

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

*Ninety-Sixth Legislature*

**OF THE**

**STATE OF MAINE**

**1953**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

## HOUSE

Thursday, April 9, 1953

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

Prayer by the Rev. Mr. George Bolster of Gardiner.

The journal of the previous session was read and approved.

### Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve to Repeal Certain Special Resolve Pensions (H. P. 612) (L. D. 732) reporting that the Resolve be recommitted to the Committee on Welfare.

(Signed)

Mr. DICKEY of Brooks  
Misses STEEVES of Lincoln  
CORMIER of Rumford

—Committee on part of House

Messrs. DUNHAM of Hancock  
BOUCHER of Androscoggin  
PARKER of Piscataquis

—Committee on part of Senate

Report was read and accepted and sent up for concurrence.

Thereupon, under suspension of the rules, the House voted to reconsider its action taken on March 12 whereby it passed the Resolve to be engrossed; and its action whereby Committee Amendment "A" as amended by House Amendment "A" was adopted; also its action whereby House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, the Resolve was recommitted to the Committee on Welfare and sent up for concurrence.

### Papers from the Senate

The SPEAKER: Is it the pleasure of the House to take up out of order a paper just received from the Senate?

From the Senate:

Senate Report of the Committee on Taxation on Bill "An Act relating to the Sales Tax on Motor Vehicles," (S. P. 90) (L. D. 227) reporting same in a new draft (S. P. 509) (L. D. 1388) under same title and that the new draft "Ought to pass."

Came from the Senate with the report read and accepted and the new draft passed to be engrossed as amended by Senate Amendment "A."

In the House: Report was read.

The SPEAKER: Is it the pleasure of the House to accept the report of the committee?

Thereupon, the report of the committee was accepted in concurrence and the new draft had its two several readings.

The SPEAKER: The House may be at ease pending the reproduction of Senate Amendment "A".

### House at Ease

The House was called to order by the Speaker.

The SPEAKER: For the purpose of correcting the record, the Clerk has checked with the other body and finds that Legislative Document 1388 was passed to be engrossed by the Senate as amended by Senate Amendments "A" and "B".

The Clerk will read Senate Amendment "A".

SENATE AMENDMENT "A" to S. P. 509, L. D. 1388, Bill "An Act relating to the Sales Tax on Motor Vehicles."

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

**'Emergency preamble.** Whereas, the recently enacted sales tax has imposed a severe financial burden upon the motor vehicle buying public of the state of Maine; and

Whereas, a motor vehicle is an actively traded commodity, thus frequently the subject of the sales tax; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution 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.'

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

Mr. STEWART: Mr. Speaker, I move that Senate Paper 509, Legislative Document 1388, Bill "An Act relating to the Sales Tax on Motor Vehicles," and accompanying papers, be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves that Senate Paper 509, Legislative Document 1388, with accompanying papers, be indefinitely postponed.

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

Mr. ALBEE: Mr. Speaker, I move that this bill, Legislative Document 1388, and accompanying papers, lie upon the table and be specially assigned for tomorrow morning at ten A.M.

(Calls of "No" and "Yes".)

The SPEAKER: The House will be in order. The gentleman from Portland, Mr. Albee, moves that the bill and accompanying papers lie upon the table and be specially assigned for tomorrow morning at ten A.M. Is this the pleasure of the House?

(Calls of "No" and "Yes".)

As many as are in favor of the motion of the gentleman from Portland, Mr. Albee, that the bill be tabled and have special assignment for tomorrow morning will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Thirty-nine having voted in the affirmative and seventy-one having voted in the negative, the motion to table and specially assign does not prevail.

The pending question before the House is on the adoption of Senate Amendment "A". Is it the pleasure of the House to adopt Senate Amendment "A"?

(Calls of "No")

As many as are in favor of the adoption of Senate Amendment "A" will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Twenty-one having voted in the affirmative and sixty-four having voted in the neg-

ative, the motion to adopt Senate Amendment "A" does not prevail.

