

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, April 27, 1949

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

Prayer by the Rev. E. H. Tupper of Durham.

The journal of the previous session was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Ways and Bridges on Resolve Appropriating Moneys for Promotion of Highway Safety (S. P. 604) (L. D. 1295) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Ought Not to Pass**

Report of the Committee on Salaries and Fees reporting "Ought not to pass" on Bill "An Act Relative to Salaries of Inland Fisheries and Game Wardens" (S. P. 364) (L. D. 581)

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 Agriculture on Bill "An Act Defining Agricultural Fair Associations and Societies" (S. P. 601) (L. D. 1292) reporting same in a new draft (S. P. 676) (L. D. 1550) under same title and that it "Ought to pass"

Report of the Committee on Inland Fisheries and Game on Resolve Providing for a Fish Screen at Outlet of Donnell's Pond in the Town of Franklin in the County of Hancock (S. P. 299) (L. D. 493) reporting same in a new draft (S. P. 677) (L. D. 1551) under same title and that it "Ought to pass"

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

In the House, Reports were read and accepted in concurrence and the Bill read twice, the Resolve read once and tomorrow assigned.

**Non-Concurrent Matter**

Bill "An Act Relating to Rental for the Western Somerset Municipal Court" (H. P. 1161) (L. D. 613) which was passed to be engrossed in the House on April 19th as amended by House Amendment "A".

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House: On motion by Mr. Laughton of Ripley, the House voted to adhere to its former action whereby it passed the Bill to be engrossed as amended by House Amendment "A".

**Recommitted in Senate**

Report of the Committee on Ways and Bridges reporting "Ought not to pass" on Resolve Authorizing the Highway Commission to Build a Parking Place in Windham (S. P. 586) (L. D. 1244)

Came from the Senate, recommitted to the Committee on Ways and Bridges.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker and Members of the House: At an executive session of the Ways and Bridges Committee, held last evening, this resolve was called to the attention of the members. After considerable discussion, it was decided that if the bill were recommitted, that a unanimous report of "Ought not to pass" would be submitted. In view of that fact, it seems useless to me to recommit the bill. I therefore move the acceptance of the "Ought not to pass" report in non-concurrence.

The SPEAKER: The gentleman from Addison, Mr. Lackee, moves that the House do accept the "Ought not to pass" report of the committee in non-concurrence. Is it the pleasure of the House to ac-

cept the "Ought not to pass" report of the committee?

The motion prevailed, and the "Ought not to pass" report was accepted in non-concurrence and sent up for concurrence.

#### Non-Concurrent Matter

Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties (H. P. 2017) (L. D. 1404) which was passed to be engrossed in the House on April 25th

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

Mr. SANBORN: Mr. Speaker, I move that Item 7, Legislative Document 1404, be tabled and specially assigned for Tuesday, May 3rd.

The SPEAKER: The Chair will state that under the Order passed yesterday, matters may not be tabled longer than three days excluding Saturday and Sunday. That would make Monday the latest day in which it could be placed upon the table for consideration, Monday, May 2nd.

Mr. SANBORN: That is all right, Mr. Speaker.

The SPEAKER: The gentleman from Gorham, Mr. Sanborn, moves that Item 7, Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties (H. P. 2017) (L. D. 1404) with the accompanying papers, lie upon the table and be specially assigned for Monday, May 2nd, 1949. Is this the pleasure of the House?

The motion prevailed, and the Resolve was so tabled and so assigned.

From the Senate: The following Order:

ORDERED, the House concurring, that the Secretary of the State provide for each member of the Senate and House of the 94th Legislature one suitable marker or tag to be attached by such member to his automobile or regular registration plate; and be it further

ORDERED, that such marker or tag shall indicate membership in the Maine Legislature and shall not be used after the 1st Wednesday of January, 1951; and be it further

ORDERED, that the expense incurred under the provisions of this order shall be apportioned among the members ordering such marker or tag, not to exceed \$2 per member, and such money received shall be credited to the motor vehicle appropriation of the Secretary of State (S. P. 682)

Came from the Senate read and passed.

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

#### Orders

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

Mr. CHASE: Mr. Speaker, I present an order and move its passage. After the order has been read, I should like to have it tabled until it can be reproduced and distributed.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, presents an order and moves its passage. The Clerk will read the order.

ORDERED, the Senate concurring, that a Joint Special Committee be created, to consist of seven on the part of the House and three on the part of the Senate for the purpose of drafting and presenting to this Legislature on or before Monday, May 2, 1949, a new tax measure designed to conform to the following principles:

1. To include a sales tax without exemptions.
2. To include an income tax at a uniform rate, on individuals and corporations.
3. To remove the state property tax on the cities and towns.
4. To carry an expedited referendum clause.
5. To raise approximately \$10,000,000, approximately 60% from the sales tax and approximately 40% from the income tax.

6. To specify, either generally or particularly, the purposes to which the revenue will be devoted.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the order lie upon the table until later in today's session. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is it the pleasure of the House that the order be ordered to be reproduced and distributed to the members?

The motion prevailed.

### House Reports of Committees

Mr. Brown of Unity, from the Joint Committee created by Joint Order (S. P. 681) reported as follows:

"That the Committee has considered certain amendments and these amendments will be offered in the Senate. In general the Committee is in agreement that the distribution of \$5,000,000 per year in new revenue has been listed in a reasonable and equitable manner. Both Senate and House members of the Committee understand that each of the amendments will be offered and will be subject to debate. Other amendments may well have consideration, but in general the distribution seems to acknowledge basic appropriation bill needs and seems to provide for those Legislative Documents that appear to have Legislative support, if new revenues are to be available. As initially offered, the amendments will not require all of the money available from the tax bill, if it passes."

The Report was received and placed on file.

Mr. Clements from the Committee on Pensions on Resolve Providing for State Pension for John L. Sullivan of East Corinth (H. P. 1517) reported leave to withdraw.

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Berdiana Foster, of Ridlonville (H. P. 305)

Mr. Kelly from same Committee reported same on Resolve Providing for State Pension for Marie C. Roy of Skowhegan (H. P. 1062)

Mr. McGown from same Committee reported same on Resolve Providing for State Pension for Florence Howard, of Swanville (H. P. 1411)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Frank C. Erskine, of Bristol Mills (H. P. 1065)

Mr. Philbrick from same Committee reported same on Resolve Providing for State Pension for George R. Boyce, of Hermon (H. P. 670)

Reports were read and accepted and sent up for concurrence.

### Ought Not to Pass

Mr. Gray from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Emery L. Jordan, of Plantation Number 21 (H. P. 1464)

Same gentleman from same Committee reported same on Resolve in Favor of Winfield Paddock of Milo, for Damage to Property (H. P. 633) (L. D. 224)

Reports were read and accepted and sent up for concurrence.

### Tabled and Assigned

Mr. Gray from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Marjorie Heald, of Yarmouth (H. P. 1375)

(On motion by Mr. Lacharite of Brunswick, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 28)

Mr. Laughton from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Town of Clinton (H. P. 1276)

Same gentleman from same Committee reported same on Resolve in Favor of George V. Jordan, of Waldoboro (H. P. 1029)

Reports were read and accepted and sent up for concurrence.

**Tabled**

Mr. Marble from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Relating to Itinerant Vendors" (H. P. 1652) (L. D. 960)

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker, I move that Item 12 lie on the table and, if possible, I will move to take it off later in today's session, but I prefer not to set a special date.

The SPEAKER: The gentleman from Houlton, Mr. Robbins, moves that Item 12, Bill "An Act Relating to Itinerant Vendors" (H. P. 1652) (L. D. 960) lie upon the table until later in today's session, pending acceptance of the report of the committee. Is this the pleasure of the House?

The motion prevailed.

Mr. Clements from the Committee on Pensions reported "Ought not to pass" on Resolve Providing for State Pension for Marie Aube, of Lewiston (H. P. 1928)

Report was read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mr. Clements from the Committee on Pensions reported "Ought not to pass" on Resolve in Favor of John E. Mitchell, of Patten (H. P. 1879)

(On motion by Mr. Boulier of Stacyville, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 28th.

Mr. Clements from the Committee on Pensions reported "Ought not to pass" on Resolve in Favor of R. Clifton Burnell, of East Sebago (H. P. 1880)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Manley Sharp of Merrill (H. P. 1790)

Same gentleman from same Committee reported same on Resolve Providing for a Pension for Burchard Higgins, of Mapleton (H. P. 1608)

Mr. Kelley from same Committee reported same on Resolve in Favor of May Ella Folsom, of Belfast (H. P. 844)

Same gentleman from same Committee reported same on Resolve Providing for an Increase in State Pension for Elvin L. Trimm, of Charleston (H. P. 934)

Same gentleman from same Committee reported same on Resolve Providing for a State Pension for Blanche Poitras of Limestone (H. P. 589)

Mr. McGown from same Committee reported same on Resolve Providing for State Pension for Willford M. Dorr of Randolph (H. P. 1185)

Reports were read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mr. McGown from the Committee on Pensions reported "Ought not to pass" on Resolve Providing for State Pension for Elmira A. Brown, of Lewiston (H. P. 939)

(On motion by Mr. Jacobs of Auburn, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 28th)

Mr. McGown from the Committee on Pensions reported "Ought not to pass" on Resolve Providing for State Pension for Lelida Wright LeBaron, of Rome (H. P. 1599)

Same gentleman from same Committee reported same on Resolve Providing for an Increase in State Pension for Roger Creamer, of Thomaston (H. P. 598)

Mr. Patterson from same Committee reported same on Resolve Providing for State Pension for Louise J. Gray of Orland (H. P. 2010)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Delia Drouin of Lewiston (H. P. 1881)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Isaac Sawtelle of Pittston (H. P. 1186)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Mary D. Hendrickson, of Caswell Plantation (H. P. 1602)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Manley E. Cooper, of Chelsea. (H. P. 933)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Blanche Grant, of Lincoln (H. P. 711)

Mr. Philbrick from same Committee reported same on Resolve Providing for State Pension for Ralph A. Smith, of Bath (H. P. 1605)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Wilfred Turgeon, of Waterboro (H. P. 592)

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft Tabled and Assigned**

Mr. Wight from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Field Trials for Beagles" (H. P. 1823) (L. D. 1149) reported same in a new draft (H. P. 2094) (L. D. 1579) under title of "An Act Relating to Training and Field Trials for Beagles and Other Rabbit Hounds" and that it "Ought to pass"

Report of the Committee was accepted and the Bill, having already been printed, had its two several readings,

(On motion by Mr. Marsans of Monmouth, tabled pending assignment for third reading and specially assigned for Friday, April 29).

Mr. Clements from the Committee on Pensions on Resolve Granting a Pension to Erna G. Adams, of Bridgton (H. P. 366) reported same in a new draft (H. P. 2095) (L. D. 1580) under same title and that it "Ought to pass"

Report was read and accepted and the Resolve, having already been printed, was given its first reading, and was assigned for second reading tomorrow morning.

Mr. COOK of Bridgton: Mr. Speaker, I move that Item 34 lie on the table pending its second reading, and be assigned for Friday April 29th.

The SPEAKER: Without prejudice to the motion just made by the gentleman from Bridgton (Mr. Cook) the Chair would state that the matter, having already been assigned for second reading tomorrow, it will come up automatically then, and if the gentleman so cares, at that time he may move to table until Friday, but if the gentleman wishes, the motion made will be put.

Mr. COOK: Mr. Speaker, do you mean wait until tomorrow to table it?

The SPEAKER: That is right. Is that satisfactory to the gentleman?

Mr. COOK: That will be all right.

The SPEAKER: Thank you.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House the students from the Ripley Grammar School, with Mrs. Farrar in charge of the group. On behalf of the House, we bid you welcome. (Applause)

#### **Ought to Pass Printed Resolve**

Mr. Laughton from the Committee on Claims reported "Ought to pass" on Resolve in Favor of Beatrice Noonan, of Boston, Massachusetts (H. P. 128) (L. D. 1578)

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

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

### Ought to Pass with Committee Amendment

Mr. Campbell from the Committee on Interior Waters on Bill "An Act to Authorize the Construction of a Wharf in Maranacook Lake at Winthrop" (H. P. 1629) (L. D. 982) 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. 1629, L. D. 982, Bill "An Act to Authorize the Construction of a Wharf in Maranacook Lake at Winthrop."

Amend said Bill by striking out the figures "800" in the next to last line and inserting in place thereof the figures "1,800"

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

Mr. Marble from the Committee on Legal Affairs on Bill "An Act to Create the Town of South Berwick School District" (H. P. 1172) (L. D. 628) 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. 1172, L. D. 628, Bill "An Act to Create the Town of South Berwick School District."

Amend said Bill by striking out in the 3rd line of the 2nd paragraph of Section 3 thereof the word "Thereafterward" and inserting in place thereof the word "Thereafter"

Further amend said Bill by inserting in the 1st line of the 4th paragraph of Section 3 thereof after the word "except" the word "that"

Further amend said Bill by strik-

ing out the 3rd sentence in the 4th paragraph of Section 3 thereof.

Further amend said Bill by inserting in the 10th line of the 4th paragraph of Section 3 thereof after the word "building" the words "or school buildings"

Further amend said Bill by striking out all of Section 4 thereof and inserting in place thereof the following:

**'Sec. 4. How financed.** To procure funds for the purpose of this act, and for such other expenses as may be necessary to carry out said purposes, the said trustees are hereby authorized from time to time to borrow money and to issue bonds and notes of the district therefor, but shall not incur a total indebtedness exceeding the sum of \$100,000. Each bond and note shall have inscribed upon its face the words "Town of South Berwick School District," shall bear interest at such rates as the trustees shall determine, payable semiannually, and shall be subject to such other provisions as the trustees shall determine. Said bonds and notes may be issued to mature serially or made to run for such periods as said trustees may determine, but none of which shall run for a longer period than 30 years from the date of the original issue thereof. All bonds may be made callable at the discretion of the trustees of the district. The said trustees are authorized to borrow money for temporary purposes and to issue therefor interest-bearing, negotiable notes of the district not exceeding in amount \$10,000 outstanding at any one time, which said notes shall be payable not later than 1 year from the date thereof. All bonds and notes issued by the trustees of said district shall be signed by the treasurer and countersigned by the chairman of said district, and if coupon bonds be issued, each coupon shall be attested by the facsimile signatures of the chairman and treasurer printed thereon. Said bonds and notes shall be legal obligations of said district which is hereby declared to be a quasi-mu-



nicipal 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. The said trustees are hereby authorized and empowered to enter into such an agreement with the federal or state government, or any agency thereof, or any corporation or board authorized by the federal or state government to loan money or otherwise assist in the financing of such projects as this school district is authorized to carry out, as may be necessary or desirable to accomplish the purposes of this act.

Further amend said Bill by striking out in the first line of Sec. 5 thereof the word "any" where it first appears.

Further amend said Bill by inserting in the 3rd line of Section 5 thereof before the word "trustees" the word 'said'.

Further amend said Bill by striking out in the 10th line of Section 7 thereof the word "president" and inserting in place thereof the word 'chairman'.

Further amend said Bill by striking out in the 6th line of Section 9 thereof the date "January 1, 1951" and inserting in place thereof 'April 1, 1950'.

Further amend said Bill by striking out in the 16th line of Section 9 thereof the word "Incorporate" and inserting in place thereof the word 'Create'.

