

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 20, 1949

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

Prayer by the Rev. Fr. John Conoley of Hebron.

The journal of the previous session was read and approved.

Papers from the Senate Senate Reports of Committees New Bill

Bill "An Act Relating to the Brewer Water District" (S. P. 668) (L. D. 1502)

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

In the House, received by unanimous consent and given its three several readings under suspension of the rules and passed to be engrossed without reference to a Committee, in concurrence.

Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Relating to Investigation of Cases of Cruelty to Animals" (S. P. 375) (L. D. 641)

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State" (S. P. 367) (L. D. 584)

Report of same Committee reporting same on Bill "An Act Regulating the Taking of Alewives in Ducktrap Stream in the Town of Lincolnville" (S. P. 468) (L. D. 920)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act Relating to Trespass" (S. P. 430) (L. D. 781) reporting same in a new draft

(S. P. 661) (L. D. 1492) under same title and that it "Ought to pass"

Report of the Committee on Legal Affairs on Bill "An Act Relating to Elevators, Power-Driven Dumb-Waiters and Moving Stairways" (S. P. 505) (L. D. 1006) reporting same in a new draft (S. P. 664) (L. D. 1495) under title of "An Act Relating to Elevators" and that it "Ought to pass"

Report of the Committee on Salaries and Fees on Bill "An Act Relating to Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement" (S. P. 105) (L. D. 109) reporting same in a new draft (S. P. 662) (L. D. 1493) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Ways and Bridges reporting "Ought to Pass" on Bill "An Act Relating to Surveys of State Highways" (S. P. 587) (L. D. 1245)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Ways and Bridges on Bill "An Act Increasing Pensions of Retired Members of the State Police" (S. P. 614) (L. D. 1304) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A"
to S. P. 614, L. D. 1304, Bill "An Act Increasing Pensions of Retired Members of the State Police."

Amend said Bill by striking out in the 4th line thereof the words "or hereafter".

Further amend said Bill by adding at the end thereof a new paragraph, as follows:

"The provisions of this act shall be in effect until June 30, 1951. It is the intent of the legislature to change the present retirement pay until June 30, 1951, after which time the present retirement pay shall return to full force and effect."

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

Report of the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Cherryfield School District" (S. P. 353) (L. D. 588) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Thereupon, the Bill was assigned for third reading tomorrow morning.

Report of the Committee on Ways and Bridges on Bill "An Act to Authorize the Construction of a Combination Highway and Railroad Bridge Across Fore River" (S. P. 267) (L. D. 397) reporting "Ought to pass" as amended by Committee Amendments "A" and "B" submitted therewith.

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

amended by Committee Amendments "A" and "B"

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

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

COMMITTEE AMENDMENT "A"
to S. P. 267, L. D. 397, Bill "An Act to Authorize the Construction of a Combination Highway and Railroad Bridge Across Fore River."

Amend said Bill by striking out, in the 11th, 12th and 13th lines thereof, the following:

" , shall be defrayed from the joint state and federal funds consisting in part of sums apportioned to the state under the Federal Aid Highway Acts of 1944 and 1948 to the extent of \$1,000,000 and the balance and remainder of such cost"

Further amend said Bill by striking out, in the 19th and 20th lines of section 2, the words "same rate as the state shall pay on bonds issued pursuant to the proposed amendment of the constitution aforesaid" and inserting in place thereof the words and figures 'rate of 2½% per year'

Committee Amendment "A" was adopted in concurrence.

Committee Amendment "B" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "B"
to S. P. 267, L. D. 397, Bill "An Act to Authorize the Construction of a Combination Highway and Railroad Bridge Across Fore River."

Amend said Bill by inserting after the 2nd sentence of section 1 thereof, a new sentence to read as follows:

; The highway approaches thereto shall have 2 main outlets on the South Portland end connecting to U. S. Route 1 on Main Street in the vicinity of Cox and Lincoln Streets, and Main Street Terrace, South Portland, shall have an entrance into the traffic circle, if practical.'

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

**Ought to Pass
With Senate Amendment**

Report of the Committee on Salaries and Fees on Bill "An Act Relating to Salaries of Somerset County Officers" (S. P. 315) (L. D. 508) reporting same in a new draft (S. P. 663) (L. D. 1494) under same title and that it "Ought to pass" as amended by Senate Amendment "A".

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

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

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

SENATE AMENDMENT "A" to S. P. 663, L. D. 1494, Bill "An Act Relating to Salaries of Somerset County Officers"

Amend said Bill by striking out the underlined figure "\$2,100" in the last line of section 6 thereof and inserting in place thereof the underlined figure "\$2,200"

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

Senate Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Relating to Exemptions from Taxation" (S. P. 447) (L. D. 827) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following Members:

Messrs. NOYES of Hancock
—of the Senate

DOW of Falmouth
CHASE of Cape Elizabeth
CARTER of Bethel
WIGHT of Bangor

Miss LONGSTAFF of Crystal
Mr. DORSEY of Fort Fairfield
—of the House

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

Report was signed by the following members:

Messrs. HASKELL of Penobscot
ALLEN of Cumberland
—of the Senate
DUQUETTE of Biddeford
—of the House

Came from the Senate with the Minority Report accepted.

In the House:

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

Mr. JENNINGS: Mr. Speaker, I move that we accept the minority report of the committee.

I feel that I should, at this time, give you my reasons. I don't think that this is the time or the time is right for us to pass this legislation. I feel that the cities and towns have not lost and will not lose any great amount of tax money for several years to come.

The average age of the World War I veteran is 57 years and of the World War II, 27 years. You will find that veterans' organizations, when the time is right, will work whole-heartedly for our State and for good government.

In my town, I am a collector and treasurer of the town, and it has not been brought to my attention in regard to this matter. Therefore, I move you that we accept the minority report of the committee.

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

Mr. MCGLAULIN: Mr. Speaker, I, too, am in favor of accepting the minority report of the committee. I am very much interested in this bill. Prior to 1935 the soldiers were exempted to the extent of \$5,000. In that year, certain persons in Togus got riled up because there were a few soldiers at the Togus Home who owned a little property and didn't pay any taxes on it. So they came down here to the Legislature and got an act passed that deprived the soldier or his widow of the benefit of this tax unless he lived in the house which he owned. That left great hardship for many people. For instance, there were a number of

soldiers' widows, whom I know, who had become too old to live in their homes alone but who got a small income from their homes and this deprived them of any benefit of that exemption. I introduced into this Legislature in 1937 a bill to restore that exemption as it had been in the past. There was no opposition to my argument for the bill but when it came out of committee, I would not have known that I had ever seen it. They had made something that I didn't even recognize. After some time and after the Senate had thrown my bill out the window twice, we finally got a compromise which provided that a soldier or his widow could receive an income if they didn't occupy their house up to \$200. And I supposed that I had rendered some service to the soldier at that time.

But, there was a woman client of mine in Portland, who owned a double house. She lived in one part of it; she was a widow, and she took in \$218 for rent on that other half. The corporation counsel of Portland immediately ruled that she wasn't entitled to any exemption at all. An utterly absurd conclusion I thought; the whole object of the bill was to give them at least that \$200 but that was the ruling and I had to go before the City Council of Portland to get them to rebate that tax.

I came again to the Legislature in 1943 and finally got through practically the bill as you have it today, only, if I recollect correctly, the age at that time was 65. I may be wrong about that.

Now, this bill before us, as it now stands, gives soldiers if they have been honorably discharged from the service and reached the age of 62 years, they would get this exemption as well as those who had suffered some harm in the war and were getting a pension. As I understand it, even if this measure is passed, it does not cut out all the soldiers' exemption. But it does try to cut them out if they have reached the age of 62. Now, I think that that law as it stands today is

a good law. It was argued that there were some 75,000 people that might theoretically be eligible to this exemption and that that would take a lot of taxable property away from the State. But, I want to remind you that out of the 66,000 soldiers who served in the last war there are comparatively few that are going to reach the age of 62 years without being injured or harmed so that they have to have a pension and, furthermore, not any where near all the soldiers who arrive at that age are going to own property at all. Now, this is an attempt to show our gratitude to the soldiers and, when the soldiers are in service, there isn't any too much that we can do for them but when this soldier has reached the age of 62, his earning capacity is impaired, he is no longer able to make money as readily as he had been in the past and here is an opportunity for the State to render a service to the soldier that doesn't do any special harm to anybody.

This proposition for the soldier is better than the bonus. The bonus is in a pretty weak condition when we have to resort to gambling, horse racing, dog racing and other matters of that kind. The only legitimate and proper way to have a soldiers' bonus is to have a bond issue and make your payments accordingly, but the soldiers' bonus is a matter for the judgment of the people and the people have already once turned that down. Be that as it may, I think the soldier, himself, should much better support the present law than to support a bonus act with a large bond issue for these reasons: If we had a large bond issue, the soldier, himself, and his children and probably his grandchildren will have to help pay for it and we would be paying interest on millions of dollars for an untold number of years which the soldier, himself, must help to pay. But here is something that he gets that is of real benefit to him. This is something that we should give him. It is better than old age assistance because by this method he does not

have to give up his home in order to get that assistance.

I think we owe this much to the soldiers. I think that we should not pass this bill as reported by the majority of the committee. I think we should leave it as it is today.

You remember that poem of Kipling's about Tommy.

Tommy "went into a public-ouse to get a pint of beer,

The publican 'e up an' sez, 'We serve no red-coats here.'

You remember how the poem goes.

"The girls be'ind the bar they laughed and giggled fit to die."

and he goes out

"into the street again an' to myself sez I:

"O it's Tommy this, an' Tommy that, an Tommy, go away';

"But it's 'Thank you, Mister Atkins,' when the band begins to play.

"But it's 'Saviour of 'is country' when the guns begin to shoot."

I was in this Legislature in 1945 and 1943. At that time, there wasn't anything too good to give to these soldiers but when the war danger wears away, it is altogether too easy to forget what these soldiers have done and I hope that we go along with the minority report and throw this measure that is trying to cut out those soldiers who have reached the age of 62, throw it out the window. I urge you to support the minority report and that these soldiers have the benefit of the law as it is today.

The SPEAKER: The Chair notes at this time the presence in the balcony of the Hall of the House a group from the Cornville School with Mrs. Rice and Mrs. Hilton in charge; also a delegation of some forty cub scouts from Brunswick with Mr. Wilfred A. Duquette in charge. On behalf of the House, we bid both groups welcome this morning. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Chute.

Mr. CHUTE: Mr. Speaker and Members of the House: This tax exemption of \$3500 to all veterans at the age of 62, I claim is very unfair. Small towns are penalized more than cities. More often when one retires they choose the quiet places. In my own town and others which I represent, this is no exception. Many veterans of World War I have already bought large farms. Previously these farms were stocked with personal property which no longer exists.

The average age of World War I vets is 57 years. In 5 years, at least one-half of these veterans will become eligible for this exemption. I believe in many towns the taxable valuation will be cut at least ten per cent. I believe almost any able-bodied veteran of the age of 62 is in a better position to pay their just tax than their sons or daughters.

Also, World War II veterans, whose age is 27 years, are going to be penalized for 35 years with this extra tax burden. I have heard it stated that not many able-bodied veterans would ask for the tax exemption. The way the law is now, they don't have to ask. If they want to pay the tax, they would be obliged to notify in writing the assessors of the city, town or plantation in which he or she resides of his or her desire to pay said tax.

How many would go to all that bother? It would be easier to accept the exemption. I am a veteran of World War I, member of the American Legion, a charter member and past commander of my post. I am entitled to free hospitalization which is worth a lot. I am willing to take my chances with my fellow taxpayers and pay my just part. I hope the motion of the gentleman from Strong (Mr. Jennings) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House accept the minority "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Sanford, Mr. Letourneau.

Mr. LETOURNEAU: Mr. Speaker, I want to go on record as favoring the minority report. When the vote is taken, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, as a member of the committee signing the majority "Ought to pass" report, I want to give the House a few facts upon which to consider this measure in balance with the sentimental arguments which we have heard here before.

I think the State is to be congratulated that its Legislature contains a member who should have had the courage of his convictions in introducing a measure which was sure to be bitterly attacked and liable to be slimly defended.

The issue contained in this bill is of tremendous importance to the towns of this State and I believe that it was the duty of the municipal officers who were very vocal in the corridors in favor of this bill to have appeared with their facts before the committee.

Mr. Rowell, an employee of the State, in charge of Veterans Affairs, appeared in the interest of the veteran and, while it has no particular impact on the issue involved, I think it is unfortunate when a State employee comes before a committee and virtually accuses a member of the Legislature of bad faith toward the veteran.

One of the most difficult things in the world to correct is a political mistake. When you make a mistake of this character, you immediately set up a vested interest in its continuation. This exemption can be characterized as a regressive bonus. We have heard the word "regressive" applied to taxation this winter in the sense that it pinches hardest in the wrong place. This particular exemption favors the veteran who needs benefits least.

Now, in estimating the importance of this measure, while it is impossible for us to get exact figures, it would seem to me certain that within five or six years, the application of this exemption would

mean a reduction in the municipal revenues of this State of somewhere around \$1,500,000 to \$2,000,000 a year. That is right ahead of us.

If this is ever going to be met, the time to meet it is before someone begins to get advantage of it.

It will be hopeless to meet it then. Now, what is the approximate value of this exemption to all of these veterans when they reach the age of 62 years? A person 62 years old, it is probable he has an expectancy of six years or more. If he has \$3500 in taxable property which thereupon becomes exempt and it is taxed at the low rate in this State of five percent, it is worth \$175 a year to him and if he lives for six years, it is equivalent to a bonus to him of somewhere around \$1050, plus \$175 for every year he lives thereafter.

Now, if his taxable valuation is only \$2,000 and he is exempt at the same rate, it is worth \$100 a year to him and \$600 to him if he lives six years and \$100 more every year thereafter.

Now, that is a very important tax problem. We thought we accomplished something earlier in the session when we managed to give the municipalities around \$1,000,000. Here, they are looking right in the face of a problem, right under their noses, where they would begin to lose revenue through these exemptions of approximately one-and-one-half to two times as much.

I suppose it is too much for us to look forty years ahead, but when the World War II veteran comes along, this stays on the books and the World War I veteran has received this exemption, the probability is that a third to a half of the families in this State will be exempt from municipal taxation to a very considerable extent.

Now, I am a veteran. I realize the seriousness of this problem. I realize the unpopularity of this bill; but this is a serious mistake which has been made and it must be corrected in some manner or other. And I believe that the veteran, hav-

ing fulfilled his duty in his fighting years, has a duty which carries on throughout his life as a citizen. Nothing too good can be done for the disabled veteran or for those who need assistance, but I do think that it is unfortunate that the able-bodied veterans in this State should be considered in a class by themselves as better or different or entitled to more than any other citizen and I don't believe that all or any great part of the veterans of this State want to be put in any special favored class for tax exemption. Therefore, I hope that the motion to accept the "Ought not to pass" report will not prevail.

