

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, April 1, 1949.

The Senate was called to order by the President.

Prayer by the Rev. Douglas H. Robbins of Augusta.

Journal of yesterday read and approved.

**Order
(Out of Order)**

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 4, 1949, at 4.30 o'clock in the afternoon. (S. P. 642)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

House Committee Reports

Report "A" of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue," (H. P. 1855) (L. D. 1204) reported that the same Ought to Pass as amended by Committee Amendment "A", together with a statement of the understanding and reservations of the signers thereof.

(Signed)

Senator:

NOYES of Hancock

Representatives:

LONGSTAFF of Crystal

CARTER of Bethel

DOW of Falmouth

CHASE of Cape Elizabeth

Report "B" of the same Committee on the same subject matter reported that the same Ought not to Pass.

(Signed)

Senators:

HASKELL of Penobscot

ALLEN of Cumberland

Representatives:

WIGHT of Bangor

DORSEY of Fort Fairfield

DUQUETTE of Biddeford

Comes from the House, Report "B" read and accepted.

In the Senate:

Mr. HASKELL of Penobscot: Mr. President, at the conclusion of what will be very brief remarks, I assure the Senate, I will make a motion to accept Report "B" on this bill. I would also indicate the hope that the measure will not be tabled but will be debated and the division of the Senate will be had this morning.

In the first place, I speak to the Senate this morning as a member of the Committee on Taxation and not as Majority floor leader because certainly this issue is beyond party lines, at this stage, at least. I also hope the members of the Senate this morning will vote their own convictions relative to the merits of the sales tax and that those convictions will not be swayed by the action of the other body yesterday. I think it is only fair in consideration of the proponents of the bill in the other side of the house.

Very likely for the number of terms I have served in the legislature no member has voted for more tax measures than I have. I hope to have an opportunity to vote for a major tax measure in this legislature because in my opinion the needs of the State and the needs of the communities within the State seem to me to require that.

As I summarize the financial picture today very briefly, we have a carefully designed appropriation bill which for the biennium would require \$3,700,000 more than a liberal estimate of existing revenues. Over and above that we have several major legislative documents that are not covered in the appropriation measure and without taking them in any order to indicate my own opinion of their relative merit, the Appropriation bill does not cover the \$400,000 that will be required if we are to maintain the existing wage rates for state employees. It does not cover the supplemental appropriation of \$300,000 at the University of Maine that they need to continue and that, I assure you, is less than the supplemental

appropriation upon which they are now operating. It does not cover any dollars for any of the fire control bills. It doesn't contain any money to take care of the towns' share of A.D.C. Of great importance, it does not permit any liberalization of our education program. It does not permit any substantial liberalization of our welfare program even though the party platforms in both of the major parties of the State were insistent that those programs be liberalized. Certainly it contemplates continuation of the State in the State property tax, but conversely does not permit any indirect help to municipalities. I am particularly concerned with the \$3,700,000 because by taking no action on a major tax bill those dollars must be taken out of that budget and we will have to take a substantial part of those dollars, in my opinion, out of institutions, welfare and education, and in doing that, it is my opinion we are taking those dollars out of our communities, particularly with reference to welfare and educational programs.

I have said I would support a major tax bill. I voted against this bill and shall vote against it in the Senate this morning because I do not believe that the sales tax approach is the correct way of solving what I think are the problems of the State and the municipalities. I believe that too many people are giving some support to the sales tax with the honest thought in their minds that it will be killed, and I share that view, because certainly it will go to the people. I think the people will consider that the sales tax is so completely regressive in its nature that they will overwhelmingly defeat that measure, and I think their judgment will be sound because it is a tax that adds untold burdens to our merchants and it is a tax that takes a substantially higher proportion of income from the low wage earner than it does from the higher wage earner. I realize there is an argument against ability to pay, and with what modest knowledge I have

of basic tax measures it seems to me ability to pay is one of the yardsticks that a tax measure must meet.

So for those reasons I move the acceptance of Report "B", and when the vote is taken I hope it will truly reflect the opinion of the Senate, and when the vote is taken I ask for a division.

Mr. NOYES of Hancock: Mr. President, I, too, will be brief, and members of the Senate, it is very fortunate that I am not in a speech making mood. If I were you would be hungry before you left this chamber.

I am apparently in the position this morning of a captain without a ship in view of the action taken yesterday in the other chamber. We still have in committee a tax measure which is a sales tax, and when that bill is reported out it can be debated as well as the bill which we have here today. I concur with the expression or desire of the Senator from Penobscot, Senator Haskell, and regardless of what action may be taken here today on this sales tax, I realize and I think you realize that we still have a sales tax before us.

It seems to me that some of the members of this legislature are here today under the misapprehension that they were elected only for the purpose of solving the problems of the State of Maine on a State level. I think that my position has been made clear. I reiterate now that I feel it is my duty to attempt to solve the problems on a State level and also to assist the municipalities of the State of Maine in solving their financial problems, which to my way of thinking, are far more acute than are the problems of your State government at the State level. That is the reason that I support a major tax bill.

I support a sales tax for several reasons. First, in my conception of government and in the financing of government it is my opinion that we should consider all three levels of government both from a state and local level and national level and when the opponents of a sales

tax make the statement that the burden is falling unjustly on the poorer class of people they do not have a sound argument if they fail to consider our federal tax system. I will submit to the members of this Senate that under our present system of taxation under the present brackets of the income tax, the man who makes money is certainly contributing his fair share already, and I refuse to be a part or a party to any increase in that burden upon the class of people who create our industry. They have made it possible for the laboring man to work. Any further increase in income tax is bound to destroy the capital which is necessary for the welfare of all the people in this state and in the nation.

With that as a beginning, I would say "Let's look at our State tax structure with the thought of trying to give the Maine taxpayer all the possible breaks. If we should enact an income tax all that income tax will be paid by the people of the State of Maine. It would destroy and discourage those people who come into our state, leaving their dollars. An income tax would certainly fall harder on the people of Maine than would a sales tax. By the same reasoning the sales tax as it is set up—a certain part of that sales tax will be paid by others than citizens of the State of Maine. The amount that will be paid by non-residents who visit our State certainly would be substantial if our figures on our tourist trade are anywhere near accurate. It has been my estimate that ten percent of this tax would be paid by non-residents of the State of Maine under a two percent sales tax.

I support the sales tax for this reason, I believe it is an honest tax. It falls on all. I grant that it falls on the lower class of people in a greater proportion than it does on the man who earns \$25,000 or more. Those in the middle class who are earning \$5,000 to \$10,000—they are spending all their money anyway. It is only that class of people who are fortunate enough

to have that income who won't be spending all their money. In that group they are paying their fair share and more to the federal government and that government, in turn, is helping to finance our State government.

