There is a rather standing joke in the New Hampshire on that point. The dean of our House, who has served seventeen terms, is very critical as to how one member should address another. If a member over there refers to another as "the gentleman from Jaffrey," immediately the old dean stands up and calls him to order and says there is no such term to use in addressing a member of the House, that we must address him as "the member from Jaffrey," or wherever it may be. I do not know what your custom is here, so I will simply address you as "Ladies and Gentlemen of the House."

As I look over this body I cannot help but compare it with my own House. There we have four hundred men and eighteen women. So when you look at the size of their Speaker, you wonder how he ever gets away with it, and if he did not have

the strong arm of the law back of him, I do not know whether he would or not.

It is a pleasure for me to come to Maine. I have very fine recollections of a man whom I knew in the State of Kansas. He was much older, an old Civil War veteran, but we met often at the Shrine Club where we would bowl by the hour. One day I said to him, "Well, Colonel, where did you develop all that muscle, that grip, that physique?" He said, "In the Maine Woods." From that day I have always been anxious to see the Maine Woods, so when a call came to me to come to New Hampshire, I was very glad to accept because I knew it would take me next to Maine, and I assure you that I have roamed through your beautiful State, seeing its lakes and streams and have been through its forests; and, if I ever change again, I know where I shall land,—it will be in Maine, more especially after the last unpleasantness. (Laughter and applause)

I bring to you no new panacea for taxation,—rather, the group that came with me are seekers after a method of settling our own vexatious taxation problem. We have before us a tax program with a sales tax included, and I want to assure you that no one knows where it is going to land. I understand that you are having the same vexatious problem here. We are having Fast Day in New Hampshire and that gave us the opportunity to visit your State and your Legislature. I am very glad to be here. I know how busy you are and know that you are anxious to get through with the work and go home. I want to extend to each and every one of you an invitation to visit the New Hampshire Legislature. Much to my regret—and I hate to say it—I think we shall be in session for the next six or eight weeks, and that will give an opportunity for all of you to visit the New Hampshire Legislature. (Laughter and applause, the members rising)

Paper from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 529, L. D. 1065: An act to clarify the administration of the liquor laws.

S. P. 527, L. D. 1066: An act to create and allocate a General Highway Fund for State Road, State

Aid, and Third-class Highway Construction.

From the Senate: Report of the Committee on Ways and Bridges on bill an act relating to safety on highways (S. P. No. 71) (L. D. No. 47) reporting same in a new draft (S. P. No. 522) (L. D. No. 1057) under title of an act to establish organized highway accident prevention work as a function of the Maine State Police, and that it ought to pass.

Comes from the Senate report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A as amended by Senate Amendment A thereto.

In the House, the report was read and accepted in concurrence and the bill had its two several readings.

Mr. GOSS of Poland: Mr. Speaker, as Senate Amendment A to Senate Amendment A has been printed and distributed, I move that we dispense with the reading of it.

The motion prevailed.

Mr. GOSS: Mr. Speaker, I now move the indefinite postponement of Senate Amendment A and Senate Amendment A thereto.

The SPEAKER: The pending question is on the adoption of Senate Amendment A to Senate Amendment A. Does the gentleman move the indefinite postponement of Senate Amendment A to Senate Amendment A?

Mr. GOSS: I do, Mr. Speaker.

The SPEAKER: The gentleman may speak on Senate Amendment A to Senate Amendment A.

Mr. GOSS: Mr. Speaker, it was my intention to speak on the first Senate Amendment A. If the question now is on Senate Amendment A to Senate Amendment A, I merely move the indefinite postponement of that amendment.

The SPEAKER: The gentleman from Poland, Mr. Goss, moves that Senate Amendment A to Senate Amendment A be indefinitely postponed. Is the House ready for the question?

Mr. CHASE of Baring: Mr. Speaker, Senate Amendment A to Senate Amendment A has already been adopted by the Senate.

The SPEAKER: The gentleman must not refer to the action of the Senate.

Mr. CHASE: I beg your pardon, Mr. Speaker. I think that the amendment clarifies the bill very

much and I hope that the motion of the gentleman from Poland, Mr. Goss, does not prevail.

Mr. GOSS: Mr. Speaker, I would just state, with reference to Senate Amendment A to Senate Amendment A, that, as I understand it, it provides for the organization of the two Safety Departments into a new Safety Department, a new organization.

The SPEAKER: The pending question is on the motion of the gentleman from Poland, Mr. Goss, that Senate Amendment A to Senate Amendment A be indefinitely postponed.

Mr. HINMAN of Skowhegan: Mr. Speaker, it would seem that all parts of the safety are involved in both of these amendments. Is that correct? These amendments are not on my desk and I am just wondering if the question of safety must be discussed before we act on these amendments.

The SPEAKER: The Chair understands that Senate Amendment A has been printed as a legislative document.

Mr. ELLIS of Rangeley: Mr. Speaker, what is the number of the amendment, the filing number?

The SPEAKER: The filing number of Senate Amendment A to Senate Amendment A is 161. Senate Amendment A was printed as a legislative document and was not assigned a number. It was distributed at the desks and attached to L. D. 1057.

Mr. VARNEY of Berwick: Mr. Speaker, simply in an effort to clarify the situation so that we may know what we are talking about, I notice that Senate Amendment A to Senate Amendment A, and which it has now been moved that it be indefinitely postponed, simply changes the title of the act. Now if I am correct in that, I would make the suggestion that if the gentleman from Poland, Mr. Goss, would withdraw his motion to indefinitely postpone Senate Amendment A to Senate Amendment A and permit Senate Amendment A to Senate Amendment A to be adopted, then we would come to the question of the adoption of Senate Amendment A as amended by Senate Amendment A, which, as I understand it, the gentleman from Poland (Mr. Goss) intended to move to indefinitely postpone.

Mr. GOSS: That is right, Mr. Speaker, and I will withdraw my motion.

The SPEAKER: The gentleman from Poland, Mr. Goss, withdraws his motion that Senate Amendment A to Senate Amendment A be indefinitely postponed, and the question is on the adoption of Senate Amendment A to Senate Amendment A. As many as are in favor of adopting the amendment to the amendment will say aye; those opposed no.

A viva voce vote being taken, Senate Amendment A to Senate Amendment A was adopted.

The SPEAKER: The question is now upon the adoption of Senate Amendment A as amended by Senate Amendment A to Senate Amendment A, and the Chair recognizes the gentleman from Poland, Mr. Goss.

Mr. GOSS: Mr. Speaker, I now move the indefinite postponement of Senate Amendment A.

My friends, the original Safety bill, L. D. 47, called for the setting up of a new department with a commissioner appointed for five years with an office in the State Capitol, and he would have authority to appoint whatever assistants were necessary.

As a member of the Ways and Bridges Committee, before whom this bill was heard, I can truthfully say there was a large attendance of both proponents and opponents.

In executive session the members of the committee disagreed as to just what should be done. However, we were determined and agreed that some sort of a safety bill should be passed at this session. We were also agreed that this Legislature would not tolerate the organization of a new department.

In order that a reasonable measure might be formulated, it was necessary that the matter be somewhat delayed until finally we arrived at an agreement which seemed to all of us would be agreeable to the Legislature. We reported out the new plan in the form of a new draft, L. D. 1057, which provided that the industrial safety remain in the Labor Department and the Highway Safety be placed with the State Highway Police Department.

I wish to state that I personally talked with Captain Towle of the State Highway Police, and he stated that his department was well able

to handle the Highway Safety program. I also found out we have ninety highway police traveling the highways all over our State. Is it not only reasonable that a department with such an organization as this could carry on such work with much more efficiency and economy than a new department without this organization? And, furthermore, one of the officers told me that it was a part of their duty to protect people and their property.

Captain Towle also told me that today the Highway Police Department have a man in Northwestern University taking a course in the promotion of Highway Safety. This was sanctioned by an order of the Governor and Council. Perhaps he could be used as an assistant to our present safety executive. I also understand that the money that finances the safety car and other successful safety work is coming from the Police Department.