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

Mr. McCLURE: Mr. Speaker and Members of the House: It seems to me that perhaps after World War I, when a former body of legislators in this House saw fit to institute this measure on the books perhaps they had in mind that they owed an obligation to the Veterans of World War I. Now, this was put on the books, as I remember, many years ago but that veteran had to wait until he was the age of fifty-two. I, also, am a member of World War I. I am fifty-one, so in eleven years, I will be sixty-two.

I just heard brought up by the gentleman from Cape Elizabeth (Mr. Chase), also a veteran, a legislator and a citizen, that veterans of World War II would also benefit by this. Well, I am sure if I have to wait eleven years before I am eligible under this, how long has the World War II veteran got to wait? Why should we worry about thirty-two years from now? We should be doing a lot of worrying about it now. Members, I feel that the citizens and the members of this Legislature also have an obligation. We have an obligation to those men who have reached the age of 62; some of them who are over the age of 62, their widows and their children, that they will have this protection. In our City of Bath, there is 12,000 population.

I don't believe over seven are receiving this exemption. I met the treasurer on the street, the tax collector, last week, and I brought this matter up with him. He says: "I think, Horace, that there are not over seven receiving this."

Now, I know in many towns there are men who are receiving this and they have antagonized people because of their position or perhaps the wealth they have, when they have asked for this exemption. Should we penalize a lot of former veterans who have reached the age of sixty-two, who, perhaps, are not bankers or men of wealth but are men who, through sickness and so forth, haven't been able to accumulate the amount of money that some more fortunate veterans and more fortunate citizens have?

I believe that the members in the past that represented the State of Maine in this Legislature had sound reasoning when they voted for this measure. Members, I believe they had the welfare of all the citizens of the State of Maine at heart, and I trust that you members, when you vote, will vote for the minority report.

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

Mr. SPEAR: Mr. Speaker and Members of the House: It makes me think of a cartoon which I saw in the American Legion magazine some time after World War I. A veteran standing with his hands in his pockets by the crossroads. On his left was an old sign, a billboard, which had been used during the war which said: "Give 'til it hurts." Whether you remember it, we did use that slogan in World War I. On his right there is a freshly erected sign, presumably erected two or three years after the war, which says: "Don't give a damn cent."

That is what the veteran is confronted with. I don't know why we should be too much concerned as to what the future is going to bring forth, thirty-five or forty years from now. I know we should be prepared but, as I said yesterday, our social life and economic life

and political life were changed immensely in the last fifteen years. Thirty-five years from now you will probably have complete federal subsidies to take care of the matter and you won't have to worry at all.

The average age of the present World War I veteran is fifty-seven years old. There are a lot of World War I veterans who have already reached the age of sixty-two and have been benefited by this privilege which you granted them.

It is just a case now that where this has been granted to the veteran in good faith but now the shoe begins to pinch and you want to take that privilege away from them after some have already planned on it and some have already built their future on it.

As the gentleman from Strong (Mr. Jennings) said, the average age of the veteran of World War II is twenty-seven years and that means thirty-five years before he will enjoy it.

Fifty years ago, the Grand Army of the Republic was all influential in the political life of the nation but not so, today. I believe that the State of Maine and the people can go along until the shoe does begin to pinch and then I think they, at that time, will have the cooperation of the veteran, himself, to enact the proper legislation which would take care of the situation at that time. I think we are crying "Wolf" a lot too early. I have no statistics to base my talk on; I have no actuarial tables. They say at the present time there are 20,000 veterans of World War I now alive; how many will die in the next five years, I do not know. How many of those will own property five years from now; I do not know. You can use your own imagination. I do not know how many of World War II veterans will be alive thirty-five years from now when the average age would put them in the sixty-two year class but I do know that in that thirty-five years there are going to be a lot of young people become of age in our State, a large number of them. They are going to have families and my con-

tion is that as a veteran goes along in the years to come he is going to lose his strength in numbers. Particularly, after the thirty-five year period there will be a peak that the veteran will go through and if he is ambitious enough at that time he might enact legislation to protect him for all time. But I think the veteran realizes that he is the same as any other person in the political life of the State. I don't think he is asking any undue privileges. I think these veterans of World War I and II have accepted this legislation and I believe that it is right that it should remain on the books. It has been put there and there it should stay. If it hurts at any time, I am sure that it will be the temper of the veteran to cooperate in legislation which will benefit himself as well as benefit his neighbor and I, too, hope that the motion of the gentleman from Strong (Mr. Jennings) will prevail.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Eighth Grades of the Hampden and Levant Schools with Superintendent Earl McGraw in charge of the group. On behalf of the House, we bid you welcome. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: Back in the old Civil War days, my father was plowing in the field and a band of soldiers rode into the field on saddled horses and my father got into the saddle and rode away. They did not even allow him time to say goodbye. He left his plow in the field and went out to save the Union. I care not whether the soldiers were taken as they were in the old Civil War days or whether in the modern World War II days, they left their plows in the field and went not because they wanted to but they were obliged to go. Had they not gone, you and I and all of

us would be paying taxes and tribute to a foreign potentate. If they were good fellows then, they are now. If they were saviors then, they are today. I am for exempting them from taxation which is their right and their due. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: As a signer of the majority report, I looked at this matter a little differently than some of those who have argued on the subject. We have heard a lot about what we should do for the veteran. We, in that instance, I suppose, means the State of Maine. As I look at it, this matter affects principally the towns and not the State. The State has various means of raising revenue; the towns have practically one, real estate. The more exemption on real estate, the less the ability of the towns to take care of their own needs.

In my own town, within the last two years, we have had two instances of veterans coming from another state, buying real estate which immediately became exempt to the extent of \$3500. Unless something is done, in the near future, exemption in some towns, at least, will become a serious matter.

I hope that the motion to accept the minority report will not prevail.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: I will not try to approach it from a sentimental angle as it has been approached. To me, the veteran, or at least the soldier, served his country quite often at a time when he was starting a career, and by taking that one or two or three or five years from his career it may have set him back some quite considerable amount. Now this bill, to me, is an incentive for that fellow now to go ahead and buy a home rather than to rent, and I believe that the towns are very nearsighted in not seeing that by having this bill on

the books that there will be a sufficient number of veterans buying homes and paying taxes, in the case of the World War II veterans an average of some thirty-five years. It seems to me that in the long run they will profit a great deal.

Now in the case of the out-of-state gentleman coming in and buying property in this State, I do not see that that is such a horrible crime, because, after all, he did have to employ men in the State to build that home, and he will have to pay the ordinary indirect taxes that all the other citizens of the State will have to pay, and he will assist, at least, in keeping the welfare of merchants at a high level. So, I believe that it is a good business measure as well as a bonus for the veterans, and, after all, it is but a small bonus for the veterans. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House do accept the minority "Ought not to pass" report of the committee.

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

Mr. JENNINGS: Mr. Speaker, somehow I feel that each and every one of us in the House has a conscience. I know that I have, and I have never wanted or thought of this word known as "sympathy." The part that I have always tried to play for our State and our town government is what I thought was best for this State and its government.

I am going to now tell you a little secret. I intended to keep it to myself. I have passed the age of 62 and I have not asked for exemption in this coming year. Therefore, I just wanted to clear it up, and I simply want to say that at this time I do not feel we should repeal this law.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Carter.

Mr. CARTER: Mr. Speaker and Members of the House: It has been said here that this is not the time. I think the statement was also made

by someone that they were quite in accord with this bill to a certain extent, but that this was not the time to put it into effect. I do not see why, if the bill is good or is any good at all, it would not be much easier to put it into effect, and why it would not be much better at this time than to wait until five or eight or ten years from now when all of the veterans will be eligible for this tax. I also think that if a great deal of taxable property is taken out of the towns that it is going to work a hardship to a certain extent on the World War II veterans as well as all ordinary people. I hope that the motion of the gentleman from Strong (Mr. Jennings) will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker and Members of the House: I did not want to rise on this question, having lost a boy in the second World War and having had two others in the service at the same time and one now in Japan. But my mind goes back quite a few years, after hearing some of the gentlemen here speak this morning in reference to taking something from the veterans that is upon the books.

Let us go back to the political history and the career of the gentleman from Cape Elizabeth (Mr. Chase) who years ago was a candidate for Congress in the First District, who then wore the American Legion uniform for the votes. He did secure some and I myself helped him, and I am surprised that he, a veteran, would oppose this so seriously.

I can go along, possibly, with some of the gentlemen who are non-veterans who signed that report. Let's take the gentleman who also claims that he is a member of the American Legion and what he has done for it. I do not believe that he has done one-third of what I have done in that great organization — and when I say "great" it is one of the greatest organizations

in America today in the mind of the veteran. I believe the gentleman from Harrison is not interested in the tax question, but I sincerely believe, from my talk with him, that one gentleman in that American Legion who has gotten to the top seems to have gotten under his skin and he is willing to sacrifice that law that is on the books. I trust that the minority report does prevail.

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

Mr. ATHERTON: Mr. Speaker and Members of the House: As a veteran of World War II, I rise in support of the motion to accept the minority report of the committee. It will be a good many years before myself or other veterans of World War II will be eligible for this exemption. It may be that we will never be eligible for it or will ever need it.

It is my understanding that the average age of World War I veterans at the present time is 57 years. This present exemption law has been on the books about eighteen years, therefore it has been about eighteen years that the World War I veterans could look forward to receiving this exemption when they became eligible for it. Many thoughtful people, both veterans and non-veterans, feel that this would constitute bad faith on the part of the State.

It has been said that many veterans who are eligible for this exemption do not need to apply for it, but, rather, that they are entitled to it anyhow. That may be true. However, there are probably many municipal officers who do not know who are the veterans or what veterans are eligible for the exemption when they attain the age of sixty-two. I feel that these town officials would be justified in requiring such veterans to make known the fact of their eligibility or to require proof of the fact that they are eligible.

It has been true, and still is true, that many veterans who are eligible

for this exemption do not apply for it; preferring to pay their taxes if they are able to do so. There is no reason to believe that this attitude on the part of the veterans will change as more World War I veterans become eligible.

I understand that the approximate correct figure of the number of World War I veterans in the State today is 20,000. I believe that the proponents of this bill, in figuring what this exemption would cost the cities and towns, assume that all of these twenty thousand veterans will be living five years from now and that they will all be property owners, and that they will all apply for the exemption. This, of course, is not true. Nobody knows how many veterans of World War I will be living five years from now. Nobody knows how many of these living veterans will be owners of property and how many will apply for the exemption. Furthermore, I believe that the proponents, in figuring probable costs to towns and cities, assume that all those who apply will be doing so under the sixty-two year clause, whereas the vast majority of those applying do so under the clause granting exemptions to totally disabled veterans. Nobody knows just how many apply because of disability and just how many because of age.

This exemption law is not peculiar to the State of Maine. For example, here in our section of New England, Connecticut provides exemptions up to \$3,000 for veterans having disability ratings, this includes veterans having less than total disability; it also includes parents, widows and wives of veterans. Massachusetts provides for a \$2,000 exemption for all disabled veterans having a disability rating of twenty percent or more. Here, again, ours is for total disability at the age of 62 years, a large exemption but for a much smaller group. New Hampshire provides \$1,000 tax exemption to all veterans who do not own property valued at \$5,000 and a \$3,000 tax exemption for all totally disabled veterans

who do not own property to the value of \$5,000. Another case of smaller exemptions for a much larger group. Rhode Island provides \$1,000 exemption for all veterans and unremarried widows. Other sections of the country which have similar laws on their books are California, Indiana, Iowa, Michigan, New Mexico, Oregon, Utah and Wyoming.

In many states where tax exemption on real and personal estates is not extended to veterans, other benefits such as income tax exemptions, exemptions from license fees, state soldier's homes, homestead laws for veterans or other benefits take its place.

There does not appear to be any substantial demand for this legislation. I understand that at the hearing before the taxation committee only four persons spoke in favor of the bill, three of whom are members of the committee. Over fifty persons registered the opposition of themselves and the organizations which they represented. Were there any substantial demand for the legislation on the part of the municipal officers and tax payers of our towns and cities, one would expect that the Maine Municipal Association would have been represented as a proponent. I understand they were not represented at the hearing.

It would seem to be the sensible course to leave the law as it is until we find out how many World War I veterans are applying for exemption, and see whether or not these added applications actually work a hardship on the remaining tax payers. If experience shows that an unjust burden is being placed upon the shoulders of the non-veteran tax payer, I am sure that the World War I and World War II veterans who are all citizens as well as veterans will be among the first to come forward and help any future Legislature solve the problem. At present, it does not appear that we are faced with any problem at all.

I hope the motion does prevail.

On motion by Miss Longstaff of Crystal, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The Chair recognizes the gentleman from Friendship, Mr. Winchen-paw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I am like Mr. Farley of Biddeford: I did not intend to get drawn into this argument. I have a little story I would like to tell, and I hope you will bear with me while I tell it. I have told it to several people already.

At the beginning of the political campaign last winter when I announced my intention to run for the Legislature, there was a gentleman in our town who is a brother to Judge McGlauffin and he said that the Judge contacted him and said: "You get hold of that fellow down in Friendship and tell him that if he does win and gets up to the Legislature to watch me and stand up when I stand up and sit down when I sit down." Since the day when the Judge made a speech against a bill and then got up and voted for it, I have had to watch him pretty closely. (Laughter)

This morning I find myself in the position that I am able to go along with the Judge and back him up in his speech. Of course I represent a very small town and a very small district, but I believe that giving these veterans the exemption won't hurt our towns any. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House do accept the minority "Ought to pass" report of the committee. When the vote is taken, the gentleman from Sanford, Mr. Letourneau, requests a division.

The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: We seem to drift off onto the bonus question

in some of our arguments. I do not think the bonus question should enter into this. It is not a question of what we owe the veteran, it is a question of whether or not the able-bodied veteran at the age of sixty-two should become a burden upon his neighbors for the rest of his natural life.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I might suggest—I don't know that we have a law to cover it, but if not, I would vote that we give any member of this House the privilege of instituting such a law—I would say we might invoke the law for the benefit of some of the representatives here, by a town or city ordinance, if they do not want veterans to settle in their communities. That might solve the burden, and I believe the veterans would follow their advice.

The SPEAKER: The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House do accept the minority "Ought not to pass" report of the committee. The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I am sorry to report to you that I am not a veteran of any war, but I do believe it is my duty to help pay the taxes of those veterans who did serve in this war. I want to go on record as favoring the minority report.

I also believe that in the not too far distant future this body will be governed by veterans of either war, and if they, in that capacity find that the towns are under a hardship under this law they can easily remedy it.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Strong, Mr. Jennings, that the House do accept the minority "Ought not to pass" report of the committee. The gentleman from

Sanford, Mr. Letourneau, has requested that the vote be taken by a division.