It is my contention that most taxes fall upon the consumer and they are hidden. The sales tax stands out and the consumer knows he is being taxed. He is the man who demands services of government. He is paying for only a small part of those services. If he becomes 65 years of age and he has accumulated nothing during his lifetime he receives old age assistance for the remaining part of his life, and if during a few years he has paid a two percent sales tax he has paid a very small premium on an annuity which is substantial. If he has a family of children and is interested in boys and girls and wants them to have an education, the best possible education, he is paying a small part of the cost of that education. The man in the upper brackets of income is paying the largest part of it, and I think he is willing to do so. I am not willing to add an additional burden on that group of people. In other words, it seems to me if we tax from an income tax standpoint we are leading these people who demand services,—we are leading them to believe it is someone else paying the bills. It is false doctrine. Let's be honest and tell the people they are paying the bills or a part thereof.

I signed this sales tax report with reservations. My principal reservation was this, that the relief to the municipalities of the State of Maine be based on population rather than a departure of the State from the property tax of 7¼ mills. I have prepared and placed on your desks a table of all of the towns and cities in the State of Maine, showing their tax rate as of 1948, showing the State tax that they would pay in the current year, showing how much money those towns would receive if the State should decide to give them \$6.00

per capita out of this sales tax instead of relieving them from the 7¼ mill property tax. The \$6.00 per capita is based on the 1940 census. I am told there is a census in the Health and Welfare Department which may be more accurate. If it is true, I think we should use it. In any event, there will be a census in 1950 and some of the places that have grown that might now be in an unfavorable position based on the 1940 census—their amount would be raised under the new census which would come in the following year.

It is my contention in passing relief back to the towns it should be based on population because the sales tax is paid by population. It has very little bearing upon valuation. If you will turn to the County of Somerset I will point out what I mean. In the county of Somerset there is the town of Moscow. The tax rate is now 23 mills. First of all, it is my contention the town of Moscow doesn't need several mills of tax relief. Therefore, if we based it on population and based it on the 1948 tax rate, the amount would be \$2,706—based on the 1940 census. Based on valuation the town of Moscow would have relief of over \$21,000, and that doesn't seem to be fair in view of the fact that the town of Detroit in the same county with the same population under a 7¼ mill relief would have relief of \$1,617.97 against Moscow's \$21,000. If all this is true you will find the towns and cities that now have the highest tax rate would receive substantially more than the 7¼ mill reduction. For illustration, let's look in Oxford County. Take the town of Mexico. It is my contention that the people of the town of Mexico would pay as much under the sales tax as would the citizens of the town of Rumford. Mexico has a state property tax of \$10,698.71. Under the \$6.00 per capita reimbursement they would receive \$26,586 which would be the same rate that Rumford is reimbursed. Rumford's state tax, by the way, is \$71,000.

There is an additional point in allocating this money on a population basis. You will find in your coastal counties in your summer colonies they have a high valuation. Bar Harbor, for illustration, would receive some \$52,000 less money under this set-up but I know those people don't want an income tax and I think the people of Bar Harbor, Bluehill, Brooklin and other towns could be convinced that the sales tax if enacted and the money allocated back on a population basis, even though it did penalize them slightly, would be gladly accepted instead of an income tax.

It is for those reasons I feel this tax should be enacted and I will further say if we could give the towns and cities \$8.00 per capita it would suit me a whole lot better. I certainly feel the revenue from a sales tax would be more than has been estimated, based on the experience of other states and I will go so far as to say if in the judgment of this legislature we don't need new revenue and if this legislature had the courage to pass a sales tax and give all of the revenue to the cities and towns, abolish the 7¼ mills and give the relief to the towns on a population basis and send to the people on referendum, we would have an answer from the people as to whether or not there is a demand for relief on the property tax.

We have heard it for years and I am convinced that property tax has got to have relief and I know, and you know, that we have 62 towns with a tax rate of more than 100 mills, and I know and you know when we have a depression which we must have, those towns cannot pay their tax. Owners of the property will lose their property and the towns will come into possession thereof. The towns will come to the legislature for deorganization. Those of you fortunate enough to live in Portland, Augusta, Waterville or Bangor will have to take up the slack. Something must be done for those towns and this is the vehicle by which it can be done.

I hope the motion of the Senator from Penobscot, Senator Haskell, does not prevail.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate, I want to mention the remarks of the Chairman of the Committee on Taxation and to say that his thoughts were identical with mine up to the point that the requests for appropriations were needed. My only difference of opinion is the tax measure that I would favor, and in that opinion I am in agreement with Senator Noyes that the sales tax is the better tax to use. We recognize the regressive feature of the bill, but at the same time while this does bear down on those with low incomes to a greater extent that burden is taken up over a period of 365 days in the year and if, as was expressed at the hearing, the man with the average income of \$1917 would have to pay a tax of \$15 per year—that was on a 1% tax—but even on the 2% tax, if he had to pay a tax of \$40 a year he is paying a very small sum, something that would amount to probably about eighty cents a week in toto, and as the Senator from Hancock, Senator Noyes, expressed the view, the services that this group of people obtain from the State are greatly for that man's benefit. Those people do receive the benefits of education and the various other services that are given by the State. In line with the other arguments that the Senator from Hancock, Senator Noyes, made that the income tax on the federal level is so high I believe that the people with the greater income are taxed according to their ability to pay.

Therefore, for those reasons I do favor the sales tax and want to be recorded as such.

Mr. ALLEN of Cumberland: Mr. President and members of the Senate, like my good friend Senator Noyes of Hancock, I do not feel this morning like making a long speech, but as a member of the Committee on Taxation who signed Report "B" I would like to stand here this morning and reiterate

what I said in the other branch of the legislature two and four years ago. It is my humble opinion that the sales tax is not an equitable tax, but a tax which hits the people who are least able to pay. That is laughed off by those who are in favor of a sales tax. They say "You won't pay much because you don't make much." I say the man with a wife and five children, who has to buy five pairs of shoes, each costing \$5.00 instead of \$1.50, should not pay the tax. I say a man with an income of \$2,000 and with five children certainly should not be paying a tax at all. Under the sales tax he would be paying the tax. Don't kid me.

An income tax is an equitable tax because the income tax hits everyone at the point of equity, the point of income. Why should not a tax be levied on what a man makes rather than on what he has to buy? A man with a wife and one child who makes \$10,000 a year certainly may pay a larger sales tax. Right. I will admit it, but I will say that he is paying the tax on Oldsmobiles and Pontiacs, and not on milk and shoes and clothes for his little children. I shall never believe that the sales tax hits people equitably. I shall stand here as long as I am in this legislature and fight the sales tax and shall vote against such a tax.

We are interested in our people. Senator Noyes has argued that out of state people will pay ten percent of the sales tax. I will admit it is the biggest point the proponents of the sales tax have for asking for its passage, but I am more interested in the 90 per cent that will be paid by you and me and Joe Smith here in the State of Maine. I am more interested in the fact that unemployment is coming up and payrolls are going down. I was talking with the manager of a large textile mill Saturday. She said unemployment is reaching the hundreds. That is in southwestern Maine. I come from the city of Portland. During the war we had an industrial payroll of two hundred million dollars. Pre-war was six million.