And now we have before us this amendment, which reads: "Strike out all after the enacting clause." It is practically a copy of the old bill which provides for the new and separate department and is not what the committee recommended at all.

I wish to present several telegrams which were received yesterday and the day before. I want to read one or two of them, just to give you an idea of the sentiment.

"Harold J. Goss, House of Representatives, State House, Augusta:

"The State Federation of Labor is opposed to taking industrial safety from the Department of Labor * * *."

These others are practically all the same:

"Bangor Central Labor Union protests the taking of the Department of Industrial Safety from the Department of Labor * * *."

The Carpenters Union 621 Bangor and the Cigar Makers Union Number 79 both protest the same. And I want to read this one:

"Local Union 237, Brotherhood of Painters, Decorators and Paperhangers of America, Portland, tonight unanimously voted to oppose the transfer of industrial safety from the Department of Labor and respectfully urges all members of

the House of Representatives to oppose this bill.

(Signed) WILLIAM CROSSLEY,
Rec. Sec."

Local 714 of Street and Electric Railway Employees of Portland are opposed. Moving Picture Machine Operators Local 458 are opposed. International Brotherhood of Electrical Workers, Portland; Truck Drivers and Helpers Local Union are opposed.

"The Central Labor Union affiliated with the American Federation of Labor and its affiliated unions, Portland, Maine, is opposed to any legislation removing the industrial safety personnel from the Department of Labor and Industry and respectfully ask you to submit this telegram of protest to your honorable body in session. We further believe that this important matter should be submitted to a referendum vote of the citizens of Maine.

Respectfully submitted,

(Signed) ALBERT N. TARDIF,
President.

FRANK C. McDONALD
Secretary."

My friends, do not let anyone tell you that we are opposed to safety. We are all in favor of safety, but not a new department.

I am personally concerned about the matter, perhaps more than the ordinary person, because I had the misfortune of seeing my own little brother toddling along on his way to school, a book in one hand and colored pictures in the other, knocked down and run over by an automobile.

My friends, at home I have got four little girls. They mean much to me. However, after hearing all of the evidence that was presented, I am thoroughly convinced that they will be just as well protected under a division within a department as by an entirely new department.

Mr. Speaker, I urge the indefinite postponement of Senate Amendment A.

THE SPEAKER: The gentleman from Poland, Mr. Goss, moves that Senate Amendment A be indefinitely postponed. The Chair recognizes the gentleman from Fort Fairfield, Mr. Findlen.

MR. FINDLEN: Mr. Speaker, for sixteen months both industrial and highway safety activities have been carried on in a joint fashion. The

results are most pleasing in that Maine led the nation in industrial fatality reduction, cutting deaths in industry nearly fifty per cent since 1929. Maine was one of the few states to cut deaths on the highways during 1935 and is the only state in New England at this time having a reduction in highway deaths this year.

The industries of Maine, together with the banks and oil companies, financed the highway safety activity. One company gave \$2100 to the work, which is but \$900 less than the amount appropriated by the Governor and Council during 1936. Over one hundred and fifty thousand persons have been contacted directly or indirectly in the interest of street and highway safety and outstanding among these has been the response of the Grangers of this State. An endorsement of the street and highway safety program has always been forthcoming in this group, and State Grange Master Richardson has telegraphed his wholehearted endorsement of the idea of establishing a state department of safety to carry on that which has been so well begun and to continue to build upon the foundation material now available for the first time.

For years Maine has attacked the highway problem wearing a blindfold. Less than a year and one-half ago the officials of this State did not know within one hundred and fifty persons the number killed by motor vehicle accidents in 1935. Neither did the people of Maine know when accidents occurred, how they occurred or why they occurred. A man building a bridge under such conditions would be certain of a failure. National authorities join with those interested in Maine in continuing this fact-finding and advisory work. How else would interested departments of this State know of progress elsewhere and how else would Maine profit by the successes and failures of other states?

The tremendous success of the industrial safety in Maine was utilized as a foundation upon which to build the highway safety activity. Nearly every Maine community has as its nucleus a manufacturing establishment and nearly every manufacturing establishment in this State has made remarkable accomplishments in the industrial accident reductions. It is comparatively easy,

therefore, to extend safety work to include the street and highway phase and this has been done.

The street and highway accident prevention work over the past sixteen months has proven that 71.5 of the motor vehicle deaths have occurred in rural communities. A tremendous education activity is needed together with a certain amount of engineering and enforcement work. A department of safety would serve as a mortar to bind the several agencies charged with a betterment of conditions and would coordinate the work to be sure that proper emphasis is placed upon each and every phase.

For the first time safety work has been carried to the consumer. Hundreds of talkie movie picture shows have been taken in the highways and byways of this State. Thousands of persons have been educated. Not a single meeting for months has failed to give a hearty endorsement to a State Department of Safety.

It happens that if this bill fails there will be no provision in the Statutes of Maine for industrial safety work and no assurance that it will continue. Furthermore, this is not the time to vote for duplication with a resultant doubling in cost. One director, one office force and one set of equipment has sufficed. The results have been outstanding. National authorities join with local parties in urging a permanent State Department to meet the present emergency.

Four hundred and twenty-nine lives were lost in the recent Ohio flood disaster. These lives were lost from Cairo, Illinois to the Gulf of Mexico. Every person and agency in the United States arose to the occasion and contributed liberally both of sympathy and of money. Millions were spent for relief. Before another Legislature convenes nearly **500 lives will be lost** in Maine alone by reason of deaths on our streets and highways. Can we afford to be interested in a disaster in the Ohio River Valley to utterly ignore an even greater disaster among our 800,000 inhabitants.

This bill **costs the State nothing** and provides two essential kinds of safety. It satisfies a tremendous public demand. It is not an experiment because for months governmental agencies and municipal offices have been profiting by the work. Even though it were to cost a con-

siderable sum, this Legislature would be very amiss to turn its back upon such a calamity. It is hoped that this cause of death and disaster (215 deaths annually, 7,000 personal injuries and 28,000 property damage accidents) will be looked upon as a plague and attacked accordingly.

Highway safety is one of our paramount issues of today. Our highways are unsafe. We are killing people by the hundreds and destroying property by the million, with some of us hesitating about doing something about it. We have passed up compulsory insurance. Let us stop and apply a little common sense to the proposition. Let us put the responsibility of handling the safety program into the hands of a good man and let him see what he can do about it. The Highway Police Department has plenty to do to enforce the law. This is more a problem of education in our homes and schools. This is a measure to conserve lives and property and to relieve human suffering. Our homes and hospitals are becoming filled with people whose lives have been wrecked by automobile accidents. It is high time that we take a constructive step to protect ourselves and our people.

I hope these amendments are not indefinitely postponed.

Mr. PAYSON of Brooks: Mr. Speaker and members of the House: We might think by this little composition that we have just had read to us that this Ways and Bridges committee, of which I am a member, was trying to do away with or was going to do away with our industrial accident prevention, and also our highway safety. Well now, that is misleading. Our industrial safety remains just the same, under the Department of Labor. We have created a Division of Highway Safety, which we have now and put it under the Department of the State Highway Police, in order not to create a new department in the State of Maine—and of course you all know how I feel about creating these new departments. So I hope that the amendment will be indefinitely postponed.

Mr. ELLIS of Rangeley: Mr. Speaker, when this bill was heard, there came before the committee on Ways and Bridges many labor men who absolutely refused to have us consider taking anything out of

the Labor Department for this new proposition. With that in mind, we tried to satisfy everybody and leave labor as is and set up under the State Highway Police a sub-division that would do the work that is already being done. That would not be curtailed in any way. We believe that it would be cheaper to do it that way, and it would be done more efficiently.

They said it would not cost anything to the State, that ten cents out of each sticker would be taken out to pay the bill. It does not make any difference whether you take ten cents out of one pocket of your trousers or the other—the new department is going to cost \$30,000 to the State of Maine. Furthermore, you will find on your desks this morning another raise in the ante, ten cents more. I do not know whether it means you are going to pay just ten cents or twenty cents out of one pocket.