As many as are in favor of the motion of the gentleman from Strong, Mr. Jennings, that the House do accept the minority "Ought not to pass" report of the committee, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred and one having voted in the affirmative and eleven having voted in the negative, the minority "Ought not to pass" report of the committee was accepted in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to the Definition of Tavern in Liquor Law" (H. P. 1746) (L. D. 1038) which was passed to be enacted in the House on April 14th and passed to be engrossed in the House on April 6th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion by Mr. Bird of Rockland, the House voted to adhere to its former action whereby it passed the Bill to be engrossed.

Non-Concurrent Matter

Resolve for the Purchase of Two Hundred Copies of "The Length and Breadth of Maine" (H. P. 927) (L. D. 1375) which was passed to be engrossed in the House on April 18th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Jefferson, Mr. Johnston.

Mr. JOHNSTON: Mr. Speaker, due to the absence of Mr. Palmer, who is Chairman of the Library Committee, and who reported this Bill out "Ought to pass", I move that this Bill and accompanying papers, lie on the table.

The SPEAKER: The gentleman from Jefferson, Mr. Johnston, moves that Item 15, Resolve for the Purchase of Two Hundred Copies of

"The Length and Breadth of Maine" (H. P. 927) (L. D. 1375) lie upon the table pending further consideration. Is this the pleasure of the House?

The motion prevailed, and the Resolve was so tabled.

From the Senate: The following Communication:

STATE OF MAINE Senate Chamber

April 19, 1949

Honorable Harvey R. Pease,
Clerk, House of Representatives of
the 94th Legislature.

Sir:

This is to inform you that Bill "An Act Relating to the Powers of Tax Assessors" (H. P. 2063) (L. D. 1498), received in the House of Representatives by unanimous consent, was refused admission by unanimous consent in the Senate; therefore, under Joint Order No. 51, stands referred to the 95th Legislature.

Very truly yours,

(Signed) Chester T. Winslow,
Secretary of Senate

The Communication was received and ordered placed on file.

Orders

On motion by Mr. McClure of Bath, it was

ORDERED, that Rev. Joseph Purdue of Bath, be invited to officiate as Chaplain of the House on Tuesday, April 26, 1949.

House Reports of Committees Leave to Withdraw

Mr. Arthur from the Committee on Counties on Bill "An Act Relating to Farm Bureau Assistance in Kennebec County" (H. P. 1770) (L. D. 1109) reported leave to withdraw, as it is otherwise cared for.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Gerrish from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Leo Sahagian of Cambridge, Massachusetts (H. P. 1118)

Same gentleman from same Committee reported same on Resolve in Favor of Mildred F. Anderson, of New Center, Massachusetts (H. P. 912)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Gerrish from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Mrs. W. H. Kyle, of Scarsdale, New York (H. P. 1122)

(On motion by Mr. Lacharite of Brunswick, tabled pending acceptance of Committee Report)

Tabled

Mr. Campbell from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Providing for a Fish Screen at Outlet of Upper Sebago Lake in County of Hancock (H. P. 1150) (L. D. 550)

(On motion by Mr. Silsby of Aurora, tabled pending acceptance of Committee Report)

Mr. Hill from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Relating to Size of Traps for Wild Animals" (H. P. 1871) (L. D. 1211)

Same gentleman from same Committee reported same on Resolve to Build a Fishway at Frankfort, Waldo County (H. P. 1345) (L. D. 697)

Mr. Sharpe from the Committee on Labor reported same on Bill "An Act Relating to Duty of Department of Labor and Industry Concerning Buildings" (H. P. 1503) (L. D. 806)

Reports were read and accepted and sent up for concurrence.

Consolidated Resolve

Mr. Marsans from the Committee on Education on the following Resolves:

H. P. 915, Resolve in Favor of Foxcroft Academy.

H. P. 916, Resolve in Favor of Berwick Academy.

H. P. 651, Resolve in Favor of Parsonfield Seminary.

H. P. 650, Resolve in Favor of Limington Academy.

H. P. 1342, Resolve in Favor of Leavitt Institute.

H. P. 1341, Resolve in Favor of Corinna Union Academy.

H. P. 1772, L. D. 1111, Resolve in Favor of Robert Traip Academy.

S. P. 224, Resolve in Favor of Monson Academy.

Reported a Consolidated Resolve (H. P. 2073) (L. D. 1534) under title of Resolve in Favor of Several Academies, Institutes, and Seminaries and that it "Ought to pass"

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules and assigned for second reading tomorrow morning.

Ought to Pass in New Draft

Mr. Marble from the Committee on Legal Affairs on Bill "An Act Creating the Bath School District" (H. P. 1055) (L. D. 470) reported same in a new draft (H. P. 2074) (L. D. 1538) under same title and that it "Ought to pass"

Mr. Bates from the Committee on Public Health on Bill "An Act Relating to Funeral Directors and Embalmers" (H. P. 65) (L. D. 24) reported same in a new draft (H. P. 2075) (L. D. 1535) under same title and that it "Ought to pass"

Mr. Berry from same Committee on Bill "An Act Relating to the Use of Electrolysis in Beauty Culture" (H. P. 309) (L. D. 89) reported same in a new draft (H. P. 2076) (L. D. 1529) under same title and that it "Ought to pass"

Mr. Kent from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court" (H. P. 715) (L. D. 257) reported same in a new draft (H. P. 2077) (L. D. 1530) under same title and that it "Ought to pass"

Mr. Littlefield from same Committee on Bill "An Act Relating to the Salary of the Recorder of the Portland Municipal Court" (H. P.

716) (L. D. 258) reported same in a new draft (H. P. 2078) (L. D. 1531) under same title and that it "Ought to pass"

Mr. Stevens from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Wholesale Lobster Dealer's License" (H. P. 764) (L. D. 300) reported same in a new draft (H. P. 2079) (L. D. 1532) under same title and that it "Ought to pass"

Mr. Littlefield from the same Committee on Bill "An Act Repealing Retail Dealers' Fish Licenses" (H. P. 1420) (L. D. 754) and new draft of same (H. P. 2032) (L. D. 1439) under title of "An Act Relating to Retail Dealers' Licenses", which were recommitted, reported that the new draft under the new title "Ought to pass".

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Ought to Pass Printed Bills

Mr. DeSanctis from the Committee on Claims reported "Ought to pass" on Resolve in Favor of Frederick C. Osgood, of Cumberland (H. P. 648) (L. D. 1525)

Mr. Gerrish from same Committee reported same on Resolve in Favor of Maynard Marsh of Gorham (H. P. 562) (L. D. 1526)

Mr. Gray from same Committee reported same on Resolve in Favor of John P. Clark, of Scarborough (H. P. 974) (L. D. 1527)

Mr. Hall from same Committee reported same on Resolve in Favor of Susan M. Osgood, of Cumberland (H. P. 649) (L. D. 1528)

Mr. Brown from the Committee on Counties reported same on Bill "An Act Permitting Tax Abatement for Certain Towns by County Commissioners of York County" (H. P. 1624) (L. D. 935)

Mr. Gray from same Committee reported same on Bill "An Act Permitting Counties to Raise Money for Airport Construction" (H. P. 1470) (L. D. 803)

Mr. Hobbs from same Committee reported same on Bill "An Act Relating to Rental for the Bar Harbor Municipal Court" (H. P. 1623) (L. D. 934)

Mr. Bearce from the Committee on Inland Fisheries and Game reported same on Bill "An Act Relative to Hatchery Employees in Classified Service" (H. P. 1627) (L. D. 938)

Reports were read and accepted and the Bills and Resolves, having already been printed, the Bills were read twice under suspension of the rules, the Resolves read once and tomorrow assigned.

Tabled

Mr. Wight from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer" (H. P. 1271) (L. D. 751)

(On motion by Mr. Maxwell of Wilton, tabled pending acceptance of Committee Report)

Mr. Sharpe from the Committee on Labor reported "Ought to pass" on Bill "An Act Relating to the Workmen's Compensation Act" (H. P. 1502) (L. D. 805)

Mr. Kent from the Committee on Salaries and Fees reported same on Bill "An Act Relating to the Salary of Clerks in the Office of Recorder of the Portland Municipal Court" (H. P. 717) (L. D. 259)

Same gentleman from same Committee reported same on Bill "An Act Relating to Clerical Assistance for Active Retired Justices of the Supreme Judicial Court" (H. P. 315) (L. D. 95)

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Gerrish from the Committee on Claims on Resolve in Favor of Eugene Jorgensen, of South Wind-

ham (H. P. 737) (L. D. 1537) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 737, L. D. 1537, Resolve in Favor of Eugene Jorgensen of South Windham.

Amend said Resolve by striking out the figures in the second line therein of "\$267.34" and inserting in place thereof the figure '\$200.00'.

Committee Amendment "A" was adopted and the Resolve was assigned for second reading tomorrow morning.

Mr. Chaples from the Committee on Labor on Bill "An Act Requiring Employer Assenting to Workmen's Compensation Law to File Written Assent and Insurance Policy (H. P. 1723) (L. D. 1080) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1723, L. D. 1080, Bill "An Act Requiring Employer Assenting to Workmen's Compensation Law to File Written Assent and Insurance Policy."

Amend said Bill by inserting in the next to last line thereof, after the word "policies", the underlined words

'or binders'

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

Tabled

Mr. Sharpe from the Committee on Labor on Bill "An Act Relating to Unfired Pressure Vessels" (H. P.

707) (L. D. 253) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Pullen of Oakland, tabled pending acceptance of Committee Report)

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Brewer High School District" (H. P. 1653) (L. D. 961) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1653, L. D. 961, Bill "An Act Amending the Charter of the City of Brewer High School District."

Amend said Bill by striking out in the last line of Sec. 2 thereof the underlined figure "\$650,000" and inserting in place thereof the underlined figure '625,000'

Further amend said Bill by adding at the end a referendum to read as follows:

Effective date; referendum. This act shall take effect 90 days after the adjournment of the legislature only for the purpose of permitting its submission to the legal voters of the territory within the limits of the before-defined district at any regular election or at any special election called and held for that purpose, or at any election called for the purpose of voting upon any state referendum. Such election shall be called, advertised and conducted before January 1, 1951 according to the law relating to municipal elections; provided, however, that the board of registration in said city of Brewer shall not be required to prepare for posting, or the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such election, the first 2

days thereof to be devoted to registration of voters, and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The city clerk shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Brewer High School District be accepted?" and the voters shall indicate by a cross or check mark placed over the words, "Yes" or "No", their opinion of the same. If a majority of the votes cast by the legal voters of said territory are in favor of the acceptance of this act, this act shall take full effect; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for governor in said city at the next previous gubernatorial election. The result in said district shall be declared by the municipal officers of the city of Brewer and due certificate filed by the city clerk with the secretary of state.

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

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Create the Town of Windsor School District" (H. P. 996) (L. D. 427) and New Draft of same under the same title (H. P. 1675) (L. D. 929), which were recommitted, reported that the New Draft "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 1675, L. D. 929, Bill "An Act to Create the Town of Windsor School District."

Amend said Bill by inserting after the word "election" in the third

from the last line of Sec. 9 thereof the following:

"; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

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

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Orono High School District" (H. P. 1166) (L. D. 624) and New Draft of same under same title (H. P. 1901) (L. D. 1224), which were recommitted, reported that the New Draft "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 1901, L. D. 1224, Bill "An Act to Incorporate the Town of Orono High School District."

Amend said Bill by inserting after the word "hereof" in the 3rd from the last line in Sec. 9 thereof the following:

"; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

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

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Create the City of Bangor School District" (H. P. 1845) L. D. 1203) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1845, L. D. 1203, Bill "An Act to Create the City of Bangor School District."

Amend said Bill by striking out the first sentence of Sec. 3 thereof and inserting in place thereof the following:

'As soon as may be after the acceptance of this act, as herein-after provided, the city council of the city of Bangor shall elect 5 trustees of said district, to hold office as follows respectively:

1 until the next January 1st following acceptance of this act; 1 until the 2nd January 1st thereafter; 1 until the 3rd January 1st thereafter; 1 until the 4th January 1st thereafter; and 1 until the 5th January 1st thereafter.'

Further amend said Bill by striking out in the 3rd line of the 2nd paragraph of Sec. 3 thereof the words "annual municipal election" and inserting in place thereof the words 'next succeeding January 1st'

Further amend said Bill by inserting after the word "election" in the 4th from the last line in Sec. 9 thereof the following:

'; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for governor in said city at the next previous gubernatorial election'

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

Mr. Hayes from the Committee on Legal Affairs on Bill "An Act to Create the Gardiner School District" (H. P. 1841) (L. D. 1200) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been

printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1841, L. D. 1200, Bill "An Act to Create the Gardiner School District."

Amend said Bill by striking out in the 4th line of Sec. 1 thereof the words "City of".

Further amend said Bill by striking out in the 6th and 7th lines of Sec. 2 thereof the words "bona fide residents of the city of Gardiner" and inserting in place thereof the words 'qualified voters of said district'.

Further amend said Bill by inserting in the 3rd line of Sec. 3 thereof before the words "to hold" the following: 'who shall be qualified voters of said district,'

Further amend said Bill by inserting in the 8th line of Sec. 3 thereof after the word "election" the word 'next'.

Further amend said Bill by striking out in the 11th line of Sec. 3 thereof the last word "the" and inserting in place thereof the word 'his'.

Further amend said Bill by inserting in the 7th line of the 6th paragraph of Sec. 3 thereof before the word "trustees" the words 'board of'.

Further amend said Bill by striking out in the 5th line of Sec. 4 thereof the figure "\$600,000" and inserting in place thereof the figure '\$300,000'.

Further amend said Bill by striking out in the 6th line of Sec. 4 thereof the words "City of."

Further amend said Bill by striking out in the 1st line of Sec. 6 thereof the words "City of".

Further amend said Bill by striking out in the 2nd line of Sec. 8 thereof the words "City of."

Further amend said Bill by striking out in the 18th and 19th lines of Sec. 9 thereof the question "Shall the Act to Incorporate the City of Gardiner School District be accepted?" and inserting in place thereof the following 'Shall the Act

to Create the Gardiner School District be accepted?"

Further amend said Bill by inserting after the word "election" in the 3rd from the last line in Sec. 9 thereof the following:

“; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for governor in said city at the next previous gubernatorial election”

Committee Amendment “A” was adopted and the Bill was assigned for third reading tomorrow morning.

Mr. Martin from the Committee on Legal Affairs on Bill “An Act to Incorporate the Old Orchard Beach School District” (H. P. 1839) (L. D. 1198) reported “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment “A” was then read by the Clerk as follows:

COMMITTEE AMENDMENT “A” to H. P. 1839, L. D. 1198, Bill “An Act to Incorporate the Old Orchard Beach School District.”

Amend said Bill by adding at the end of Sec. 3 thereof the following 2 sentences:

“Said bonds and notes shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of section 132 of chapter 49 of the revised statutes, and all the provisions of said section shall be applicable thereto. The said bonds and notes shall be legal investments for savings banks.”