There is no industrial payroll like that in Maine. Don't kid yourselves. Unemployment is coming up. Check with the Unemployment office here in the State House. I say the sales tax is not a fair tax. Perhaps from an emotional appeal I am asking for its defeat. The people of Maine are interested in a fair tax. I am in favor of passing of a fair tax by this legislature because I think the children coming along to school, and they are on the increase, must have education opportunities that are hard to provide in a State with a large population, such as ours, and not much money, but I shall never vote for a bill that puts a tax on food and clothing of people. I think a tax that hits at income and ability to pay is the only fair tax, and because I believe in that principle of taxation I signed Report "B" and I certainly hope that the Senate will concur with the House.

Mr. SLOCUM of Cumberland: Mr. President, I am very pleased to note that the proponents on the floor of the Senate admit that this hits the poor man harder than the rich man. I feel there is one other point that has not been considered. We have been sent down here to try to represent the people of the State of Maine. We, I believe, must pass some major tax bill at this session. We are considering the sales tax. Any new major taxation bill, in my humble opinion, should include therein a referendum.

I do not believe it is right for us to impose upon the people of the State of Maine any new major tax system without their having the opportunity, with our placing in the bill a referendum. I find none in this measure.

I appreciate that it is possible for the people to initiate a referendum but I do not think it is fair for us to impose this upon them. I do not know and I do not believe the proponents know how much money this will bring in. But have you considered that if this bill brings in \$12,000,000 to the State treasury that the cost of collection will be an

equal amount, because you cannot ask the little storekeeper to collect this for nothing. The experience of states that I have studied has been that if you collect a two percent sales tax it costs approximately two percent to collect it. The little storekeeper, the little restaurant man has to hire someone to do the paper work for the collection. In other words, if we impose a two percent sales tax it may be as much as four percent tax upon the consumer. We may take into the treasury, we will say, \$12,000,000 but we will take out of the pockets of the consumer \$24,000,000.

It may be I am in error in my figures but it is what I am informed is the cost of collection of a sales tax.

Let's get right down to dollars and cents that the individual citizen would pay. This has been argued more or less on a high plane — but we have a large number of citizens today who are trying to live, and some raise families, on as little as \$100 a month. I know many who are getting \$25 a week. That is approximately \$100 a month. If the tax to them is \$4.00 a month or 4 percent of their \$100, that is \$4.00, or a dollar a week out of their food budget because it is the only item they can reduce. In my area we are paying 25 cents a quart for milk, and that means \$4.00 less that can be spent for milk for the children.

If they were able to design a sales tax that would be constitutional, that would take care of these people who are economically depressed, it might have some value, but I do feel that it does not consider what it means to the poor man to put on this so-called two percent sales tax.

I do believe that we should not adjourn until we have referred to the people some means of reducing the load upon the property owners of the State. I do believe the people should have an opportunity to say whether they are in favor of the change in taxation, but as long as this bill is the one before us, I want to register my opposition and

hope that the motion of the Senator from Penobscot, Senator Haskell, prevails.

Mr. COBB of Oxford: Mr. President and members of the Senate, I speak very humbly as a new member, but I have listened with great interest to the senior members who have supported both sides of this tax measure. I also listened at some length to debate yesterday on the merits of this taxation and I was impressed with the fact that there was a very close vote. Four absent members could have changed the vote. It certainly was not one-sided in proponents or opponents. It showed the thinking of the people representing the State of Maine were fairly equally divided in what they thought was for the good of the State of Maine. I have tried, as I think most members of the Senate have, to inform myself on the tax measures, the merits and demerits.

I confess as a citizen of the State of Maine I am not particularly concerned at this moment, probably because of my newness in politics, with political expediency. I grant you the sales tax may go back to the people and be turned down. I grant you probably the basis of an income tax might have a better chance from the political expediency side of passing here perhaps or certainly it might in a referendum to the people.

I represent a rural area, an area of good State of Maine people who are proud to pull their own load of taxation. They are perfectly willing—and I state this only because I tried to review it with many at the town meeting period—they are perfectly willing to pull their load. They are perfectly willing to pay a sales tax, in my opinion, rather than an income tax. I had occasion at the same time to check with a number of merchants, and I cannot understand the position taken by those lobbying for the merchants' association. It became very obvious in the analysis of the income versus sales tax that the merchants will suffer more financially from an income tax than they will from a sales tax. To him it is a

nuisance in collection, the small two percent that he would be allowed to collect still makes it a nuisance.

I was interested in talking with a few—I grant you it was very few—members of the C. I. O. labor union. In talking with those members, not those who represent the top of the body, but the five members I talked with expressed willingness to pull their own load with a sales tax, but as a group it was impossible for them to express an opinion because it was ruled from the top down, and they must be against the sales tax. It is not a fair sample, I grant you, because I have not had an opportunity to talk with many labor people.

I feel I must agree with Senator Noyes and favor the tax on which we get the broadest base, everybody pulling their share. I think it is very obvious to the members of the Senate as well as to every citizen of Maine that the people most vitally concerned with the services of the State are the people in the low income brackets. They want education for their children. They are the ones who need assistance from the state institutions. I maintain that group of people, good American Yankees from the State of Maine, are willing to pull their fair load, their fair share of taxation.

When we come to the income tax I cannot get away from the same comments that I made before the Committee on Taxation, which certainly were borne out by much abler citizens of the State of Maine than am I, which throws an unfair burden on the people who have income from one thousand to ten thousand dollars a year. To anybody in the higher brackets the income tax is purely a flea bite. It is a nuisance. When it comes to those people on salary whose income is limited by the condition of work and when it comes to a person in the class of those who have small businesses, who I maintain are some of the most substantial citizens of this State and most progressive and work for the interests of the State, it throws unfair burden on them. They are good citi-

zens who are risking their capital, risking their lives in the building up of businesses which give substance to our State. As has been pointed out, they are already taxed and taxed and taxed plenty at the federal level, some of which comes back to the State for assistance in the operation of the state. I can see no justice in putting further burden upon that group and discouraging in our State good, wise state enterprise. I am afraid that I would hope that the members of the Senate should consider very seriously the motion before you and not give it support.

Mr. SLEEPER of Knox: Mr. President and members of the Senate, I find myself in the unique position of voting for once with Fred Allen. Since this is going to be a divided vote and everyone will know who votes for this and that, I will say why I will continue as I always have, to vote against this so-called broader based sales tax.

I resent very much that approach to the sales tax that it is broader based and makes everyone bear his just share. I cannot add anything to what Senator Slocum has said. Every word he said was true. I can't add to what Fred Allen said on that same broad based tax that makes everyone bear his fair and just share. I can't add to that because it is so ridiculous that it is absurd. Any cut that a man makes in his budget when he is of a low income bracket, of course that comes out of his food or clothing. He cannot get a Buick instead of a Cadillac or carat and a half ring instead of a two carat ring in order to balance his budget.