The Clerk will read Senate Amendment "B".

Mr. STEWART: I move the pending question, Mr. Speaker.

The SPEAKER: The pending question is on the Senate Amendments, after which time the indefinite postponement motion is in order.

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

SENATE AMENDMENT "B" to S. P. 509, L. D. 1388, "An Act Relating to the Sales Tax on Motor Vehicles."

Amend said Bill by striking out the words "Motor Vehicles" in the title thereof and inserting in place thereof the words 'passenger Automobiles'

Further amend said Bill by striking out the last paragraph of Section 1 thereof and inserting in place thereof the following underlined paragraph:

**"Passenger automobile" means any self-propelled 4-wheel motor vehicle, not designed to run on tracks, including so-called beach wagons and station wagons, designed to carry not more than 8 passengers, the conveyance of such passengers being not for hire.'**

Further amend said Bill by striking out in Section 2 thereof the underlined words "motor vehicle" or "motor vehicles" wherever they appear and inserting in place thereof the underlined words 'passenger automobile' or 'passenger automobiles'

Further amend said Bill by striking out in Section 2 thereof the underlined word "vehicle" or "vehicles" wherever they appear and inserting in place thereof the underlined word 'automobile' or 'automobiles'

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker, I move you that Senate Amendment "B" be indefinitely postponed.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves the indefinite postponement of Senate Amendment "B". Is this the pleasure of the House?

The motion prevailed, and Senate Amendment "B" was indefinitely postponed in non-concurrence.

The SPEAKER: The pending question before the House is the motion of the gentleman from Portland, Mr. Stewart, that Senate Paper 509, Legislative Document 1388, Bill "An Act relating to the Sales Tax on Motor Vehicles" be indefinitely postponed.

The Chair recognizes the gentleman from Brunswick, Mr. Senter.

Mr. SENTER: Mr. Speaker, I would like to address an inquiry through the Chair. I would like to ask whether or not the Clerk read Senate Amendment "A" before we voted on it.

The SPEAKER: The Chair will state that the Clerk read Senate Amendment "A".

As many as are in favor of the indefinite postponement of Senate Paper 509, Legislative Document 1388—

The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: Some people speak from experience and others from experience don't speak, and I rather suspect that that is the case here this afternoon. I seem to have a feeling that the buck has been rapidly passed, perhaps from the Committee on Taxation—with considerable respect for them—and by the Senate to the House. I cannot help but have the feeling that in the innermost heart of a great many people is the desire that this bill be indefinitely postponed. It is a little bit amazing, to me at least, that there are not more vocal expressions of that. So, not being very politically wise, I rise to speak in favor of the motion of the gentleman from Portland, Mr. Stewart.

It is a human thing, I think, that most of us had rather spend than save. That has been demonstrated on the floor the last few days. I think, at the moment, we have a financial problem on our hands. None of us seem to have an overwhelming or deep desire to cut our expenditures to a point where it will hurt, whether it be hospitals, institutions or schools or what all.

Now we come along to this bill which will take — well, it is estimated all the way from \$900,000 to \$1,200,000 of funds away from our income. I was one, and I know there are many, who during the past two years said that here is a thing that probably should be corrected. I didn't use it in any campaign literature because I did not have any campaign. Some did, and I realize they are in a delicate position. But nevertheless, the great dissenter, Oliver Wendell Holmes, said, "We have to make interpretations according to the necessity of our times."

Now, then, we have a problem anyway on our hands, obviously, in financing the needed and the necessary things which have been brought out by the Appropriations Bill. That very likely might yet have to be cut. So I changed my mind, which is my right, I believe, and your right. I have changed my mind completely on this matter because I know not where this State can pick up \$900,000, or whatever the figure is, any easier than we can from this motor vehicle tax. Other states, other good states, have exactly the same provisions in their sales tax. They live through it.