Further amend said Bill by striking out in the 4th and 5th lines of Sec. 4 thereof the following:

“cost of the school building and its appurtenances, and the expenses incidental to the carrying out of the purposes of this act,” and inserting in place thereof the following:

‘principal amount of such bonds and notes originally issued’

Further amend said Bill by striking out all of the last sentence in Sec. 6 thereof.

Further amend said Bill by striking out in the 7th line of Sec. 8 thereof the figure and word “2 years” and inserting in place thereof the figure and word ‘1 year’

Further amend said Bill by inserting after the word “meeting” in the 3rd from the last line of Sec. 8 thereof the following:

“; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election”

Thereupon Committee Amendment “A” was adopted and the Bill was assigned for third reading tomorrow morning.

Mr. PAINE from the Committee on Legal Affairs on Bill “An Act to Incorporate the Town of Yarmouth School District” (H. P. 1054) (L. D. 469) reported “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

Report was read and accepted, and the Bill having already been printed, was read twice under suspension of the rules.

Committee Amendment “A” was read by the Clerk as follows:

COMMITTEE AMENDMENT “A” to H. P. 1054, L. D. 469, Bill “An Act to Incorporate the Town of Yarmouth School District.”

Amend said Bill by inserting after the word “bonds” in the 3rd line of Sec. 4 thereof the words ‘and notes’

Further amend said Bill by striking out in the 4th line of Sec. 4 thereof the figure “\$225,000” and inserting in place thereof the figure ‘\$125,000’

Further amend said Bill by inserting after the word “bond” in the 4th line of Sec. 4 thereof the words ‘and note’

Further amend said Bill by inserting after the word "bonds" in the 8th line of Sec. 4 thereof the words 'and notes'

Further amend said Bill by striking out all of Sec. 5 thereof and inserting in place thereof the following:

'Sec. 5. Sinking fund; refunding bonds provided for. In case any bonds or notes at any time issued are made to run for a period of years (as distinguished from serial maturity), the trustees shall establish a sinking fund for such bonds or notes for the purpose of redeeming the same when they become due. The amount to be paid annually into such sinking fund shall not be less than 3 1/3% of the total principal amount of such bonds or notes originally issued. In addition to such annual sinking fund payment, the trustees shall have authority from time to time to add to any such sinking fund any funds of said district not required for other purposes. Funds in any sinking fund may be deposited in any national bank, savings bank or trust company within the state or may be invested in whole or in part in any bonds of the United States, of the State of Maine or of any political subdivision thereof, as the trustees may determine. Interest received on any funds so invested shall be added to the sinking fund. When and if the amount accumulated in any sinking fund, together with interest received or to be received thereon, shall be sufficient to pay at maturity or, at the option of the trustees, to redeem the bonds or notes for the benefit of which such sinking fund was established, all further payments to such sinking fund shall cease.

Whenever any bonds or notes issued by said district may become due or can be purchased or called for redemption by said district on favorable terms, said trustees, if sufficient funds have accumulated in the sinking fund provided therefor, shall pay, purchase or redeem said bonds or notes and cancel them. In no case shall bonds or notes so paid, purchased or re-

deemed, and cancelled, be reissued.

In case the amount in any sinking fund shall not be sufficient to pay the total amount when due of the bonds and notes for which such sinking fund was provided, or in case it shall become desirable in the opinion of the trustees to call for redemption any outstanding bonds or notes and to issue new bonds or notes in their stead, authority is hereby granted to refund so many of said original bonds or notes as cannot be paid or redeemed from the sinking fund provided therefor, if any, but in no case shall such new bonds or notes mature more than 30 years from the original date of issue of the original bonds or notes so refunded.'

Further amend said Bill by inserting after the word "bonds" in the 3rd line of Sec. 6 thereof the word 'or notes'

Further amend said Bill by inserting after the word "bonds" in the 5th line of Sec. 6 thereof the words 'and notes'

Further amend said Bill by inserting after the word "bonds" in the 6th line of Sec. 6 thereof the words 'and notes'

Further amend said Bill by inserting after the word "meeting" in the next to the last sentence of Sec. 9 thereof the following:

': provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

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

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Corinth School District" (H. P. 1259) (L. D. 558), which was recommitted, reported "Ought to pass" as amended by Committee Amendments "A" and "B" submitted therewith.

Report of the Committee was accepted, and the Bill, having already

been printed, had its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1259, L. D. 558, Bill "An Act to Incorporate the Town of Corinth School District."

Amend said Bill by adding in the 12th line of section 4 thereof after the word "bond" the words 'and note'.

Further amend said Bill by adding in the 15th line of section 4 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 1st line of section 5 thereof after the words "bonds" the words 'or notes'.

Further amend said Bill by adding in the 3rd line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 6th line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 17th line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 1st line of the 2nd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 5th line of the 2nd paragraph of section 5 thereof after the first word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 5th line of the 2nd paragraph of section 5 thereof before the word "so" the words 'or notes'.

Further amend said Bill by adding in the 2nd line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 4th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 5th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 6th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 8th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 9th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 3rd line of section 6 thereof after the word "bonds" the words 'or notes'.

Committee Amendment "A" was adopted.

Committee Amendment "B" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 1259, L. D. 558, Bill "An Act to Incorporate the Town of Corinth School District."

Amend said Bill by striking out in the 12th line of Sec. 4 thereof the figure "\$72,000" and inserting in place thereof the figure "\$50,000".

Further amend said Bill by inserting after the word "meeting" in the next to the last sentence of Sec. 8 thereof, the following:

 "; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

Thereupon, Committee Amendment "B" was adopted and the Bill was assigned for third reading tomorrow morning.

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Hartland School District" (H. P. 1175) (L. D. 630), which was recommended, reported "Ought to pass" as amended by Committee Amendments "A" and "B" submitted therewith.

Report was read and accepted and the Bill, having already been printed, had its two several readings under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1175, L. D. 630, Bill "An Act to Incorporate the Town of Hartland School District."

Amend said Bill by inserting in the 3rd line of section 5 thereof after the word "bonds" the words 'or notes'.

Thereupon, the House voted to adopt Committee Amendment "A".

Committee Amendment "B" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 1175, L. D. 630, Bill "An Act to Incorporate the Town of Hartland School District."

Amend said Bill by striking out in the 5th line of Sec. 3 thereof the figure "\$100,000" and inserting in place thereof the figure '\$65,000'

Further amend said Bill by inserting after the word "meeting" in the 4th from the last line of Sec. 8 thereof the following:

'; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

Committee Amendment "B" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Martin from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Monroe School District" (H. P. 1256) (L. D. 561) which was recommitted, reported "Ought to pass" as amended by Committee Amendments "A" and "B" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1256, L. D. 561, Bill "An Act to Incorporate the Town of Monroe School District."

Amend said Bill by adding in the fifth line of section 3 thereof after the word "bond" the words 'and note.'

Further amend said Bill by adding in the third line of section 5 thereof after the word "bonds" the words 'and notes.'

Thereupon, Committee Amendment "A" was adopted.

Committee Amendment "B" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 1256, L. D. 561, Bill "An Act to Incorporate the Town of Monroe School District."

Amend said Bill by striking out in the 5th line of Sec. 3 thereof the figures "\$40,000" and inserting in place thereof the figures '\$25,000'

Further amend said Bill by inserting after the word "meeting" in the last line of Sec. 8 thereof the following:

'; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

Committee Amendment "B" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Martin from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Whitefield School District" (H. P. 1173) (L. D. 629), which was recommitted, reported "Ought to pass" as amended by Committee Amendments "A" and "B" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1173, L. D. 629, Bill "An Act to Incorporate the Town of Whitefield School District."

Amend said Bill by adding in the fifth line of section 3 after the word "bond" the words 'and note'.

Further amend said Bill by adding in the third line of section 5 after the word "bonds" the words 'and notes'.

Committee Amendment "A" was adopted.

Committee Amendment "B" was then read by the Clerk as follows:
COMMITTEE AMENDMENT "B"
 to H. P. 1173, L. D. 629, Bill "An Act to Incorporate the Town of Whitefield School District."

Amend said Bill by striking out in the 5th line of Sec. 3 thereof the figure "\$55,000" and inserting in place thereof the figure '\$40,000'.

Further amend said Bill by inserting after the last word "meeting" the following:

'; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election'

Committee Amendment "B" was then adopted and the Bill was assigned for third reading tomorrow morning.

Divided Report Tabled

Majority Report of the Committee on Military Affairs reporting "Ought not to pass" on Bill "An Act Appropriating Money to Transport War Trophies into the State" (H. P. 1927) (L. D. 1287)

Report was signed by the following members:

Messrs. **BATCHELDER** of York
SAVAGE of Somerset
 —of the Senate

JENNINGS of Strong
FARLEY of Biddeford
PAINE of Portland
DUFRESNE of Bar Harbor
HAYES of Dover-Foxcroft
PAYSON of Union
EASTMAN of Paris

—of the House

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

Report was signed by the following member:

Mr. **SLOCUM** of Cumberland
 —of the Senate

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

Mr. **JENNINGS**: Mr. Speaker, I move that the House accept the majority report, "Ought not to pass".

The **SPEAKER**: The gentleman from Strong, Mr. Jennings, moves that the House accept the majority report, "Ought not to pass."

The Chair recognizes the gentleman from Manchester, Mr. Jewett.

Mr. **JEWETT**: Mr. Speaker, I move that the two reports, with accompanying papers, lie on the table.

The **SPEAKER**: The gentleman from Manchester, Mr. Jewett, moves that the two reports, with accompanying papers, lie on the table pending the motion of the gentleman from Strong, Mr. Jennings, that the House accept the majority "Ought not to pass" report. Is this the pleasure of the House?

The motion prevailed.

Divided Report Tabled

Majority Report of the Committee on Military Affairs on Bill "An Act Relating to Taxation of Amusement and Musical Devices, to Provide Funds for Payments to Veterans" (H. P. 2005) (L. D. 1392) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. **SAVAGE** of Somerset
BATCHELDER of York
SLOCUM of Cumberland
 — of the Senate

JENNINGS of Strong
DUFRESNE of Bar Harbor
EASTMAN of Paris

— of the House

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

Report was signed by the following members:

Messrs. **PAYSON** of Union
HAYES of Dover-Foxcroft
FARLEY of Biddeford
PAINE of Portland

— of the House

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker and Members of the House: I move that the majority "Ought to pass" report be accepted.

The SPEAKER: The gentleman from Paris, Mr. Eastman, moves that the House do accept the majority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Union, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I would like briefly to give my reasons for signing the minority report.

This bill, as it was originally introduced, called for payment of a bonus of \$78 to veterans of the Spanish-American War. At the hearing before the Military Affairs Committee, operators of musical devices appeared and stated that they were few in number, only a few hundred of them in the State, and that the tax would fall upon only a few of the people of Maine. It was also stated that although there were some few thousand of those machines in operation many of them would not pay if this bill was passed because a great many of them would be withdrawn from operation, so it is doubtful exactly how much money the State would realize from that.

I would also call your attention to the fact that the committee report has an amendment on the "Ought to pass" bill which strikes off the bonus feature and in effect makes the bill simply a tax bill. I could see no particular demand at the hearing for this legislation and there was considerable opposition to it. I hope the motion of the gentleman from Paris (Mr. Eastman) does not prevail.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I had to leave the House chamber for a few minutes and I had requested a colleague of mine to table this measure

until I could have ample time to go over the bill and see what the amendments were. I understand at the present time that cannot be done.

Now I have heard the argument, part of it, against this measure. Gentlemen, it is my idea that this tax on these amusement devices, these so-called pin-ball machines may handicap a certain group of men in our State who earn, as they stated, about two dollars a week from each one of these machines.

In the neighborhood of most of the schoolhouses in the State you find these so-called amusement devices that return only two dollars per week. I will grant that the gentleman, Mr. Payson, is correct when he said there was only one proponent of the measure. I was that proponent. It is true that many opponents were here, and I believe I am correct in saying that in most instances these opponents were the owners of these machines, perhaps with their lobbyists who might have been here to represent them.

It is my opinion that if we tax a man to drive an automobile to try and earn a living for himself, his family and children, digging clams, lobstering and fishing and various other things, that it will be discrimination if we do not allow these people who receive this two dollars a week from these pinball machines to also pay their fair share of the tax burden of our patchwork tax system in Maine today.

I trust, gentlemen, that you will follow along with the motion, I believe, of my colleague, Mr. Eastman. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Paris, Mr. Eastman, that the House do accept the majority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker, before saying anything on this bill, I would like to ask a question—perhaps Mr. McClure may answer it

or anybody may answer it. How would this affect the municipal tax on pin-ball machines? In other words the municipalities do get a tax on these devices. I wonder what effect it would have on them.

The **SPEAKER**: The gentleman from Millinocket, Mr. Gates, asks a question through the Chair. The gentleman from Bath, Mr. McClure may answer if he wishes to.

Mr. **McCLURE**: Mr. Speaker and Mr. Gates, I am not sure I can answer. I know in my City of Bath there is no municipal tax. I might say that the State tax on the pin-ball machines amounts to less than seven cents per day, and the tax on the juke-boxes, so-called, amounts to less than three cents per day. Where he said he had not had an opportunity to investigate this, I would like to table the bill and accompanying reports pending the motion to accept the "Ought to pass" report.

The **SPEAKER**: The gentleman from Bath, Mr. McClure, moves that Bill "An Act Relating to Taxation of Amusement and Musical Devices, to Provide Funds for Payments to Veterans" (H. P. 2005) (L. D. 1392), with accompanying papers, lie on the table pending the motion of the gentleman from Paris, Mr. Eastman, that the House accept the majority "Ought to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the bill and the two reports, with accompanying papers, were so tabled.

Divided Report Tabled

Majority Report of the Committee on State Lands and Forest Preservation reporting "Ought not to pass" on Bill "An Act Creating Greater Utilization of Wood Waste and Development of New Products" (H. P. 2001) (L. D. 1384)

Report was signed by the following members:

Messrs. **WILLIAMS** of Penobscot
CROSBY of Franklin
—of the Senate

WILLIAMS of Topsham
HAYWARD of Machias
WEBBER of Bangor
BENN of Smyrna
SHARPE of Anson
—of the House

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 2080) (L. D. 1536) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. **COBB** of Oxford
—of the Senate
BROWN of Wayne
LEAVITT of Parsonsfield
—of the House

The **SPEAKER**: The Chair recognizes the gentleman from Topsham, Mr. Williams.

Mr. **WILLIAMS**: Mr. Speaker, I move that the House accept the majority report, "Ought not to pass" of the committee.

The **SPEAKER**: The gentleman from Topsham, Mr. Williams, moves that the House do accept the majority "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. **BROWN**: Mr. Speaker, I move that Item 45, House Paper 2001, Legislative Document 1384, be laid on the table pending the motion of the gentleman from Topsham, Mr. Williams.