It is so absurd to say that the sales tax is fair that I won't carry on the discussion any further. We know it is not fair. We know that the poor man is bearing his share of the taxes. With every wrinkled dollar that the poor devil pays for his rent, he is helping the landlord pay the real estate tax on that house. When these poor devils come to my coal yard and buy coal in one hundred pound bags, they are helping me pay my taxes. The same

with the grocer. The poor man pays all the taxes. I can dodge taxes. Any business man can. He just adds them to the things he sells. I am trying to be as analytical in this matter as one of the opponents in the House to whom I listened with great interest. There are three steps that a man should take when he votes on an important measure such as we have before us this morning.

First, being a Senator or a representative, you should vote as the majority of the people from your district wish. On my neat and well kept desk, there is not one letter from the city of Rockland or the county of Knox which favors a sales tax. So it is left up to my own personal choice in that case, since apparently nobody wants a sales tax down my way. I will admit I have not had too many who favor any tax at all. I have had several letters against all taxes but since there are several other potential fund raising bills here, I don't have any intention of voting for the sales tax.

Personally—and you can use your personal feelings in the matter if you don't get too much pressure from where you come from, you can use your own devices—and my own devices, as I have explained, are still very much opposed to this so called hypocritical, broad-based, property-relieving sales tax. Personally it wouldn't relieve me of very much, because I am one of the few that have the five children Fred Allen spoke about and every cent I earn I spend to keep the family going, and personally my reasons are very good for not voting for this broad-based property-relieving sales tax.

There is a tax measure coming up that will relieve property. But I venture to say that these same advocates will not be in favor of that tax. I won't mention what tax it is but they won't be so anxious to help property owners at that time. I will venture that.

One of the opponents brought out the best argument against the tax, that it is a futile gesture, and it is

a futile gesture and if we want to help the powerful committee balance the budget we can vote "No" on this tax and save the state the extra expense of a futile election which would immediately take place when the aroused citizens of the state initiate a referendum and vote it down.

I have been here more years than I care to remember but the sales tax keeps getting weaker and weaker and weaker. And still they bring it up. I imagine in 1960 they will bring it up when the only vote it will get will be the vote of the one who introduces it. It passed in the House last year by 80 odd votes. It is weaker each year. Why bring it up? It is futile. We can save the time and expense of a referendum by voting it down now.

Mr. HASKELL of Penobscot: Mr. President, I wish to apologize for an omission in my introductory remarks. I should have indicated to the Senate that insofar as the Committee on Taxation is concerned, I think we were unanimous in believing that the measure should, if finally enacted, have on it a referendum and I hope that no one will vote against the bill for the reason that in its present state it does not have a referendum. I fervently hope my motion prevails but I want it to prevail on the merits of the bill and on the assumption that it will have a referendum and in that I am sure that the other two members of the Taxation Committee concur.

Mr. VARNEY of Washington: Mr. President, as a freshman Senator there are two things that disturb me somewhat. It was my good fortune or otherwise, to be at home two years ago and to listen to the criticism of the legislature because of their inability to get together and enact a tax measure that would take care of the needs of the State of Maine. This they failed to do until about the eleventh hour and it seems to me that the legislature is resolving itself into the same sort of legislature that we had two years ago.

There is another thing that disturbs me and that is some of the vicious and unjust accusations which have been made by certain members of this legislature concerning the heads of the various departments.

They have been labeled as crooks. It has been said that they have no program on which to work and they are simply asking this legislature to throw this money into their hands and that they will throw it around as they see fit. I particularly refer to the Department of Education. They, as you know, cannot distribute any money put into their hands unless it is distributed according to law. It has been said that the bill calling for a million dollar building appropriation throws the responsibility of new buildings entirely in the hands of the State of Maine.

Now if this bill called for an appropriation of five million dollars, the State of Maine wouldn't be able to assume more than 20%, probably, or 15%, of the cost of the new buildings needed. The State of Maine should set itself up, especially the Department of Education, as an example of what ought to be the very best in the way of buildings in which our children may gain their education. What is the result? Each year some of the de-organized towns are throwing old buildings and schools on the hands of the State Department of Education. They are a disgrace to any state.

Go through the rural sections and you will find the same condition existing throughout the State of Maine. I happen to be the school superintendent of a union of seven towns and there is hardly a building in the towns that is not a disgrace to the State of Maine today. Certainly this State does need new money.

Now, at the present time I am speaking neither for nor against this bill. I am convinced in my own mind that a tax measure involving a sales tax and income tax probably would be the most just

measure, but in the name of Heaven let's do something and not have to go home and face the criticism from the people all over the State as well as the people all over New England that was thrown at this legislature two years ago.

I am going to support the motion that was made by the Senator from Penobscot, Senator Haskell, even though I don't agree with him because if it is thrown back into the House it is going to delay the legislature probably another month and we are not getting anywhere. The bill is practically a dead duck. Why should we keep it alive when there is no chance, to my way of thinking, of passing the bill.

Mr. ELA of Somerset: Mr. President and members of the Senate, I am going to support the motion of the Senator from Penobscot, Senator Haskell, but for an entirely different reason. It is my belief that revenues which have increased year by year over the last eight or ten years have now reached a point which takes care of the state needs as far as the state is able at this time to raise those revenues.

Let me run over briefly the increase in total revenues for the general fund during the last eight years, beginning in 1941 and then year by year up to 1948: seventeen million, nineteen million, twenty million, twenty-two million, twenty-two million, twenty-four million, twenty-seven million, thirty million and over ending last July. The administration and the legislature together have in the last year and a half increased the rate of expenditure of state government between two and three million dollars. In view of the business conditions which exist today, I believe these increases have leveled off at a rate about as high as we now can prudently go.

If increases in services and increases in wages have brought us to the point where our apparent income is going to be very close to our apparent expenditures, I will grant you that very prudent and careful administration will be vital-

ly necessary. But if so, that is not a total loss. Forced economy in government makes healthy government. Private industry under the profit motive lops off and sheers off deadwood of its own accord because it has to do it either to exist or in the hope of a profit.

Government is under the difficulty of not being under the profit system. Government is loathe to dispense with that which has become unnecessary. It is easier many times to take the path of least resistance, keep the unneeded employee and perform the service which has become perhaps not so necessary as it was when it was started.

I am not too much concerned in the differences between sales tax and income tax. If that amount of money were vitally needed, I could vote for either. I am not bitter against this tax or that tax and if I could believe that this tax, a major tax, would all go back to relieve the tremendous tax loads in our local communities I could vote for that. But I am not naive enough to believe that if we pass a major tax bill here that much of it would ever go back to the local communities.

The needs of each group—and each group is thoroughly sincere in its desires, I believe—they believe that what they propose is necessary—there is no steal proposed here under any of these measures. Each one of them has merit. But the point I am bringing up is that the general public at large can afford only about so much money for government. In view of the fact that we have increased our cost of state government to such an extent, I believe we have got to stop and at least get our breath, have a breathing spell, before we either have to reduce expenditures or go on the upward spiral from here.