We don't have to trade our cars every year. If we do trade our cars every year, I guess we can afford to pay the \$16 or \$18 that it costs us, and easy enough. I heard several automobile dealers say that they don't think they have lost a sale because of this tax. It has been reported — I wasn't there — but at the hearing I didn't hear anybody who paid the tax object. In fact a farmer came into my office up in the "Garden of Maine" the other day, and he had just bought a new tractor, I guess it was, and he had paid \$32 on it, and he wanted to know how I felt about it. I told him, with just a little mite of trepidation, and he said: "That is just fine. I want to pay that tax. Our hospitals and our institutions and our schools need it. I want to pay it, and I hope that you are going to fight that bill", and I told him I would, and I am, in my feeble way. I certainly go along with the gentleman from Portland, Mr. Stewart, in hoping

that we indefinitely postpone this bill, and I hope there are more voices raised along that same line.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Senter.

Mr. SENTER: Mr. Speaker and Members of the House: I am opposed to the motion to indefinitely postpone this bill, the motion of Mr. Stewart, the gentleman from Portland.

I was a member of the last Legislature that passed the sales tax and I remember very well, during the debate on that measure, that this matter of the trade-in on cars came up, and to refresh my memory I have referred to the Legislative Record of the House dated April 26, 1951, and I should like to be permitted to read from that Record, because it was during that debate that our minds were made up on this measure. These are some of the factors, and I would like to present this to you: This is from a talk by Representative Owen Hancock on the date of April 26, from the Legislative Record, page 1652.

Now it says here — I am reading his speech in part: “. . . in some instances, where some of these people who work for us, have traded cars at least three times in a year. All right. They take their automobile, trade it in for another secondhand car that would cost \$500; forgetting the cash difference, the sales tax paid is \$10. To do that three times in a year, as some of these people that I know about have done this, the sales tax for that one item alone for that man is \$30, which is almost twice as much as what they say will be for everything for that man in that salary bracket. Now if one holds true, the other is false. You take your choice.

“Now the same thing is true of a man possibly a little bit better off. He buys a \$2,000 car and pays cash for it and his sales tax is \$40. All right. He keeps the car three years and turns it in for another car valued at \$2,000; if he is allowed \$1600 for his old car and pays a \$400 cash balance, he still pays a \$40 sales tax.

“Now I have been assured” — now this is important — “now I

have been assured by some of the proponents of this tax bill that the Tax Administrator has said that he will operate the sales tax on the cash difference. If that is so, one of the main objections that I have is ruled out. However, I have also been informed by members of the tax committee that the way this tax bill now reads the situation that I have described is accurate and true. In other words, unless the tax bill is amended, we have no guarantee that this situation of trade-ins would not hold true . . .”

I realize the need the State has for revenue. I have had occasion recently to speak of the needs in one institution in particular, and I have also voted against some items on the Appropriations Bill and I have voted for measures which would effect a savings. But I say that this present tax, as it is being administered now, is grossly unfair. It is unfair because we are asking our citizens to pay a tax once, twice and three times, and I believe, no matter how badly the State needs the money, that this tax at the present time is grossly unfair. I hope the motion does not pass.

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

Mr. LOW: Mr. Speaker and Members of the House: I simply want to state that the cost of this bill, as it now stands, is at least \$1,200,000.

The SPEAKER: The Chair recognizes the gentleman from Hebron, Mr. Bearce.

Mr. BEARCE: Mr. Speaker and Members of the House: I rise to oppose L. D. 1388, by which the sales tax would be made to apply to the net sale price of automobiles. I will state my reasons for opposing it.

First of all, I believe we cannot afford the reduction in revenue involved. It is estimated that the proposed change would result in a reduction in revenue of somewhere from \$900,000 to a million and a quarter dollars. That is a lot of money.

It has been pointed out again and again that we are “scraping the bottom of the barrel.” With the appropriation bills and resolves already passed, and those that are in

sight, it is clear that if we give up this \$900,000 or more on automobiles, we have to find that money somewhere else. Do you know of any source of additional revenue that would hurt the rank and file of the taxpayers as little as does the present tax?