Further amend said Bill by inserting after the last word in Section 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. Paine from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Sebago School District" (H. P. 1946) (L. D. 1318) 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. 1946, L. D. 1318, Bill "An Act to Incorporate the Town of Sebago School District."

Amend said Bill by inserting after the last word 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'

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

#### Passed to be Engrossed

Bill "An Act Relating to the Salary of the Forest Commissioner" (S. P. 215) (L. D. 277)

Was 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 Providing for a Standard of Electrical Installations" (S. P. 652) (L. D. 1451)

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I wonder how many members have read this bill, L. D. 1451. It looks to me like it is quite a vicious bill, and under Section 82-F there is a paragraph in there which says under minor repairs, including the replacement of fuses, and it goes on to say that an "application for such permit must be made in writing to the electrical inspector by

the person, firm or corporation installing the work..."

I don't think we need such a bill as this, and I am going to move for its indefinite postponement, and if anyone can show me that we do, or that it should be amended if we need this, I am going to move that the motion lie upon the table until tomorrow morning, and if I can be shown that we need this bill, I will withdraw the motion.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves that Item 2, Bill "An Act Providing for a Standard of Electrical Installations" (S. P. 652) (L. D. 1451) be indefinitely postponed. The gentleman further moves that the motion lie upon the table and be specially assigned for tomorrow morning, Thursday, April 28th. Is this the pleasure of the House?

The motion prevailed.

#### Passed to be Engrossed (cont'd)

Bill "An Act Relating to Regulations for Atlantic Sea Run Salmon in Penobscot Bay Area" (H. P. 68) (L. D. 27)

Was 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 Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer" (H. P. 1271) (L. D. 751)

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

Mr. Thompson of Brewer, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1271, L. D. 751, Bill "An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer."

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

"R. S., c. 33, §84-A, amended. Section 84-A of chapter 33 of the revised statutes, as enacted by

chapter 108 of the public laws of 1949, is hereby amended by adding at the end thereof the following:

"but not to exceed \$100 and crediting on said amount any indemnity received from any source whatsoever"

House Amendment "A" was adopted and the Bill had its third reading and was passed to be engrossed as amended and sent to the Senate.

Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls" (H. P. 1014) (L. D. 441)

Bill "An Act to Revise the Charter of the City of Westbrook" (H. P. 1984) (L. D. 1365)

Resolve in Favor of the Town of Columbia (H. P. 1016) (L. D. 1566)

Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Penobscot River (H. P. 2090) (L. D. 1562)

Resolve Providing for a Dam and Fish Screen at Chain-of-Ponds, in the County of Franklin (H. P. 2093) (L. D. 1565)

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

#### Amended Bills and Resolves

Bill "An Act Relating to Fees of and Examinations by Board of Dental Examiners" (S. P. 87) (L. D. 114)

Resolve in Favor of Myrtle Keefe, of Fryeburg (S. P. 248) (L. D. 1548)

Bill "An Act to Effect Certain Changes in Procedure Under the Unemployment Compensation Law" (S. P. 515) (L. D. 1046)

Resolve in Favor of York Electrical Company (S. P. 570) (L. D. 1545)

Resolve Authorizing Donald S. Porter of Lowell to Sue the State of Maine (H. P. 1305) (L. D. 685)

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

Bill "An Act to Amend the Workmen's Compensation Act as to Waiting Period and Compensation Benefits" (H. P. 2084) (L. D. 1543)

Resolve Regulating Fishing in Long and Square Lakes, in the County of Aroostook (H. P. 571) (L. D. 1401)

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

#### Passed to be Enacted

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

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

An Act Relating to Trespass (S. P. 661) (L. D. 1492)

An Act Relating to Grading of Apples (H. P. 1108) (L. D. 534)

An Act Relating to Exhibits of Agricultural Fair Associations (H. P. 1267) (L. D. 668)

An Act Relative to Restricting the Use of Power Boats on Portage Lake in the County of Aroostook (H. P. 1299) (L. D. 681)

An Act Relating to the Inspection and Regulation of Dog Kennels (H. P. 1441) (L. D. 832)

An Act to Regulate Livestock Community or Commission Auctions (H. P. 1443) (L. D. 877)

An Act Relating to the Military Law (H. P. 1513) (L. D. 891)

An Act Relating to Participation of Employees of the City of Lewiston in a Contributory Employees' Retirement System (H. P. 1646) (L. D. 998)

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.

#### Tabled Temporarily

An Act Creating the South Berwick Sewer District (H. P. 1659) (L. D. 967)

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

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, for the purpose of offering an amendment I move that the rules be suspended and that we reconsider our action whereby House Paper 1659, An Act Creating the South Berwick Sewer District, was passed to be engrossed.

The SPEAKER: Does the gentleman care to move that the item lie upon the table temporarily until we finish the other items?

Mr. CAMPBELL: That is all right, Mr. Speaker.

The SPEAKER: The gentleman from Augusta, Mr. Campbell, moves that Item 11, An Act Creating the South Berwick Sewer District, (H. P. 1659) (L. D. 967) lie upon the table temporarily until the other enactors on the list are disposed of. Is it the pleasure of the House that the matter lie upon the table?

The motion prevailed.

#### Passed to be Enacted (cont'd)

An Act Permitting the Building of a Wharf for Seaplane Landing at the Southerly End of Portage Lake (H. P. 1696) (L. D. 1019)

#### Tabled and Assigned

An Act Relating to the Duties of the Insurance Commissioner and State Fire Inspectors (H. P. 1788) (L. D. 1127)

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

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

Mr. BURGESS: Mr. Speaker, for the purpose of offering an Amendment on Friday morning, I move to table Item 13, pending enactment, and move that it be specially assigned for Friday morning.

The SPEAKER: The gentleman from Rockland, Mr. Burgess, moves that Item 13, An Act Relating to the Duties of the Insurance Com-

missioner and State Fire Inspectors (H. P. 1788) (L. D. 1127) lie upon the table pending passage to be enacted and be specially assigned for Friday morning, April 29th. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled and so assigned.

An Act Relating to Rules and Regulations of the State Liquor Commission (H. P. 1857) (L. D. 1194)

An Act Relating to Notice to State Highway Commission in Re Highway Changes (H. P. 1893) (L. D. 1221)

An Act Crediting Certain Fees to the General Highway Fund (H. P. 1894) (L. D. 1222)

An Act Relating to Pensions for Members of the Police Department of the City of Lewiston (H. P. 1998) (L. D. 1381)

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 Relating to Elderly Teachers' Pensions (H. P. 2045) (L. D. 1471)

(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 Relative to the Construction of Pole and Wire Lines Upon and Along State and State Aid Highways (H. P. 2049) (L. D. 1475)

An Act Relating to Group Life Insurance (H. P. 2064) (L. D. 1497)

An Act Permitting Continuance of Service of State Employees Reaching Seventy Years of Age (H. P. 2067) (L. D. 1499)

An Act to Repeal the Charter of the Bay Point Village Corporation (H. P. 2069) (L. D. 1505)

An Act to Incorporate the Town of Gorham School District (H. P. 2070) (L. D. 1506)

#### Finally Passed

Resolve Transferring Moneys from Employees' Retirement Fund to General Fund (S. P. 220) (L. D. 340)

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

#### Placed on Special Calendar

Resolve in Favor of Madelyn Ames, of East Poland (H. P. 105) (L. D. 1514)

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

Resolve in Favor of the Town of Chelsea (H. P. 542) (L. D. 1519)

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

#### Placed on Special Calendar

Resolve in Favor of Harold E. Rogers of Brunswick (H. P. 550) (L. D. 1508)

Resolve in Favor of Kenneth H. Morse, of Gorham (H. P. 564) (L. D. 1507)

Resolve in Favor of Herman I. Ham of Madison (H. P. 636) (L. D. 1513)

Resolve in Favor of Prentiss Plantation (H. P. 733) (L. D. 1515)

Resolve in Favor of Leslie W. Jones of West Minot (H. P. 1282) (L. D. 1511)

Resolve in Favor of Christopher Hilton, of Anson (H. P. 1454) (L. D. 1509)

Resolve to Reimburse the Town of Jefferson (H. P. 1458) (L. D. 1512)

Resolve in Favor of Edward D. McKeon of Kennebunk (H. P. 1463) (L. D. 1516)

Were 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)

Resolve in Favor of the Town of Dedham (H. P. 1467) (L. D. 1518)

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

On motion by Mr. Campbell of Augusta, the House voted to take from the table Item 11, An Act Creating the South Berwick Sewer District (H. P. 1659) (L. D. 967) tabled by that gentleman earlier in today's session.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, for the purpose of offering an amendment I move that the rules be suspended and the House reconsider its action whereby it passed this bill to be engrossed.

The SPEAKER: The gentleman from Augusta, Mr. Campbell, moves that the rules be suspended and the House do reconsider its action whereby it passed the Bill to be engrossed. Is it the pleasure of the House to reconsider its action in the passage of the Bill to be engrossed?

The motion prevailed.

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

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

HOUSE AMENDMENT "A" to H. P. 1659, L. D. 967, Bill "An Act Creating the South Berwick Sewer District"

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

'Provided, however, nothing herein contained shall be construed as authorizing said sewer district to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or acquired for fu-

ture use by the owner thereof in the performance of a public duty unless expressly authorized thereto herein or by subsequent act of the legislature.'

Thereupon, House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended and sent to the Senate.

### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair now lays before the House the first tabled and today assigned 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 20th by the gentleman from Bangor, Mr. Atherton, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. ATHERTON: Mr. Speaker and Members of the House: I have often heard it said that history repeats itself and I hope this morning this saying is borne out and is going to be true.

Two years ago, before the Ninety-third Legislature, a bill very similar to this one was introduced and was also referred to the Committee on Legal Affairs. The report at that time was a divided report, nine of the members signing the majority report "Ought to pass" and one, the minority report "Ought not to pass." I was not the signer of the minority report at that time.

Subsequently the House, in the Ninety-third Legislature voted, on the bill, the minority report "Ought not to pass" was accepted by a vote of 87 to 16. Now, we have the same bill again here before this Legislature. It is pretty much the same report from the Committee on Legal Affairs, nine of the members having signed the report "Ought to pass" and one, myself, signing the minority report "Ought not to pass." Even though I am in the minority

on the committee, I am quite certain I am not, here in this House.

Under the present law, cities and towns are required to maintain, keep in repair, their sewer systems. Under this bill, cities and towns would be authorized by-laws and assess owners of property connected with sewers and charge for the use of such sewers.

I feel that this bill is unfair for several reasons. One thing, the people who have property now connected with the sewers, some time or other, in most cases many years ago, paid for the privilege of entering that sewer and for the construction of the sewer. As a result of their property being connected with the sewer, the valuation has increased and they have been paying taxes on that increased valuation for a good many years and they will continue to pay taxes on that valuation whether this bill passes or not. Since the bill provides that this will be an assessment in addition to all other assessments for sewers at the present time. I wonder if this House feels that people with children in school should be obliged to pay for the support and expense of maintaining the school; or people who live in rural areas and have children who ride on school buses should be assessed and obliged to pay for the operation and maintenance of these school buses. That is not so, of course. Everybody pays for them just as our taxpayers today pay for the maintenance and repairs of sewer systems. The towns and cities should support and maintain a good sewer system. A good sewer system is an asset to the town. It is beneficial not only to property owners connected with the sewer system, but I feel it is also beneficial to the general public particularly in providing drainage for public streets. I feel also that this assessment would be very difficult to apply. It will entail a great deal of extra expense for the cities and towns if they adopted it. It would make more work for the assessors; it would require the keeping of more records. I understand some muni-

icipalities have more than one sewer system. That, also, would require more records and more assessments and more expense altogether. It provides that assessments shall be made from time to time. I wonder what the interpretation of that is. It seems to me that might mean almost any period, annually, semi-annually, monthly or even weekly that the assessors be authorized to assess property owners for the maintenance and use of sewers. I feel that the bill is unconstitutional and provides double taxation. Many of you probably know, our present constitution provides that all taxes upon real and personal estate assessed by authority of the State shall be apportioned and assessed equally according to the just value thereof. That has been done, at the present time, under general assessment. Here, they want a special assessment which applied only to certain property. Therefore, it is my opinion that it is unconstitutional and I believe that my opinion is shared by others.

As I said, at the present time, the general law provides that cities and towns must maintain sewers. That means that the maintenance cost must be paid by all the taxpayers. If we put this law upon the books, it provides for a special assessment only on those who own property connected with sewers. It seems to me that that would be inconsistent with the general law and therefore, if passed, it would be entirely worthless. Therefore, Mr. Speaker, I move for the acceptance of the minority "Ought not to pass" report of the committee and I ask for a division when the vote is taken.

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

Mr. McGLAUFFLIN: Mr. Speaker, I, too, am definitely opposed to this bill, and I want to go along with the minority report.

Before we can enter a sewer in Portland, we have to pay what they figure to be the cost of that sewer. After the sewer is established, we

pay for the water that flushes that sewer. On my street, where I have lived a good many years, I don't recall that the city has ever dug up any of the sewers on that street. Where they got any expense to put a tax on, I don't know. But I do know this; I am going to tell you of an experience of my own. I have trees on my esplanade. Those trees, once planted, are in control of the city and you can't remove one of those trees if you want; you can't even if you plant it yourself.

Now, in my particular case, we had a tile sewer put in by the men who built my house running from my house to the sewer in the street. After a few years, the tentacles or the roots of one of the trees on my esplanade worked right through that iron pipe. It doesn't seem possible to do it but it did do it and completely blocked the flowage of water to the sewer. That happened out in the esplanade. I took the matter up with the city, the Public Works Department, and I told them that since I had no control over my trees that I thought they ought to take care of that condition up to the sidewalks. Nothing doing! So I went to the expense of something over \$75 to put an iron pipe in and that runs out to the esplanade—not to the esplanade, it runs out to the street.

Now, I am having more trouble because those tentacles have got in the sewer out in the street. Will the city do anything about it? Not much.

This is just a nuisance tax. There is no sense in it whatsoever. Now, many of you people in the country don't have this sewer situation. I hope you are not going to force it on the cities when we don't want any such thing.

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

The Chair recognizes the gentleman from Dixfield, Mr. Marble.

Mr. MARBLE: Mr. Speaker and Members of the House: As a signer of the majority "Ought to pass" report, I should like to make just two points with respect to this bill. First, this is solely an enabling act. In other words, there is nothing compulsory about this bill. Any city or town or community in this State can adopt it if it so sees fit. Those cities and towns which do have another system at the present time of sewerage assessment do not have to make any change but can remain in the status quo.

My second point is that it seems to me that this is a far more equitable manner of apportioning sewer assessments. The argument has been made that your local tax takes care of it. Well, in the smaller communities especially, people who do enjoy the benefits of the sewerage system are comparatively small but the tax rate is levied as a matter of town affairs. The point has been made that your valuation is changed to take care of this. I submit to you that that is not a sound way of handling the situation, where the valuation has to be jockeyed back and forth. I hope that you will vote against the motion of the gentleman from Bangor, Mr. Atherton.

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

Mr. McGLAULIN: Mr. Speaker, I just want to say one word more and that is that on every street in Portland where there is a sewer, we pay higher taxes on real estate than you do where there isn't any.

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

Mr. PAINE: Mr. Speaker and Members of the House: I too was also a signer of the majority report, that it "Ought to pass." We all know now that the property owner is carrying almost an undue burden of his share of the cost of municipal government, running from sixty to eighty per cent.