When you nearly double your expenditures under the general fund in the short span of eight years, I believe that is about as far as you can go. There are one or two minor things which I might bring up which

are not, perhaps, pertinent to my point. I do not think that the out of state persons under the sales tax will pay any where near 10% of the tax. That is a matter of opinion without statistics. Many of our expenses, of course, are not for goods but for grants. I believe we have gone as far as we can go prudently now in the matter of those grants. In fact I believe there are a few categories in which the grants should be reviewed. When you attempt cradle to the grave security, you defeat the purpose by ruining the agent which provides the security. Security must be limited to a prudent percentage of total state income. If the legislature wants to take a belligerent attitude and say in effect, "All right, if you don't want this tax, we will show you what happens," terrible damage can be done but if the legislature is careful, if the legislature is prudent, and if these very efficient committees who have the necessary knowledge at their disposal will earnestly and sincerely go over our financial questions, I think that on our present tax structure and base, we can arrive at a solution which will satisfy me at least as far as state government is concerned.

Mr. BREWER of Aroostook: Mr. President, I suppose that as one of the early proponents of a little economy in this legislature, it would not be amiss to at least make a few remarks on how I feel about the whole situation. I agree wholly with every word the Senator from Somerset, Senator Ela, has just said. I, too, have lived to see state revenues practically doubled; I, too, have been here to see sums jump to astronomical proportions in Maine and I, too, believe there is no end to the demands that are created as time goes on.

I also feel that this state business is an analogous to your own individual problems at home and that when things do not look so good you have to tighten your belt and get along within your income. For that reason, I too, will vote to kill this bill. I do feel that we missed the

boat for from four to six years on a sales tax. I feel the time to have inaugurated this sort of revenue producing measure was in the times when relief rolls were dropping and most of our people were at work. But I do feel now is not the time to burden people back home with more taxes. I have never felt necessarily that a sales tax would penalize the little fellow back home for in most cases the demands that have been built up over the years have come from that little fellow and I sometimes wonder if he were made to realize that these demands cost money and he was contributing towards the expense, if these demands might not be lessened somewhat. But I am concerned at this particular time, when everybody needs all the revenue they can obtain, I am concerned about taking away from the community by a sales tax the power of buying, which it would certainly do.

It has been estimated in my town with a population of about thirteen thousand people that a two percent sales tax would take from eighty-five thousand to a hundred thousand dollars in buying power alone and remember that every dollar taken away from you in a tax is a dollar that you will not have for buying power.

You will often hear back home, or somebody will say to you — I think every member of the legislature has heard it — "Who are you representing back there anyway, yourself or the people back home?" I am a little confused for the simple reason that the people back home, it is true, elected me, but when I came to the legislature my oath of allegiance was to the state of Maine as a whole and for that reason you are sometimes torn between two desires as to whom you should represent. But believing implicitly in the fact that we are here to do what we believe is best for the majority of people; for that reason I oppose more taxation at this time.

The longer I stay here the more convinced I am that the power to

tax is the power to destroy. I don't think anybody will argue with me for one minute that they cannot be legislated out of business by taxation. Of course our system of taxation is antiquated. In most cases our taxes are discriminatory. In fact, on your tobacco tax I voted against that because I said it was a discriminatory tax. You were telling me that because I smoked I had to contribute towards old age assistance. Nevertheless it was passed and I pay my tax and it is earmarked for old age assistance so I say to you that I feel the time has come when we must at least retrench a little bit and take inventory. To be consistent I have told the members that I would be willing to go further than that and would be willing for, preferably, a combination sales and income tax, provided it had a referendum, to be passed to the people and let them decide whether or not they want to be taxed for what I feel are many demands that we could get along without. Yet the demands are there.

I think, if my figures are correct, the total amount involved if we gave everybody everything they wanted would be about thirty million dollars over our present revenue. So I say to you there is no limit to what money you could spend. When you stop and consider that 83% of our total income goes for three things: Education, Institutions, and Health and Welfare, and if you had all this money and put it into any one of those departments you could not then do the job you would like to, — of course you could improve — but I still say there would not be enough to do the job you would like to do. So I say, "What is the answer?" There is only one answer. We can get along with what we have to do with. I think somebody mentioned the other day that this is a serious problem that we have to face every time we come down here, but these figures on what you can get along with reasonably are practically the same as

they have been for the last five terms I have been here.

We usually settled on a tax producing measure that has brought in around two million dollars a year and things that they felt were positively necessary ran to about 14 million so I say to you the problem is no different today than it has ever been except that we do have a surplus and I feel that by leaving that surplus as we have done through the years that it simply leaves a target for somebody to attempt to take some of it away. I believe it encourages many more bills and many more desires and needs than we would have if we didn't have this surplus.

I am not condemning the surplus by any means. It is a very good thing to have but I do feel the time has come when we may as well utilize that surplus. When I was put on the Appropriations and Financial Affairs committee, I went home and was very pleased to think that the Speaker of the House had put me on that committee. I said to my wife, "You know, I made the Appropriations Committee." And she said, "Al, that is great." Of course I was pleased and I said, "What makes you think that?" And she said, "You have always had so little trouble getting rid of your own money that you certainly should not have any trouble getting rid of the state's money."

That doesn't apply here. I have been willing to get rid of the state's money if I felt it was just and warranted but I have not been convinced that the majority of my people back home want new taxation.

For that reason, not for any reason that I am ducking the issue or haven't the nerve to stand on my own feet and say what I really think we should or should not have, but because I want to convince some of these pressure groups that feel so certain that everybody is just crazy to be taxed more money, to convince them or let them convince me that the people

back home do or do not want it, I am opposed to this bill.

I don't think that is ducking the issue because if you vote for a tax you are going to be condemned and if you vote against a tax you are going to be condemned but to my way of thinking I do think that one of the first things we should do is to live within our income. There is enough there to do what should be done without curtailing too much and over and above that I would ask for some kind of revenue producing measure. Some believe in a sales tax and some in an income tax. As far as I am concerned I am willing to cooperate in either and with a referendum attached, send it back to the people and they can answer our problem very nicely. But in the meantime I would tie in all the demands contingent upon this tax, when it is put up to the people, and I think it would be one nice way to answer all our problems and convince us and at the same time whether they do or do not want taxes.

Mr. HOPKINS of Kennebec: Mr. President, if the question this morning were on the enactment of this tax bill which we have before us, I would vote against it. The question being on the acceptance of the "Ought Not to Pass" report of the committee, I shall vote to keep the bill alive because as I think of the condition of the state with regard to finances, up to this time I am convinced that we do need and the people do want additional services which are going to cost more money.

Like the Senator from Somerset, I have given very careful consideration to what can or cannot be accomplished with the present indicated revenue of the state. I attended the tax conference and sat through it and listened with great interest to everything that was said and I studied the charts carefully and since that time I have not been able to see how we are going to adjust the services of the state within the anticipated revenue and do it to the satisfaction of the people or to my own satisfaction.