I believe that Highway Safety can be carried on more economically in the Department of Highway Police than in any other way. I hope the motion to indefinitely postpone prevails.

Mr. CHASE of Baring: Mr. Speaker and Members of the House: As one who is engaged in industrial safety work, I hope I may be able to make each and every one within the sound of my voice realize the important part that safety plays in our lives: safety in industry, safety on our highways and safety in our homes.

I do not think it is necessary for me to say very much about safety on the highways. Practically every newspaper carries an account of some deplorable accident, but I wonder if you realize what safety in industry means?

Perhaps I can bring this to your minds in no better way than to give you the experience of the St. Croix Paper Company, who, I think, are the pioneers in industrial safety in Maine.

From 1920 to 1925 they had an average of 115 lost-time accidents per year, with fatalities running from five to ten. Now just think what this meant. At least two and a half times each week when the mill whistle blew the doctor was called; the housewives stopped their work and looked out the window to see if perhaps a husband or son was being brought home on a

stretcher. Children at play on the streets stopped and watched to see if it might be their daddy who was being brought out of the mill.

In 1926 the general manager said: "This slaughter of human beings must be stopped." He inaugurated a safety campaign, and immediately it began to produce results.

I am not going to read the statistics for each year, but the accidents steadily declined until in 1932 we had not a single lost-time accident; in 1933 not a single lost-time accident; in 1934 not a single lost-time accident; and in 1935 one and in 1936 one.

Now this was something to be proud of. Perhaps you say: "Well, where did that get you in dollars and cents. Let me tell you that from 1920 to 1924 it cost the company \$16.60 per man for their lost-time accidents. From 1932 to 1936 it cost us four and a half cents per man. Does safety pay?"

Now the statement has been made that the labor organizations throughout the State are opposed to this. I can hardly believe that this is so. I have here a telegram from seven unions: Labor here demands you support enactment of State Safety Department bill *."

Now not only the St. Croix has saved money and human lives, but the Hollingsworth-Whitney Company up here in Waterville have done an excellent job along that line and have cut their costs remarkably and have cut their accidents, running in 1929 in the Waterville mill to 209 lost-time accidents, down to six in 1936. The Bath Iron Works in 1930 paid \$39,343 on their 500 employees, an expenditure of \$33.39 per man. In 1936, when there were twice as many employed, twice as many exposed to the hazards of the shipbuilding industry, they cut that loss to \$19.96, practically cut in half.

I want to say to you that the industries of Maine are back of this move. We have had a safety department for the past eighteen months, and when it was proposed to set up that department to go into highway safety as well as industrial safety, the industries contributed a great part of the funds to put this across.

I do not know that I can say very much more along this line. You may be interested in this telegram, a copy of which I have here, from

the National Safety Council, which looks after safety in the United States:

"On basis of figures on hand, Maine led country in reduction of industrial fatalities during first three months this year. Two deaths during that period compared with nine during same three months year ago means seventy-eight per cent reduction. Only state approaching was Vermont with seventy-one per cent drop. Next best Wisconsin with twenty-five per cent reduction. Average twenty-four states during same period nine per cent increase."

I feel proud of the record that Maine is making, and I feel sure that industrial safety and highway safety can best be looked after by one responsible head, and I hope that the motion to indefinitely postpone this amendment will not prevail. Let us be mercenary and save money, but let us be merciful and save human lives.

Mr. RAMSEY of Winslow: Mr. Speaker and Members of the House: I am sorry that I have not the oratorical ability that some of the opponents of this bill have, but I do feel that if I did not rise at this time and express the sentiment of the industries in my town, employing in the State of Maine at the present time nearly 2000 people, that I would be utterly failing in any part of the job that I was sent here to do.

I merely want to state the Hollingsworth-Whitney Paper Company, whose record you have heard, is whole-heartedly and fully behind this bill. I hope the motion of the gentleman from Poland (Mr. Goss) does not prevail.

Mr. LEE of Rumford: Mr. Speaker and Members of the House: I feel that it is necessary for me to speak somewhat on this bill, as I attended the hearing on the original bill held before the Ways and Bridges Committee, and I believe at that time there was considerable opposition by organized labor within the State. In my opinion, organized labor at that time was misguided and misdirected. It did not have a real conception of what this bill offered towards industrial safety or for the benefit of the industrial worker in the State of Maine.

Now I represent an industrial community in which there are 2500 persons employed in paper mills, and, in the neighboring town of

Dixfield, an additional 800 in a novelty factory; and I have the endorsement of not only the officials of the town of Rumford and the town of Dixfield, but of the workers themselves, that they most heartily endorse this new amendment and believe that a new department should be set up, without any additional cost to the State of Maine—for, I believe, the cost will come from the sale of stickers, ten cents out of each fifty cents that is collected on stickers shall go for the use of the Department of Safety for the prevention of accidents on the highways and in industry.

At the hearing conducted before the Ways and Bridges committee there was presented a copy of a letter from Chief Wilbur H. Towle of the State Police, directed to Mr. Walter J. Brennan, Director, Maine Highway Safety Campaign:

"It is noted that the bill pertaining to the matter of consolidating Highway and Industrial Safety activities to form a new Department, comes up for hearing on Wednesday, February the third.

"After reading this bill over very carefully several times, I wish to state, at this time, that the Maine State Police, from the top to the bottom, is for this bill 100%.

Sincerely,

(Signed) WILBUR H. TOWLE,
Chief Maine State Police."

I am wondering why it is necessary to take a watch that is running perfectly to a jeweller to be tampered with.

I have heard the statement made that there is a member of the State Police Department out in Northwestern University being trained for highway safety action. I do not believe it was the intention of the people of the State of Maine, when they created through legislation the State Police Department, that they would be called upon to use their full force for the prevention of accidents on the highway. It is my opinion that the State Police will have their hands full in the State of Maine in the next few months looking after the best interests of the people of the State of Maine in the industrial centers of the State, and, if this is true, they will have no time for safety work.

I have here a telegram from W. H. Cameron, Managing Director, National Safety Council, endorsing

this action, also a telegram from Ralph W. Pendleton, Secretary Massachusetts Safety Council.

I would like to give you a statement of the industrial accident work conducted by the St. Croix Paper Company, Woodland, Maine. In the years 1920 to 1924 they paid a total compensation of \$49,835, the cost per man being \$16.60 annually. Through safety, in the years 1932 to 1936 the total compensation paid was but \$89.31—four and one-half cents per man.

"If a newsprint mill of 150 tons daily capacity made a profit of \$1.00 a ton, this economy by reason of accident reduction would be the equivalent of an increased production of 31 tons daily without an increased power consumption or overload charges. Incidentally, the safety economies of this plant alone represent a saving of over fifty per cent of the sum of money spent by the State of Maine for the promotion of accident prevention in all of our mills."

I would like to quote excerpts from an editorial in the Columbus Evening Dispatch, Columbus, Ohio, on Industrial Safety in Maine:

"The Pine Tree State has been ahead of most of her sister commonwealths in organizing her industries for the protection of the workers therein against industrial accidents.

"... Maine seems to have learned that economy of the limbs and lives of her workmen is far more profitable than any attempt to economize by saving the dollars which safety for her workers costs.

"'No other investment,' says the commissioner, 'can offer dividends in dollars saved, and at the same time guarantee the dividends of efficiency and a reduced by-product of crippled humans.'"

"It is worthy of note that the passing away of the old-time indifference to the safety of industrial laborers has occurred in an age which many like to denounce as the most heartless era of material selfishness the world has ever seen."