Now the reason why they have not torn the street up to repair

the sewer in Mr. McGlaulin's area in Portland is that this last two years they have been contemplating a large sewer program in the entire City of Portland. This would run into millions of dollars. To do this, it would necessitate increasing the tax rate considerably and the raising of new revenue.

I have been authorized to state that the City Manager of Portland is in favor of this bill, and I hope that you will not support the motion of the gentleman from Bangor, Mr. Atherton.

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

Mr. GATES: Mr. Speaker, the whole purpose of this bill is to relieve the overburdened real estate taxpayer. This is an assessment for the maintenance of the sewer, and if this amount is collected from the property owner who uses the sewer it would relieve the general taxpayer. There are some cities and towns in the State of Maine where the sewer does not extend to some of the outlying districts. It has been impossible to assess those people and make them pay a tax where they do not use this. If this goes through it will relieve them of some of that.

I do want to state, as has been pointed out by the two gentlemen who preceded me, that this is optional, in other words it must be accepted by the towns and cities, the selectmen of the town, before it becomes effective.

I hope that the motion of Mr. Atherton does not prevail.

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

The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I would like to ask a question of the gentleman from Bangor, Mr. Atherton.

The SPEAKER: The gentleman may ask his question and the gen-

tleman from Bangor may answer if he so desires.

Mr. BEARCE: Mr. Speaker, under this bill, supposing a man had property without any buildings and the sewer was going by, would they be able to assess that man for sewer charges regardless of his having no buildings on the property?

Mr. ATHERTON: Mr. Speaker, the way the bill reads, it says: "assessing upon improved lots and parcels of land with buildings thereon connected with the sewer." I assume the answer to the gentleman's question would be that under this bill they would not be able to.

Mr. Speaker, may I make a few remarks at this time?

The SPEAKER: The gentleman may proceed.

Mr. ATHERTON: Mr. Speaker, regardless of whether this is an enabling act or not, I certainly do not feel we should clutter up our statutes with a bill which is inconsistent with the present general law, a law which is unconstitutional.

I would also like to say that at the time hearing was held before the committee on this bill only one person appeared in behalf of it at that time. He was a representative of the Maine Municipal Association. I asked him if the same bill had not been introduced two years ago and had been defeated. He acknowledged that that was true. I asked him if there was any better reason why it should be passed at this session than there was last session. He acknowledged that he knew of none.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Atherton, that the House do accept the minority "Ought not to pass" report of the committee. The same gentleman has requested that when the vote is taken, it be by division. Is the House ready for the question?

The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.



Mr. WOODWORTH: Mr. Speaker and Members of the House: I would like to consider several arguments that have been advanced in support of the bill. I rise in favor of the motion.

I understand that the City Manager and some of the municipal officers want it. It does bring in added revenue but it doesn't stop anything. You notice that the bill provides that this revenue shall be in addition to any other revenue you now have. In other words, double taxation.

It has been said that this is an enabling act. It is an amendment which adds another paragraph to the list of enabling acts we now have. If you will read that section you will find that the first line in the section says: "Towns are enabled to enact local ordinances not inconsistent with law"—not inconsistent with law. Now, your general law is that the towns shall maintain the sewers. Your special act now under consideration says that the abutters shall maintain the sewers. Only those people who have the sewers shall pay for them. Is that consistent with your general law? I say it is not. In one case, all the taxpayers pay; in the other case only the abutters pay and if your by-law can not be inconsistent with the law, it necessarily follows that your enabling act will be worthless.

As far as the inequity mentioned by the gentleman from Dixfield, Mr. Marble, that the towns cannot build sewers, those are constructed by municipal officers. When they are constructed the cost is apportioned and the abutters pay half, then the valuations go up and they continue to pay an increased tax not only for the sewer but for every other purpose for which the town raises money, and these added taxes and this added income accrue for the benefit of every taxpayer in town. The fellow who has got the sewer is paying a higher valuation for the benefit of the fellow who does not have it. If you impose an added liability on him, one more

tax, he is paying double, there is no question about it. The whole proposition here is a device authorized or advocated by the Municipal Officers Association to take a little more money out of the taxpayers.

I do not know just how the assessors would manage to work this bill. Now they make one assessment a year and it takes them usually, in a good-sized town, three months. Now if they have to assess every sewer in the town, I do not know how long it would take them. But as this bill stands it certainly does authorize a double assessment and it certainly does modify our existing law. And how a town can have two different rules for assessment of tax on one item I do not understand. I hope the motion of the gentleman from Bangor, Mr. Atherton, prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Atherton, that the House do accept the Minority "Ought not to pass" report on "Bill 'An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers' (H. P. 1787) (L. D. 1126), the new draft being H. P. 2034, L. D. 1448, Minority Report 'Ought not to pass.'"

The gentleman from Bangor, Mr. Atherton, has asked that when the vote is taken it be taken by a division.

As many as are in favor of the acceptance of the Minority Report "Ought not to pass" 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. Seventy-eight having voted in the affirmative and twenty-five in the negative, the motion prevailed and the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the 2nd tabled and today assigned matter, House Divided Report of the Committee on Public Health on Bill "An Act Relating to Hairdressers and Beauty

Culture" (H. P. 1954) (L. D. 1327), Majority Report "Ought to pass" as amended by Committee Amendment "A", Minority Report "Ought to pass" as amended by Committee Amendment "B", tabled on April 26th by the gentleman from Orono, Mr. Bates, pending acceptance of either report.

The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker and Members of the House: I wish to explain this bill very briefly. The purpose of this bill is to raise the standards of the hair dressing and beauty culture profession. It is for the benefit of those who seek to enter this profession as well as for the benefit and protection of the general public.

At the present time, a girl may enter any one of our beauty shops in the State and, after a long period of apprenticeship, if she is capable, she may take the State Board examination and, if successful, she may at once open a beauty shop of her own without any special experience or schooling instruction.

We all know what it really means for a girl to go into any one of our beauty shops to learn this profession. When she goes in, perhaps she is entering a shop where the lady who conducts it is very efficient in her work but is not an instructor. Anyone who conducts a shop is in it for the money that she is making, not conducting a school. So it is really up to the girl, herself, to obtain whatever knowledge she can. Of course, I am not saying that she isn't receiving a certain amount of instruction but, nevertheless, she spends a long period of time and it costs her \$100 for the course. The lady who conducts the shop has the privilege of charging the same fee for the work done by this apprentice as work done by herself. So, you see it is not fair to the public in that respect.

Now, this bill requires every girl who enters the profession or seeks to take the examination to become a hairdresser to attend a school of

beauty culture for a period of nine months. We have schools in Portland, Lewiston, Augusta, Bangor, Presque Isle and one about to open in Sanford. So, you see they are well distributed over the State of Maine and it isn't a hardship for anyone to attend any one of these schools. The fee ranges from \$200 to \$250.

The tests which were taken over the period of the last two years show just what the difference really is between those who have taken the prescribed course and those who have worked out their apprenticeship. Thirty-six girls who were school graduates failed, where four hundred and sixty-five passed. Apprentices, sixty-six failed and one hundred seven passed. So you can see there is a wide difference in those who have had schooling instruction and those who have worked out their apprenticeship.

Just to add it all up the apprenticeship doesn't help the student now that we have adequate schools and the student is required to pay \$100 and she really acts as a shop worker, a janitor or anything you might ask along with her course of study as an apprentice. But in the schools, she gets real instruction and doesn't have to work and the difference in the price is only \$100 or slightly over.

At our hearing, a representative of the State Board of Health was there and favored this bill very much and we only had one person who objected to this bill and it would seem to me if the girls throughout the State who have the desire to become a hairdresser, if they didn't favor the bill in any way, they certainly would have attended the hearing and offered their objections.

Therefore, Mr. Speaker, I move the acceptance of the majority "Ought to pass" report.

The SPEAKER: The chair will inquire of the gentlewoman if she meant Committee Amendment "A" or Committee Amendment "B".

Miss LONGSTAFF: Committee Amendment "A", Mr. Speaker.

The SPEAKER: Thank you.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: I don't pretend to be an authority on hairdressing or anything of the kind. I was present at the hearing and I think I know about what went on there and I do feel that this is distinctly a step in the wrong direction. Now, supposedly, when they appeared at the hearing I heard little mention of apprenticeship; in fact, all I heard was that they wished to improve the standards of the hairdresser. If that is so, we who have signed Committee Amendment "B" have gone along with them very well in that we have allowed an increase of five hundred hours which they asked for. In fact, we have covered the entire bill practically with the same thought that they did with the exception of the apprenticeship. So I assume that is why the apprentice has been brought out this morning.

First of all, as I say, I am not any authority on the subject but I did feel where it was a matter which concerned hairdressers, I approached a number of hairdressers in my own district. Now, it so happens that they do belong to the Association of Hairdressers and they did not appear here for the bill and they didn't appear against it because as is quite often the case, they probably had never heard of the bill and simply as in the case of most people do not know what is coming and going here in the Legislature and they, of course, elect a few of us fellows to represent them. In contacting these hairdressers, they have told me that they feel, themselves, that the hairdresser who has had the apprentice training is by far superior to the one who has had the school training.

Now I recognize the fact that the tests, the examinations, do not seem to bring out that fact but I would like to remind you that in a school they can train for the examination much more easily than they can in a shop. It seemed to be, as you know, that the dexterity of the hand, without any question, is the

most important thing and that is why these operators have told me that the apprentice is superior because they will not accept an apprentice unless they feel that they are entirely capable of grasping that particular kind of work. Whereas, in the school it is a money proposition and they will accept almost anyone and attempt to train them in that field. And, without any question, they do give them the theory that goes with the training. But I tell you, it seems to me that we are not so concerned with theory as we are concerned with practice, itself, and in any shop, I am reminded, conditions, of course, change from day to day, new instruments are being used and what have you. Therefore, the theory training and the training in any instrument being used will only last for a short time and they must adapt themselves to the new equipment as it comes in. I say we are making a major mistake because we are taking the opportunity away from many girls. Now it is pointed out that the tuition is only \$100 to \$150 in excess of the tuition of an apprentice. Of course, I am also reminded of the fact, operators have told me a good many times, apprentices are accepted without any tuition charge at all.

Secondly, this does require some nine months' training. This means in a good many cases, the girl or boy will have to go to one of these cities mentioned and attend a school there, board somewhere, and, in the overall course, it certainly will cost them far in excess of the \$100 that was mentioned. I won't attempt to make any figure but most of you know it certainly costs a lot for board and room these days, and that along is something worth considering.

Therefore, I think they are making a mistake themselves as to the quality of hairdressing; the operators have told me the apprentice seems to be superior. Secondly, they are losing a large number of girls and boys who are not able to afford it now if we pass this bill with Committee Amendment "A".

In other words, they are taking from that field, the potential field of hairdressers, many girls and boys who simply cannot afford this school. As it stands now, they can obtain the training and it was recognized by the federal government as a good thing when it allowed the WAC's to attend these schools, enter apprentice training. They can attend it possibly in their own towns; they can stay at home and it costs them practically nothing and it is my experience that a person who is actually working at a job learns far more than one that goes to school. The experience normally is worth several times as much as the school training. Now, if we did something of this nature, then we should also say that all carpenters, and all masons and what have you should have to attend schools to have the theory. Certainly, none of us wants our houses falling down and everything else so practically we should send them all to school, and by so doing, it is certainly going to limit the number of trained employees that we have in our State.

I hope you will vote against the motion of Miss Longstaff and when you do I hope you will accept Committee Amendment "B".

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

Mr. BATES: Mr. Speaker and Members of the House: I rise in support of the Majority Report of the Public Health Committee with Committee Amendment "A".

At one time I felt more or less the same way as the gentleman from Wilton, Mr. Maxwell, but the more thoroughly I made a study of the problem the more thoroughly it convinced me that this was another step by a profession connected directly or indirectly with the public health to improve their standards and their qualifications in order better to serve the people of the State.

I feel, certainly, that there are born teachers and that there are good hairdressers, and I believe that the teachers find their way into the

schools, and the hairdressers in their own particular shops are not necessarily good teachers.

From the public health angle, I call your attention to the fact that beauty culture operators in this day make use of chemicals, depilatories, heat devices and similar materials, and there are more and more outlooks for their work as time goes on. To me, that again means that that sort of thing can be taught better in the school than it can in the individual shop.

The Department of Health was very cooperative and informed me that they have a checking system whereby in each quarter of a year they receive from each school in the State of Maine a report of the courses taught, the number of hours that each person in that school takes. They have no such check on the individual shop.

The most outstanding argument that I believe we have to prove that the training in the schools is far superior is the fact that seven per cent of those that took the school training, only seven per cent failed the examination, whereas 37.7 per cent of those who took the apprentice training failed the examination, and they were required to take the same examination.

I hope that the Majority Report with Committee Amendment "A" will pass.

The SPEAKER: The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker, there are just two other points that I would like to add.

This bill says, "Successful applicants shall be granted a junior certificate of registration. Thereafter, following at least one year of experience in the practice of hairdressing and beauty culture, any such registrant may be granted a senior certificate of registration. No person not a holder of a senior certificate of registration shall conduct and operate a shop of beauty culture."

Just to sum that up: At the present time as soon as a girl receives her license she may open a shop of

her own. This bill would require a year's experience, and then after that she may be granted a senior certificate and open her own shop.

Another thing that I would like to bring to your minds: All of the New England states but New Hampshire and Maine require courses of study before you may become a registered beautician.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Crystal, Miss Longstaff, that the House do accept the Majority Report of the committee, "Ought to pass with Committee Amendment 'A'".

All those in favor of the motion to accept the majority "Ought to pass with Committee Amendment 'A'" report of the committee will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

This being a printed bill, under suspension of the rules it was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1954, L. D. 1327, Bill "An Act Relating to Hairdressers and Beauty Culture."

Amend said Bill by striking out all of section 1 thereof.

Further amend said Bill by striking out the underlined word and figure "June 30", in the next to last line of section 5, and inserting in place thereof the underlined word and figure "December 31"

Further amend said Bill by re-numbering sections 2 to 8, inclusive, to be sections 1 to 7, inclusive.

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

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, House Amendment "B" to Bill "An Act Relating to Abandoned Wells as Nuisances" (H. P. 2044) (L. D. 1470) tabled on April 26th by the gentleman from Rockland, Mr. Burgess, pending adoption; and the Chair recognizes that gentleman.

On motion by Mr. Burgess of Rockland, House Amendment "B"

was adopted and the Bill was given its third reading with the amended title "An Act Relating to Abandoned Wells or Tin Mining Shafts as Nuisances," and passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, Bill "An Act Relating to the Town of North Yarmouth School District." (H. P. 2091) (L. D. 1563) tabled on April 26th by the gentleman from Bangor, Mr. Atherton, pending passage to be engrossed.

Mr. Atherton 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. 2091, L. D. 1563, Bill "An Act Relating to the Town of North Yarmouth School District."

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

"Sec. 3. P. & S. L., 1949, c. 20, § 8, amended. The last sentence of the 1st paragraph of section 8 of chapter 20 of the private and special laws of 1949 is hereby amended by adding at the end thereof after the 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'.**"

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

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Itinerant Vendors" (H. P. 1652) (L. D. 960) tabled earlier in today's session (April 27th) by the gentleman from Houlton, Mr. Robbins, pending acceptance of report.

The Chair would request the Sergeant-at-Arms at this time to see if he can ascertain the presence of the gentleman from Houlton, Mr. Robbins and also the gentleman from Cape Elizabeth, Mr. Chase.