The **SPEAKER**: The gentleman from Wayne, Mr. Brown, moves that Item 45, Bill "An Act Creating Greater Utilization of Wood Waste and Development of New Products" (H. P. 2001) (L. D. 1384) with the accompanying papers, lie upon the table pending the motion of the gentleman from Topsham, Mr. Williams, that the House do accept the majority "Ought not to pass" report of the committee. Is it the pleasure of the House that the Item lie upon the table?

The motion prevailed.

The **SPEAKER**: The Chair at this time designates the gentleman from Monmouth, Mr. Marsans, as Speaker pro tem, and requests the

Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, Mr. Marsans was escorted to the rostrum by the Sergeant-at-Arms, where he assumed the Chair, amid the applause of the House, and Speaker Haskell retired.

Passed to be Engrossed

Bill "An Act Pertaining to the Definition of a Contract Carrier" (S. P. 659) (L. D. 1479)

Bill "An Act Relating to Certain Procedures in Inheritance Tax Law" (S. P. 625) (L. D. 1368)

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

Bill "An Act to Repeal the State Personnel Law" (H. P. 1720) (L. D. 1077)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that this bill lie on the table.

The SPEAKER pro tem: The gentleman from Unity, Mr. Brown, moves that Item 2, Bill "An Act to Repeal the State Personnel Law" (H. P. 1720) (L. D. 1077) lie on the table pending its passage to be engrossed. Is this the pleasure of the House?

Calls of "No".

The SPEAKER pro tem: All those in favor of the gentleman from Unity, Mr. Brown, will signify by saying aye; all those opposed, no.

A viva voce vote being doubted.

A division of the House was had.

Thirty having voted in the affirmative and sixty-nine in the negative, the motion did not prevail.

Thereupon, the bill was passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act Relating to the Sales and Marketing of Eggs" (S. P. 374) (L. D. 640)

Bill "An Act Relating to Sale and Use of Fireworks" (H. P. 135) (L. D. 41)

Bill "An Act to Create the Town of Orland School District" (H. P. 1712) (L. D. 1014)

Bill "An Act to Incorporate the Town of Masardis School District" (H. P. 1875) (L. D. 1253)

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

Bill "An Act to Incorporate the Town of South Thomaston School District" (H. P. 486) (L. D. 161)

Bill "An Act to Incorporate the Town of Searsport School District" (H. P. 1171) (L. D. 627)

Bill "An Act to Incorporate the Town of Winthrop School District" (H. P. 1258) (L. D. 559)

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

At this point Speaker Haskell assumed the Chair, and Mr. Marsans was conducted to his seat on the floor, amid the applause of the House.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I move that the House do now recess until 4:30 this afternoon.

Calls of "No, no".

The SPEAKER: Will the gentleman state the hour again?

Mr. BURGESS: 4:30 P. M., Mr. Speaker.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House do recess until 4:30 P. M. this afternoon. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman will say aye; those opposed no.

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

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess;

Mr. BURGESS: Mr. Speaker, before making the previous motion, perhaps I should have explained that there are several executive sessions necessary this afternoon, in order to have a workable calendar for tomorrow. Now perhaps the hour of 4:30 is too late to meet with your approval, but I do feel that it is necessary, in order to keep things moving and have plans that will work for tomorrow, that we do recess, in order to give those committees time for executive sessions.

So again at this time, I am going to offer another motion that the House adjourn until 4:00 P. M. this afternoon.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House do now recess until 4:00 P. M. this afternoon. Is this the pleasure of the House?

The motion prevailed, and the House recessed until 4:00 P. M. this afternoon.

After Recess — 4:00 p.m.

The House was called to order by the Speaker.

The following paper from the Senate was taken up out of order under suspension of the rules.

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1950, and June 30, 1951 (S. P. 624) (L. D. 1360) which was passed to be engrossed in the House on April 12th as amended by House Amendments "A" and "D" in non-concurrence.

Came from the Senate recommended to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: The House voted to recede from its former action whereby it passed the Bill to be engrossed, and the Bill was recommended to the Committee on Appropriations and Financial Affairs in concurrence.

Passed to be Enacted Tabled

An Act Relating to Trucks Transporting Pulp, Slabs and Logs (S. P. 641) (L. D. 1415)

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

(On motion by Mr. Payson of Union, tabled pending passage to be enacted)

An Act Relating to the Salary of the Register of Deeds in Cumberland County (H. P. 190) (L. D. 62)

An Act Relating to Clerk Hire in County Offices in Sagadahoc County (H. P. 316) (L. D. 96)

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

Placed on Special Calendar

An Act to Provide for the Annual Salary of Members of the Public Utilities Commission (H. P. 368) (L. D. 128)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar)

An Act Relating to Salary of Judge of Probate in Cumberland County (H. P. 718) (L. D. 260)

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

Placed on Special Calendar

An Act Relating to the Salary of the County Attorney of Waldo County (H. P. 1073) (L. D. 479)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar.)

An Act Relating to Salary of Register of Probate and Clerks in the Office of Register of Probate, Hancock County (H. P. 1534) (L. D. 865)

An Act Relating to Salary of Sheriff of Hancock County (H. P. 1664) (L. D. 972)

An Act Relating to the Salary of the Judge of Probate of Waldo County (H. P. 1733) (L. D. 1087)

An Act Relating to the Salaries of the Judge and Recorder of the Waldo County Municipal Court (H. P. 1848) (L. D. 1186)

An Act Relating to Transportation of Dogs from Licensed Kennels (H. P. 1971) (L. D. 1353)

Finally Passed

Resolve Regulating Fishing in Certain Ponds in Somerset County (S. P. 516) (L. D. 1047)

Resolve Improving the Fish Screen at Outlet of Long Pond in Sandy River Plantation (H. P. 1036) (L. D. 520)

Resolve Opening Bagaduce River, in Hancock County, to Trapping of Eels (H. P. 1344) (L. D. 696)

Resolve Providing for a Fish Screen at Outlet of Hancock Pond in the Town of Denmark (H. P. 1394) (L. D. 727)

Resolve Providing for a Fish Screen at Outlet of Peabody Pond in the Town of Sebago (H. P. 1395) (L. D. 728)

Resolve Providing for a Fish Screen at Outlet of Tacoma Lakes Chain in the Town of Litchfield (H. P. 1485) (L. D. 842)

Resolve Providing for a Fish Screen at Outlet of Lake Auburn in the City of Auburn (H. P. 1488) (L. D. 845)

Resolve Providing for a Fish Screen at Outlet of Great Pond in Plantation No. 33, Hancock County (H. P. 1695) (L. D. 1018)

Resolve Changing the Opening Date for Fishing in Lone Pond, in the Town of Waterboro, York County (H. P. 1825) (L. D. 1151)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed,

all signed by the Speaker and sent to the Senate.

Placed on Special Calendar

Resolve Appropriating Money to Repair, Recondition and Maintain Lot and Monument of a Former Maine Governor (H. P. 2039) (L. D. 1454)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar)

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the 1st tabled and today assigned matter, House Divided Report of the Committee on Temperance on Bill "An Act Re-Establishing Prohibition" (H. P. 1975) (L. D. 1351), Majority Report "Ought not to pass," Minority Report "Ought to pass," tabled on April 15th by the gentleman from Blaine, Mr. Bubar, pending acceptance of either report.

The Chair now recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I move we accept the minority report "Ought to pass," and I would like to speak on the measure.

The SPEAKER: The gentleman may proceed.

Mr. BUBAR: Mr. Speaker, now for the first time in my career in speaking publicly I will use my notes and I will confine myself very closely to them. I want to keep the record straight. I do not want to make any harsh statements inspired by Bubar enthusiasm.

The introduction of this bill is very important. It is vital and serious, and it will put us in a very straight position. And some of us think it will put us on a hot spot, because the bill will be the chief political issue in two years and in the years to come.

Every one of us here today will have to decide his own position. He

will be on one side or the other. There is no middle ground. He that is not for this bill is against it but the people, I hope, will know how we stand.

Now, you may refuse to give me a yea and nay vote but nevertheless between now and next election day remember whether in the country or the city, the voters are going to know how every one of us stand on the prohibition issue. Now, I want to be fair in this discussion. I do not want to deal in personalities.

Many of the opponents of this bill never drink. I question whether any of them do. They are all teetotalers. They do not believe in drinking liquor. They are in it for profit, profit alone, either money or position. I want to fight fair. I never hit below the belt. I have always tried to be like John L. Sullivan or Joe Louis, because they are honest fighters and that is the reason why they stayed in the game.

I have had but one fist fight in my life. That was in the old school days when we used to go around with our hats on the side of our heads and would stomp some fellow to knock it off and when he did, we climbed him.

Well, a fellow accused me of going home with his girl and I did it, but she asked me to and I thought I had a right to. And he stumped me out to fight, and, of course, I accepted the challenge and we took our coats off and in about three minutes, I licked the tar out of him.

Well, I used him fair. I took him into our house and cleaned him up, washed him up and took him home. We were good friends ever afterwards. And so were the girl and I. That is what I want to do today. Whichever side is whipped, well, if I can possibly trim you, the opposition, I will go home with you and help you clean up, and I expect you to do the same for me and we will be good friends for ever after.

Now, I present this bill re-establishing prohibition first in order to keep my covenant with the people. I covenanted with the people in my district, in my county and in my

state. I promised mothers and wives and sweethearts before I came down here that I would do something swift and lasting to eliminate drinking in the communities in which they live. I have several ways which I have planned to do it. My first thought was, and I centered everything on that, was to establish an alcoholic institution to care for the hopeless, helpless boys and girls, too, caught in the net. I proposed to have that institution established not later than the first day of July of this year. My bill proposed to take the money to establish that institution out of the liquor revenue.

Very well, the public press had no more than publicized that bill until the Civic League of Maine jumped on it with both feet and they ran off, down to the Foreign Billion Dollar Liquor Corporation and they said: "What are we going to do with the Bubar bill?" So, they wrote a bill, a little funny, joker bill which was to appoint a commission, the same as my bill calls for, but their commission was to study the cause and the cure of alcoholism, which has been studied for generations and I have in my desk more than fifty decisions passed down; and they were to take this \$20,000 out of the taxpayers, not out of the liquor revenue, but out of the taxpayers and they were to study this until the next Legislature and pass it on to the next Legislature and then the next and then the next. They were to take this \$20,000 to hold a smoke talk down in the library and pass out the decisions that other people had made. Therefore, they killed my bill.

Now, they fiddled around here all winter as red hot lobbyists, kicking around our little old gambling bill to try to defeat it at the expense of the churches back home and yet they are fighting to kill my bill and also this prohibition bill. For what reason? Because they are tied in tight and solid with the Foreign Liquor Corporation. They had become bosom friends. They had become chums. They had become bedfellows and they won't deny it be-

cause on the 6th day of April, when we held the public hearing here, they never said I am in favor of this bill, this prohibition bill, never one and the liquor crowd said: "We have had many conferences with the Civic League and they are not for prohibition and they will not deny it."

Now, members, the Civic League, which the churches of Maine are supporting, were double-crossed. The Civic League and the liquor crowd, the hybrid monstrosity, the Twentieth Century Siamese Twins of the State of Maine, were tied together to beat every vital temperance bill that came in here.

All right. The only thing that I could do in all the world is the thing I am doing today and that is to attempt to re-establish prohibition in Maine. Now, then, that is the reason for this bill.

Now, re-establishing prohibition in Maine, what does it mean? It means to bring back to Maine the conditions which existed under prohibition. It means to bring back the days when it was a public disgrace to see a woman or a man in a drunken condition. A drunken woman in those days was considered an outcast from society and a member of the red light district. She was not recognized in any society other than that of the red light district. It means to bring Maine back to the days before our jails and prisons were over-crowded. Before our houses of correction, our hospitals and our insane asylums were packed to the doors. It means to bring back the days when divorces were few; when there was no Sunday hunting or fishing and all the churches were filled on the Sabbath day. Back to the time when Maine was filled with happy homes and the world at large called Maine "God's great Prohibition Country." That is what re-establishing prohibition means, if you please.

Now, I claim that the sale of liquor and the licensing of saloons as we call it in Maine is a tremendous economic loss to Maine.

From an economic standpoint, this Billion Dollar Foreign Corporation causes a great financial loss. In 1948, the gross sale of distilled liquor through the State liquor stores alone was the staggering sum of \$20,000,000 for which the retail trade was \$100,000,000 for liquor, cocktails and beer. That is, the citizens of this State squandered the tremendous sum of \$100,000,000 for booze. That \$100,000,000 went into the coffers of the Foreign Billion Dollar Corporation. That \$100,000,000 did not buy one pair of shoes for the wife or a bottle of milk for the baby, it didn't produce any greater health. It simply went into the coffers of this Foreign Corporation and down the sewers and cesspools of the State of Maine and nobody can deny it.

In New York, the New York Council of Public Health says that the consensus of opinion among judges, prosecuting attorneys, and police officers is that sixty percent of all crime in the United States is caused directly by liquor. I believe that the percentage is higher in the State of Maine.

New York—now: Fatal accidents in Maine in 1948, 181, 18 were caused under the influence of liquor, 21 associated with liquor making the total of 39 fatal accidents in Maine caused directly by liquor.

Now Maine accidents not fatal were 3,520. 139 caused by drunken driving, 223 had been drinking, 361 total caused by liquor but not fatal.

Haven Emerson of Columbia University says: "For every death recorded as directly due to alcohol there is at least one more but concealed to be more acceptable to the family."

One death spoils everything for a family. Spoils everything, the business and social side of it, and who can estimate the loss and the cost to the State of Maine of one accident caused by liquor?

Now, then, 85% of all court cases is the result of liquor; 80% of all jail and prison inmates is because of liquor. More than 50% of all

juvenile delinquency cases is the result of liquor. Nearly every murder is connected with liquor. 90% of all pardon cases coming before the Governor and Council is connected with liquor. Does it cost anything for the citizens of Maine to harbor and protect and license this Billion Dollar Foreign Corporation to do business in Maine when their business is and they get their profits from tears, broken hearts and broken homes? Does it pay the State of Maine?

It costs the State of Maine ten times more to support the liquor profits than the seven billion dollars they receive from it. Now, what that \$100,000,000 would do. That \$100,000,000 we are now giving to that Billion Dollar Foreign Corporation would send 100,000 young men and women to college for one year with all expenses paid. It would build 50,000 five-room houses including bath for the unhoused in this State. It would buy up all the abandoned farms in Maine and establish young married couples on those farms and furnish the house and stock the farm. It would give every old age applicant \$66,667 each. It would give to every and each World War II veteran, \$11,110. That is what the \$100,000,000 would do which goes into the coffers of this Billion Dollar Foreign Corporation and down the sewers, the sink spouts and into the cesspools of Maine.

Members, is this Legislature going to allow that financial loss to the State of Maine? Now, who is in favor of this bill? 200,000 church-goers are in favor of this bill. The Women's Christian Union is in favor of this bill; the grange with 60,000 members is in favor of this bill. Let me read the resolution passed by the National Grange at Portland, Maine, on November 13, 1948. I quote:

"The Grange, from the national to the subordinate level should assume its responsibility in fighting the liquor menace.