I could give you more detail of other industries, but I do not think it is necessary, as they have already been covered. I would simply like to read this letter here from the Berst - Forster - Dixfield Company, Dixfield Maine:

"Our company is intensely interested in the matter of there be-

ing created through legislative action a new department to administer the activities of highway and industrial safety. With a personnel in Maine of more than 1,000, we appreciate how vital the matter of safety is to our healthy existence, not alone from the angle of the surely increased efficiency of operation where safety is constantly practiced, but most importantly because we are taking every precaution to protect the security of our employees and in so doing are also properly safeguarding the welfare of those dependent upon them.

"This is just what you are doing for the people of Maine, and we are fully in accord and highly commend the efforts and accomplishments in this matter of safety that have emanated from and have been constructively furthered through the activities of your group and believe that every assistance should be afforded so that such endeavors shall become a lasting function of our State government. We are positive that in this we are voicing the desire of a large majority of our citizens and of every industrial unit within our borders."

In conclusion, I would read you from the Portland Press Herald, Thursday morning, April 22nd:

"Maine Only State in New England to Cut Auto Fatalities So Far This Year."

"Maine is the only State in New England that has reduced its motor vehicle fatalities in the first quarter of this year, Walter J. Brennan, director of the Maine Highway Safety Campaign reported Wednesday. Incidentally, Mr. Brennan received word Wednesday from the National Safety Council that Maine leads the Nation in industrial safety.

"Available figures, Mr. Brennan reported, show that the gasoline consumption for March exceeds by 34.4 per cent the figure for March, 1936, and by 23.2 per cent any previous first quarter. Motor vehicle deaths per ten million gallons consumed reached a new low of 11.5 for the first quarter of this year, compared to 14.9 for the first quarter of 1936 and 34.8 for the first quarter of 1935. The figures, Mr. Brennan said, indicate a 50 per cent reduction in motor vehicle fatalities since the work started on gasoline basis."

Now it does seem to me, though I do not wish to criticize the way in which the committee acted, because

I believe they gave it a lot of thought, and they had those who represented labor at that time in opposition to the bill, but, as I said before, I think and still feel that labor was somewhat misguided and misdirected, and that it had not full knowledge of what this bill would give them were it enacted.

It was brought to my attention last night by a group who appeared at that hearing—and I have seen the signatures, because the meetings were all conducted within the last week—that every women's club in the State of Maine has endorsed this bill one hundred per cent. They are interested in safety, whether it be on highways or in industry. And why should they not be interested? The woman who is in the home while her husband is in the factory is somewhat concerned over his safety, in order that he may provide for her at the present time and in the future, and the same woman who has a husband who travels the highway is concerned over his safety also. So I say they have a right to be interested and a right to express their feelings down here among us, and they have conveyed to me that they are one hundred per cent for the bill. I do hope that the indefinite postponement of this bill will not prevail.

Mr. ELLIS of Rangeley: Mr. Speaker, I am glad that the gentleman from Rumford, (Mr. Lee) has spoken, and also the gentleman from Baring (Mr. Chase), because I think they have both proven beyond reasonable doubt that the amendment should be indefinitely postponed. They have told you how efficient the department is today under the Department of Labor—and that is one thing we have not touched; we are leaving it right where it is. If it is so efficient, why change it now?

Mrs. CURRIER of Bangor: Mr. Speaker and Members of the House: I was a bit interested in what the gentleman from Rangeley, Mr. Ellis, just said. None of us doubt the efficiency under the two set-ups, but is there not a chance for greater efficiency under one?

The women of this State are interested in safety. I have been just a bit interested in the telegrams which the gentleman from Poland, Mr. Goss, has read. I would like to say that I am representing Bangor, and from Bangor I have just

one telegram against this bill, and several letters, not telegrams, asking that the delegation from Bangor support the bill. I hope the motion of Mr. Goss does not prevail.

Mr. SEABURY of Yarmouth: Mr. Speaker, if I may indulge a few minutes more upon your patience. I do not know that I can add to your information, but I hope that I can arouse your interest. I believe this matter is of extreme importance—and I would like to underline the word "extreme". The matter of safety today has become a major problem. We are inclined, in the mechanized age in which we are living, to just shrug our shoulders and say that is too bad, every time we hear something has happened, a disaster or anything.

I am somewhat like the gentleman from Poland, Mr. Goss, in that I think perhaps I have a little more personal interest in the matter because I happen to be one of the fellows behind the wheel when one of these accidents took place.

I tell you we have got to have a campaign of education, and the pedestrian needs to be educated as well as the automobile driver. Now I am convinced that in many other matters we have it pretty well under control. I know you will agree with me that in this State of Maine we had a threatened epidemic around the State, or there happened to be some community in the State where people suddenly became sick or felt a little under the weather, and if there seemed to be an epidemic in that locality, the Department of Health would be notified immediately, and probably they would cause somebody's cow-barn to be examined. They would send an inspector down there at once, and it would be corrected.

Now here is a matter where we are actually killing people and putting them in the hospital. This man I ran into two years ago last March is still in the hospital. I want you to understand I have an interest in the matter of safety, and I believe that this new department is entirely justified. I am a little bit peeved at the idea of getting the dollar sign in front of everything. I think it is a disgrace on the American people that we have to get the dollar sign before everything. I think there are times when the dollar sign ought to be thrown out of the window. This is not a matter that should be put on the basis of the

dollar sign—I don't care whether it costs ten thousand, one hundred thousands or a million—it is worth it. We could not spend the money in any better way. We have just put through an appropriation bill for nineteen million dollars. I tell you we should make our highways safe if it costs ten thousand or thirty thousand. I do not like the idea of the dollar sign. It is all right in some places.

There is no objection to creating a new department. I do not like going along with that as a wholesale proposition, but if it is justified I am with you. But there are times when we should create a new department—and I could name you some other departments that might well be created, but at this time I shall not impose on you as to what they are. I think there is serious need of creating a department for Highway Safety at this time, and I certainly hope that the motion of the gentleman from Poland (Mr. Goss) will not prevail.

Mr. WALLACE of Sanford: Mr. Speaker and Members of the House: I think I represent one of the largest towns and one of the largest concerns in this State. They are behind this measure one hundred per cent.

Mr. OWEN of Bath: Mr. Speaker, I do not propose to have anything to say on the merits of this bill, as that has been already pretty well covered by both sides; but, lest there should be an understanding that a large part of the labor of the State is opposed to the bill, I want to say that I have been advised by the Bath Iron Works, which has a safety organization, that to a man they are in favor of this bill, of the whole bill, the Department of Safety. And I have also been advised that the Bath Iron Works Corporation itself is entirely in favor of the bill. I have also been advised from various women's organizations in Bath who give me leave to say that all of the active women's club organizations in Bath are for this bill.

Mr. McGLAUFILIN of Portland: Mr. Speaker, I have this bill before me. I have not the amendment. I have been listening for sometime to have somebody explain what this amendment is. It was not read, and I do not yet know what we are talking about. I would like to have somebody explain what that amendment is.

Mr. NEWTON of Readfield: Mr.

Speaker, I think this bill has been pretty well discussed. There is one phase of the matter, however, that it seems to me has not been emphasized quite as much, but which Mr. Seabury did mention. That is the campaign of education.

Up to a year and a half ago none of us knew anything about it. For the past sixteen or eighteen months it has come to the attention of all of us. We are finding out more about what needs to be done, and there have been some of the ways pointed out by which it can be done.

I think that we ought to support any measure which looks towards safety, safety on our streets, safety in our shops, safety everywhere. We need to get behind this bill.

I do not know whether this amendment is to be presented later or not. I wonder why it is here on our desks. The amendment raises this fifty cent charge to sixty cents. I have an idea this is aimed against the bill. The bill we have before us is fine, and we as members of this Legislature ought to get behind this safety campaign. I hope the motion of my friend from Poland, Mr. Goss, does not prevail.

Mr. RUSS of Caribou: Mr. Speaker and members of the House, as Mr. Newton has just told you, the merits of this bill have been thoroughly discussed, and there is no need of my taking your time in going over that phase of it.

Here is a point which your committee on Appropriations considered very seriously: The way that bill is written, the blue sky is the limit—he shall be appointed by the Governor and Council and procure what assistance he requires.