Let us do a little arithmetic: Suppose the average automobile buyer buys a car once in four years, and that the car turned in has an average turn-in value of \$1,000. The tax on the turn-in, at two per cent, amounts to \$20. Spread over four years, that is \$5 a year. If he trades once in three years, the cost per year becomes \$6.67. That is the equivalent of a little over twenty gallons of gasoline, at present prices. Does that impress you as a very serious matter?

Another point that should not be overlooked is the present situation in regard to "casual" or "isolated" sales. Under the present law such sales are not taxed. This situation may be corrected. I hope it will be — there is some doubt about that right now — but if the present situation is continued, we would be setting up a condition that would readily lend itself to the perpetration of fraud. I understand that a considerable "racket" has already developed. If casual sales and trade-ins were to go untaxed, how long would it be before a large percentage of car sales would be handled in that way? That is, as casual sales.

An important point that I believe is often overlooked is that the sales tax is intended to be a tax on the thing sold. In the case of an automobile, the tax is intended to be on the sale price of the automobile. There is nothing in the law that specifies how this thing shall be paid for. Basically, it makes no difference whether it is paid for with money, with another car, or with potatoes. The tax is on the sale price, the full price, and not a part of the price.

Still one more point: Suppose you have a car to turn in on the purchase of another car. Suppose it is worth \$1,000. You shop around, you get the best turn-in value you can, say \$1,000. Now, what justification is there for the State, through legislation, to say that car is worth

\$1,020? Would the State pay you \$20 if you disposed of the car in any other way? Of course not. That is exactly what we would be doing if we were to say that the tax on automobiles is to be on the net sale price only.

I am opposed to the proposed change in the law, and hope it may not be enacted. I have helped to pass some legislation that will cost the State some money. I would like to help pass some legislation that would save the State some money or to help prevent legislation which would cost the State a lot of money. Thank you.

The SPEAKER: The Chair understands that the gentlewoman from Portland, Mrs. Lord, moves that House Rule 25 be suspended. Is this the pleasure of the House?

The motion prevailed.

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

Mr. ROUNDY: Mr. Speaker, I have done a little thinking about this matter that is before us, and I rise to support the position of the gentleman from Portland, Mr. Stewart. I think that the matters that have been stated have well covered my reasons and the way I have been thinking of matters, but I do think that there are two things that should be weighed pretty carefully, and those are the necessity for the funds that are needed and the remembrance that it is not merely a sales tax that we are talking about, but a transactions tax, and with that in mind, as well as these other well-stated positions, I certainly am anxious to see the postponement.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I consider the present law exceedingly unfair. I have so expressed myself on a number of occasions, and I shall vote against the indefinite postponement of this bill. I will say, however, that I can appreciate the arguments that have been put up here, and I shall not try to persuade anybody to vote as I do,

but for my own self, I shall vote against this motion.

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

Mr. **CHILDS**: Mr. Speaker, I have a great deal of respect for committee reports, and I certainly would appreciate some member of the Taxation Committee giving their reasons on what premises this came out of the committee unanimously "Ought to pass."

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

Mr. **LOW**: Mr. Speaker and Members of the House: I am perfectly willing not to duck that one. We did not see any reason why 10 people from the Legislature, out of 184 people, should make the decision that this bill should not pass. I think it is up to every one of us here, not just 10 people out of 184, to make up their minds on this bill and vote as they think best, and we did pass the buck, and we passed it advisedly and felt we were doing the right thing. It is not up to ten people to decide; it is up to all of the people who are members of this Legislature.

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

Mr. **BURGESS**: Mr. Speaker and Members of the House: I would like the privilege of very briefly stating my own position and pointing out the reasons why I have arrived at this conclusion. In order to properly explain the position, it will necessarily call for a few remarks with respect to your Appropriations Bill.