I will vote this morning to keep the measure before us alive and I take that position because this is the measure which could be adjusted to meet my own personal views as to the tax measure which we might want to pass in order to provide the additional revenue which I think may be indicated as needed.

I personally dislike, when I think of taxation, to start with the thought of the name of the bill. I don't like to think in terms of sales tax or income tax or any combination tax or excise tax as the first and basic thought on taxation. I presume every Senator in the room is somewhat of a student on taxation. At least we all should be. I do a great deal of reading on taxation. I take the publications of the tax foundations and study them with interest and give quite a bit of thought to them through the year. To me there are fundamentals in taxation which ought to be written into any tax law at the time it is enacted, if it is enacted and those generally fall into about four categories.

First, of course, the tax should be relatively free from evasion. I am not going to measure this or the other bills before the legislature from that standpoint but I invite all of you to think of the tax structure of this country and to think of evasion of taxes as they exist today.

The second fundamental is that the tax should be easy and inexpensive to administer. I think you would admit that any combination, sales and income or corporate tax law which would require setting up expensive machinery, especially the corporate tax law which has been proposed which is not only more expensive but would require a tax court if the cases that came before the administrative bodies were the same as on the federal level, would make a very cumbersome proposition and one entirely unjustified under the present situation in the State of Maine.

The third fundamental of course, is that the burden should be placed fairly, and we all have differences

of opinion as to where the tax burden should be placed and how it should be placed. Of course some think of taxation in terms of the amount of money to be raised. Then you are faced with the problem as to how to place the burden.

The last fundamental, and one which is very important at the present time, if we are going to adjust our tax structure is to do it in a way that will not discourage or be detrimental to the business of the state and one which will promote and not stifle an expansion of the economy of the state. That matter alone is one which should cause every Senator to give pause before actually voting to adopt any type of taxation.

I am very sure that every member of this Senate is aware of what is taking place in our neighboring states regarding taxation. You know something of the budget and the methods proposed to raise taxes in the two largest and most wealthy southern New England states. And you must realize that what we do on taxation here in Maine is going to be of tremendous importance to them, and what they do down there is going to be of tremendous importance to us. So today I am voting to keep this bill alive in order to make further study and to see what can be done with the anticipated revenue.

I think you might consider as Senator Ela said, that we are not sure we can maintain the services on a basis which would be even reasonable under the present anticipated revenue. If it can be done it certainly is the time when we should think in terms of economy. So I shall vote against the motion and I hope this measure can be kept alive until we have an opportunity to see where we are headed with our financial problems. I had thought that we should bring up the revenue measures first and the tax measures afterward but that has not been done. The opinion of the leaders has been the other way and I don't know as it makes much difference. You have to face the two. They are both a part of one problem and I hope this bill can be kept

alive until we can find a way to meet the problem.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell that the Senate accept Report B "Ought Not to Pass" of the Committee on Taxation. The Senator from Penobscot, Senator Haskell has requested a division. Is the Senate ready for the question?

A division of the Senate was had.

Seventeen having voted in the affirmative and ten opposed, the "Ought Not to Pass" report of the committee was accepted in concurrence.

The Committee on Claims on "Resolve, in Favor of Oriel Trepanier, of Westbrook," (H. P. 171) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Harry Day of Etna," (H. P. 1987) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Frederick Heller of New York, New York," (H. P. 123) reported that the same ought not to pass.

The same Committee on "Resolve, in Favor of Edwin M. Hutchinson, Jr., of Portland," (H. P. 173) reported that the same ought not to pass.

The Committee on Counties on Bill "An Act Relating to Business Hours for Certain County Officers," (H. P. 743) (L. D. 285) reported that the same ought not to pass.

The Committee on Labor on Bill "An Act Relating to Payment of Wages by Hotels and Camps," (H. P. 1401) (L. D. 732) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Business and Entertainment on Sunday," (H. P. 181) (L. D. 57) reported that leave be granted to withdraw.

The same Committee on Bill "An Act Amending the Charter of the City of Lewiston, Relating to Ordinances," (H. P. 1647) (L. D. 968) reported that the same ought not to pass.

The Committee on Salaries and Fees on Bill "An Act Increasing the Salary of Sheriff of Androscoggin County," (H. P. 1798) (L. D. 1140) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Salary of the Judge of Probate of Androscoggin County," (H. P. 1850) (L. D. 1188) reported that the same ought not to pass.

The same Committee on Bill "An Act Increasing Salaries of Probation Officer, Assistant Probation Officer and Clerk Hire in Probation Office of Androscoggin County," (H. P. 1930) (L. D. 1289) reported that the same ought not to pass.

The Committee on Temperance on Bill "An Act Relating to Sale of Malt Liquor and Vinous Liquor in Restaurants," (H. P. 1745) (L. D. 1037) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Liquor Licenses in Unincorporated Places," (H. P. 1587) (L. D. 909) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Sale of Liquor in Unorganized Territory," (H. P. 1748) (L. D. 1040) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Local Option Liquor Voting in Unincorporated Places," (H. P. 1545) (L. D. 822) reported that the same ought not to pass.

The same Committee on Bill "An Act to Provide for a One Man State Liquor Commissioner," (H. P. 1918) (L. D. 1280) reported that leave be granted to withdraw the same.

Which reports were severally read and accepted in concurrence.

The Committee on State Lands and Forest Preservation on "Resolve, Authorizing the State Normal School and Teachers' College Board to Convey Certain Land in Fort Kent," (H. P. 1955) (L. D. 1328) reported that the same ought to pass.

The same Committee on "Resolve, Authorizing the Commissioner of Inland Fisheries and Game to Convey the Interest of the State in Certain land in Township 10, S. D." (H. P. 1694) (L. D. 1028) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the resolves read once, and tomorrow assigned for second reading.

The Committee on Temperance on Bill "An Act Relating to Illegal Importation and Transportation of Malt Liquor," (H. P. 1546) (L. D. 823) reported the same in a new draft, (H. P. 2015) (L. D. 1397) under the same title, and that it ought to pass.

(On motion by Mr. Slocum of Cumberland, tabled pending acceptance of the report.)

The Majority of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution to Set Forth the Duty of the State and the Towns Towards Education," (H. P. 1572) (L. D. 886) reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senators:

BARNES of Aroostook
ELA of Somerset

Representatives:

WILLIAMS of Auburn
SILSBY of Aurora
PAYSON of Union
MUSKIE of Waterville
BURGESS of Rockland

The Minority of the same Committee on the same subject matter, reported that the same ought not to pass.

(signed)

Senator:

WARD of Penobscot

Representatives:

McGLAFLIN of Portland
WOODWORTH of Fairfield

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A".

In the Senate, the Majority "Ought to Pass" Report and the bill was given its first reading.

Mr. Ela of Somerset presented Senate Amendment A and moved its adoption. The Secretary read Senate Amendment A:

"Senate Amendment A to L. D. 886. Amend said resolve by striking out the 17th and 18th lines thereof and inserting in place thereof the following underlined words: **'by legislative authority either directly exercised or delegated; and the legislature may encourage and suitably support and'**."