The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker, may I say for the benefit of the House that, whatever the record showed this morning, I believe I said I wished to retable this matter and that I was not prepared to set a definite time, but that I would possibly take care of it this afternoon. I am not now prepared to go ahead with it.

The SPEAKER: The Chair would inquire of the gentleman if he would care to move to retable the matter and assign a time in accordance with the House rule recently adopted.

Mr. ROBBINS: Mr. Speaker, if I do that I will have to ask that it be retabled until tomorrow, but I may be able to go ahead with it this afternoon.

The SPEAKER: In order that there may be no further misunderstanding of the matter, may the Chair understand exactly what the motion of the gentleman from Houlton is: Whether he wants to table it until later in today's session or table it until tomorrow?

Mr. ROBBINS: Mr. Speaker, I had better be on the safe side and table it until tomorrow.

The SPEAKER: The gentleman from Houlton, Mr. Robbins, moves that Bill "An Act Relating to Itinerant Vendors" (H. P. 1652) (L. D. 960) and accompanying papers be retabled and specially assigned for Thursday, April 28th. Is this the pleasure of the House?

The motion prevailed and the Bill and report were so tabled and so assigned.

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

Mr. JOHNSON: Mr. Speaker, I now move that we recess until 1 P. M. Eastern Standard Time.

The SPEAKER: The gentleman from Gardiner, Mr. Johnson, moves

that the House recess until 1:00 P. M. Eastern Standard Time.

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

A viva voce vote being taken, the motion prevailed and the House so recessed.

#### After Recess

The House reconvened and was called to order by the Speaker at 1:00 P. M., E.S.T.

The SPEAKER: The Chair now lays before the House the 6th tabled and today assigned matter, Joint Order, H. P. 2097, Relative to Joint Select Committee to Draft and Present a New Tax Measure, tabled on April 27th by the gentleman from Cape Elizabeth, Mr. Chase, pending passage; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, there runs along in human affairs a certain parallelism and we often find that the people at home or back on the farm encounter the same problems which we face in the Legislature.

I was reading this morning in the Diary of the Maine Country Wife by Mary Dunne a description of her boy Bobby, who was having an argument about how a hen house should be constructed and to show how closely her problems are allied to our own problems here with even some identity of name, I quote: "The whole thing came to an impasse. My sympathies are with Bobby; I like his wanting to do something constructive with his time."

Mr. Speaker, for many years I have been trying to help to revise the tax system in this State. In this Legislature we continued a struggle which was in the last Legislature involving the same issues and, to a great extent, the same personalities. It ended by the factions killing each other off and in this Legislature it seems at least possible that the same thing may happen unless we resolve here and now to make one last effort to

do something which is creative and constructive.

In connection with this order, Mr. Speaker, I should like here and now to say that if this order should be passed and if a committee should here be created to draft a new tax bill, I don't want to be included as a member of that committee regardless of the fact that I introduced this order, and while I recognize my duty to the House and that every other member who should happen to be appointed to the committee would have to serve, I would still hope that if a committee should be created, there would be on it many new faces who have not been involved in the factional controversy which centers around the question of what kind of a tax measure ought to be passed. I should like to remove myself entirely from the picture to give some constructive forces of compromise a chance.

I think this order, or the principles of the bill set forth in this order, represents a fair compromise among conflicting points of view. The tastes of the two branches of the Legislature and of the Executive are too well known for me to need to repeat them here. The bill which would be called for by the principles of this order gives recognition to the tastes of every faction that recognizes a financial need in the State.

During the tax discussion in this Legislature, I have heretofore been guided by what I thought would be the policy of my party with respect to a preference for tax legislation in this House. I am disillusioned in the second attempt without any warning or notice and from now on I think that I and everyone else here is definitely on his own and can voice his own convictions. And, even though I vote here alone, I should like once in this Legislature to vote for the kind of a tax system which I think we ought to have and which I believe represents a fair compromise among conflicting points of view.

This order asks for a committee to draft a new bill to be presented

on or before next Monday. Actually, it would not require that long, as the principles of the order set up a tax system, the technical work has been done, the sections involved can be extracted from bills which have been printed and which have been carefully worked on. It will become simply a matter of adjusting the rates of the sales tax and of the income tax to accomplish the purpose of raising an amount of revenue which is specified at ten million dollars. The bill could readily be here, if the committee were created today, the bill could be here Friday. Under the principles of the order, the committee would be instructed to draft a bill including a sales tax without exemption. I am not attempting to specify further than the order itself but that might be a one percent sales tax. It would include an income tax at a uniform rate on both individuals and corporations. It would remove the State property tax on the cities and towns. It would carry an expedited referendum clause to be submitted to the people. It would be designed to raise approximately ten million dollars which is the five million dollars apparently needed by the State and the five million dollars required to lift the State property tax. The tax would be drawn on the estimate that it would raise approximately sixty percent from the sales tax and approximately forty percent from the income tax. It should be pointed out that the people who pay the income tax will also be compelled to pay the sales tax so that the burden which falls upon the income tax group is considerably greater than that upon those who pay the sales tax only and further, the bill would specify either generally or particularly the purposes to which the revenue will be devoted.

I was attempting to find in the Legislative Record of two years ago the report of the Taxation Committee on a bill very like the bill which this order calls for. I did not have time to run it down in the index; I may do so during the debate but I

will call your attention to the report of the Research Committee of two years ago which may help to show that this compromise proposal should not be obnoxious to certain members of this Legislature. The Research Committee of two years ago, in discussing a proposed revision of the tax system, said: "We agree with the general conclusion that a sales tax or an income tax or a combination of each should be enacted by the Ninety-third Legislature." The members of that Research Committee were from the Senate (the committee having been appointed previous to the session): Edward B. Denny, Robert E. Cleaves, Brooks Savage of Somerset, George D. Downes of Rome, James J. Connellan of Portland, Stanley G. Snow of Auburn, Wilson S. Collins of Caribou, Harry M. Brown of Unity, Ernest A. Boutin of Lewiston, and Robert N. Haskell of Bangor.

Now, Mr. Speaker, I repeat that before we go home, even though I vote alone, I want to vote for something which represents a constructive approach to a revision of the tax system of this State which lifts the property tax from the town, which spreads the burden equitably and I have introduced this order in order that such an opportunity may be afforded to me and to any others who may choose to go along with it.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I have been very much interested in the remarks of the last speaker relative to another sales and income tax. I think you all recall what we have done in the past week or two on these measures collectively and separately. And if I were to understand aright that if you choose to have this order passed and this committee selected, it means a new bill to come before this Legislature and I understand that it must be by unanimous consent. I may be wrong. And I stand here today and say that if you pass this order and

have this committee selected to do this job which I believe is already prepared to be quickly presented to this Legislature. If it had not been, I don't believe any ten men or half a dozen men, or a group of men, can within twenty-four hours prepare a bill sufficiently satisfactory to us in this House.

We have defeated these measures in the past and I believe there is no call for it inasmuch as Mr. Chase says he stands alone if we do otherwise. I believe the time has come in the closing days of this Legislature that we do the work prescribed for us, set for us, and accept the new draft of the Appropriations Committee when in that draft, we have \$3,586,000 more to spend than we had the last two years, quite sufficient to carry the business of this State along very well and, if it is in order, Mr. Speaker, I move that this order be indefinitely postponed.

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

Mr. McCLURE: Mr. Speaker, with all due respect to the names of the men that the gentleman from Cape Elizabeth, Mr. Chase, mentioned, I also would like to read from this morning's Portland Press Herald the message of a man that the citizens of our State in 1932, along with the citizens of Vermont, wanted to vote as our leader. He was good enough then for the Republicans of the State of Maine to vote for him as their leader. He is good enough for the Democratic party in Washington to call him for assistance in helping to shape an economy program there. I would like to read just a few of the remarks, as I said, from this morning's paper:

"Herbert Hoover warned Congress today against boosting present Social Security taxes, or any other taxes, until the Nation's foreign aid commitments can be reduced.

"'Already our economy is up to the limit of endurance under this load,' he said. 'I believe we should go slow and hold further additions



to this burden to the absolute minimum.

“ When the cold war is over, we can afford many more domestic improvements.”

“ Hoover outlined his views in a letter to Chairman Doughton of the House Ways and Means Committee.”

Members, I was two years ago one of those who was almost convinced that unless we passed a new tax measure, our State would be unable to run for the next biennium. You members, even you new members, of this Legislature, when you entered here this year and heard the farewell message of the previous Governor, he stated that we then had a six million dollar surplus. We do know, today, that the value of the dollar has increased in purchasing power. That being true, along with the promise of our present Governor and his platform that, if elected governor, he would institute economy, I believe he will institute economy and for the benefit of the people of the State of Maine, we have got to have that economy.

I have heard that new money is needed by the State of Maine. The citizens of the State of Maine need any kind of money, not necessarily new. Members, had I been a member of this House or this body for the past ten years, I would be ashamed to get up here today and try to tax the people when they are not gainfully employed. The time to tax people is when they are earning money not when they are walking the streets seeking employment. We have voted already on tax measures and for the benefit of the people of the State of Maine and for further saving, I say: “ I am opposed to this order.”

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

Mr. BROWN: Mr. Speaker and Members of the House: Since this order of the gentleman from Cape Elizabeth, Mr. Chase, provides for a tax measure which I, myself, would like to have the opportunity

to vote for, I shall support this order.

It has been pointed out by the members here that there is three million dollars, thereabouts, in new money over and above what we have had in the last two years. I would like to point out when they can run the State on that amount of money, I would like to point out that that is one way of doing it. Across the river here, in our hospital, they are getting now forty-six cents a day for food. That proposed budget cuts out two and a half percent the first year and five percent the second year. Also, it does not provide for any money to furnish attendants for the twenty wards over there now; there is not an attendant on them.

The SPEAKER: The Chair recognizes the gentleman from Woodland, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker and Members of the Legislature: This being my first time as a member of this body, not being a public orator, I did not intend to rise to show my ignorance. At the time I took my seat here, I swore to uphold the Constitution to the best of my ability and that I cannot do by just sitting here. I have listened to tax measures discussions both pro and con. The two percent sales tax, I voted for it and for these reasons:

1. The Appropriations Committee placed before us a group of figures in the amount which they said was the lowest economical amount that would take care of the State's needs, which I believed at that time.

2. There was an estimated revenue for the next two years which was far below the amount for those expenditures. This I also believed at that time.

3. From my own reasoning, it would cost an enormous sum of extra money more than was already estimated for the purpose of construction of a vehicle that would fairly place the tax and collect it.

4. I understood that the real property tax would be removed, which would give a much fairer and

equal tax but this was not to be. So, the appropriations were recommended to committee and returned with the amounts cut over three millions of dollars. This would balance the budget.

Naturally, I happen to feel like the Indian when approached by a minister of the gospel. The good man told the Indian of the whale swallowing Jonah, which took a lot of coaxing to get the Indian to say that he did believe but finally he did. So then, the good man, feeling that he had converted the Indian, followed up with the story of tying the 500 foxes' tails together with firebrands and sending them through the Philistines' corn. And then asked the Indian what he would say to that. The Indian's reply was: "Huh, no believeum fish story now." (Laughter)

Then came the income tax and my vote was: "No," with the backing of my constituents: "Do not vote for any new major tax."

Last week came the grange or combination tax, although it could not be recognized in its rewrite, nor could any attorney tell just what it meant or why it was needed.

As I noticed, the wires got crossed and it got in somewhat of a tangle. I will not try to quote the exact words but this is my understanding. At the last Legislature, a new tax was proposed on the grounds that it was necessary for the Legislature to have to be called to special session inside of six months. What happened? No new tax and, at the beginning of this session, there was a substantial surplus in the treasury. Now, with some new income, I shall have to take the stand and vote "No" for any new major tax.

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

Mr. MCGLAUFLIN: Mr. Speaker, some years ago, I was in Houlton and attended a Democratic rally where Don Powers spoke and he told a story that seems to me to be in point at this time.

He said that a man went down to Hell and had the Devil show him

around and, after seeing various sights, found a lot of people that were hung up on a hook and he said: "Who are those people?" The Devil replied: "Those are Republicans too green to burn." (Laughter)

I am in favor of Mr. Chase's motion. Some of you have talked economy and advocated economy to such an extent that you can't back down now even if you know you are wrong. But I still believe that the majority of the men and women in this Legislature want to do what they find to be their duty to do.

Now, from the fact that I have advocated new taxes, some of you may get the idea I don't know what economy is. I know something about economy from experience. I have had to work my way through high school. I went through college and through law school with no money but what I could earn and a few dollars that I could borrow. I remember on one occasion when I was in Brown University, I boarded myself for four years. I lived on \$1.24 a week for five weeks but, at that time, I bought milk at eight cents a quart; I got two loaves of stale bread—stale when it was a day old—for five cents and I was able to buy steak at ten cents a pound.

Mr. Brown has called your attention to the fact that they allow the munificent sum of forty-six cents a day to feed the people at the Maine State Hospital. I can't buy my breakfast for that. Inflation has gone up so much that when you live on forty-six cents a day, you are living on a starvation basis.

I can't understand how, in this Legislature, they can propose—and that's what they are doing in this balanced budget—to reduce that amount.

I have been greatly pleased at times with the step that this Legislature has taken. Yesterday, after the magnificent appeal that Mr. House put up to get that man a chance to sue the State of Maine; I didn't regret your vote although I voted otherwise. I could feel the

intention in this House that you are trying to do the fair thing.

When an attempt was made to do away with Mr. Talberth's bill without discussion, how quickly you came up to see that justice would be done. But now, when it appears from the best men that we have got, some of the best men that we have got in the Legislature, that we need more money not withstanding the fact that it may be as much as you had before, conditions are such that you need more when it is patent that we need to take care of the old age people, need to increase funds for our schools and our hospitals and when we have an opportunity to take that real estate tax away from the State and give it to the towns, I can't understand why there is so much opposition.

This measure, some tax measure, and I want to say although I don't like income taxes or sales taxes, I will go along with any tax or any combination of taxes that will achieve the result of doing something worthwhile while we are here. And I say that if I never come back to this Legislature because of the stand I am taking.

One of the problems that confronts me is to help my own city that needs more funds. They are in such a desperate situation that they put in these foolish bills like the one we had this morning, they are going to tax sewers. And they have got another one to have a gross sales tax. All of which I am against but they do it in desperation because they need more funds and, if we could take that real estate tax away from the State and give it to the cities and towns, Portland could get \$630,000 to help them out of their present needs and they could tide over with that amount.

Now, members, all that this bill asks is that we give the matter consideration. You are going to have every chance to turn it down if you do not like it but why shouldn't we be fair; why shouldn't we make every effort we can to do something worthwhile while we are here?

The motion is made immediately to indefinitely postpone it when every tax measure in sight has been killed. There are a few men who just set out to have their own way if Hell busts. They don't care what happens; they must have their own way. Now, I am asking the sensible men and women of this Legislature to give any measure a chance to be considered and if it hasn't got any merits, then turn it down but don't turn it down until you have had a chance to see what it offers.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker and Members of the House: I am very proud that we have a man in the House from Cape Elizabeth (Mr. Chase). I admire him and I am going to stay with him if I am the second one to stand up for his bill and I hope the motion of Mr. Jacobs does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the order receive a passage.

The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House: This order which the gentleman from Cape Elizabeth (Mr. Chase) has introduced came as quite a surprise to me and I expect it did to many others.