"Drinking should be looked upon in disgust and not as something cute.

"Instead, abstinence should be glamorous and looked upon as a mark of a man who will get some place in the world.

"Alcohol is not a stimulate but a narcotic.

"We must make known to all the bad effect alcohol has on the body and mind, particularly in the case of excessive drinkers

"We must realize that our Almighty Creator does not approve of abusing our body or mind and that he sanctions abstinence for all, if it will improve our human society. We must keep in mind the relationship of man to God.

"Whatever laws will help reduce the liquor menace and control it, should be actively pushed in all levels of Grange work. The Grange should use its influence to secure strict enforcement of liquor laws."

That is what 60,000 grangers say and they come from the best homes of our State of Maine, if you please. They are in favor of this bill.

The mothers of Maine are in favor of this bill. Let me read this letter:

"February 10, 1949

"Rep. B. C. Bubar, Sr.
State House
Augusta, Maine
Dear sir:

I am truly glad to read that you are interested in Prohibition. I have lived in great suspense for a long time, caused by my son who is in a bad condition, and I have no one to help me to get help for him.

He can't keep a job and has come to me in dire conditions as to clothing, etc. He is a good worker when he is not in one of his times of drinking and could work at a great many different kinds of jobs. But, he just gets confused and walks out leaving money due and also all of his belongings and doesn't remember it clearly.

I am at the end of knowing what to do. He needs help and I have done all I can. I am sick myself and cannot get around much. There is

no place for that kind, only jail and that is such a pity.

If there were anything I could do to help the measure now open to the public, I would gladly do so. Not only for mine but any one in such a pitiful condition.

I have tried to get him into the State Hospital, but they won't keep him even to let him work there. I've also tried different places in Mass., but they charge very much more for out of state patients and I just haven't the money.

I don't want my boy roaming the State or having to be helped, but this is a drastic condition. His health is breaking and I have to stay home and see him going down all the time unable to do anything but pray to God that it won't be this way too long.

If there were more men of your mind, it could be cured and these people would be good citizens once more.

Hope this isn't saying too much about my own case, for I feel for all who have the same trouble. Thank you and Good Luck in your endeavors for Prohibition. I want a chance to vote on it."

"April 2, 1949

"Rep. Benj. C. Bubar
Augusta, Maine

My dear Mr. Bubar—

Thank God we are going to have Prohibition once more in Maine. I will tell you why I am so interested. One week ago our only daughter went to a social. She is only 18 years of age. We have lavished all our love upon her. She has been favored in every way.

One week ago, a taxi brought her home to us at midnight and pushed her into our hallway drunk, dead drunk. Drunk; drunk; drunk.

Please do not show this letter to anyone. My disgrace and sorrow is beyond description.

If the people can have a chance to vote on your measure I am sure we will have Prohibition again."

I am only going to read one more that came in April 10, 1949.

"Rev. Benj. C. Bubar
Rep. to Legislature

My dear sir—

If you were not a preacher of the gospel I would not write this letter to you. I feel that I can trust you with my secret.

I am deeply in love with a young man. We have been engaged for two years. I cannot marry him because he drinks incessantly.

He has promised me a hundred times that he would not drink again but he never keeps his word. He cannot. He seems helpless in the grip of this awful appetite.

I cannot and will not marry him while he drinks and I know full well that I cannot ever be happy without him.

He has already drunk up the little home his father gave him and in which we planned to live. He is fast going from bad to worse.

He said to me last night, "If I could only see Mr. Bubar". (I am not ashamed of my tears and you hadn't ought to be, every one of you ought to weep for this girl).

He said to me last night, "If I could only see Mr. Bubar and tell him to not fail and give us Prohibition I could stop drinking and be a man once more."

And, Mr. Bubar, that is true. He is so very, very wonderful when he is sober and so perfectly awful when he is drinking.

Will you please answer this letter and tell me if you think there is hope that Maine will go dry once more?

Please do not tell my secret."

Now, the mothers of Maine and the sweethearts of Maine, who are looking forward to marriage and a home are in favor of this bill. No woman wants the father of her children to be a drunkard. They are in favor of this bill. There are many more letters but I am not going to read them.

Many years ago, a great king made a feast to a thousand of his lords and their ladies. And in that great banquet hall, they turned the liquor loose, they were carousing, drinking, swinging in the arms of drunken men and women. And, all

at once, there was an armless hand which appeared on the wall and an armless finger wrote upon the plaster: "Thy days are numbered." And, at that very time, another king went into the banquet hall and women fainted in the temple and it says that night Beksthasa was slain.

Today, and a few years ago, the Legislature of the State of Maine staged a banquet and invited 800,000 people of Maine to attend that banquet, a drunken spree, and we have been in it down through the years and if you can not see the handwriting on the walls, members you must be blind.

And at the next general election, the citizens of Maine are going to know which way you voted, today. Now, the fight is on for the return of prohibition. It begins today. The Women's Christian Temperance Union with Mrs. Christie at the head and she never yet has had on her fighting togs but I guarantee she is putting them on today, putting on the armor and the white ribbon; women of this entire State are rallying to the battle cry; they are going out to fight for prohibition. And more than 30,000 fighting old John Wesleyan Methodists are polishing up their armor for the fight. And over 37 old pioneer Baptist Churches of Maine haven't had a real scrap for a generation. They are getting ready for this scrap. There are 200,000 church members in this State and they are going out to fight prohibition. The young Pentacostal Church here, 15,000 strong, they are young but remember they are made of old spring tooth harrows, haywire and atomic bombs and they are fighters and they said, to a man, they are going out to fight for prohibition.

And more than that, members, the Christian Civic League is going to be organized and coming out a fighting force and they are going to stand four-square for prohibition and, more than that, God and the angels and the good men and women in the entire State are going to fight from that day on for prohibition.

Now, Mr. Speaker, I move that when the vote is taken it may be by yea and nay vote. Thank you, members, thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House do accept the minority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: I don't think I am capable of speaking the way the previous gentleman did. I am not going to talk very long. I am just going to leave a few facts with you and leave it up to your judgment as to how this bill should go today. Prohibition came in 1919 with the Eighteenth Amendment and in 1933 Prohibition went out with the Twenty-first Amendment. By repealing the Eighteenth Amendment, it curbed racketeering, bootlegging and what not, placing liquor under close supervision and legal control. In the State of Maine, liquor is under the supervision of a capable and efficient liquor commission consisting of three members. Under their jurisdiction, the commission has an enforcement division that is constantly watching the liquor traffic within our State. It has been stated at several of our temperance hearings at this session that the liquor control is satisfactory to a great extent to both the "wets" and "drys" throughout our State.

This bill carries a referendum clause to the people to be voted on at either a general or special election this year in September or a year to come. If a special referendum is called, it would cost the State about \$100,000. The vote last September showed the feeling of the people in this respect when they voted by at least a 68,000 vote majority, an increase of 24,000 over the election in 1946. That, to me, is a good sign that the majority of the State want their liquor and want it as it is at the present time under good control.

This referendum, it is called a special referendum, would be on the same idea as having another election to elect a U. S. senator, three congressmen, a governor and all the members of this Legislature. So, therefore, I call this referendum needless and a waste of money.

This State controlled liquor business which we are now engaged in brings in a revenue of between seven and eight million dollars a year. Do the proponents of this bill have any thought in mind just what will be substituted to replace this revenue that we now get from a legal business and a business that is now under close and strict supervision? Our State is geographically surrounded by land and water. The people of our State who want their beverages will procure them from the other states around us and in so doing will be doing it illegally whether it comes into our State by land, sea or air. They will have it regardless of prohibition in the State of Maine. Let's keep it as it is today under control and close supervision and not go back to the days of bootlegging and racketeering as it was in the days of the early twenties up until 1933.

I, therefore, hope the motion of the gentleman from Blaine, Mr. Bubar, does not prevail and that the House accept the majority "Ought not to pass" report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Orient, Mr. Maxell.

Mr. MAXELL: Mr. Speaker and Members of the House: I might just refresh your minds a bit, turning back perhaps the pages of history. You remember when we were in the throes of the repealing of the Eighteenth Amendment they told us they would only allow us to bring back wines and beer, that would be all they would ask. And this would be handled in such a way they would hardly know it would be around about us. People would be compelled to sit down and drink. There would be no such a thing as hanging around the old barroom where people would buy their bot-

tles of stuff and go out on the highways which is as they do now, and expose innocent people to the dangers of reckless driving.

You remember, too, they told us back in those days that under no condition would they ever tolerate or allow the old barroom again to exist in our State. But only last week in this Legislative body, the old barroom bill was right back before us and presented to us for consideration. They told us, too, that we were going to have no more home brew, no more bootlegging and that sort of thing. Here are some figures from the Internal Revenue Bureau reported during the period from July to November, 1948:

The Internal Revenue seized 3,010 stills. These stills were capable of turning out 16,369 gallons of whiskey per day, a forty percent increase over last year. The moonshine arrests totaled over 3,545. At Coleman, Pennsylvania, not so long ago, four stills were seized having a capacity of 10,000 gallons of mash, and these stills were turning out 4,000 gallons of liquor per day valued at \$40,000. Now, I ask you in all spirit of fairness, were the conditions under prohibition any worse than they are today under what you term now as regulation? We had in those days the same old evils that we have today and there is practically, in my opinion, no difference.

We have been hearing much in the last few years of the starving conditions of the earth, people who are hungry. We have been hearing much about the air-lift in Germany to supply the people with food from day to day to keep them from starving. We have been allocating our food and our money to Italy, to Hungary and to China and many other nations of the earth in order that they might keep from starvation. But during the past year, the liquor traffic is requiring huge quantities of grain, sugar and fruits for the production of alcoholic beverages.

We used 39,295,948 bushels of corn; we used 64,678,107 bushels of

barley; we used 302,281,030 pounds of rice; we used 366,007,385 pounds of sorghum; we used 193,275,206 pounds of sugar; we used 2,554,650 gallons of molasses and we used 1,969,966,181 pounds of grapes and other fruits and we used 199,814,590 gallons of fruit juices. Of this 29,295,948 bushels of corn, which was turned into alcoholic beverages, this would have produced 220,000,000,000 pancakes enough to give 25,000,000 people a plate of five pancakes for breakfast each morning, 1,765 consecutive days or almost five years.

And so when the world is suffering from food shortages, we are turning this amount of grains and products into liquor, a thing which doesn't preserve life but wrecks homes and damages lives. If you have gone into this Temperance Committee room at any time during the winter you would have seen there bills of all types which had come before us for the bringing back of the selling of wines, liquor and beer in every way conceived in the minds of men. And yet, in every corner of our State, the length and breadth of our State, this stuff today is being sold. They tell us that the profits to our State from the Liquor Commission, the net profits for the year is \$7,767,974. This was a net profit.

I do not know what the gross sales could have been but as a matter of fact during the years when this \$7,000,000 was spent, there wasn't one dime of that money that was ever spent to make a home happy. There wasn't one dime that was ever spent to buy a new radio, a new washing machine or a Frigidaire or an automobile for the garage or even a basket of food for the family to sit down and partake of a good meal together.

I can picture during the year when this amount of money was being spent, many a mother sitting in the home as her husband came home for the weekend with that payroll check in his pocket and as he busied himself during

the evening hours and prepared himself to go down street for the evening alone, and then when he disappeared out of the house alone for the evening, I can imagine many a wife and mother sitting alone through the long evening hours and well into the night wondering what condition that husband would be in when he came home; whether there would be enough left of that pay check to run them through the week.

I can picture also, many a boy or girl when they become the age when they know what is going on, I can imagine as they saw their father go out many of them wondered whether their father would bring home a pair of shoes for Willie or a new dress for Mary or loaded down with good things to eat or whether he would come home just plain loaded.

I think, today, with the start of prohibition in our State would once more revive the prohibition law. I believe, too, that many of us, or a few of us, at least, will go out from this legislative session as marked men and, for my part, whether we are too early with this prohibition move, whether it comes tomorrow or ten years hence, I am for and will fight for the old prohibition law again in our State. Thank you.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House accept the minority "Ought to pass" report of the committee.

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

Mr. **ROUNDY**: Mr. Speaker and Members of the House: I have made no preparation for a particular definite speech. For that reason I may speak very much less at length, which will be to your satisfaction perhaps but I do think that certain things have come out here this afternoon that make it necessary for me to speak a little. I dislike exceedingly to be personal but yet I think, under the circumstances, that I ought to be.

I am always on the prohibition side. I thought over the matter of this bill that has been introduced and before any speech was made here this afternoon, I determined I should vote for it in keeping with what I have always done. I was brought up in the State of Vermont which has equally a record in the way of prohibition with this good State of Maine. My own thought, my own personal practice, my own votes have ever been in this direction.

Having said that, I do think that this further should be said relative to the Christian Civic League. Of course, I have not known the whole history of the Christian Civic League except as I have picked it up from those who have longer been in its service than have I, and I am very certain that during the years of its service to this State which I thought to have been fine years of service, that the Christian Civic League through its representatives has to the best of their judgment, perhaps sometimes they have been mistaken, acted in the direction of what they felt so far as individual acts were concerned, legislative and otherwise, in the line of reducing as much as possible the use of intoxicants and the cultivating of personal temperance. That is what we continually wish to do.

Reference here has been made to another bill which is before this Legislature still about the matter of research. I should say that that has been for a number of months in our minds and in our consideration so far as the Executive Committee of the Christian Civic League is concerned and I think we have come to feel in our good judgment and a good deal guided by things that have been happening of real not only interest but importance in these recent years that perhaps as good an organization as the Christian Civic League is and has been must realize that there are various points of view and important facts that should be brought into consideration in this whole matter.

I feel, personally, that as far as I am concerned it has been most likely that we have simplified things too much and a good many of us, while we have not been too closely connected with an institution like the Yale School of Alcoholics, realize that there was something being brought into life, in a thoughtful, scientific way, a way that would take into consideration the facts quite as much as we are seeking to do here this afternoon. Perhaps even more so because it would come through a wider study and a further range of the variety of important matters that were involved.

This thing is of such importance in our world that it can not be simplified too easily. So, with that in mind, I do think that we ought to have in mind especially in connection with the statement Mr. Bubar made that this matter of research is not something that was hatched up quickly or with any definite idea of particularly opposing this matter this afternoon. But I do think that we do very definitely have in mind the realization that with the very facts involved that there is a great need for education that will lay on the table and into the minds of our boys and girls and men and women all the facts, not some of them and all the possibilities that we need in our day which, dislike it as we may, is not the day of our fathers that we should go forward in just as careful and thorough and scientific a way as well as a religious way as we possibly can.

So let me say again that I, personally, have had no other intention since this bill was introduced than to vote for it which I shall do but I do think that there are elements involved that need further study and more time than can be given in this busy session and that may very reasonably, not with any attempt to personalize in the way of punishment or anything else, or anybody, but rather that we may get at the facts that should be before us all in as reasonable way as can be. Facts that are obtained by a dispassionate com-

mission, not one appointed by the Christian Civic League or by the Liquor interests or anything else but by folks chosen by a Governor and Council of this State.