We have been here for months arguing over an appropriation in round numbers of three million dollars, and yet we cannot agree. I am fully satisfied that every man and woman in this hall is thoroughly in accord with safety. As the gentleman from Baring, Mr. Chase and others have very ably pointed out to you: The world has become safety-minded through various campaigns I think that the splendid record already shown here is evidence enough that the State of Maine is walking abreast with all the other states in protecting her citizens.

If this bill is passed as written, there is nothing to prevent the cost of this one department amounting to all the money that we have been

arguing about here for months. I am thoroughly in accord with safety, but I feel that it can be properly handled in the two departments which are handling it at the present time, and I am opposed to the setting up and creation of a new department. I hope that the motion of the gentleman from Poland (Mr. Goss) will prevail and that the amendment will be indefinitely postponed.

Mr. HINMAN of Skowhegan: Mr. Speaker and Members of the House: I have made it a rule since it became my pleasure to be one of you to on no occasion take more than five minutes of your time. I am going to ask in this particular case that you give me the one privilege at this time of taking a little more than five minutes. I ask it without any personal interest. It makes no difference to me whether you have a Department of Safety or not, as far as I am concerned. But there is something involved here that is deeper than that, and, before I go into a discussion of the matter, I am going to ask your indulgence while I mention the remarks of some of those who have spoken on the question.

The gentleman from Fort Fairfield, Mr. Findlen, has suggested that safety must continue. Now our move is entirely in sympathy with that program. Why not leave it where it is? I agree with him. We are all with him. Why should we change it?

The importance of safety has been expressed by the gentleman from Baring, Mr. Chase. I submit to you that the experience of the St. Croix Paper Company has no bearing upon our safety program, because the present personnel and procedure need not be interfered with except as the present incumbent himself chooses to have it interfered with. If it is really so efficient, why should we change it? The new bill I propose will not change it. I will certify as to the authenticity of the messages which the gentleman from Poland, Mr. Goss, has read. They were all messages having come yesterday and having been from those whose names he has read. The gentleman from Baring, Mr. Chase, has mentioned the Safety Council as expressing our past record. We agree with it. Why should we change it? It seems to me it is an

especially nice record and we do not want to interfere with it.

The gentleman from Rumford, Mr. Lee, has talked about endorsement. I have only one endorsement, and that is my conscience. That is the only reason I am speaking on this question. I have no other interest. The gentleman from Rumford, Mr. Lee, has also made the statement that the State Police are for this bill. The State Police is for the bill but not for the amendment. There is no question about that part. He tells us how good our safety program has been. We agree with that, and we do not care to change that.

The Ways and Bridges committee have given careful consideration to this matter. It has been with them probably longer than any other bill that they had, and there is no question but what they have considered it very carefully, and their judgment is probably better on the subject than those of us who are picking it up more or less hastily.

They have mentioned the endorsement of the women's clubs of the State of Maine. I know of some of those endorsements, and I know that the same lobby that has been here in this building lobbied these women's clubs. I know that for a fact. I submit to you, gentlemen, I am not criticising the lobbyists; I am for the lobbyists. In fact, when I have heard the lobbyists criticised here on one occasion, I always wonder if the people who are criticising them realize how much of a benefit they are to the Legislature, and how many of these bills that come in here would come in in a most unsatisfactory manner if these lobbyists did not help them. But I submit to you that there has been no lobby in this building this winter that has outdone the lobby on this particular question, and that right in one of our own State Departments, which had no right to be lobbying.

It is my sincere belief that we of the State of Maine are, without exception, for every kind of safety. In anything that I may say on this subject, please bear in mind that I am without any reservations for all kinds of safety, whether it be public or private.

I am going to premise the rest of my remarks with a statement that, in my opinion, this amendment or the defeat of the same is, with the

exception of our finances and such enabling legislation as is necessary to produce the needed revenue, one of the most important jobs that has to date or will in the future confront this Legislature. I realize that I am taking in a lot of territory, but I will go still further and say that I believe this amendment, to say nothing about the old, original bill, to be one of the most vicious pieces of legislation, without any exception, that has been presented.

It is true that propaganda may build support for a cause, but I for one object to paying a person connected with the State five thousand dollars per year, or any other amount of money for spending any part of their time to which the State has a right in promoting any kind of propaganda or in extolling their accomplishments, when the same is intended to build sentiment against our best judgment.

As I have previously stated, I have no personal interest in this bill or amendment, except that I realize the resultant danger. Neither have I been asked to take any part in its defeat. But I have a great desire to protect those things that I believe to be right, and condemn those things that appear to me to be wrong. I believe that this House is made up of the same type of men and women.

I have previously stated that I believe this to be the most vicious piece of legislation that has been presented, and without exception.

What are the facts and the probabilities behind this amendment?

We have a Department of Labor that is perfectly competent, and, if it is not, we had better get a new Commissioner of Labor. We have a State Highway Police Department to which we have added better than sixty men in the last two years, and that department has ninety men that are covering every nook and corner of this State at all times of the day and night. We have the Department of the Secretary of State, which should not be allowed to be interfered with, as would be permissible by this bill as amended.

Every one of the heads of the previously mentioned departments, when before the committee on Appropriations and Financial Affairs stated in substance as follows: The Commissioner of Labor, that his department is competent to administer industrial safety, and that no additional money is needed to prop-

erly do that work. The Chief of the State Police, that his department is well able to handle highway safety, and that he sees no reason why with ten thousand dollars of additional money at the outside the State Police cannot properly perform or take care of highway safety and education connected with the same. Our Secretary of State, that it would take three to five additional employees in the Department of the Secretary of State in order to gather the information that the original bill or this amendment would allow this new department to demand.

Now as to the probabilities. According to the terms of the bill, about \$30,000 would be obtained from the sale of stickers. As I understand it, these stickers are now given to the garages for an annual payment of two dollars, which designates these garages mentioned as official stations, and they pay, in addition, one cent for each sticker. When they inspect your car, a sticker is placed there, for which inspection service the garage charges 50 cents; and the sticker is simply evidence that an inspection has been made. It is proposed under this bill to charge the garages ten cents for each one of these stickers, thereby getting a revenue of thirty thousand dollars, or about thirty thousand dollars.

If it is right for the State of Maine to sell these stickers for the benefit of a new department, it is just as proper to sell them without the new department. In fact, the Secretary of State would perform this service in either case.

It would appear to me that if it is good business to sell these stickers—and on that point I will explain to you that there are amendments that will give you a chance to take your choice whether or not they shall be sold—but if it is good business to sell these stickers, as previously mentioned, the State Highway Police could have ten thousand dollars of this money, and the State would be twenty thousand dollars better off immediately than with a new department.

Most important of all: The enactment of this legislation would lead us into not only a new but a much expanded department, which, in a short time, would cost, according to estimates, all the way from \$75,000 to \$150,000, overlapping into three already established de-

partments and doing work which though most commendable and worthy should be performed by those existing departments, and with the expenditure of considerably less money now and a lot less in the future.

Finally: This was one of the bills that was presented early in the session and was referred to what I believe to have been the proper committee, but by special request it was transferred to a committee to which I do not believe it should have gone and has been there until recently.

The importance of this bill is such that it should receive most careful consideration, and the fact that it comes to us at this late date, even though we are desirous of bringing this session to a conclusion, is not sufficient reason for hurrying our action without proper consideration.

You may rest assured that my every move in connection with this bill and the amendments is solely for the good of the State of Maine as I see it. It is my desire that the amendment be indefinitely postponed, after which I would like to offer an amendment carrying out our safety program as I have outlined, and in that procedure you would be given a chance to support our safety activities either by the sale of stickers or by a ten thousand dollar appropriation from the highway fund, you to make your choice by the amendment which you support. I now trust that you will support the indefinite postponement only.

Mr. FLANDERS of Auburn: Mr. Speaker, I move the previous question.

The SPEAKER: Mr. Flanders of Auburn, moves the previous question. The request for the previous question is not debatable.