Two years ago I was one of a committee of ten on a special tax committee appointed the last week of the session and two others who served on the committee, were the Speaker and the President of the Senate. Mr. Chase was a member of that committee and I think we were both very much disappointed with the results. We found a half-prepared bill, a hand-picked bill; there were two Democrats on the committee, and, as a Republican, I felt obligated to vote for the bill although I hated to do it. It shall never happen again and if there is any such committee appointed this year, I can tell you one who won't be on it. That's I.

I wonder if you all grasp the significance of this order? On January 13th of this year, the House and Senate adopted a joint order that no bill would be introduced after one o'clock, February 16, 1949, except by unanimous consent in the body in which it was introduced. "This order shall not apply to any bill reported by any joint standing or joint select committee in the regular course of business." I don't think anybody expected that we would get a tax bill introduced into this House by unanimous consent and the only committee which could report such a bill in the regular course of business would be the Taxation Committee. I don't know what they would do about it. I should doubt if they would want to report any more tax bills. It follows, I think, that it is the purpose of this order to take over the duties which regularly belong to the Taxation Committee. And I don't know why the Committee should be appointed anyway. I don't think we should have a special committee appointed to take over the duties of the Taxation Committee. Nobody thinks they haven't worked very hard and I do not like this particular way of doing business of putting through a joint order of this kind at the last few moments of the session. It is simply one way of avoiding the joint order that no bill shall be introduced save by unanimous consent or by a report of the regularly chosen committee.

As to whether it violates any rule or not, I don't know, but I would like to point out that the Taxation Committee's work is not formally concluded as yet. We have three times voted down tax bills in this House, but we are led to believe that we will still be called upon to vote on one tax bill which has been approved by the Taxation Committee and that is the income tax bill now under consideration by the Senate.

I am opposed to a new major tax but I do think that in courtesy to the members of the Taxation Committee before we consider the motion, the order, introduced by the

gentleman from Cape Elizabeth, Mr. Chase, we should finally dispose of the taxation bill which the taxation committee presented, and as a gesture of courtesy to that committee, I move that the present order and the motion made thereon lie upon the table until tomorrow and until we shall have had a chance to vote on the income tax bill.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the order lie upon the table pending passage and be specially assigned for Thursday, April 28th.

The Chair would remind the members that the motion is to lay upon the table which is not debatable. The matter of time may be debated.

The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the order lie upon the table pending the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed.

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

Mr. MCGLAUFLIN: Mr. Speaker, I want to call the members' attention to the fact that of course the object of putting this on Thursday, is so as to put it so far off we won't get anywhere. I am opposed to having it laid upon the table for so long a period.

The SPEAKER: As many as are in favor of the motion of the gentleman from Fairfield, Mr. Woodworth, that the order lie upon the table pending the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed and that the matter be specially assigned for tomorrow, April 28th, will say aye—

Mr. CHASE (of Cape Elizabeth): Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, has requested a division. As many as are in favor of the motion of the gentleman from Fairfield, Mr. Woodworth, that the order lie upon the table pending the motion of the gentleman from Auburn, Mr. Jacobs.

to indefinitely postpone and that the same be specially assigned for tomorrow, April 28th, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-one having voted in the affirmative and one hundred having voted in the negative, the motion to table did not prevail.

The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed.

The Chair recognizes the gentleman from Buckfield, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: I am one who came to this session of the Legislature with the belief that the property tax is carrying too large a share of the burden for the payment of necessary services. I believe that there are other members of this House representing large communities as well as small who are in sympathy with an effort to make it possible for the State to retire from this field of taxation. As yet, no opportunity has been afforded to vote on this matter. It appears that this order makes such a vote possible. I am glad to support the order and hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker and Members of the House: I am a newcomer here and I have been fairly quiet so far but I want to register in favor of this order. I haven't yet had the opportunity to vote on that combination bill that came in here and got lost somewhere. I think maybe this order might give us an opportunity and a few others who would like to vote on something we thought was worthwhile. When I came down here, I expected I would learn something and I have. I have been very much disappointed over the sixteen weeks that I have sat here. Maybe the bright lights have dazzled me some but the large sums of money I have heard talked over

here bothered me quite a lot too. The income—that we could get a lot from various sources, and I can tell you frankly when I came through that door I didn't come through here for either party. I came through here to act in the best interest of the State of Maine to the best of my ability. I think now that we have an opportunity to vote on this bill.

You know when the war broke out, we all rallied to the colors. I did not go to war; I was in a situation but I did all I could, everybody did in the State. But I have often wondered why we could not rally in peacetime to do the job which we did at that time. If we could, we would really do a job. We would take care of our old people, take care of our aid to dependent children, we could relieve the towns of some of this extra burden, we could get out of the tax field and give it to the towns which the State should, we could give an opportunity to the towns to raise their money for their own business back home, we could give Portland the opportunity to raise extra revenue they want. They have come in here with a gross income tax which would relieve their situation. We wouldn't have to have all kinds of taxes on everything that you can imagine and, as one man said here a couple of weeks ago, we could not legislate anybody's morals and I will tell you, frankly, ladies and gentlemen, every time we pass a bill we tax somebody's morals or we endeavor to. We put a strait jacket on somebody if we don't allow him to do some of the things he would like to do. As to not needing any money, we have five and a half million dollars on the start here to go on, when you take the towns and cities out of the tax field.

I am very much in favor of a tax measure of that kind and if we don't pass a tax measure of that kind very soon in the State of Maine, we are going the way a lot of other people have gone, whom we are having to feed today. In other words, you say we put the tax on the poor man, the laboring

man. Wages, as I know—I am hiring more or less at home—have gone up over 300 percent since the first of the war. I don't think he is in as bad shape as he thinks he is.

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

Mr. **BUBAR**: Mr. Speaker, on my way up here to the State House, a fellow said to me: "Mr. Bubar, isn't this a glorious day?" And I said: "Mister, you keep that still; if they hear that up to the State House they will put a tax on it." (Laughter)

Now, that's the way it seems, I know, but so far as this order is concerned, I am for fair play. When my prohibition bill went into the Senate, someone jumped on it and said: "Let's not allow that to go into a committee." Now, that wasn't right; it wasn't fair. Now, I rebelled against it and some others did so they sent it in for a hearing. They took care of it. It came in here and we took care of it in here. All right. Now, then, as I understand this order, it does not only come from one man or a committee, it comes from the people back home and it is in the way of a petition that their grievances be heard and the Constitution says that they have a right to petition and that either branch of this Legislature shall hear that petition. Now, I want fair play, fair play, and that is all, and to deny this order is to deny the right of petition. That is how it seems to me. I have two principles that I stand for and have ever since I came in here and I am going to until I go home. Two fundamental principles: That we take care of the young people and that we educate them and that we care for the old people. Now, then, if our young people are properly educated, when they are old they may not need any assistance. But we must take care of youth and old age. I know, I made the statement some time ago, when I was questioned on it, that we must have more money for education

or stop raising babies. I don't know of anybody that is going to do that and keep on living. (Laughter) Anyway, I know I would not. (Laughter) And now, as long as there are babies to be born, we have got to take care of them, we must educate them; we don't want a bunch of ignoramuses to come up. I can't afford to send my children or my grandchildren can't afford to go to a private school. We want to send men out like old Tom Reid in there and Jim Blaine and Boutelle and all those fellows who go down to Washington and be boss of Congress but we can't send them unless we educate them. Let us take care of the boys and the girls and they will be wise enough to take care of the old people when they come along.

Now, let's have fair play on this thing. We can attend to that tax bill when it comes in but this comes in as a petition. Somebody has a grievance. For heaven's sake, members, let's give it a chance. Then you and I will have a chance. I want to say this in all seriousness, it has been said over the air and it has been said on the floor of this House that there is a powder keg under this Legislature and eventually it is going to blow up. I'll tell you the ground I am going to take. I am going to be like the young man back in the old days when someone set the day when the world was coming to an end and he was a prodigal son, he had never been very good and the time came when the world was coming to an end and they wanted to go up. The father was a grand old man and he wanted the children all to go up with him but he couldn't find the oldest boy, Bill. The father said: "Come, we have only got about twenty minutes; let's find him and get him in here; we want to go up together." The boy came running back and said: "Bill's down sitting on the yard fence; he won't come in." The old man rushed down and he said: "Bill, come quick, we have only fifteen minutes now; the world is going to

come to an end; we want you to go up with us. Please, Bill, come in; I will forgive everything you ever did. The Lord will forgive you and we'll go up together." Bill was looking right down; it was very hot and there was a great crack out there in the ground laid open three or four inches and Bill wouldn't look up. He says: "No, dad, I'm not going to come up." He said: "Oh, Bill, come here." And Bill says: "I'm not going to take my eyes off that crack and when this thing blows up I'm going to jump on the biggest place if she blows up and I think the biggest place is right where I am sitting." I am not trying to jump on anybody or hurt anybody. I believe this order should have a passage and the people back home who have a grievance should be heard and this is the way to do it.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker and Members of the House: When the vote is taken on the motion by Mr. Jacobs to indefinitely postpone, I move it be taken by the yeas and nays.

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

Mr. McCLURE: Mr. Speaker and Members of the House: If there is one gentleman I admire here, it is the gentleman from Aroostook County and that in hearing my friend, Mr. Bubar, speak, he mentions "heaven" so many times, it has often occurred to me to wonder if he expects to go there on the wings of an Aroostook potato. I might say before he answer that, that this afternoon I don't believe this is an order from the people. I happened to hear another good friend of mine ask, and I am referring to the gentleman from Cape Elizabeth, Mr. Chase, I believe I put down what he said: "I wonder what has become and what will become of my order?" He stated: "His order".

But, members, I am glad to state that we are still allowed to vote

against this man's order and that we can truthfully and truly represent the people. We still have a free America and I believe that the order from the people back home is to oppose all new taxes at this time.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed.

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

Mr. BUBAR: Now, Mr. Speaker, the gentleman from Bath (Mr. McClure) took me for a ride on an Aroostook potato, apparently. And I know I have ranted and shouted for the Aroostook potato and I meant to, too, until we had a number plate with an Aroostook potato on it, as far as that goes. But, if I were going to Heaven on an Aroostook potato, that is more than a personal question, I think it concerns every one of us here. Anyway, I think I will let the Old Book answer that which is the only authority and it seems to me, if I can read or write, it says that: "He that climbeth up some other way, the same is a thief and a robber." If that is true, perhaps I can go to heaven on an Aroostook potato.

Here's what I want. I have a letter in my hand from the town council of Mars Hill asking me to give every tax measure a fair and an honest hearing, and not to come back until every tax measure has had an honest hearing and that came to me today, if you please, and I contend that this is a petition, this order, from that town who sent me down here and we are not giving an honest deal unless this order is passed. Thank you.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, requests unanimous consent to address the House. Is there objections? The Chair hears none and the gentleman may proceed.

Mr. McGLAUFFIN: Mr. Speaker, I just want to say that it strikes me rather strange that Brother McClure is the only man in the House that has got the divine message from the people that we

should not have any more taxes. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Palmyra, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Members of the House: I rise in support of the order of the gentleman from Cape Elizabeth (Mr. Chase) because I feel that we haven't considered the combination tax and that was backed by the Grange, at least the State Grange organization, and they must have had a certain amount of approval from their member granges. Also, the Municipal Association of Maine, is made up of the municipal officers from the different communities of the State and they must be men well versed in the needs of the communities and we are ignoring the Taxation Committee. I feel, to a certain extent, we have ignored their wishes. They endorsed this combination and they represent a lot of people in the State of Maine and I agree with the gentleman from Portland, Mr. McGlauffin, that I fail in my area to find that my people are definitely opposed to new taxes. I believe that the public has indicated that they want new services and that they expect us to carry out their wishes. I think it was demonstrated here in the hearings and I believe there is a demand and has been a demand for more equitable distribution of the tax burden.

Now, I realize the income tax is being considered in the Senate and probably will be in the House, tomorrow; we expect it would, and before any action would be taken on this order, it could be brought back into the House as a tax measure; we will have acted on the income tax. If we care as a majority to go along with the Senate on the income tax measure with the amendments that they probably will hitch to it, this committee can be discharged; and if we do not go along with the income tax measure, we can vote on this measure if they bring back a combination here and we can at least go home and say that we acted on all the tax measures that were presented

to the Legislature and that they all failed.

Now, we haven't as yet acted on the combination and I claim that has the backing of some of the good organizations of the State. We gave the income tax consideration in the House and they are considering it in the Senate and that was the one that had the least popularity in the Republican caucus that we held here. And I know that some of the backers of the combination feel that they were given the run-around because the Taxation Committee did not make at least a divided report on it.

Therefore, I am in favor of the motion of the gentleman from Cape Elizabeth, Mr. Chase, for the order that he presented.

The SPEAKER: The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: I feel that I owe it to myself and to an organization known as the Federation of Agricultural Organizations of the State of Maine to make the statement that I am about to make.

At the annual meeting held in Orono at Farm and Home Week, this organization which is made up of all of our leading agricultural organizations in the State, went on record, unanimously, through their delegates, in support of new taxes to allow the State of Maine more services than we will be able to get in any other way.

This organization also went on record as favoring the so-called combination tax, which until this morning we have been unable to register a vote for.

I am glad to say that I hope this committee will be created. I hope they will bring in a tax bill that will include these six specific paragraphs that will allow the State of Maine to get out of the property tax field through our towns and cities because you and I know that when our tax rate on real estate gets to \$100 or \$120 on a thousand every eight or ten years when we pay our tax bill, we are buying



from our tax collector our farm or property that we are paying a real estate tax on. A great many of us never stop to think of that.

I also want to mention that the district that I represent from various contacts that I make on my week ends at home are strongly in favor of a combination tax bill. On a Saturday night, two or three weeks ago, a former member of this House, who had a very good record down here and I will tell you who he was, Joseph Ross of Brownville Junction, called me over the phone. He said: "I hope if you get an opportunity to vote for the combination tax bill you will vote for it." He said: "Four out of five of the railroad men in Brownville Junction favor the combination tax bill." This is the first opportunity that we have had to even consider this.

Members of the House, I hope you will give this committee an opportunity to bring us in a combination tax bill that will embody the six items and that we may have an opportunity soon to register our approval or disapproval. I, for one, will certainly vote for it. Thank you.

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

Mr. DOW: Mr. Speaker and Members of the House: I am probably as economy minded as some of the members of the economy bloc, but as far as this proposition goes, I think it is an honest attempt to take care of some of the needs, and I think denying the needs of the hospitals and the institutions is not economy; far from it. It would be tragedy.

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

Mr. JENNINGS: Mr. Speaker and Members of the House: I rise here in support of the order presented by Representative Chase. I feel that we, as Legislators, have an obligation. It is up to us here to do what we consider is the best for all people. It has been proved to

me and I think to other members of the House that we do have the need of new money for different departments. Also embodied in this order is the relief of the seven and a quarter mills of the cities and towns and I feel it is of great importance. Therefore, I would like to go on record in support of this order.

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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: We have the chance of a lifetime at this time to revise the tax structure of the State of Maine. I think it is generally recognized throughout the State and by the people of the State that this revision should be made. In order to do this, it takes courage to stand up and vote for tax measures. It does not necessarily mean that if we vote for tax measures that we are not economy minded.