I previously stated, on at least two occasions, that your Appropriations Bill was considered on a basis of the present revenue laws and the best estimates possible as to the amount of revenue that would be received during the next biennium. And you have considered that Appropriations Bill at great length, and you have discussed it, offered amendments, some successful and some not successful, but if I gather the sentiment of this House correctly, you were almost unanimous in an honest endeavor to effect economies.

Now the most certain way to bring about what you have displayed to my satisfaction in effecting economies is to cut your income.

Two years ago, as has been stated by my good friend, the gentleman from Brunswick, Mr. Senter, we were informed, and believed, that the sales tax bill would be on a net basis. We went home and so informed our public, only to find that when the legal boys took over it was not on a net basis. Had we been informed correctly, and believe me, I am not blaming anyone, had we been informed correctly, the State would never have had one nickel of that income, and you would have fitted your budget to it.

Now, I ask you to seriously consider whether we, as representatives of our people, are justified in obtaining money, whether it be a million or eight hundred and fifty thousand, as I believe it to be, the loss, whatever the figure is, I ask you, are we justified in hanging onto that, simply because of an error? We should never have had it in the first place.

I realize that foremost in our minds, in thinking of a reduction of revenue, will be this: "If my pet project were to suffer." It is true that should this become law, and we place it on a net basis, and leave this money in the pockets of our people, that some adjustments will have to be made, and I am one who firmly believes that they can be made and be made in such a way that you will not cripple the operation of your State government. I earnestly urge you to consider two factors, one, it never belonged to the State, whatever the figure may be; two, if you really wish to enforce economy, as I believe you have displayed here, then make this become law and put it on a net basis, where the public believed we had placed it two years ago.

I certainly am opposed to the motion to indefinitely postpone, and I hope that the House will concur with my thinking and pay the public the duty which I believe we owe them.



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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: I heartily agree with the gentleman from Limestone, Mr. Burgess. I am one of those people who believes that the end does not justify the means, and I am very much surprised to see the array of the esteemed gentlemen in this House who have gotten up and indirectly stated that "maybe it is wrong, but we've got it, so let's hang onto it."

If I recall correctly, back around 1936 or '37, '38, '39, a gentleman over in Europe started quite a war. He tried killing off quite a few people in gas chambers. He said they had too many people in Germany. He didn't like the religion of some of them, therefore the end justified the means. Like the gentleman from Brunswick, Mr. Senter, as a member of the 95th Legislature, and the gentleman from Limestone, Mr. Burgess, I certainly never would have left this chamber and approved the sales tax and I don't think many of us would, if we had thought that we were going to allow the sales tax to apply to the entire sale and the cost of the automobile. But now we have got it, regardless of all the mathematics you are going to hear this afternoon, it boils down to this: Does the end justify the means? Are you going to condone something you know is wrong just because you like the dollar sign? I certainly am not going to be one of those.

The **SPEAKER**: The Chair recognizes the gentleman from Gorham, Mr. Alden.

Mr. **ALDEN**: Mr. Speaker, I have believed ever since this law was initiated that it was an unfair tax to the automobile buyer, and I certainly agree with Mr. Senter, from Brunswick, that this should not be indefinitely postponed, and I want to go on record as saying that.

The **SPEAKER**: The Chair recognizes the gentleman from Westfield, Mr. Lovely.

Mr. **LOVELY**: Mr. Speaker, as the gentleman from Rockland, Mr. Low, has passed the buck to the Legislature, I have made up my

mind, and I am going along with the gentleman from Portland, Mr. Stewart, on his motion, and I am going on it on the premise that it is unfair, and there have been a number of people who said it was unfair, and it is unfair because it does not take in all trade-ins. It should take in all. This just takes in a few, and it is an unfair bill. If they will bring a bill in that will take everything in, possibly we may consider it. I thank you.