So, I feel that in the interest of all involved that I want to thank you for giving me the opportunity at least to make these few statements of explanation.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House do accept the minority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. **SANDERSON**: Mr. Speaker and Members of the House: I have not, during this session, up to the present time, made a great deal of unnecessary noise except perhaps tipping over the metal container for waste paper or banging the cover of my desk down with unnecessary noise. However, being a signer of the minority report "Ought to pass" on this legislative document now under consideration, I feel that I must and should, and I am glad to, give some explanation of the reasons why I arrived at the decision which I did make.

I heard quite a compliment paid this Legislature just a few days ago by one who is following its proceedings very closely, that in the opinion of this one it was a thinking Legislature. I think that this is probably true. Of course we do not all think alike, perhaps we do not all think very deeply, but I believe that we are giving quite a lot of consideration to matters that come before us.

I wish to say, furthermore, that I am not ashamed of the fact that, through no fault of mine, I am director of the Christian Civic League of Maine, and in that League and its present leadership I have a great deal of confidence, both as to ability, sincerity and integrity. And if I correctly heard and remember the statement of the President of this League at the public hearing before the Committee on Temperance on this present

legislative document, he made the statement that the ultimate end, so far as legislation was concerned, of the present Christian Civic League of Maine is prohibition.

Without further preliminary remarks, I will seek your indulgence, in order that I may know just what I am going to say, and in order that I may conserve to a greater degree the valuable time of this House, in using a typewritten copy giving my reasons for signing the Minority Report "Ought to pass" on L. D. 1351, which I am delighted to support, not because I have the slightest idea that, if enacted, it would terminate the manufacture, transportation, possession or sale of alcoholics; not because I believe that the law would be perfectly enforced; not because I am so optimistic as to consider that its improper use would be eliminated. But it is because I am confident that the consumption of this form of poison would be greatly reduced and thus automatically the result would be an enormous reduction in crime, traffic accidents, divorce and broken homes, dependent and neglected children, court costs, welfare cases, loss of man hours of work, and, most important of all, a reduction in the number of delinquent parents and delinquent children. And, believing that the use of alcoholic beverages constitutes a major weakness in our state, as well as in the nation and the world, I favor that which would tend to reduce its consumption and oppose all which would tend to increase its use. If it is a good thing, we want more of it; if it is a bad thing, we want less of it. And those that profit by its use will, of course, oppose all that would tend to reduce its use and support all that, in their opinion, would tend to increase, expand and broaden its consumption, for they very well know the effects of prohibition and the effects of attempted control. Therefore, since the liquor industry and its agents, counsel and lobbyists oppose this act to re-establish prohibition, naturally and consistently I am in favor of it.

The 18th Amendment to the Constitution of the United States closed every legal brewery, distillery and winery in this nation and the doors of 177,790 saloons. It ended all liquor advertising. It outlawed the liquor business as the criminal is outlawed. Bank deposits increased greatly, in many places more than 400 per cent. From 1920 to 1930 High School attendance increased more than 50 per cent. It greatly reduced crimes, many jails being empty. It reduced highway accidents, insanity, number of dependent people and disease. It greatly reduced drunkenness among all classes, and it saved the nation a three billion dollar liquor bill. This is the State picture now, a part of it.

My good friend "Tony", or, rather, the gentleman from Madison, Mr. DeSanctis, criticised me, very justly I think, on the occasion of a previous attempt to address this House, in that I didn't do something regarding the State situation. I will admit it is not quite so easy to get a clear picture on paper, by figures, of the State situation as it seems to be of the national situation, but I will attempt to give a few figures on the situation in Maine.

In this State there are 2411 outlets for malt, vinous and spirituous liquors. Saloons or taverns are permitted in 119 cities and towns of this State. Liquor is universally advertised in dry as in wet towns. Wines are shipped in tank car lots for bottling. More than 13,000,000 gallons of beer were consumed in Maine in a year, all shipped in. Beer and ale are compared with stock on grocer's shelves though the Supreme Court rules that it "has no inherent right." Yearly spending for legalized liquor would equal a \$400 bonus for Maine veterans of World War II, plus boys from out of the state who married Maine girls.

Very little is taught in our schools about the effects of alcohol. I will now turn this page over, and I hope I will not forget to turn back to it, to read an item that appeared

in the issue of the Lewiston Journal, Wednesday evening of last week, which reads thus:

"Chief Francis J. McCabe of the State Police says the causes of crime in Maine are: 'Drunken drivers who make alcoholic cesspools of their stomachs, and young people too eager to rob somebody.' His men, McCabe told the Advertising Associates of Maine, can cope with the increase in crimes of violence but are having more trouble with highway accidents."

As has been said several times in this discussion, the liquor revenue in Maine is about seven to eight million dollars a year, but costs to the State because of it are several times that amount in dollars, and many human bodies and minds and souls which are priceless.

Maine accident record: 151 persons killed this year in highway accidents, representing a 27% increase over last year bringing us to second position in that nation. Thirty-nine of these were killed in accidents in which liquor was an element. In December, 1948, 12 fatalities occurred in this State, in four of which liquor was an element. 1266 auto drivers in Maine have been convicted of driving under the influence during the last year. Yesterday's issue of the Kennebec Journal reports that 28 cases of operating a car while under this influence were considered at a public hearing in Augusta on Monday of this week by our Deputy Secretary of State.

Correctional institutions in Maine cost taxpayers \$881,000 a year, not including State or police courts.

In our State hospitals now, 2794 cases of mental illness. Health and Welfare Department has over 30,000 on their lists.

Number of deaths directly due to alcohol poisoning has been greatly increasing.

In Maine 162 were arrested on bootlegging charges.

NATIONAL PICTURE:

State and Federal Agents are grabbing Moonshiners and there wasn't going to be any such animal,

you know, under Prohibition, at the rate of 1,000 per month.

F. B. I. estimates 18,000,000 gallons of illicit liquor were made last year which if legal would have brought in \$72,000,000 in taxes.

EXPENDITURES IN THE UNITED STATES PER YEAR:

Crime cost 15 billion, gambling 12 billion.

Alcoholics 10 billion nearly.

Education 5 billion.

Milk and dairy products 7 billion.

Church contributions 1¼ billion.

50% of felonies in Massachusetts were related to alcoholism.

Taxes collected on liquor were 13 million.

Annual cost of drunkenness 61 million (nearly 5 times as much), not including court costs, high insurance premiums, nor loss of man hours in industry.

Dr. Frank I. Furry, one of Denver's leading physicians: "We are being propagandized on the idea that alcoholism is a disease per se. Of course alcoholism does produce disease. The liquor interests have chosen as a slogan 'Alcoholism is a disease.' They have allocated large sums of money to some of our leading educational institutions for the purpose of making the propaganda seem respectable. It would be just as sensible to stop the fight for the eradication of the Malaria germ and to devote more money to the building of hospitals and the production of quinine to better care for the increasing number of victims of the disease resulting from such a course. First make drunkards and then cure them."

Recently the State of Ohio held a symposium dealing with alcoholism as a state problem. The discussion revealed alcoholism kills more victims than polio and rheumatic fever combined, and produces more chronic sufferers than tuberculosis.

No germ disease causes a man to spend his money for drink, then go home and beat his wife and children—or to rob, rape and murder. Yet alcoholism does this, and we

license men to sell the stuff that produces it.

In 1940, 350 million gallons of alcoholics were produced.

In 1947, 830 million gallons of alcoholics were produced.

A FEW COMPARISONS:

Tax and paid withdrawals of all alcoholic beverages in the country:

	Million Gallons	Per Capita
1933	213	1.69
1941	1872	14.07
1948	2974	20.35

INCIDENTS OF DRINKING IN FATAL ACCIDENTS:

	Of Drunken Drivers	Pedestrians
1933	5%	6%
1941	11%	14%
1947	19%	24%

OFFENSES DIRECTLY ATTRIBUTABLE TO ALCOHOLIC BEVERAGES:

	Rate per 100,000	
	Drunken-ness	While Driving Intoxicated
1935	1615.8	87.4
1941	1716.3	131.2
1947	2470.7	146.4

PURPOSE OF THE BREWERS:

The day after election in 1932 the brewery news said, "Not 1/10th of 1 percent of the youth of America know the taste of real beer — we must educate them."

In 1941 the brewers' digest printed this quote: "One of the finest things that could have happened to the brewing industry was the insistence by high ranking officers to make beer available at Army Camps—the opportunity presented to the brewing industry by this measure is so obvious that it is superfluous to go into detail. It gives a chance for brewers to cultivate a taste for beer in millions of young men who will eventually constitute the largest beer consuming section of our population."

Years ago a wise man said: "History reveals that State Control of liquor inevitably is transformed into Liquor Control of States."

It is frequently stated that, "Prohibition at its worst is better than license at its best." I believe this.

It would seem that 42% of our voters in Maine have voted "dry" in Municipal elections and that 58% voted "wet." Then why should the liquor interests fear or oppose a reference to the people of this question? Possibly because the thousands of citizens who are disgusted with present conditions and so remain at home on election day might get to the polls and vote legal liquor out were they given the opportunity in a State-wide test on this question.

For one municipality legally "wet" attracts thousands of adults, boys and girls, from surrounding territory which is legally "dry" and helps to demoralize their bodies, minds and souls.

I recall the arguments presented yesterday in favor of the bill to prohibit sale of fireworks, saying that local ordinances were not effective to the population as a whole, but people in places having this prohibition sell and purchase in nearby towns which do not have it. It requires State-wide law to make it effective.

Some may say that L. D. 1351 is not in correct form, and that it would require remoulding or amending. If so, it differs not from other bills presented this session which have undergone major or minor surgery, and this measure, if required to make it effective, could be subjected to similar treatment. But I believe that its motive and its major provisions are sound.

I recall the words uttered on the floor of this House one day last week by the able and sincere floor leader of the minority: "Mr. Speaker and Members of the House: In this Legislature it seems that we sometimes find ourselves with strange bedfellows. I have observed with interest the technique that was used this morning. It seems that it is expedient, if we support something, to overlook the technical defects and keep it alive, but, if we oppose something, it is

expedient to bring up all possible technical defects in order to kill it immediately by the weight of such defects."

It has been frequently stated that you cannot legalize morality into a human being and I firmly believe that the statement is true. And I also believe that you cannot make that which is inheritantly evil to become right by legalizing it. That which is wrong does not become pure by placing it upon our statute books, nor within our organic law. The moral issue still exists in accentuated form.

Just after this Lenten period, when millions of worshipers scattered all over the world are observing the memorial of One whom they believe was God in human form, who died on a cross for the collective sin of humanity, may we grant to the people of Maine the opportunity to express themselves at the polls as to whether they desire to retain the legal but never the moral right to manufacture, transport and sell the poisonous element which existing facts prove beyond a doubt, bring untold misery to mankind, or whether they shall make this powerful demon legally that which it ever is morally and spiritually, an outlaw. The abnormal thirst of one human being contacting the unholy greed of another human being with the weakening of the moral fiber of both brings that which we now have in our State and nation, confusion, suffering and crime. As I previously stated, were I ignorant of all other facts and phases of this whole situation, except this fact, that the liquor business is against prohibition, this single fact alone would be sufficient to convince me that I am for it, for their interests are not mine.

As guardian in great measure of the youth and children of our day, and the days of the immediate future with temptation and testing always present, let us do what we may to remove the temptation of glaring lights, gaudy signs and glowing advertising so universally

used by the alcoholic interests to attract, demoralize and destroy the youth of our land. They are our choicest produce. May we carefully aid and direct their footsteps and become more sincerely true in our response to that appeal which their natural weakness and innocence must make to us. May we contribute our best efforts in making it easier for them to do right and harder for them to do wrong.

I would like to close with a few lines from our well-loved Quaker poet, John G. Whittier:

"We need love's tender lesson taught

As only weakness can,

God hath His small interpreters;
The child must teach the man."

This is only the first skirmish of a war that will end only when that day shall come when alcoholic liquors shall cease to fetter the body, weaken the mind and destroy the souls of men, for no question is ever settled until it is settled right.

A bill has been presented providing for the covering of the wells in the State, that other occurrences like the recent California tragedy may not take place in Maine. The legal sale of liquor is with us as an open well in which many men and women and boys and girls are falling, many of whom will never be rescued. Let us try to close this well.

I hope that the minority report "Ought to pass" on L. D. 1351 will be accepted.

The SPEAKER: At this time the Chair designates the gentleman from Union, Mr. Payson, as Speaker pro tem and requests the Sergeant-at-Arms to escort the gentleman to the rostrum. (Applause)

The SPEAKER pro tem: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I wish to take this opportunity to compliment the gentleman from Madison on his very excellent prohibition speech. He certainly made some votes for my bill, and I predict that when he is a little older and gets his growth that he will be a great

prohibition orator. I thank him for his speech.

Now just one other remark. It is evident that my brother from Portland has taken exceptions to my remarks about the Christian Civic League. Now this Civic League is supported from the money that pours in from the churches of Maine to look after their interests, and the churches stood here and declared that they were for this prohibition bill, and I read from the book that the gentleman from Portland uses as his reference book these words: "By thy words thou shalt be justified and by thy words thou shalt be condemned."

Now at the public hearing, a member of the liquor interests stated at that public hearing on April the 6th in this House—and I quote: "The Civic League gets together with us and we discuss the liquor situation. We both believe in controlled sale and in legal sale. The Civic League has told me that they do not believe in prohibition, and they will not deny it." This is from the record. And I am speaking for 200,000 church-goers in this State who are supporting this Civic League that has worked here against this temperance measure. That is the reason why I made that reference.

Just one thing more. Here this afternoon we should either vote to put this four billion dollar alien corporation out of the State of Maine, this corporation that is thriving upon the tears and broken hearts and ruined homes of Maine, put them out altogether and go out of the business ourselves, or else we as the State of Maine should go into the liquor business, and we should build our manufacturing establishments and we should go out of our State and bring in the products that go into the manufacture of liquor, do away with the middleman, and we as the State of Maine should manufacture our beer and alcoholic liquors and we should take all of the profits for the government of Maine. We should do one or the other.

Now then, I do predict that prohibition is coming back to Maine, and that the voters of Maine are going to rise and sweep out of the State this alien four billion dollar corporation, and Prohibition, as fair as the morning and as bright as the sun, will again sit enthroned in the State of Maine. I thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Robbinston, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: After all that has been said this afternoon on prohibition, I am not going to say hardly anything. I know that you are all tired now. I could say a good deal, but I am just going to put myself on record as favoring this bill. Being a member of the Temperance Committee, the so-called Temperance Committee, and signing the minority report, I do want to go on record as favoring the motion of the gentleman from Blaine, Mr. Bubar.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House accept the minority "Ought to pass" report. Is the House ready for the question? The same gentleman has requested that when the vote is taken it be taken by the yeas and nays. A yea and nay vote is in order at the desire of one-fifth of the members present. Those desiring the yea and nay vote will kindly rise. The monitors will make and return a count in their divisions.