Mr. McGLAUFLIN of Portland: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McGLAUFLIN: I merely wish to ask a question which I think would be in order.

The SPEAKER: The gentleman may ask his question.

Mr. McGLAUFLIN: Mr. Speaker, I must confess that I am somewhat in ignorance of this matter and I want to be informed. I take it by what I have learned in the last few moments that this Senate

Amendment A provides a new commission, independent, while the original bill provides that it be under the State Highway Commission. I merely want to know if I am correct in that assumption.

The SPEAKER: Is there anyone who wishes to answer the gentleman's question?

Mr. GOSS: Mr. Speaker, if I may answer the question?

The SPEAKER: The gentleman may answer the question without discussion.

Mr. GOSS: I would say that the new draft provides that the matter of highway safety shall be under the Highway Police Department. That is the new draft recommended by the committee.

The SPEAKER: The gentleman from Auburn, Mr. Flanders, has moved the previous question. To authorize the Chair to entertain that motion requires the assent of one-third of the members present. As many as are in favor of entertaining the motion for the previous question will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than a sufficient number having arisen, the motion is entertained. The question is, shall the main question be put now? As many as are in favor will say aye; those opposed no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Poland, Mr. Goss, that Senate Amendment A as amended be indefinitely postponed. As many as are in favor of the motion—

Mr. RAMSEY of Winslow: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. RAMSEY: I ask for a division of the House, Mr. Speaker.

The SPEAKER: The gentleman from Winslow, Mr. Ramsey, asks for a division of the House. As many as are in favor of the motion for the indefinite postponement of Senate Amendment A as amended will rise and remain standing until counted and the monitors will make and return the count.

A division of the House being had,

Eighty-eight voting in the affirmative and 24 in the negative, the motion prevailed and Senate Amendment A as amended was in-

definitely postponed in non-concurrence.

Mr. HINMAN of Skowhegan: Mr. Speaker, I wish to offer an amendment and move its adoption.

The SPEAKER: The Chair is informed that the amendment has been reproduced but not distributed. The House may be at ease pending the distribution of the copies of the amendment.

(House at Ease)

After Recess

Mr. ELLIS of Rangeley Mr. Speaker, owing to the absence of Mr. Hinman, I move that the bill that we are operating on and the amendment lie on the table pending the adoption of House Amendment A.

The motion prevailed.

From the Senate: Bill an act relating to bounty on porcupines and hedgehogs (S. P. No. 172) (L. D. No. 260) on which the House accepted the ought not to pass report of the Committee on Inland Fisheries and Game in non-concurrence on April 15th.

Comes from the Senate with that body insisting on its former action whereby the bill was substituted for the report and passed to be engrossed, and asking for a Committee of Conference, and with the following conferees appointed on its part:

Messrs. Hussey of Kennebec
Worthen of Penobscot
Goudy of Cumberland

In the House: on motion by Mr. Haskell of Lee, a viva voce vote being taken, that body voted to insist and join in the Committee of Conference.

The Chair appointed as conferees on the part of the House: Messrs. Haskell of Lee, Dennison of East Machias and Story of Washburn.

Addition papers received from the Senate since the House convened this morning.

From the Senate: COMMUNICATION FROM THE GOVERNOR.

STATE OF MAINE
EXECUTIVE DEPARTMENT
AUGUSTA

April 22, 1937.

To the Honorable Senate and House of Representatives:

There has been presented for my approval Legislative Document 254, "An act relating to Emergency

Municipal Finance Board." This document amends certain sections of Chapter 284 of the Public Laws of 1933, whereby a Finance Board, consisting of the State Auditor, State Treasurer and State Tax Assessor, was created for the purpose of assisting various municipalities to be re-established on a sound financial basis. However, the application of this statute was found to be inadequate and certain corrections were indicated. Legislative Document 254 was apparently designed to cover this situation, but in my opinion the incorporation of Senate Amendment C emasculated the act.

It is well to point out that since February, 1935, the sum of \$766,597.86 has been expended for so-called "Emergency Aid," not to mention very substantial expenditures for State paupers, or various forms of Federal aid. The Department of Welfare investigations indicate that the demands are rapidly on the increase instead of decrease. For that reason the original purpose of L. D. 254, appeared to have merit. It seems to me that the Legislature might care to reconsider the enactment without the amendment previously referred to, giving the act practical merit.

Respectfully submitted,

(Signed) LEWIS O. BARROWS,
Governor.

The communication comes from the Senate, accompanied by a Senate order and the communication ordered placed on file.

In the House, the communication was read and ordered placed on file.

From the Senate, the following Order:

Ordered, the House concurring, that L. D. 254, an act relating to Emergency Municipal Finance Board, be recalled from the Governor.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Reports of Committees

Mr. Philbrick from the Committee on Judiciary on petitions in favor of extending suffrage to qualified voters in unorganized territory, S. P. 447, 448, 449, 450, reported that same be placed on file.

Same gentleman from same Committee reported same on petition in favor of act to protect trade mark owners etc. (S. P. No. 451)

Reports read and accepted and sent up for concurrence.

Majority Report of the Committee on Judiciary on bill an act amending the law relating to unemployment compensation (H. P. No. 1519) (L. D. No. 729) and New Draft (H. P. No. 1869) (L. D. No. 1034) which were recommitted reporting a second new draft (H. P. No. 1889) under same title and that it ought to pass.

Report was signed by the following members:

Mr. Willey of Cumberland
Miss Laughlin of Cumberland
—of the Senate.

Messrs. Philbrick of Cape Elizabeth
Thorne of Madison
Varney of Berwick
Bird of Rockland
McGlaulin of Portland
Hinckley of So. Portland
Weatherbee of Lincoln
—of the House.

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following member:

Mr. Fernald of Waldo
—of the Senate.

On motion by Mr. Philbrick of Cape Elizabeth, the majority report, ought to pass, was accepted.

Mr. PHILBRICK: Mr. Speaker, inasmuch as the second new draft is word for word the same as the printed document on the first new draft, I move that the rules be suspended and the bill given its three several readings at this time without printing.

The motion prevailed and the bill, under suspension of the rules, had its three several readings, was passed to be engrossed and sent up for concurrence.

First Reading of a Printed Bill

(H. P. No. 1887) (L. D. No. 1068)
An act relating to snow removal.

Passed to be Engrossed

(S. P. No. 524) (L. D. No. 1062)
Resolve in favor of appropriating money for the maintenance, supervision and use of State Parks.

(S. P. No. 525) (L. D. No. 1063)
Resolve relative to the participation by the State of Maine in the New York World's Fair to be held in the year nineteen hundred and thirty-nine.

Passed to be Enacted (Emergency Measure)

H. P. 1847, L. D. 998: An act as to the importation of intoxicating liquors other than those consigned to wholesale malt liquor licensees; emergency.

The SPEAKER: This is an emergency measure and requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had,

One hundred and twenty-three voting in the affirmative and none in the negative, 123 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

Passed to be Enacted

(S. P. No. 516) (L. D. No. 1048)
An act relating to production and sale of milk.

(H. P. No. 1846) (L. D. No. 997)
An act relating to the transportation of intoxicating liquor.

(H. P. No. 1850) (L. D. No. 1012)
An act relating to elections in the city of Biddeford.

Mr. VARNEY of Berwick: Mr. Speaker, I now move that L. D. 1012, an act relating to elections in the city of Biddeford, be indefinitely postponed.

Among my many faults, I have one of sometimes allowing my tongue to get a little in front of my brain. On reading what I said when this bill was up for debate on the question of whether or not a referendum should be added, referring it to the people of the city of Biddeford, I find that I stated that I thought a substantial majority of the people in Biddeford wanted this bill, I intended to say at that time, "a substantial minority."

Now this Legislature having decided in its wisdom that this bill should not pass unless it was referred to the people of the city and by them approved, I wish now to accept the judgment of this Legislature and I do not wish to put upon the people of the city of Biddeford the expense and trouble of voting in a referendum the result of which is a foregone conclusion. Therefore I now move the indefi-

nite postponement of this bill, and in this motion I understand that my friendly rival, the gentleman from Biddeford, Mr. Donahue, heartily concurs.