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

Mr. **JALBERT**: Mr. Speaker and Members of the House, before I make what few remarks I have to make, if my good friend, the gentleman from Rockland, Mr. Low, states that the committee passed the buck, I would like to ask if it would be a fair question to poll them, in that they want us to be part of the Taxation Committee by invitation of the House Chairman, would it not then be a fair question to poll the seven members of the Taxation Committee by asking those who passed the buck to the Legislature to state so, and those who voted yes on this thing because they believed it was an unfair tax to say so.

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

Mr. **ALBEE**: Mr. Speaker and Members of the House: I believe that I am responsible for a certain amount of the controversy here today, as from this very spot, in '51, I proposed the sales tax, and we passed the sales tax in the House as an emergency measure. I stood in this very spot and told the House the automobile would be on a cash difference, a net difference. I am still of that same opinion and through the Chair I would perhaps like to mention that I did not pass the buck to the House—that is for myself I am talking for—I voted to repeal this particular section, and have it on net. I am not speaking for any other member of the Tax Committee.

I have not been asked to do this; I have not promised that I would vote for a net difference, but certainly it was the intent, back in 1951, to have it just on "net." That was the intent of this Legislature

and I said so from this particular spot, and I certainly hope that the motion of the gentleman from Portland (Mr. Stewart) to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker and Members of the House: I think this comes down to one thing. Is it fair or isn't it? If it is unfair, I think it should be repealed, and if we need more money, then it is up to this body — if we need the money, absolutely need it — it is up to this body to get it in a fair way, and I would like to go on record as being opposed to Mr. Stewart's motion.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Senter.

Mr. SENTER: Mr. Speaker, we have been told that since we need this money, we desperately need the money, therefore we should not change the sales tax bill in this respect. I think I can illustrate my thinking with an example: We desperately need more parking space around the State House. Now here is the example: If, on arriving in Augusta this morning, I find it difficult, as I usually do, to find a place to park my car, if I look at the large expanse of lawn on this side of the State House, and proceed to drive my car right up on the lawn and park it there, now someone else might see me do that and think that was the parking lot; they might leave their car next to mine, and soon, I am sure, the lot would be filled up — the lawn I speak of, and the Governor, getting up from his chair, looking out the window, would see all of these cars out on the lawn of the State House. "Can't have this. It's against the law." The fact that we need the parking space does not make it right for us to park our cars on that lawn. I think that illustrates the principle. Just because we need this money does not make it right to pass an unfair tax measure, which this is.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, the need of money by the State does

not give the State any right, morally or otherwise, to break faith with the people. The sales tax, as enacted by the 95th Legislature, gave the State over \$3,000,000 more than was anticipated, and this extra amount received, more than was anticipated, for two months alone is sufficient to care for the amount which would be lost if we keep faith and legislate on the principle of justice and fair play.

If the State must have more money, which I do not believe they do, then let them get it in a fair and equitable manner.

I trust that the motion of the gentleman from Portland (Mr. Stewart) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Wales, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Ladies and Gentlemen: You know I am getting kind of a kick out of this. About two weeks ago last Wednesday there was a bill before this House, sponsored by me, which was knocked down flat, to give justice to retailers, so when I hear all of this justice and injustice, right and wrong, it is too bad some of you gentlemen didn't get up and speak then.

At that time the gentleman from Rockland, Mr. Low, said the State would lose \$200,000; they were scraping the bottom of the barrel. You couldn't afford to lose that. This bill would cost approximately \$1,200,000, and the inequity there is very small, if any, for the simple reason we all pay the sales tax, where in the other bill the retailer was penalized, so I think I will go along with the gentleman from Portland, Mr. Stewart.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I will just say a few words; I think enough has been said. But I think we have an obligation to meet and I think we had better meet it, and I am not in favor of Mr. Stewart's motion. I will say, as another member of the Taxation Committee, that I was not passing any buck, and I am heartily in favor of charging on the net price, on the automobiles, trucks and tractors.