Now, in so far as economy is concerned, we have what is called an economy group, economy bloc, in this House. I do not believe it is correctly named because, if my memory serves me correctly, there have been just two measures calling for economy before this House. I may be wrong. One was from the gentleman from Auburn, Mr. Jacobs, to consolidate the Department of Institutions with the Department of Health and Welfare. I listened to that particular bill quite closely and, to my mind, the economy derived was not sufficient to warrant the risk involved. The other economy measure that was mentioned, I do not remember what happened to it, that was to consolidate our conservation departments into one department, Fish and Game, Sea and Shore Fisheries and Forestry Departments. As I said before, I don't remember what happened to that one, but there are plenty of ways of effecting economy in our State set-up and I haven't heard them proposed by the so-called economy group.

If we can pass a tax bill that will broaden the tax base, take

the State out of the property field, we will be doing something really constructive and if we are economy minded, we can see to it that each department only receives the amount of revenue necessary to do the job which we want them to do. I hope that the motion of the gentleman from Auburn, (Mr. Jacobs) does not prevail and I hope that the members of this Legislature have the courage to face the issue squarely.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. O'Connell.

Mr. O'CONNELL: Mr. Speaker and Members of the House: As you are all well aware, I was a latecomer in here. I did not have, perhaps, what all you ladies and gentlemen had to go through, an election. I came in by accident through the unfortunate sickness of a man who had fought for his election. However, and I will quote the gentleman in the rear, when I came through that door I made up my mind I would vote for the best interests of the people as a whole of this State.

Now, I have had to go back and forth every weekend owing to sickness in my home; it is 301 miles each way. The first two or three trips I made, early, in talking to the conductors, brakemen, and people on the train, I was very proud to be a member of this Legislature. For the last half dozen trips I have rather avoided those particular trains where those conductors and brakemen knew me, and other places because they said: "What's that Legislature doing down there? They are not doing anything. Get rid of them and send them all home." Only last Friday, in the Bangor station, in getting a shine, there was an elderly gentleman sitting alongside of me. We got to talking and he asked me if I knew Mr. Bubar, from Mars Hill. Well, I said: "Yes, he is one of the outstanding men in the State of Maine in my estimation." He said: "Are you a member of that House?" I said: "Yes, I am" This gentleman said: "I am eighty-eight years of

age and I am on my way to Aroostook County to visit my daughter but I am ashamed that Mr. Bubar and you and anyone else has to be in that Legislature. Why don't you adjourn and go home? You haven't done anything."

Now, briefly, let me say this. I contact my people when I go home. I have spoken before Rotaries and Kiwanis and Chambers of Commerce and I have asked them and I have yet to find anyone in that community that I represent, the community of Grand Isle, who are opposed to taxes. If and when they can be given to a referendum they will go out and vote for any type of tax that will take care primarily of our old people. I have been told that there will be a cut-back on those if we do not find some tax measure. Fortunately down through the years, we have given them assistance and taken them from that word "pauper"; we have really made citizens out of them and they can walk the streets. But if we have to go back and tell them without any taxation they will be cut down and then go back on the town, I think it would be a disgrace to this Legislature.

Then the aid to dependent children and the board of dependent children, I am keeping in my home two grandchildren, five and seven years of age. Their mother passed away. I am not asking anything from their father but he does contribute. And let me tell you the care at this time of life for my wife and myself with two children, if you wanted to ask really what we should do it for, it would be around \$60, \$75, or \$80 a month.

Now, the schools. The schools are in a terrible condition. I sat in on the education committee and I was surprised to learn at the education hearing, rather, that there were so many towns and cities that had not built schools or done anything for forty years and in my own town, incidentally, our oldest school was built in 1918. But, we have this condition, no chance for a sub-primary in any of the schools. So, if we are going to keep those child-

ren out and put them in the first grade when they are six years of age we retard them one year. We are losing a lot of money. So I am willing to go along with any tax measure that will relieve this situation, and I hope that the motion of the gentleman from Auburn does not prevail.

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

Mr. **BURGESS**: Mr. Speaker and Members of the House: I do not rise either for or against the order of my good friend, the gentleman from Cape Elizabeth, Mr. Chase, I rise simply to point out a few facts which I believe should be taken into consideration at the time we are voting upon the passage of the order.

1. It would be difficult for me to construe in any other way than that the vote in favor of the order would stand in favor of the Tax Bill because the points of the bill have been very clearly outlined.

2. I think it unnecessary, but with your permission, I will simply call your attention to the last address of the Governor in which he practically told us that as far as he was concerned, the sales tax was out. Now, personally, I would be for this bill if there were any possibility of it ever seeing final enactment. There are certain factors, I have only pointed out two. I hope that when you vote on this order, your vote will be the same should it come to final enactment. Let us not kid ourselves any longer. Let us face the issue.

The **SPEAKER**: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. **MUSKIE**: Mr. Speaker and members of the House: I rise to support the motion of the gentleman from Auburn, Mr. Jacobs, and I do it for several reasons, which I think I can state very briefly. We have heard a plea made on behalf of fair play, the request that the principles in this resolution should be given a fair hearing.

It is always my desire to provide for fair play on these things, but as I read this resolution I do not find a single principle stated that has not been given adequate public hearing before our regular Taxation Committee. Going through them one by one, we had a sales tax, a sales tax that was heard in committee, not only in a sales tax bill but in a combination income-sales tax bill. We have had public debate in this House twice on it; we have had public debate on it twice in the Senate. Surely, that is adequate public hearing for that particular principle.

Second. An income tax and a uniform rate on individuals and corporations. We have an income tax that is still alive in this Legislature. It was given adequate public hearing in the Taxation Committee; it was given extended debate in this House, and in the Senate, and is being debated there at this time. So far as the corporate franchise tax is concerned, that was part of the original bill which was given adequate public hearing in the Taxation Committee.

We had the bill to remove the State property tax on cities and towns. That bill is now on the table somewhere in this Legislature. There is no reason to again discuss it in committee or include it in another legislative document. We have it before us and can act on it, to carry an expedited referendum clause. That, of course, is not a particular principle; it is something that apparently we have decided we have got to have in connection with any tax revenue measure.

Well, it seems to me that there is nothing new here. As a matter of fact, the combination of things in this resolution is not new. The combined income-sales tax which was in committee incorporated virtually all of these principles. After the sales tax had been defeated in this House, after the income tax had been defeated in this House,

the Taxation Committee, of which the gentleman from Cape Elizabeth, Mr. Chase, is House Chairman, had an opportunity to present, as a third alternative, the bill which he now seeks to have us approve in this order, the combined income-sales tax. The committee chose, instead, to divide that bill in half and to again try the sales tax. I say that proposition has been given adequate treatment already.

We are told that this resolution is for the purpose of enabling those among us who are of a compromise nature to arrive at a compromise bill. Now what room does this resolution leave for compromise? It states very specifically the principles that **must** be incorporated in this bill that will be the work of the committee. All this committee is asked to do is to rubber-stamp these principles and then frame them in the necessary language to give us a tax bill. This committee is not a compromise committee; it is a rubber-stamp committee, and I say that it is a waste of our time.

We have heard a lot of talk this afternoon about the need of new money. We have heard it over and over again. I do not like the assumption on the part of the people who ask for new taxes that they, and they alone, are interested in the welfare and the best interests of the people of the State. I think there are a number of others here who are acting from the same sense of duty, but regardless of that, if these people still want to vote for new revenue, there is a tax measure alive in the Senate that has been worked on in the Taxation Committee, been worked on in this House—or should I say worked over in this House—it has been worked on again in the Senate. Yesterday a joint committee was appointed to work out amendments for that tax. That committee has done its work; its work is in the Senate; and that combined job will be before us, I assume, from the vote this morning in the Senate, sometime tomorrow.

Now, should we now go off on another tangent to rehash things that have been discussed so thoroughly in this House? This bill has had its chance. It did not come before us, partially due to the efforts of the gentleman whose name is on this resolution.

For those reasons and for others which I will not take up your time to discuss, I hope that the motion of the gentleman from Auburn, Mr. Jacobs, prevails.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves the previous question. In order for the Chair to entertain the motion, it requires the consent of one-third of the members present. As many as desire the Chair to entertain the motion for the previous question will kindly arise.

Thirty-one members arose.

The SPEAKER: Will the monitors kindly return the members present in their respective sections.

One-hundred and thirty-four members were present.

The SPEAKER: Less than one-third having arisen, for the previous question the motion is not entertained.

The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, if I am in order, I would just like to take your time for just about a minute. This gentleman said that both the sales and income tax had been argued and reargued, which is right, but you know, when I go out to buy a pair of oxen, I don't go out and buy them one at a time. I buy a pair and yoke them together. Now I would like to have a chance to vote on the combination bill (Laughter and applause)

Called to order by the Speaker.

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

Mr. CHASE: Mr. Speaker, just to clear up two or three points which have been mentioned, I think the

gentleman from Woodland, Mr. Philbrick, said that the last Legislature did not enact any major tax measure. However, the cigarette and tobacco tax, which was enacted, turned out to be a measure which raised considerable revenue.

The gentleman from Fairfield, Mr. Woodworth, is correct in referring to the committee which was appointed here two years ago in the closing days of the session to produce a new tax bill. We were members of that committee. I didn't like the bill, although I voted for it, but it is a precedent that shows that a bill can be drawn even in the closing moments of the session, which this time certainly is not, because that bill did command, as I remember it, a majority in this House, and it was dropped because at that time the Governor would not take any tax bill unless it contained an emergency clause.

I am not the House Chairman of the Committee on Taxation. It has fallen to me, having been on "Ought to pass" reports, to have presented these questions to the House. I am not the Chairman.

Speaking only as one member of the Taxation Committee, I felt that the Taxation Committee was operating under direction of our party, of my party, in presenting a sales tax to the House, and therefore I was one who used the consolidated bill, which contained a sales tax, in an attempt to fulfill what I thought was a commitment. As I said here the other day, the combination tax, with the corporations included, was my original preference.

The gentleman from Waterville, Representative Muskie, says that there is a bill here to remove the property tax. I know of no such bill. There is a bill here to assess the property tax, and it looks to me as if it were going to be assessed all right unless we do pass some such bill as this order contemplates.

The SPEAKER: The Chair recognizes the gentleman from Madison Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: I will

definitely go along with the motion made by the gentleman from Auburn, Mr. Jacobs, and in answer to the remarks made by the last speaker, the gentleman from Cape Elizabeth, Mr. Chase, if the Taxation Committee's work is not needed, why have them appointed the first of the session? If every Legislature can come in here and appoint a committee the last two weeks of each session to put out a tax measure that would take care of needs, let's put in an order to eliminate the Joint Standing Committee on Taxation and put those fellows on other committees where we could use them.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed. The gentleman from Brewer, Mr. Thompson, has requested that the vote be taken by the yeas and nays.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: For once, I agree with my friend from Madison. (Laughter) Since I have been old enough to work, I have given half of my pay to pay the Federal income tax. If you pass this order for an income tax and sales tax, the State is going to take the other half of my pay. The same thing is going to happen to all of the working people who sent me up here. I was elected and sent up here by the working people. If I tax the people that sent me up here, what do you suppose they are going to say? They are going to call me everything except "Mister", and I won't blame them. (Laughter)

The gentleman from Sebec, Mr. Parker, if I remember his name rightly, said that certain railroad men were in favor of some kind of taxes. I have been a railroad man since I was fifteen years old, and none of us railroad men are in favor of the income tax or the sales tax, and none of us can afford to pay an income tax or a sales tax.

They claim there is going to be a referendum on this bill. Well, let

me tell you that at the election there won't be any cabs to take the voters to the polls, like they had at my runoff election. A good many people won't go to the polls because they live too far away, and a good many people won't even know there is going to be an election on that day, because a good many of these people will try to hide that from them.

I understand the corporations will not be included in this bill. All the bosses in the mills and the shops are going to tell the people to vote for this tax bill. When they wake up, this tax bill is going to be passed, and the only thing for them to do will be to suffer. I hope the motion of the gentleman from Auburn (Mr. Jacobs) prevails.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed. The gentleman from Brewer, Mr. Thompson, has requested that the vote be taken by the yeas and nays. Is the House ready for the vote?

The yeas and nays are in order at the desire of one-fifth of the members present. Those desiring the vote to be taken by the yeas and nays will kindly rise.

A sufficient number arose.

Obviously more than one-fifth having arisen, the yeas and nays are in order.

The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the order be indefinitely postponed. Those in favor of the motion will say yes when their names are called; those opposed no.

The Clerk will call the roll.

**YEA**—Ames, Brown, Bangor; Brown, Durham; Campbell, Augusta; Castonguay, Cole, Cormier, Cyr, Dennett, DeSanctis, Dorsey, Dostie, Winslow; Duquette, Faas, Farley, Fay, Fitch, Foley, Gauthier, Gauvin, Gerrish, Hanson, Hayward, Jacobs, Jalbert, Jamieson, Jewett, Johnson, Kelly, Labbe, Lacharite, Larrabee, Westbrook, Latno, Laughton, Letourneau, Littlefield, Malenfant, Martin, Eagle Lake; Maxwell, McClure, McEnery, McGown, Merrill, Muskie, Nadeau, O'Dell, Philbrick, Phillips, Spring, Stevens, St. Pierre, Thomas, White,

Auburn; Wight, Bangor; Williams, Topsham; Woodworth, Wormwood.

**NAY**—Albee, Arthur, Bates, Bearce, Benn, Bennett, Berry, Bird, Boothby, Boulier, Brown, Robbinston; Brown, Unity; Brown, Wayne; Bubar, Bucknam, Burgess, Limestone; Burgess, Rockland; Campbell, Garland; Campbell, Guilford; Carle, Carter, Carville, Chaples, Chapman, Chase, Chute, Clapp, Clements, Cobb, Cook, Dow, Dudley, Dufresne, Eastman, Fuller, Gates, Grant, Gray, Hall, Hayes, Hill, Hobbs, Acton; House, Jennings, Johnston, Knapp, Lackee, Leavitt, Longstaff, Ludwig, Marble, Marsans, Martin, Augusta; Martin, Frenchville; McGlauffin, McKeen, Merritt, Millett, O'Connell, Paine, Palmer, Parker, Patterson, Payson, Plummer, Prince, Pullen, Ricker, Robbins, Roundy, Sanborn, Sanderson, Sargent, Silsby, Spear, Stanley, Taylor, Thompson, Brewer; Tyler, Webber, Winchenpaw.

**ABSENT**—Atherton, Brown, Baileyville; Dostie, Lewiston; Dunham, Hobbs, So. Berwick; Jones, Kent, Larrabee, Bath; Lessard, Maxell, Sharpe, Williams, Auburn.

Yes 57, No 81, Absent 12.

The **SPEAKER**: Fifty-seven having voted in the affirmative and eighty-one have voted in the negative, twelve being absent, the motion to indefinitely postpone does not prevail.

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

Mr. **CHASE**: Mr. Speaker, I move that the order receive a passage.

The **SPEAKER**: The gentleman from Cape Elizabeth, Mr. Chase, moves that the order now receive a passage. Is this the pleasure of the House?

The motion prevailed, and the order received passage and was sent up for concurrence.

The **SPEAKER**: The gentleman from Lewiston, Mr. Malenfant, moves that the House do now recess until three o'clock, Eastern Standard Time. Is this the pleasure of the House?

The motion prevailed, and the House so recessed.

**AFTER RECESS—3:15 E.S.T.**

The House was called to order by the Speaker.