Which amendment was read and adopted; Committee Amendment A was read and adopted and the bill as so amended was tomorrow assigned for second reading.

Communication

STATE OF MAINE

House of Representatives
Office of the Clerk
Augusta

March 31, 1949

Honorable Chester T. Winslow
Secretary of the Senate
of the 94th Legislature
Sir:

The Speaker today appointed to the House Committee on Conference on the disagreeing action of the two branches on Bill "An Act Relating to Motor Vehicle Registration Number Plates," (H. P. 364) (L. D. 127)

Messrs. DeSanctis—of Madison
Woodworth—of Fairfield
Plummer—of Lisbon

Respectfully,
HARVEY R. PEASE
Clerk of the House

Which was read and ordered placed on file.

Senate Committee Reports

Mr. Larrabee from the Committee on Claims on "Resolve in Favor of Josephine Stewart, of West Medford, Massachusetts," (S. P. 54) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor

of Andre Pelletier, of St. Basile Mad., New Brunswick," (S. P. 114) reported that the same ought not to pass.

Mr. Barnes from the Committee on Judiciary to which was recommended Bill "An Act Relating to Ballots in Elections," (S. P. 47) (L. D. 29) reported that the same ought not to pass as it is covered by other legislation.

Which reports were severally read and adopted.

Mr. Noyes from the Committee on Public Buildings and Grounds on Bill "An Act Relating to Zoning Near State Capitol," (S. P. 462) (L. D. 914) reported that the same ought not to pass.

(On motion by Mr. Slocum of Cumberland, tabled pending acceptance of the report.)

Sent down for concurrence.

Mr. Ward from the Committee on Judiciary on Bill "An Act Relating to Powers and Duties on Liquor Inspectors," (S. P. 530) (L. D. 1068) reported the same in a new draft, (S. P. 643) under the same title, and that it ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Ballots," (S. P. 483) (L. D. 947) reported the same in a new draft (S. P. 644) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills in new draft laid upon the table for printing under the joint rules.

Mr. Leavitt from the Committee on Education on Bill "An Act Relating to Admission to Normal Schools and Teachers' Colleges," (S. P. 480) (L. D. 943) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. McKusick from the Committee on Education on Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students," (S. P. 481) (L. D.

944) reported that the same ought to pass.

Mr. Edwards from the same Committee on Bill "An Act Relating to State Aid for Academies," (S. P. 345) (L. D. 571) reported that the same ought to pass.

Which reports were severally read and accepted the bills read once, and tomorrow assigned for second reading.

Mr. Slocum from the Committee on Aeronautics on Bill "An Act Relating to the Aeronautical Fund," (S. P. 514) (L. D. 1045) reported the same in a new draft (S. P. 645) under the same title, and that it ought to pass.

Which report was read and accepted, and the bill in new draft laid upon the table pending printing under the joint rules.

Mr. Williams from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Atlantic Sea Run Salmon Commission," (S. P. 322) (L. D. 939) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the resolve was read once. The Secretary read Committee Amendment A:

"Committee Amendment A to L. D. 939. Amend said resolve by striking out all after the words, 'general fund' in the 2nd line and before the words 'to carry out' in the 5th line and inserting in place thereof the following: 'surplus of the state in favor of the Atlantic Sea Run Salmon Commission, the sum of \$15,000 for the fiscal year ending June 30, 1950 and the sum of \$15,000 for the fiscal year ending June 30, 1951.'"

Which amendment was adopted, and the resolve as so amended was tomorrow assigned for second reading.

Passed to be Engrossed

"Resolve to Open Plunket Pond, Aroostook County, to Ice Fishing." (H. P. 2019) (L. D. 1405)

Bill "An Act Relating to Excise Tax in Lieu of Personal Property Tax on Aircraft." (H. P. 2021) (L. D. 1407)

Which were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to the Use of the Public Streets and Highways and to the Power of Cities and Towns to Install Parking Meters." (H. P. 1509) (L. D. 816)

Which was read a second time and passed to be engrossed, as amended, in concurrence.

Bill "An Act Relating to Investigation of Fire Hazards and Causes of Fires." (S. P. 391) (L. L. 706)

Bill "An Act Extending the Period for which the Board of Finance in the City of Waterville is Established." (S. P. 459) (L. D. 911)

Bill "An Act Relating to State Owned Cars." (S. P. 489) (L. D. 1173)

Bill "An Act Relating to County Jail Costs for Certain Violations." (S. P. 500) (L. D. 1001)

Bill "An Act Relating to Clerk Hire in Office of Clerk of Courts, Androscoggin County." (S. P. 508) (L. D. 1007)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court." (S. P. 277) (L. D. 450)

Which bill was read a second time and passed to be engrossed as amended.

Sent down for concurrence.

Bill "An Act Relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds, Androscoggin County." (S. P. 440) (L. D. 791)

Mr. Haskell of Penobscot presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 791. Amend said bill by striking out of the title the words 'Salary of Register of Deeds and'."

Which amendment was adopted, and the bill as amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

Bill "An Act to Provide for the Creation of a Liquor Research Commission." (S. P. 470) (L. D. 922)

Bill "An Act Relating to Certificate of Approval for Brewers." (S. P. 531) (L. D. 1061) which bills were read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to the Salary of the Register of Probate and Clerk Hire in Office of Register of Probate in Androscoggin County." (S. P. 554) (L. D. 1177)

Mr. Haskell of Penobscot presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 1177. Amend said bill by striking out of the title the words 'The Salary of the Register of Probate and,'"

Which amendment was adopted, and the bill as amended was read a second time and passed to be engrossed.

Sent down for concurrence.

Enactors

Bill "An Act Relating to Clerk Hire in the Office of Clerk of Courts in Kennebec County." (H. P. 313) (L. D. 93)

Bill "An Act Relative to Transportation of Fish, Game and Fur-Bearing Animals by Airplane." (H. P. 744) (L. D. 286)

Bill "An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations, Sewer Districts and School Districts." (H. P. 1051) (L. D. 467)

Bill "An Act Relating to Salary of Register of Probate in Kennebec County." (H. P. 1075) (L. D. 481)

Bill "An Act Relating to the Salary of the Sheriff of Lincoln County." (H. P. 1196) (L. D. 590)

Bill "An Act Relative to Bounty on Bears." (H. P. 1261) (L. D. 662)

(On motion by Mr. Barnes of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Non-Resident and Alien Trapping Licenses." (H. P. 1293) (L. D. 676)

Bill "An Act Relating to the Salary of the Register of Probate of York County." (H. P. 1531) (L. D. 862)

Bill "An Act Relating to the Houlton Municipal Court" (H. P. 1533) (L. D. 864)

Bill "An Act Relating to Tax Stamp Discounts in Cigarette and Tobacco Products Law." (H. P. 1541) (L. D. 818)

(On motion by Mr. Haskell of Penobscot, tabled pending passage to be enacted.)