Less than one-fifth of the members present having voted for the yea and nay vote, it is not in order.

Mr. BUBAR: Mr. Speaker, I request a division of the House.

The SPEAKER pro tem: The gentleman from Blaine, Mr. Bubar, asks for a division. All those in favor of the House accepting the minority "Ought to pass" report of the committee will kindly rise and remain standing in their places

until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER pro tem: Fifteen having voted in the affirmative and eighty-five having voted in the negative, the motion is lost. Is it now the pleasure of the House to accept the majority "Ought not to pass" report of the Committee?

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

The SPEAKER pro tem: The Chair lays before the House the second tabled and today assigned matter, being Senate Divided Report of the Committee on Judiciary on Bill "An Act Providing for Run-off Primary Elections" (S. P. 623) (L. D. 1359), the Majority Report being "Ought to pass" and the Minority Report "Ought not to pass" (In Senate, Majority Report accepted and bill passed to be engrossed) tabled on April 18th by the gentleman from Fairfield, Mr. Woodworth, pending acceptance of either report; and the Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker, I move that the House do now accept the minority "Ought not to pass" report. In the case of an election of a Governor, United States Senator or a member of Congress, this bill would provide a runoff election where there were three or more candidates, and none of the three received a majority of all votes cast.

The bill makes no provision as to what might happen if one of the three or more died before the runoff election. The bill simply provides that in case no candidate receives a majority, there would be a runoff election between the two leaders.

The argument for the bill is that it would strengthen the party ticket because, in all cases, the candidate would be the majority's choice. I do not question the strength of the argument. I voted against the

bill because of the element of expense and also because, in many cases, the runoff election would not change the result.

At the present time the problem of making a State-wide or District-wide campaign would cost a great deal of money. If you force a candidate to run two campaigns, it is going to cost a great deal more money.

That means that any candidate, in order to be nominated for one of those offices, must face a double campaign expense. I think, as a matter of practical necessity, this bill is entirely superfluous. We don't need it. I hope the motion may prevail.

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

Mr. McGLAUFFLIN: I, too, am opposed to this bill. If a runoff primary is a good thing, to be consistent, why isn't a runoff election equally good? Take the year 1912, when the Progressives, the Republicans and the Democrats ran. As I recall it, there was no majority either in the Country or in the State. The Republicans split up enough to give the Democrats control both in the Country and the State.

I am opposed to this matter because I cannot see any advantage at all. I cannot see where you are going to get any better Governor than you do without it. Now, the argument that is put up for it is that the majority should control. Just what is meant by the majority is the question. Does it mean a majority of the voters of the State? I presume it is intended to mean a majority of the party, but in primary elections you don't get majorities.

Take the last gubernatorial election in this State on the Republican side. We had five candidates for Governor; Neil Bishop got upwards of roughly a little over 12,000, Roy Fernald got 14,000, Frederick Payne out, you have a large increased and Robinson Verrill got 14,000.

Now the total vote cast for all those men was something like 120,618. To have a majority of the votes cast, you would have to have 60,310. Now, 60,310 is just under a third of the votes that were cast in the election. Now the point I want to make is that if all the four candidates outside of Payne had united against him, they wouldn't then have had a majority of the Republican vote that was cast that year for the United States Senate last fall.

Now if this runoff primary takes place, I presume that it runs off for Republicans and Democrats alike. As the gentleman from Fairfield, Mr. Woodworth, has pointed out, you have a large increased expense when you have a runoff primary, and, if it is a Republican primary, why should the Democrats of the State be helping to pay for our runoff primary election, and if it is the other way around, and the Democrats have to have a runoff primary, why should the Republicans of the State help pay those expenses?

Now the only argument that I have heard at all for the measure is that the majority should rule, but I have pointed out to you that the majority does not rule in primaries, almost never, and the only other argument that I heard put up at all is that it was mentioned, in some way, in the Republican and in the Democratic platforms. Now, I am not greatly impressed by a matter of this kind being mentioned in some platform. The platform of either party, to me, isn't as sacred as the law of Moses. I would venture to say that there isn't one Republican in a hundred — now get this—I don't believe there is one Republican in a hundred in the State of Maine, or a Democrat, either, for that matter, that knows that the runoff primary was so much as mentioned in either party platform. That is how much the party knows about that kind of a platform. I am against this measure.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: I signed the minority report, and for the reasons already stated, and in addition to that I checked the figures this morning to find the cost of a primary election in the State of Maine, and it is \$26,000.

Now that does not take into account the cost to the respective towns and cities in the State plus the fact that you don't know whether you will get a better man or not, and there is absolutely no evidence to determine that in this country, and I say to you that the proposition is wholly ridiculous and I do hope that the minority report will prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the minority "Ought not to pass" report of the committee.

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

Mr. JALBERT: Mr. Speaker, if the last speaker's figures are correct, I believe most of you here recall a bill which I spoke of a little previously. It not only costs \$26,000 for the State's Election Division; it costs thousands and thousands of dollars to the various towns and cities that hire voting locations, hire their clerks, et cetera, and also, again, it costs hundreds of thousands of dollars to these people who lose their time by going to the polls twice when they could go once.

I might, though, make a suggestion to you, and if you feel that this runoff primary is so important, well, let's get rid of that useless double voting in September and November and use the money that we throw away then for this one.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I am

very much opposed to this bill for good reason. You all know that a few weeks ago I had to go through a runoff election myself. I am going to explain to you in a very few words what happened to me. I had to go in a runoff election two weeks after the first election because there were seven candidates in the field, and the two highest candidates had to go in a runoff election two weeks after the first election. I was one of the victims that had to go through the runoff election. Well, in two weeks, (that is before the runoff election, I lost sixteen pounds; I wore out three pairs of shoes, and I used five dollars worth of sleeping tablets. (Laughter)

Now a runoff election, in my opinion, is a very foolish thing to have. It leaves both candidates at the mercy of the politicians. A politician forces one of the candidates to make many promises before they are given support.

At my election—I don't know if this is true, but I heard that my opponent promised two hundred different appointments on different commissions and he had only seven appointments to give, so you see many were disappointed.

At the runoff election it is the one that has the most money to spend that gets elected, not because he is qualified; it is because he has more money to spend. That is what happened to me. My opponent had all kinds of money to spend. I didn't have any.

Now if you pass this bill some of your friends might go into a runoff election and what has happened to me is going to happen to you. So I hope that the motion of the gentleman from Fairfield, Mr. Woodworth, prevails.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the minority "Ought not to pass" report of the committee. The gentleman from Fairfield, Mr. Woodworth, requests a division.

The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: It is a pleasure to associate myself with the gentleman from Portland, Mr. McGlauffin. I would like to correct him, though, on one statement of fact as being one out of a hundred who knows what is in the Democratic platform. I would like to say that the runoff primary is not one of the planks in the Democratic platform, and I signed the minority report of the Judiciary Committee on this measure for the reasons that have already been mentioned, and I will not take up any more of your time.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the minority "Ought not to pass" report of the committee, and the gentleman has requested a division.

As many as are in favor of the acceptance of the minority "Ought not to pass" report of the committee will rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Ninety-three having voted in the affirmative and none in the negative, the motion prevailed, and the minority "Ought not to pass" report was accepted in non-concurrence and sent up for concurrence.

The SPEAKER pro tem: The House is proceeding under Orders of the Day.

The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

On motion by Mr. Plummer, the House voted to take from the table the eighty-seventh tabled and unassigned matter, House Divided Report of the Committee on Inland Fisheries and Game on Bill "An Act Relative to Fishing Contests" (H. P. 984) (L. D. 415), Majority Report being "Ought to pass in New Draft" (H. P. 2058) (L. D. 1487) under title of "An Act Relating to Fishing Contests on Inland Waters" and the Minority Report being "Ought not to pass," tabled on

April 15th by that gentleman pending the motion of the gentleman from Guilford, Mr. Campbell, to accept the Majority Report.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Guilford, Mr. Campbell, that the House accept the majority report of the committee. The Clerk will read the report.

The CLERK: (reading) The Majority Report of the Committee on Inland Fisheries and Game on Bill "An Act Relative to Fishing Contests" (H. P. 984) (L. D. 415) reporting the same in New Draft under the title "An Act Relating to Fishing Contests on Inland Waters" (H. P. 2058) (L. D. 1487). Both reports were tabled on April 15th, the pending question being the motion of the gentleman from Guilford, Mr. Campbell, that the majority report "Ought to pass in New Draft" be accepted.

The SPEAKER pro tem: Is it the pleasure of the House to accept the majority "Ought to pass in New Draft" report of the committee?

The motion prevailed, and the majority report was accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Mr. Woodworth of Fairfield, then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 2058, L. D. 1437, Bill "An Act Relating to Fishing Contests in Inland Waters."

Amend said Bill by striking out in the 3rd line of that part designated 'Sec. 44-A.' the underlined word "as" and inserting in place thereof the underlined word 'or'

Thereupon, House Amendment "A" was adopted.

Mr. Marsans of Monmouth, then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 2058, L. D. 1487, Bill "An Act

Relating to Fishing Contests on Inland Waters.”

Amend said Bill by striking out in the last line of Sec. 44-A, the following underlined punctuation and word:

“ **Kennebec**”

House Amendment “B” was then adopted.

Mr. Plummer then offered House Amendment “C” and moved its adoption.

House Amendment “C” was read by the Clerk as follows:

HOUSE AMENDMENT “C” to H. P. 2058, L. D. 1487, Bill “An Act Relating to Fishing Contests on Inland Waters.”

Amend said Bill by adding at the end thereof a new underlined paragraph to read as follows:

“The provisions of this section shall not be construed to prevent the awarding of a prize or prizes at the close of the fishing season by duly organized clubs for the largest fish caught during the season by any of its members.”

Thereupon, House Amendment “C” was adopted, and the Bill was assigned for third reading tomorrow morning.

On motion by the gentleman from Falmouth, Mr. Dow, the House voted to take from the table the eighty-fourth tabled and unassigned matter, Bill “An Act Relating to the Salary of the Judge of the South Portland Municipal Court” (H. P. 1941) (L. D. 1314), tabled by that gentleman on April 15th pending passage to be engrossed; and on further motion by the same gentleman the Bill was passed to be engrossed and sent up for concurrence.

On motion by the gentleman from Wilton, Mr. Maxwell, the House voted to take from the table the fifty-sixth tabled and unassigned matter, House Report “Ought to pass” of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Webb Lake, in the County of Franklin (H. P. 917) (L. D. 369) tabled by that gentleman on April 11th pending

acceptance of report; and the Chair recognizes that gentleman.

Mr. MAXWELL (of Wilton): I now move the indefinite postponement of this resolve. The reason for this is that I have consulted the Inland Fisheries Commissioner, and there is a regulation now existing and which will be in force until 1952. There seems to be, at least in Weld, and also in my own community which borders Weld, a great deal of opposition to this becoming an indefinite law, and so, for that reason, the Commissioner tells me that there would be very little difference if we retained the regulation as it is now and then at some time previous to the ending of that regulation, if they still feel there is a need of such ban, that they can have another public hearing and continue it. If not, then they can discontinue it at that time.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Wilton, Mr. Maxwell, that the committee Report and Resolve be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the Report and Resolve were indefinitely postponed and sent up for concurrence.

On motion by the gentleman from Kittery, Mr. Dennett, the House voted to take from the table the twenty-third tabled and unassigned matter, House Report “Ought to pass” of the Committee on Taxation on Bill “An Act Relating to Road Tax on Motor Carriers” (H. P. 318) (L. D. 98) tabled on March 31st by that gentleman pending acceptance of report; and on further motion by the same gentleman the “Ought to pass” report of the committee was accepted.

Thereupon, the Bill, having already been printed, was given its two several readings under suspension of the rules and was assigned for third reading tomorrow morning.

On motion by the gentleman from Millinocket, Mr. Gates, the House voted to take from the table the ninety-ninth tabled and unassigned matter, House Report "Leave to Withdraw" of the Committee on Claims on Resolve in Favor of Wallace McQuarrie of Millinocket (H. P. 263) tabled on April 19th by that gentleman pending acceptance of report; and on further motion by Mr. Gates the "Leave to Withdraw" report was accepted and sent up for concurrence.

On motion by the gentleman from Bangor, Mr. Atherton, the House voted to take from the table the eighth tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to Interest Rates on Small Loan Agencies" (S. P. 169) (L. D. 228) tabled on March 17th by that gentleman pending acceptance of report in concurrence; and on further motion by the same gentleman, the Bill was retabled and specially assigned for Tuesday, April 26th.

On motion by the gentleman from Wilton, Mr. Maxwell, the House voted to take from the table the one hundred and eleventh tabled and unassigned matter, "An Act Relative to Sale of Wild Hares and Rabbits" (H. P. 353) (L. D. 118) tabled on April 19th by that gentleman pending passage to be enacted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wilton, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I now move that the House reconsider its action whereby we passed this bill to be engrossed, for the purpose of amending it and clarifying the meaning of the bill. In other words, so it distinctly says "wild hares and wild rabbits", so there will be no question as to what it does mean.

The SPEAKER pro tem: The gentleman from Wilton, Mr. Maxwell, moves that the rules be suspended and the House reconsider its action whereby it passed to be

engrossed. Is this the pleasure of the House?

The motion prevailed, and the House reconsidered its former action whereby it passed the bill to be engrossed.

Mr. Maxwell then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 353, L. D. 118, Bill "An Act Relating to Sale of Wild Hares and Rabbits."

Amend said Bill by inserting before the underlined word "rabbits" at the end thereof the underlined word 'wild'

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

On motion by the gentleman from Bangor, Mr. Atherton, the House voted to take from the table the forty-fourth tabled and unassigned matter, House Divided Report of the Committee on Legal Affairs on Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers" (H. P. 1787) (L. D. 1126), Majority Report "Ought to pass in New Draft" (H. P. 2034) (L. D. 1448), Minority Report "Ought not to pass", tabled on April 7th by that gentleman pending acceptance of either report; and on further motion by the same gentleman, the matter was retabled and specially assigned for Wednesday, April 27th.

On motion by the gentleman from Auburn, Mr. Williams, the House voted to take from the table the thirty-fourth tabled and unassigned matter, Resolve Providing for an Increase in Retirement Pension for Harry H. Watson of Prospect (H. P. 304) (L. D. 1424) tabled on April 5th by that gentleman pending passage to be engrossed; and on further motion by the same gentleman the Resolve was passed to be

engrossed and sent up for concurrence.

The SPEAKER pro tem: The Chair recognizes the gentleman from Orono, Mr. Bates.

Mr. BATES: Mr. Speaker, I now move that the House adjourn.

The motion prevailed, and the House adjourned until tomorrow morning at 10:00 o'clock.