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

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

On motion by Mr. Chapman, the House voted to take from the table the 45th tabled and unassigned matter, Bill "An Act Relating to Amount of Aid to Dependents of Veterans" (H. P. 698) (L. D. 233) tabled on April 11th by that gentleman pending passage to be engrossed; and on further motion by the same gentleman, the Bill was passed to be engrossed and sent to the Senate.

On motion by Mr. Palmer of Nobleboro, the House voted to take from the table the 12th tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Salaries and Fees on Bill "An Act Relating to Compensation for Members of the Boxing Commission" (H. P. 756) (L. D. 293), tabled on March 25th by that gentleman, pending acceptance of report; and on further motion by Mr. Palmer, the report of the committee was accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

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

**COMMITTEE AMENDMENT "A"** to H. P. 756, L. D. 293. Bill "An Act Relating to Compensation for Members of the Boxing Commission."

Amend said Bill by striking out the underlined figures "\$1,500" in the 11th line thereof and inserting in place thereof the underlined figures '\$850'

The SPEAKER: Is it the pleasure of the House to adopt Committee Amendment "A"?

The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: This bill is to establish the salary of the members of the Boxing Commission at \$1,500. The way the law is now, the Chairman receives \$1,500 and the others are paid on a per diem basis for the number of days that they serve. I think that the arguments at the hearing were that they all wanted to receive the same amount of money. They didn't like the idea of the Chairman receiving \$1,500 and I think the others received approximately \$250 during the year. This would make the cost to the State of about \$2,000 for the three members.

We agreed that they should receive equal pay, so we recommended \$850 each, which would cost the State about \$550 more than they are now receiving. I hope that the motion of the gentleman from Nobleboro (Mr. Palmer) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, my purpose in moving for the indefinite postponement of Committee Amendment "A" was that I might present House Amendment "A", which has been reproduced and distributed to the members, which changes the figure from \$850 to \$1000, therefore the Chairman of the Commission would receive \$500 less than he is now receiving, and the other members would receive approximately \$750 more apiece.

I would like to make just a few words in explanation about this bill. Many of you may not be well versed on the duties of the Boxing Commission. We have three members of the Boxing Commission, and these members have divided the State of Maine into three geographical areas. The duty of these members, aside from meeting here in Augusta, is to attend every boxing bout held throughout the State of Maine, to make sure that those who box are licensed, and to make sure that they are physically fit. Now these men have to attend many, many different boxing bouts

throughout Maine, and it was felt that it should be on an equal basis, that one man should not receive more than the others because they are all doing an equal amount of work. The Chairman of the Boxing Commission felt that way himself, and favored the bill to make it equal.

The original bill called for \$1,500 apiece; that the other two members might receive as much as he, the committee changed that to \$850, and this amendment calls for \$1000, so that by this amendment the Chairman is still losing \$500 and the others are gaining.

I would like to say this: The gentleman from Garland, Mr. Campbell, has said that it would cost the State so much more money by giving the other two members an equal amount of pay. I want to bring this clearly before the members of the House: That actually the State of Maine does not have to pay these salaries. The Boxing Commission, because it has been operating on a very efficient basis, and because it has created more of an interest in boxing in Maine the past few years, have been turning over to the State, after they have paid their expenses, two or three, four, five, and sometimes seven or eight thousand dollars a year to the general fund, so that actually the amount of money they make, after it takes care of their salaries and after it takes care of their expenses, still brings into the State of Maine a few thousand dollars to the general fund. The State of Maine could pay each of these men a thousand dollars and still the Boxing Commission would be able to turn over to the general fund probably in the vicinity of three to four thousand dollars a year, so that actually we are not creating more of a burden on the State of Maine; we are simply giving these members of the Boxing Commission just compensation for the work which they are rendering to Maine. I think you would understand it more if you could know the amount of time that these men have to travel throughout the State of Maine to these

boxing bouts, and the work which they have to do, and I might add that when any one of these Commission Members have to attend a boxing bout anywhere in the State, in his area, he receives no compensation whatsoever for it; he receives only his travel expense to and from his home, so that that work is done for nothing, and therefore these other two members receiving \$250 at the present time, receive no compensation at all for the work which they do in attending these bouts.

So I want to say this again: That this will not cost the State of Maine—the Boxing Commission will turn over to the general fund in excess of their own expenses, three or four thousand dollars this year. It calls for merely \$150 more than Committee Amendment "A" called for, \$1000 for each member, so at this time I will move that the House adopt House Amendment "A".

The SPEAKER: The Clerk informs the Chair that the proposed Amendment of the gentleman from Nobleboro, Mr. Palmer, is House Amendment "A" to Committee Amendment "A" as reproduced, therefore the Chair would inquire of the gentleman from Nobleboro if he would care to withdraw his motion, understood to have been made to indefinitely postpone Committee Amendment "A".

Mr. PALMER: I do, Mr. Speaker.

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, withdraws his motion to indefinitely postpone Committee Amendment "A".

The same gentleman presents House Amendment "A" to Committee Amendment "A" and moves its adoption.

The Clerk will read House Amendment "A" to Committee Amendment "A".

**HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 756, L. D. 293, "An Act Relating to Compensation for Members of the Boxing Commission."**

Amend said Amendment by striking out in the last line thereof the underlined figures "\$850." and in-



serting in place thereof the underlined figures '\$1,000.'

House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, a viva voce vote being taken, Committee Amendment "A", as amended by House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

On motion by Mr. Jalbert of Lewiston, the House voted to take from the table the 64th tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2068) (L. D. 1504) of the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Lewiston" (H. P. 838) (L. D. 321) tabled by that gentleman on April 18th pending acceptance of report.

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

Mr. JALBERT: Mr. Speaker and Members of the House: A word of explanation as to why I tabled this bill. As agreed by the committee at home, I saw some of the members of this Legal Affairs Committee to have the yearly election of Maine as it is instead of the bill originally presented to make it an election every two years. That is the reason that I tabled the bill, and I now move the adoption of House Amendment "A".

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House do now accept the "Ought to pass in New Draft" report of the committee.

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

Mr. MALENFANT: Mr. Speaker, I move that the Bill and House Amendment "A" lie on the table and be specially assigned for Friday, April 29th.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that Bill and accompanying papers lie upon the table pending acceptance of the report of the committee, and be specially assigned for Friday, April 29th, 1949.

Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled and so assigned.

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

Mr. JOHNSTON: Mr. Speaker, I move that the House reconsider its action whereby it accepted the "Ought not to pass" report of the Committee on Claims, earlier in today's session, on Item 11, Resolve in Favor of George V. Jordan, of Waldoboro (H. P. 1029).

By way of explanation I might say that I was unavoidably detained this morning in getting into the session, and this got by me. For that reason I would request that we reconsider now, that I might table it until tomorrow morning.

The SPEAKER: The gentleman from Jefferson, Mr. Johnston, moves that the House do reconsider its action taken earlier in the day's session whereby on Item 11, on the Reports of Committees on the House Advance Journal of the Calendar, the House did then accept an "Ought not to pass" report from the Committee on Claims on Resolve in Favor of George V. Jordan, of Waldoboro (H. P. 1029). Is it the pleasure of the House to reconsider its action whereby it accepted the "Ought not to pass" report of the committee?

The motion prevailed.

The SPEAKER: The Chair understands that the gentleman from Jefferson, Mr. Johnston, now moves that the Resolve and accompanying papers lie on the table pending acceptance of the report of the committee and be specially assigned for Thursday morning, April 28th. Is this the pleasure of the House?

The motion prevailed.

Mr. Palmer of Nobleboro, was granted unanimous consent to address the House.

Mr. PALMER: Mr. Speaker and Members of the House: I neglected, during my first stand-up here — I

wanted at that time to briefly take the opportunity to thank the members of the House for the cards and the flowers, and also to thank the Clerk of the House for the flowers which I received during my recent vacation from my duties here in Augusta. I want to say once again: I thank you very much. (Applause)

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

On motion by Mr. Johnston of Jefferson, the House voted to take from the table the 72nd tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2072) (L. D. 1524) of the Committee on Sea and Shore Fisheries on Resolve Relating to the Use of Purse, Drag or Stop Seines in Damascotta River (H. P. 1321) (L. D. 690) tabled on April 19th by that gentleman pending acceptance of report; and on further motion by the same gentleman the committee report was accepted, and the new draft, having already been printed, the Resolve was read once under suspension of the rules and was assigned for second reading tomorrow morning.

On motion by Mr. Eastman of Paris, the House voted to take from the table the 36th tabled and unassigned matter, Bill "An Act relating to Automatic Signals at Railroad Crossings" (H. P. 1796) (L. D. 1138) tabled on April 7th by that gentleman pending third reading.

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

Mr. EASTMAN: Mr. Speaker and Members of the House: I now move that the matter be retabled and specially assigned for Wednesday, May 4th.

The SPEAKER: The Chair will state that the request of time for special assignment does not coincide with the rule adopted by the House. It must be within three days, Saturday and Sunday excluded.

Would the gentleman consent to an assignment for Monday, May 2nd?

Mr. EASTMAN: I had rather it would be Tuesday.

The SPEAKER: The Chair appreciates the fact that the gentleman probably would prefer to have it Tuesday.

Mr. EASTMAN: Mr. Speaker, I move that we reconsider our action whereby we took the matter from the table, and leave it where it is.

The SPEAKER: The Chair regrets that he cannot entertain the motion to reconsider the taking it from the table.

Mr. EASTMAN: Then I assign it for Monday, Mr. Speaker.

The SPEAKER: The gentleman from Paris, Mr. Eastman, moves that Bill "An Act Relating to Automatic Signals at Railroad Crossings" (H. P. 1796) (L. D. 1138) be retabled pending third reading and specially assigned for Monday, May 2nd. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled and so assigned.

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

Mr. JOHNSTON: Mr. Speaker, I now move to take from the table the seventy-fifth tabled and unassigned matter.

The SPEAKER: The gentleman from Jefferson, Mr. Johnston moves to take from the table the seventy-fifth tabled and unassigned matter, Resolve for the Purchase of Two Hundred Copies of "The Length and Breadth of Maine" (H. P. 927) (L. D. 1375) which was tabled on the 20th day of April by the gentleman from Jefferson, Mr. Johnston, pending further consideration, the Resolve having been passed to be engrossed in the House on April 18th, and having been indefinitely postponed in the Senate on the 19th of April. Is it the pleasure of the House that the item now be taken from the table?

The motion prevailed; and on further motion by Mr. Johnston, the House voted to recede and concur with the Senate in the indefinite postponement of the Resolve.

On motion by Mr. Prince of Harpswell, the House voted to take from the table the 47th tabled and unassigned matter, Bill "An Act Relating to Weir Fishing in Certain Waters" (H. P. 1736) (L. D. 1090) tabled on April 13th by the gentleman from Waterville, Mr. Muskie, pending further consideration; and on further motion by the gentleman from Harpswell, Mr. Prince, the House voted to insist on its former action and ask for a Committee of Conference.

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

On motion by Mr. Johnston of Jefferson, the House voted to take from the table the fifty-third tabled and unassigned matter, Bill "An Act Relative to Trapping Season on Fur-Bearing Animals" (H. P. 2043) (L. D. 1468) tabled on April 13th by that gentleman pending third reading.

Mr. Johnston 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. 2043, L. D. 1468, Bill "An Act Relating to Trapping Season on Fur-Bearing Animals."

Amend said Bill by inserting after the underlined word "Cumberland" in the 5th line of section 3 thereof the underlined punctuation and words

, Lincoln, Knox, Sagadahoc

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "C"?

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

Mr. WIGHT: Mr. Speaker and Members of the House: This bill had a unanimous report from the Committee on Inland Fisheries and Game. I think before this amendment is adopted we should have some explanation of the circumstances.

As you probably know, at the present time muskrats are allowed to be trapped in the spring of the year. I think it is the only animal

or bird or anything that is alive that we allow the trapping of in the spring. And, due to that un-economic way of doing things, the muskrats have declined very much in numbers in the State of Maine in the last few years. For example, the catches from 1934 to 1940 averaged 39,777; from 1941 to 1947 they averaged 20,579. That is a decline of about fifty per cent.

To take care of that situation, the Maine Trappers Association introduced a bill at this Legislature which came before the Fish and Game Committee. There were about fifty trappers that appeared before that committee, forty of them for the bill and ten of them against the bill. Those trappers for the bill came from all over the State of Maine. They came from as far as Houlton; there were trappers there from Houlton, Lincoln, from Old Town, Bangor, Dedham, Kenduskeag, Brewer, Hampden, Newburg, Guilford, Willimantic, Monson, Oakland, Belgrade, Lovell, South Waterford, and several other places I didn't get the names of.

This bill had the unanimous report of the Fish and Game Committee; I believe that eight favored the whole State and two wanted to leave out three counties. It seems to me that if we are going to do anything about this and alter the bill in any way, we should take out the three counties which are already left out rather than add more exemptions to the bill.

There has been considerable controversy about this matter, and, due to that controversy, Commissioner Stobie asked the University of Maine to make an investigation of the muskrat situation so that we really could get at the actual facts, rather than somebody's opinion which may not be based on anything except his own limited experience. Professor Gashwiler was put on that project. He made a very thorough search and investigation of the muskrat situation in the State of Maine. It is published in booklet form; I think you had one on your desks about ten days ago, and, if you have read that book or the conclusions therein, you will see

that it justifies this law which was introduced by the Maine Trappers Association.

If we stopped spring muskrat trapping in the State of Maine and let these muskrats breed, it has been the contention of those who advocate that kind of a law that we would have at least four or five times as many animals as we have today. As Mr. Gashwiler says, they are worth from ten to twenty per cent less than the spring-caught skins, but nevertheless the four or five times more would yield a great deal more money to the State of Maine, and certainly would yield \$150,000 more each year than the present prices we are getting.

Now I am going to cite the experience in at least one part of the country where they have had spring trapping up to 1944. That is North Dakota. In North Dakota, in 1942, with spring trapping, the trappers got 37,781 rats according to the official report; in 1943, 36,391 rats. I am speaking of muskrats, not house rats. And in 1944 the law was changed so that they have there only fall trapping; that is, they stop the trapping in the breeding season when these animals are breeding and having their young, and you see what a change it makes. They jumped from 36,391 to 178,518, and in the next year, 1945, that number went up to 215,797. In 1947 it went to 324,809. Now that means in money values it jumped from \$44,856 to \$688,000.

Now we have had a similar experience in the State of Maine on beavers. The State of Maine at one time was getting practically nothing from beavers. For instance, from 1928 to 1936 the State of Maine took an average of 692 beavers. At that point the law was changed, the administration of the law was changed, and it was really given consideration in the right way by our present Fish and Game Commissioner, by the way, and he should have the credit for it; and since that time our catch of beavers has increased from 692 each year to 5,239 each year. Now that means a tremendous difference to the trap-

pers of Maine, and if we can do it on beavers we can do it with muskrats.

The muskrat is the most important or the most numerous animal in the State of Maine. You cannot kill any animal or bird in the breeding season and have very many of them.