The SPEAKER: The gentleman from Berwick, Mr. Varney, moves that the bill be indefinitely postponed. The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker and Members of the 88th Legislature: I desire to thank each and every one of you for the kind support you gave my amendment the other day. I do not believe I can add anything further to what I said at that time, and I hope that the motion of the gentleman from Berwick, Mr. Varney, prevails.

The SPEAKER: The pending question is on the motion of the gentleman from Berwick, Mr. Varney, that the bill be indefinitely postponed. As many as are in favor of that motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was indefinitely postponed and sent up for concurrence.

Passed to be Enacted

(Continued)

(H. P. No. 1878) (L. D. No. 1055)
An act relating to construction of State Aid Roads in Indian Township.

(H. P. No. 1879) (L. D. No. 1056)
An act relating to the establishment and maintenance of stations or police barracks for weighing trucks.

(H. P. No. 1882) (L. D. No. 1061)
An act relating to the State Racing Commission.

Finally Passed

(S. P. No. 518) (L. D. No. 1050)
Resolve in favor of certain agricultural societies.

(H. P. No. 1874) (L. D. No. 1051)
Resolve in favor of Arthur Liberty of North Yarmouth.

(H. P. No. 1875) (L. D. No. 1052)
Resolve in favor of R. Earl Haley of Rangeley.

(H. P. No. 1876) (L. D. No. 1053)
Resolve in favor of George A. Johnson of East Machias.

(H. P. No. 1877) (L. D. No. 1054)
Resolve in favor of Manzie I. Rogers of Bangor, Maine.

On motion by Mr. Ellis of Rangeley.

Recessed until 3 P. M.

After Recess—3 P. M.

Called to order by the Speaker.

The Chair lays before the House the first tabled and today assigned matter, majority report of the committee on Temperance, ought to pass in new draft, and the minority report of the same committee reporting ought not to pass, on bill an act relating to the consumption of liquor on the premises, the new draft being H. P. 1868, L. D. 1040, tabled on April 21st, on motion of the gentleman from Orient, Mr. Maxell, pending the motion of the same gentleman that the majority report be accepted; and the Chair recognizes that gentleman.

Mr. MAXELL: Mr. Speaker, I move the acceptance of the majority report, ought to pass in new draft.

The SPEAKER: Is the House ready for the question? As many as are in favor of that motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the majority report, ought to pass in new draft, was accepted.

Thereupon, the rules were suspended and the bill given its two several readings and tomorrow assigned.

The Chair lays before the House the second tabled and today assigned matter, bill an act relating to sale of alcohol, H. P. 1836, L. D. 993, tabled on April 21st by Mr. Elliot of Thomaston, pending passage to be engrossed; and the Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I now offer House Amendment B and move its adoption.

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, offers House Amendment B and moves its adoption. The Clerk will read the amendment.

House Amendment B to H. P. No. 1836, L. D. No. 993, bill, an act relating to the sale of alcohol.

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

'Sec. 1. P. L., 1933, c. 300, section 4, amended. Section 4 of chapter 300 of the public laws of 1933 is hereby amended by adding at the end thereof the following:

"Alcohol" that substance known as ethyl alcohol, hydrated oxide of

ethyl or spirit of wine which is commonly produced by the fermentation or distillation of grain, starch, molasses, sugar or potatoes or other substances including all dilutions and mixtures of these substances.

Sec. 2. P. L., 1933, c. 300, Sec. 7-A, additional. Chapter 300 of the public laws of 1933 is hereby amended by adding after section 7 thereof, an additional section to be numbered 7-A, and to read as follows:

Sec. 7-A. Limitation on sale of alcohol; penalty. The commission shall buy and have in its possession for sale alcohol which may be sold by the commission to any industrial establishment in this state for industrial uses or to hospitals for medicinal use therein only, or to any licensed pharmacist in this state for use in the compounding of prescriptions and other medicinal use but not for sale by such pharmacists unless compounded with or mixed with other substances, or to any physician, surgeon, osteopath, chiropractor, dentist, or veterinarian for medicinal use only. No person shall transport alcohol in this state unless purchased from the commission or by permit from said commission.

Any physician, surgeon, osteopath, chiropractor, dentist or veterinarian who prescribes alcohol or uses alcohol bought under the provisions of this section for other than medicinal purposes, or any pharmacist who sells or transports alcohol for other than medicinal purposes as above provided shall be punished by a fine of not more than \$200, or by both such fine and imprisonment.'

Mr. ELLIS of Rangeley: Mr. Speaker, I would like to ask a question. Down in the last line of this amendment it says, "or by both such fine and imprisonment." So far as I can see, fine and imprisonment are not mentioned in the act at all.

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, may answer the question of the gentleman from Rangeley, Mr. Ellis, if he chooses.

Mr. SLEEPER: I would say, Mr. Speaker, that it is optional to give them thirty days, sixty days or ninety days or ninety years.

Mr. THORNE of Madison: Mr. Speaker, after listening to the remarks of the gentleman from Rockland, Mr. Sleeper, as to the thirty, sixty or ninety days imprisonment,

nobody can be imprisoned unless it is provided for in the act. Imprisonment is not discretionary with the court. Now this amendment provides both fine and imprisonment, which does not seem quite right.

(House at Ease)

The SPEAKER: The amendment presented by the gentleman from Rockland, Mr. Sleeper, is House Amendment B. The pending question is on the adoption of House Amendment B.

Mr. SLEEPER: Mr. Speaker, I would like to offer House Amendment A to House Amendment B and move its adoption.

The SPEAKER: The Clerk will read House Amendment A to House Amendment B.

(The Clerk reading) The Committee on Rules of Business of the House recommends consideration without printing or reproduction.

House Amendment A to House Amendment B to H. P. 1836, L. D. 993, bill an act relating to the sale of alcohol.

Amend said bill by inserting after the figure "200" in next to the last line thereof the words "or by imprisonment for not more than six months."

The SPEAKER: Is it the pleasure of the House that House Amendment A to House Amendment B be adopted?

On motion by Mr. Thorne of Madison, the bill and amendments were tabled pending the adoption of House Amendment A to House Amendment B.

The Chair lays before the House the third tabled and today assigned matter, bill an act to regulate and restrain the manufacture, sale, transportation, importation, traffic in and use of liquor, malt liquor, wine and spirits and to increase the fees for licenses, S. P. 508, L. D. 1032, which came from the Senate the bill passed to be engrossed as amended by Senate Amendments A, B and C, and which was tabled on April 21st by Mr. Elliot of Thomaston, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. ELLIOT: Mr. Speaker, I move that the House adopt Senate Amendment A in concurrence.

The SPEAKER: The Clerk will read Senate Amendment A.

Thereupon, Senate Amendment A was read and adopted in concurrence.

The Clerk then read Senate Amendment B, which was adopted in concurrence.

The Clerk then read Senate Amendment C, which was adopted in concurrence.

On motion by Mr. Elliot, the rules were suspended and the bill was given its third reading, and was passed to be engrossed as amended by Senate Amendments A, B and C in concurrence.

The Chair lays before the House the fourth tabled and today assigned matter, bill an act relating to licenses of importers of malt liquors; emergency, H. P. 1848, L. D. 1009, tabled on April 21st by Mr. Payson of Brooks, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker, I tabled this by reason of the fact that Mr. Sleeper was away. He is now present.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, as I mentioned when I first tabled this bill, I wish to amend it purely to clarify the law. I now offer House Amendment B and move its adoption.

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, offers House Amendment B and moves its adoption. The Clerk will read the amendment.

House Amendment B to H. P. No. 1848, L. D. No. 1009, bill, an act relating to licenses of importers of malt liquors; emergency."