Bill "An Act Relating to Aid to the Blind." (H. P. 1550) (L. D. 868)

(On motion by Mr. Williams of Penobscot, tabled pending passage to be enacted.)

Bill "An Act Relating to Night Hunting of Skunks and Raccoons." (H. P. 1628) (L. D. 981)

Bill "An Act to Amend the Charter of the Portland Water District Relative to Time of Filing Nomination Papers." (H. P. 1631) (L. D. 984)

Bill "An Act Relating to the Salary of the Recorder of the Waterville Municipal Court." (H. P. 1663) (L. D. 971)

Bill "An Act Relating to the Revocation of License on Conviction of Hunting While Intoxicated." (H. P. 1773) (L. D. 1112)

Bill "An Act Relating to Election to Certain Town Offices." (H. P. 1784) (L. D. 1123)

Bill "An Act Validating Certain Recorded Mortgage Discharges." (H. P. 1832) (L. D. 1157)

Bill "An Act Relating to Discovery of Property of Deceased Persons." (H. P. 1834) (L. D. 1159)

Bill "An Act Relating to Consent to Adoption of Children." (H. P. 2008) (L. D. 1390)

Bill "An Act Relating to Traffic Control Signals." (H. P. 2011) (L. D. 1394)

(On motion by Mr. Allen of Cumberland, tabled pending passage to be enacted.)

Bill "An Act Relating to Procedure on Damages Caused by Location of Highways." (H. P. 2012) (L. D. 1395)

"Resolve Relating to Fishing in Rocky Pond and Johnson Pond in Knox County." (H. P. 1045) (L. D. 462)

"Resolve, Closing Rocky Pond and Johnson Pond in Knox County to Ice Fishing." (H. P. 1046) (L. D. 463)

"Resolve, Regulating Fishing in Royal River, in the County of Cumberland." (H. P. 1397) (L. D. 729)

Bill "An Act Relating to Sub-Jobber of Cigarettes and Tobacco Products." (S. P. 238) (L. D. 352)

Bill "An Act Relative to Penalties for Beaver Trapping." (S. P. 349) (L. D. 575)

Bill "An Act Relating to the Salary of the County Attorney of York County." (S. P. 266) (L. D. 396)

(On motion by Mr. Savage of Somerset, tabled pending passage to be enacted.)

Bill "An Act Relating to Clerk Hire in the Office of Register of Deeds, Southern District, Aroostook County." (S. P. 363) (L. D. 580)

Bill "An Act Relating to Insurance Agents and Brokers." (S. P. 408) (L. D. 745)

Bill "An Act Relative to Regulating Hunting, Fishing and Trapping on Game Management Areas." (S. P. 423) (L. D. 780)

Bill "An Act Relating to the Presque Isle Municipal Court." (S. P. 465) (L. D. 918)

Bill "An Act Relative to Extending Hunting Season on Deer." (S. P. 630) (L. D. 1385)

"Resolve Permitting Socony-Vacuum Oil Company, Incorporated, to Lay a Pipeline Across Property of the State School for Girls in Hallowell and Property of the Augusta State Hospital in Augusta." (S. P. 216) (L. D. 278)

"Resolve in Favor of the Town of East Millinocket." (S. P. 258) (L. D. 1386)

"Resolve, Providing for Certain Construction in the Central Maine Sanatorium." (S. P. 336) (L. D. 567)

(On motion by Mr. Bowker of Cumberland, tabled pending final passage.)

Which bills were severally passed to be enacted and resolves finally passed.

Emergency Measure

"Resolve, in Favor of the Town of Kennebunk." (H. P. 102) (L. D. 1377)

Which resolve being an emergency measure and having received the affirmative vote of 24 members of the Senate, and none opposed, was finally passed.

Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution to Change the Date of Filing Initiated Legislation." (H. P. 1568) (L. D. 874)

Which resolve being a Constitutional Amendment and having received the affirmative vote of 24 members of the Senate, and none opposed, was finally passed.

Orders of the Day

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table bill, An Act Appropriating Moneys for Anticipated Overdrafts in the Department of the Adjutant General Due to Insufficient Appropriations, (H. P. 1947) (L. D. 1320) tabled by that Senator on March 29 pending adoption of Committee Amendment A; and on further motion by the same Senator, Committee Amendment A was adopted, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Larabee of Sagadahoc, the Senate voted to take from the table Bill, An Act Relating to the Atlantic Sea Run Salmon Commission (S. P. 124) (L. D. 145) tabled by that Senator on March 17 pending consideration; and on further motion by the same Senator,

the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to S. P. 124, L. D. 145, Bill An Act Relating to Atlantic Sea Run Salmon Commission.

Amend said Bill by inserting before the enacting clause thereof, the following:

'Emergency preamble. Whereas, licenses for taking, catching or killing Atlantic Sea Run Salmon were originally designed for funds for the restoration of the Atlantic sea run salmon; and

Whereas, such funds have proved to be totally inadequate; and

Whereas, such licenses being an addition to other angling licenses and are therefore unfair and place an unnecessary burden on the people of the state of Maine; and

Whereas, the provisions for such licenses should be repealed; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend said Bill by adding at the end thereof, the following: **'Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.'"

Which amendment was adopted.

House Amendment A was read and adopted in concurrence.

Mr. SLOCUM of Cumberland: Mr. President, I rise to a point of information. The sponsor of the bill, Senator Noyes, is present., I note that this bill states that the commission may publish in a newspaper if there is one in the affected county, but if not, they "shall" publish their notice of hearings in the Daily Kennebec Journal, a newspaper printed in Augusta. I won-

der if that is not reducing the amount of proper publicity, limiting the publication of notice of hearings to only those who read the Kennebec Journal. I wonder if it would not be better if it were published in three or more widely circulated papers so that more of the citizens of the state would have notice of such hearings.

Possibly the proponents of this measure can advise whether this is considered sufficient notice to the public in general. I am not in opposition to the bill in any way. I just noted that it was reducing the publicity of notice to those who read only the Daily Kennebec Journal.

Mr. NOYES of Hancock: Mr. President, I have no particular interest in the section of this bill to which the Senator refers. Being sponsor of this measure, I was interested only in that part of it relative to the three dollar license fee which we put on two years ago and to which I objected very strenuously on the floor of this Senate, unsuccessfully, however.

Today it is with pride that I stand here and say that I was right once and thank the Senate for it and I would thank the members of the Sea and Shore Fisheries committee for offering this emergency amendment which has been adopted here today, and I agree that it should be enacted with that emergency. However, if the Senator from Cumberland, (Senator Slocum) has any corrections he wishes to make in the section to which he has referred, I have no serious objection.

Thereupon, on motion by Mr. Slocum of Cumberland, the bill and accompanying papers were laid upon the table pending passage to be engrossed as amended by House Amendment A and Senate Amendment A in non-concurrence.

On motion by Mr. Ward of Penobscot

Adjourned until Monday, April 4, 1949 at 4:30 o'clock in the afternoon.