The SPEAKER: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker and Members of the House: Let us take a little look into the crystal ball. I guess that is allowable, once in a while. Somebody just said a little while ago that the easiest way to get this tax which we need, because of added expense to the State, was to take it from the automobile dealers, or the automobile buyers. Probably that is true. Two years hence some of you will come down here and you will all be convinced that due to unprecedented causes the State needs a lot more money. What will be the easiest way to get it then? Just add another cent to the sales tax.

I am opposed to the motion of the gentleman from Portland, Mr. Stewart.

The SPEAKER: The Chair recognizes the gentleman from Holden, Mr. DeBeck.

Mr. DeBECK: Mr. Speaker, I move at this time for the previous question.

The SPEAKER: The gentleman from Holden, Mr. DeBeck, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise? The previous question is not debatable.

As many as are in favor of the motion of the gentleman —

Mr. WINCHENPAW of Friendship: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. WINCHENPAW: Mr. Speaker, to ask unanimous consent to address the House.

The SPEAKER: The Chair will state that the gentleman is out of order.

The Chair will state that the consent of one-third of the members present is necessary in order to entertain the motion now before the House, which is for the previous question.

As many as are in favor of the motion of the gentleman from Hol-

den, Mr. DeBeck, that the Chair entertain the motion for the previous question will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously less than one-third having risen, the motion that the Chair entertain the previous question does not prevail.

The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, in listening to the amendment which we have, I understood that it stated pleasure automobiles. Now as the farmers of the State are some of the heaviest buyers of the automobile, they are also among the larger buyers of the trucks, tractors and other machinery, and I feel that it would be very unfair to pass any legislation that would eliminate the tax on the automobile and still retain the tax on the truck and the farm machinery. If they were in the same category, we might consider something of that sort, but under this special amendment, under which we are working, I should be very much opposed to passing such legislation.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, either the gentleman from Woolwich, Mr. Bailey, is confused or I am confused. Probably it is I. I usually am, but I thought the amendment was killed. Am I right or wrong?

The SPEAKER: The Chair will state that Senate Amendment "A" was indefinitely postponed. Senate Amendment "B" was indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to thank those two members of the committee who voted what was right against what was wrong and did not pass the buck.

I recall vividly two years ago being on my feet several times making the comment, in fact deep into past 11:55 on Saturday evening, and asking and pleading to cut or else

you would have to raise the anticipated revenue of your tax measure.

Before I comment on that, it so happens that the very first individual that I met on a Sunday morning when the tax went into effect was one of the sponsors of the bill that was passed, Mr. Albee, who right then and there told me like a gentleman that Mr. Hancock was right and that he was wrong. He has steadfastly stated so in public addresses and personally to me and to many of you. He admitted he was wrong. Now I would like to ask you if this is right. For my money, I think we are somewhat fortunate in that we of the legislative body, in spite of the fact that we have immunity, admitted as members of the legislature that we were wrong. We are lucky that we do not get hit with bills from all the people who did pay this wrong tax to begin with. I assure you of one thing, if my memory serves me correctly, after the romance was over, to ask this one and that one to go along with the sales tax two years ago, if we had known then that this was a wrong tax, it might possibly be that you would not have had the sales tax and so you could not have added extra services, and certainly stacking the sales tax up against the services at the present sitting I would take the extra services.

The last time I was on my feet two years ago asking the members of the House to cut the budget or else they would have to raise the anticipated revenue, we took a vote. The vote was fifty-eight to fifty. We adjourned. The Governor was not signing any bills unless we would balance the budget. We reconvened on Monday afternoon, I believe at 2:30, and within fifteen minutes we balanced the budget by raising the anticipated revenue of the tax to the tune of some \$600,000. That was wrong. I believe in the adage that two wrongs do not make a right. If we, in my opinion, fail to correct this wrong we can put ourselves on record that three wrongs apparently make a right. As far as I personally am concerned, this being an unfair burden on an industry, I think humbly that it should be repealed. I stand here to state that whatever it costs so far as revenue is concerned I will

do my utmost as a member of this House to go along with any cuts anywhere along the line that are fair. Let's correct this thing and then go on and do the right thing and I think we can balance the budget. I will quote my good friend, the gentleman from Island Falls, Mr. Crabtree. The night before last he told me, "Louis, don't look so worried, it will all come out all right." I assure you, Mr. Crabtree, that if we do not go along with the motion of Mr. Stewart and we do lose a little revenue and right a wrong it will all come out all right.