There is some opposition to this, I will grant, in various parts of the State of Maine. I will put it this way: You go up to Bangor and you will see the fishermen in the spring with their boats on their cars and on trailers, and they are going to Moosehead Lake, and you go on the road up to Moosehead Lake and you will meet people with boats on their cars, boats on trailers, and they are going down to Green Lake or they are going down to Bangor or somewhere; they have the fishing fever. And it is the same thing in the fall; they have the hunting fever and a man can't resist it, he has to go hunting. You know how it is, probably, yourselves. I had a man working for me a few years ago and he said, "Mr. Wight, I must go hunting in the month of November." And I said, "Well, John, that is our busy season; why don't you take your vacation in August when there isn't much doing?" He said, "I had rather work for ten dollars a week less than give up my hunting," and he is working for ten dollars a week less. (Laughter)

So that is exactly the idea in trapping spring muskrats. Those boys do not have too much to do at that time of year and they must get out and trap those muskrats; they have that fever, they can't help it, and I don't blame them a bit. But it is awfully rough on the game, so I hope that this amendment does not pass. I think we should give a fair opportunity for this law to work.

I am going to read you the summary of Mr. Gashwiler's report. It was on your desks, but maybe some of you did not have the opportunity to read this summary. The summary is as follows:

"1. Proper regulation of the trapping season is one of the most important single factors in the management of the muskrat. Considerable difference of opinion exists as to which season is best.

"2. From the results of this study it appears that the chief justification for spring trapping lies in the fact that spring skins are considered worth from 10 to 20 per cent more than fall pelts. This argument seems more than offset by the objectionable features of spring trapping. The present seasons in Maine are too long since they permit the taking of too many animals under current population levels. Biologically the spring season is bad since it takes many pregnant females and cuts deeply into the first breeding cycle. It is a bad practice to try to over-winter a large enough muskrat population to permit spring trapping. Spring trapping takes a relatively large number of waterfowl and mink which have already undergone one open season and are in or approaching their reproductive period. Such losses pyramid rapidly in view of the reproductive capacity lost.

"3. It is recommended that the muskrat season be changed to the fall," and so forth. That is Mr. Gashwiler's report.

I wrote to Howard L. Mendall at the University of Maine to get his opinion of that report, or at least I called him up on the telephone, and here is his letter in answer:

"Reference is made to your telephone inquiry relative to the quality of the work of Mr. Jay S. Gashwiler, author of the recent bulletin 'Maine Muskrat Investigations.'

"Mr. Gashwiler was associated with this department for several years and from 1945 until the fall of 1948 he served as my assistant. The muskrat project was directly under Gashwiler's jurisdiction although it was carried out under my general supervision. Therefore, I was in close touch with the work throughout its duration.

"Mr. Gashwiler is one of the most capable and thorough-going re-

search men I have ever encountered and I know that his study was carried out on as high a scientific level as possible. I know that Mr. Gashwiler undertook the study with an open mind and did not make his recommendations until the data pointed unmistakably toward the recommendations that he did make. He would have been just as strongly in favor of spring trapping if his finding had run in that direction. In fact he was so completely unbiased while carrying out his work that he would not even discuss possible recommendations with anyone, prior to completion of all field work.

"In conclusion, I would like to say that as Gashwiler's official supervisor I heartily concur with his recommendations. To me it is apparent that in looking at all of the evidence uncovered there is only one conclusion that can be drawn—that spring muskrat trapping in Maine is biologically unsound."

The last biennium, we furnished the University of Maine \$3,875,000. Part of that money, at least, went into this research work, and it seems to me as though we should adopt the recommendations of the University of Maine or stop paying them money to do this work.

I sincerely hope that we can give this plan a fair trial in the State of Maine. I think that there is going to be an unbelievable increase in the number of animals here, which will certainly redound to the credit of every trapper in the State of Maine. It really seems a shame to waste our natural resources the way we are doing it now, for no man or bird can stand this slaughter that is being carried on in Maine at the present time. I should hope that the whole State will come into this plan.

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

Mr. JOHNSTON: Mr. Speaker, the reason I presented this amendment was because the trappers of Lincoln County requested that they be given the same consideration that the Counties of Cumberland, York and Washington are given in

the bill as the committee presented it. Representatives from Knox and Sagadahoc County also asked me to include their counties, because the trappers there prefer the spring season to the fall.

Mr. Wight quoted figures which would seem to be conclusive as to the depletion of our muskrat population in the State of Maine. However, he did not quote you the catch for the year 1947. He quoted you from 1940 to 1947, which were the war years, and, as you know, a great many of the muskrat are trapped by the young fellows who during that time were in the service. Therefore, there were not as many trappers. However, the catch in 1947 was 41,000 rats, which compares favorably with the average which he quoted you previous to 1940. Apparently the population has not decreased alarmingly. He quoted you the figures from North Dakota which would seem to indicate that a fall season is very conducive to increasing the muskrat population. However, I find, upon doing some research work, that the State of North Dakota in the year 1944, when the catch increased so rapidly when they changed the season, opened at that time six wild life game refuges which had been closed for years, opened them for muskrat trapping and made the season from November 1st to April 30th. That is a five months' season. The catch was very heavy during those years but the population was depleted to such an extent that North Dakota put a closed season on muskrats in 1948; they closed the state to all muskrat trapping in 1948 for a period of two years in order to allow the population to pick up again.

There are also in North Dakota a great many fur farms which raise muskrat and they allow a trapping season on those farms of several months.

Therefore, I am not certain in my own mind that this is a conservation measure. I cannot see where the difference in your population would come, whether they are caught in the fall or in the spring. Certainly a rat caught in

November does not reproduce the following spring.

I hope my motion to adopt the amendment prevails.

The SPEAKER: The question before the House is on the adoption of House Amendment "C", the gentleman from Jefferson, Mr. Johnston, having presented House Amendment "C" and moved its adoption.

The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I have a letter here from the Maine Trappers Association:

"The Maine Trappers Association voted by an overwhelming majority for eliminating spring trapping for all fur-bearing animals including muskrats.

"At our only convention, held at Monticello, August 27th, the Maine Trappers Association also voted in favor of eliminating spring trapping, including muskrats. A bill has been introduced to this effect. Will you please let us know what happens to it as we are interested?"

Any animal which we take in the season of reproduction we are bound to eliminate. The muskrats reproduce from one to three times from April until the first of July; they reproduce from two to four, and it is very easy to see that if you take these animals during the spring season, you not only eliminate one, but if it is a female muskrat you eliminate from two to four, and also, she may reproduce four times.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Hill.

Mr. HILL: Mr. Speaker and Members of the House: I have here a report from the Game Division, Department of Conservation of the State of Michigan. The conclusions in this report are as follows:

"The preceding discussion shows that many factors must be considered in establishing a proper trapping season for muskrats. Factors affecting the welfare of muskrats are equally as important as factors affecting their harvest by trappers. The primary objectives

are to provide opportunity for the greatest number of trappers to take the greatest number of surplus muskrats at a time when they can be sold for the greatest amount of money. These objectives can best be realized in Michigan by providing a trapping season just before the winter freeze-up."

I believe the conditions in the State of Maine are very similar to those in Michigan, therefore, I would oppose the amendment as presented by the gentleman from Jefferson (Mr. Johnston).

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I rise more for information than discussion of this bill, but I have had trappers in my country express their sentiments against it, and I wonder how the Association of Trappers could be against this proposal if so many trappers from three or four counties neighboring mine are against the bill.

My only question is this: If this is a conservation measure, why should three counties be included in this bill to still trap as they are now? If it truly is a conservation measure, it seems to me that those, too, should be excluded.

I also learned from the trappers that they felt that this bill had some backing from buyers because they said that the buyer could buy in the fall and keep the skins until spring, when they brought a much higher price. I know nothing about this but I inject that into the argument because I would like to have in a little bit clearer before the vote is taken.

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

Mr. WIGHT: Mr. Speaker, I will answer this about taking muskrats in the fall and buying them for less price, and selling them in the spring. Anybody who handles muskrat skins can tell you within a week of when it is caught; it doesn't make any difference whether you present the muskrat to him

in June or in October; he can tell by the looks of that skin exactly when it is caught. Now there is no such thing as buying skins in the fall at a lower price and selling them in the spring for a higher price. That is all phony.

Furthermore, some of these trappers will tell you they are all kittens in the fall, and that is not so. Last fall I had one lot of muskrats, for instance, 971 muskrats; out of that lot there were 51 graded out as kittens and damaged. The best of them brought two dollars and the kittens and damaged brought fifty cents each. The trappers got for those rats \$1.81 per musk.

In the spring some of the skins are better than they are in the fall—that is true—but in the spring, during the month of April is the breeding season for these animals, and they fight and tear each other to pieces and there are large numbers of badly damaged skins in the spring. I happened to buy 373 in one lot last week-end, and there were 41 skins torn to pieces. Now I am going to show you a few of those skins just as a demonstration. How much do you want to give for muskrats like that (held up skins) all torn to pieces in the spring? Here is another one here, all torn to pieces. They just jump on each other and they tear each other asunder. Now in the fall they don't do that. They live happily ever after, but in the spring, boy, there is something doing!

Now these muskrats here were trapped the last of November. Well, they look a little different, but still they are heavy-furred, and they are damaged just as much as the spring-caught skins.

There are a few other items here that I want to mention. Of course, along the coast in these counties mink are not as numerous as they are inland and around Moosehead Lake, but muskrats and mink frequent the same waters, and the way we have the law now, with an open season on mink during the month of November only, and with muskrats dropping around every

little while in the same waters, those muskrats crawl into the mink traps, and according to Mr. Gashwiler there were 970 illegal muskrats caught a year ago last fall in mink traps. Those trappers do not wish to be caught with those muskrats, so they take the muskrat by the tail and they throw him into the woods and he is wasted. There is one waste. Then in the springtime mink follow the muskrat traps. Mr. Gashwiler estimates that there were 370 mink caught in muskrat traps in the spring that year. Now you just multiply that. Mink in the fall of 1947 were worth forty dollars apiece, and when you come to figure that out, that there were 370 of those mink caught in muskrat traps, and half of them were females, for instance, and certainly they would have three or four kittens that would live until fall, and I figure four kittens each at forty dollars apiece, which would be \$44,400 worth of mink that you have destroyed in muskrat traps in the spring of 1947. It is not all muskrats; it also is minks.

Then he cites the number of ducks that are killed in muskrat traps in the spring, thousands of them, I think 3700, if I remember rightly. So the question is not all that of muskrats. It is the effect that it has on the muskrat population and also the effect that it has on other fur-bearing animals.

I think if we do anything about this bill, instead of eliminating more counties we should have an amendment to take out the three counties that are already in there and try this plan in the State of Maine. There will be so many muskrats here next year that, if this plan is left in operation, they won't be in favor of this law.

The **SPEAKER**: The Chair recognizes the gentleman from Raymond, Mr. Bennett.

Mr. **BENNETT**: Mr. Speaker, I have no special interest in whether coastal counties other than Cumberland County are open or closed to muskrat trapping as far as this amendment is concerned; but I

sent one of these reports to one of the best trappers and one of the most broad-minded ones in my territory, and later I had some conversation with him in regard to it and he said that everything that was said in that report held true with him as far as the catching of mink and duck was concerned, and he personally would like to have it open to fall trapping and closed to spring trapping. And in line with what Mr. Wight had to say about eliminating the counties which were already exempted in this bill, I would gladly go along if he wanted to amend it to eliminate Cumberland County, anyway.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Jefferson, Mr. Johnston, that the House do adopt House Amendment "C". As many as are in favor of the motion that the House do adopt House Amendment "C" to Bill "An Act Relating to Trapping Season on Fur-Bearing Animals" will say aye; those opposed no.

A viva voce vote being taken, the motion to adopt House Amendment "C" did not prevail.

On motion by Mr. Wight of Bangor, the Bill was tabled pending third reading and specially assigned for Thursday, April 28th.

Mr. Burgess of Limestone was granted unanimous consent to address the House.

Mr. **BURGESS**: Mr. Speaker, and Members of the House: I know that what I have to say would have been better said this morning. Honestly, the desks and reporting units between myself and the Assistant Floor Leader prevented my observation of his presence until he had been here some time this morning. I know that the House to a member are very happy to have Mr. Palmer back in our presence. We have inquired occasionally as to his health and have been happy to learn that he has been making speedy recovery, and we are even more happy that he is back.

I would like at this time to ask that the gentleman from Noble-



boro, Mr. Palmer, beginning with the convening of the House tomorrow morning, act as Majority Floor Leader for the remainder of the week provided his health permits him to.

On motion by Mr. Chase of Cape Elizabeth, the House voted to take from the table the 40th tabled and unassigned matter, Bill "An Act Relating to State Assistance for Supervision" (S. P. 609) (L. D. 1300) tabled on April 7th by that gentleman pending passage to be engrossed.

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

Mr. DOW: Mr. Speaker and Members of the House: I move that this item be indefinitely postponed and I will briefly state my reason for it.

Under the present law the maximum subsidy is \$1350, and the maximum travel allowance is \$350, or a total of \$1700 which each superintendent might receive.

In 1948, the total expended under that subsidy was \$183,976. There are 112 superintendents. Dividing \$183,976 by 112, we get \$1633.71 for the average they received, or pretty nearly the total. There was only one of the 112 that received last year less than \$3,000, while there were five that received between \$3,000 and \$3,500 or \$3,499. There were 22 that received between \$3,500 and \$3,599. There were 35 that received between \$4,000 and \$4,499. There were 27 that received between \$4,500 and \$4,999. There were ten who received between \$5,000 and \$5,499. There were eight who received between \$5,500 and \$5,999 and four of \$6,000 or over.

This bill would increase the subsidy from \$1,350 to \$1,800 or a \$450 increase. It would increase the travel allowance, the maximum travel allowance, from \$350 to \$500, a \$150 increase. That would be a total increase, for each one, of \$600, or \$67,200 total. The total subsidy would then be a little over a quarter of a million dollars.

I feel that the present subsidy is sufficient for the purpose, and I repeat the motion to indefinitely postpone.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that Bill "An Act Relating to State Assistance for Supervision" (S. P. 609) (L. D. 1300) be indefinitely postponed.

The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I would like to point out what this bill is attempting to do. As you know, in the past, the State has been attempting to pay at least half of the salaries of the superintendents. More and more the State has put more jobs on the superintendents to do. Their pay has gone up, and in order to make that approximate half that they are supposed to pay, it would have to be up near the \$1,800 mark.

Now, if we don't do this, the superintendents are still going to be getting the same amount of money. Those who are getting \$3,000 or better today will still be getting that same amount, but your towns will have to pay the difference. If the State steps in and pays half up to \$1,800, it will relieve your towns of paying just that much that the State is going to step in and pay. In other words, it is the same as your subsidizing your teachers, your principals, and your superintendents, and whatever the State doesn't pay, your towns are going to pay because you know that in each class town the superintendent gets so much money from those towns for doing their work, and if the State only pays, we will say, \$1,350 of his \$3,000 salary, the balance is going to be paid by your towns. If the State pays \$1,800 of it, then that cuts down what your towns have to pay. So I merely wanted to point out that particular point. It isn't that you are giving your superintendents more money; you are just merely increasing the amount that the State pays and decreasing the amount that your towns will have to pay your superintendents.

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

Mr. DOW: Mr. Speaker, that same argument was used when the amount was increased from \$1200 to \$1350. The way it actually worked out, apparently each one got \$150 more, and the towns were not relieved of any great part of it.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that Bill "An Act Relating to State Assistance for Supervision" be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed and the Bill was indefinitely postponed.

The SPEAKER: The House is proceeding under Orders of the Day. If there are no further items of business to come before the House the Clerk will read the notices.

On motion by Mr. Brown of Robbinston,

Adjourned until 9:00 A. M., E. S. T. tomorrow.