Amend Section 3 of said bill by striking out at the beginning thereof the following: "Eighty-eighth legislature, H. P. 1475, L. D. 697, Sec. 2, amended. Section 2 of House Paper 1475, L. D. 697," and inserting in place thereof the following: "Deficiency appropriation act, Sec. 2, amended. Section 2 of the act passed by the eighty-eighth legislature";

Amend Section 4 of said bill by striking out at the beginning thereof the following: "Eighty-eighth legislature, H. P. 1475, L. D. 697, Sections 3, 4, repealed. Sections 3 and 4 of House Paper 1475, L. D. 697," and inserting in place thereof the following: "Deficiency appropriation act, Sections 3, 4, repealed. Sections 3 and 4 of the act passed by the eighty-eighth legislature";

And Amend Section 5 of said bill

by striking out at the beginning thereof the following: "Eighty-eighth legislature, H. P. 1475, L. D. 697, Section 7, amended. Section 7 of House Paper 1475, L. D. 697," and inserting in place thereof the following: "Deficiency appropriation act, Section 7, amended. Section 7 of the act passed by the eighty-eighth legislature".

Thereupon, House Amendment B was adopted, and the bill as amended was passed to be engrossed and sent up for concurrence.

Mr. VARNEY of Berwick: Mr. Speaker, if the House will be at ease for a few moments pending the distribution of an amendment, I think we could then take from the table the clam bill and proceed to shuck the clam in a manner satisfactory to everyone concerned.

(House at Ease)

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Varney.

On motion by Mr. Varney, it was voted to take from the table the first unassigned matter, H. P. 1575, L. D. 716, an act relating to shipping clams beyond the borders of the state, tabled by that gentleman on April 20th, pending motion of the same gentleman that the bill be indefinitely postponed.

Mr. VARNEY: Mr. Speaker, when this bill was tabled by me on my motion to indefinitely postpone, I had a feeling that we had a problem of conservation in York County different from the problem of conservation in some of the other counties in the state, and I thought possibly that difference could be settled. I heard some talk during the debate on the floor to the effect that we should not legislate by agreement. With that idea I heartily concur. I do think, however, that there are times when there is a problem which confronts one county that should and could profitably be worked out by the Representatives in that county to their satisfaction, and the rest of the State should go along with us. I think this is one of those situations. I therefore say that I do not believe we are in any way legislating by agreement.

We have had several conferences of the representatives from the coastal counties, all interested in the conservation of the clams, and our problems are a little different.

Now an amendment has just been distributed which I understand meets with the approval of the majority of the representatives from the coastal counties interested in the conservation of clams, and I think that that amendment leaves our clam problem satisfactory to the five northern counties and at the same time satisfactory to the three southern counties.

In order that this legislation may go through, I now withdraw my motion to indefinitely postpone and move that the rules be suspended in order that we may reconsider our action whereby this bill was passed to be engrossed.

The SPEAKER: The gentleman from Berwick, Mr. Varney, withdraws his motion that the bill be indefinitely postponed. The same gentleman moves that the rules be suspended to permit a motion to reconsider the former action of the House whereby this bill was passed to be engrossed.

The motion prevailed, and on further motion by the same gentleman the House reconsidered its former action whereby this bill was passed to be engrossed.

Mr. NOYES of Franklin: Mr. Speaker, I present House Amendment B and move its adoption. In presenting this amendment I will say that I second the remarks of the gentleman from Berwick, Mr. Varney.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, presents House Amendment B and moves its adoption. The Clerk will read the amendment.

House Amendment B to H. P. No. 1575, L. D. No. 716, bill, an act relating to shipping clams beyond the borders of the state.

Amend said bill by inserting in section 1 in the 3rd line thereof after the word "transportation," the words "either directly or indirectly"; and by inserting after the word "shucked" in the 4th line of said section 1 the words, "taken from the clam flats of Washington, Hancock, Knox, Waldo and Lincoln counties"; and by inserting after the word "state" in the 4th line of said section 1, the words "and/or to the counties of Sagadahoc, Cumberland and York."

The SPEAKER: The pending question is on the adoption of House Amendment B. Is the House ready for the question? As many as are in favor of the adoption of House

Amendment B will say aye; those opposed no.

A viva voce vote being taken, House Amendment B was adopted and the bill as amended by House Amendment B was passed to be engrossed in non-concurrence.

Mr. MAXIM of Portland: Mr. Speaker, I ask unanimous consent to address the House.

Unanimous consent was granted.

Mr. MAXIM: Mr. Speaker, about the middle of February a bill was introduced in this body under the title of "An act creating a Department of Taxation," Legislative Document No. 654. That bill was referred to the committee on Appropriations and Financial Affairs and the committee on Taxation jointly. The original draft of the bill was not entirely satisfactory, even to the proponents. The provisions were quite broad and some rather radical departures from present methods of the department were incorporated, and by general agreement the hearing was postponed to a later date in order to afford time for printing a new draft. The proponents did submit a new draft of the bill which, in turn, proved not to be so very satisfactory to either the joint committees or to the proponents themselves. A third draft was finally printed in typed form, but not printed in the usual style of the legislative document. We had two more hearings—I think all told there might have been four hearings.

The joint committee recognized a great deal of merit in the bill but there still seemed to be some features which could not be ironed out, and inasmuch as our last hearing was only about a week or ten days ago, the committee finally unanimously voted to recommend a Recess Committee to study the matter of the creation of a Department of Taxation and to incorporate in a new draft which might be submitted to the 89th Legislature the desirable provisions of former drafts and eliminate some things which the joint committee still regarded as undesirable. Accordingly, if the House will give its unanimous consent, I would like to introduce this resolve, the title of which is: "Creating a Recess Committee on Tax Equalization." This resolve provides that the Recess Committee shall meet and study the entire matter of a new set-up in the Tax

Department and the matter of the equalization of valuation in the various towns and municipalities in the State and report to the next legislature.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Maxim, asks unanimous consent to present a resolve, notwithstanding the provisions of the joint closing order. Is there objection to the introduction of the resolve?

Mr. NOYES of Franklin: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. NOYES: I would like to ask a question of the gentleman from Portland, Mr. Maxim.

The SPEAKER: The question of unanimous consent for the introduction of a resolve is not debatable. The Clerk will read the resolve.

Resolve, creating a Recess Committee on Tax Equalization.

Recess Committee on Tax Equalization Study, Created.

Resolved: That there be and hereby is created a Legislative recess committee to consist of one member of the senate and two members of the house of representatives to be appointed by the governor with the advice and consent of the council, which committee shall be known as this "Committee on Tax Equalization." Said committee shall meet as soon as convenient after appointment and organize by electing a chairman and secretary.

Said committee shall investigate and consider the necessity and desirability of legislation designed to enable the state tax assessor to establish equalization of state real estate valuations.

Said committee shall consider and study similar laws existing in other

states, review the laws of this state pertaining to real estate assessments and valuations and report its findings and recommendations to the governor for transmittal to the clerk of the house of the 89th legislature.

Members of said committee shall receive their actual expenses only, which may be incurred in the discharge of their duties as members thereof, said expenses to be approved by the Governor and Council, but such expenses shall not exceed, however, the sum of \$200.

The SPEAKER: Is there objection to the reception of the resolve? The Chair hears no objection and declares the resolve received.

On motion by Mr. Maxim, the rules were suspended and the resolve, H. P. 1892 (unprinted) had its first reading and tomorrow assigned.

Mr. ELLIS of Rangeley: Mr. Speaker, may I inquire if there is any possibility of getting anything that we can work on this evening?

The SPEAKER: The Chair does not know what may be expected, but the Chair will undertake to ascertain and the House may be at ease.

(House at Ease)

After Recess—5 P. M.

Called to order by the Speaker.

The SPEAKER: The only business the House has in its possession for today are two matters that are on the table. The best information that has been received from the Senate is to the effect that it is uncertain when the tax bills will come from the Senate. What is the pleasure of the House?

On motion by Mr. Rangeley of Rangeley,

Adjourned until ten o'clock tomorrow morning.