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

Mr. ALBEE: Mr. Speaker, I believe that perhaps a few corrections should be made here. When the gentleman from Lewiston (Mr. Jalbert) says that I have stated that I have been wrong, I had received a wrong interpretation from the legal department. An individual perhaps cannot be wrong by repeating statements from them.

There was a reason for my first getting on my feet and making that motion a few moments ago. As this bill stands now it takes out of our tax money a lot more than we anticipated, the net differences. I am afraid it will go into a far-reaching field like a cancer, and that was my reason for moving to table it so we could prepare amendments to this. If I am in order, Mr. Speaker, I would make that motion again, so we may prepare amendments to this bill.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Albee, moves that this matter be tabled and unassigned?

Mr. ALBEE: Mr. Speaker, if we are having a session tomorrow I would prefer to have it tomorrow; if not, we will have to do it Tuesday.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Albee, moves that L. D. 1388 lie on the table and be specially assigned for the next legislative day, pending action on the motion of the gentleman from Portland, Mr. Stewart, that the matter be indefinitely postponed. Is this the pleasure of the House?

As many as are in favor of the motion to table as made by the gentleman from Portland, Mr. Albee, will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Twenty-two having voted in the affirmative and seventy-nine in the negative, the motion to table does not prevail.

The Chair recognizes the gentleman from Rockland, Mr. Low.

Mr. LOW: Mr. Speaker, since the gentleman from Lewiston, my friend Mr. Jalbert, is interested in my buck-passing I would like to make my own position clear at this time. I am in favor of this bill as amended by Senate Amendment "B" but not in its present form. And while we are on the question of buck-passing, I would like to ask my friend, the gentleman from Lewiston, Mr. Jalbert, whether he was entirely in favor of the Appropriations Bill which he signed as a unanimous report? (Laughter)

Mr. JALBERT: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: To answer the gentleman from Rockland, Mr. Low.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, for that purpose only.

Mr. JALBERT: I guess you were not here day before yesterday.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I want to say a few words on this bill just to clear myself with my constituents back home. (Laughter)

If I could talk about the Garden of Maine like Representative Crabtree, if I could yell like Mr. Dickey, or if I could extol like Miss Cormier, if I could use big words like "balanced budget", "anticipated revenue", "budget document", "current biennium", "budget recommendation", "appropriations for the coming biennium", I might be able to change a few people's minds, but as it is I will have to do the best I can.

The 94th Legislature came up here and fixed the gas tax as an eternal and everlasting thing. The

95th Legislature came up here and fixed the two per cent sales tax as an eternal and everlasting thing. The 96th Legislature is here now, and I for one wish to state that I do not believe that we can come up here session after session and pass legislation that will legislate business out of business.

Now I might add that I believe a farmer who owns eight or ten tractors is in business.

I certainly hope that the motion of the gentleman from Portland (Mr. Stewart) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Seaward.

Mr. SEAWARD: Mr. Speaker and Members of the House: I assure you as a member of the Tax Committee that I did not vote to pass the buck. I voted for this bill to please my constituents, therefore I want to go on record in saying that I hope that the motion of the gentleman from Portland, Mr. Stewart, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Tondreau.

Mr. TONDREAU: Mr. Speaker and Members of the House: I wish to concur with the previous speakers who have stated that this is a matter of right and wrong. Inasmuch as a wrong has been done here I believe that we should have the courage to rectify it, therefore I wish to go on record as opposing the motion of the gentleman from Portland, Mr. Stewart, to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Travis.

Mr. TRAVIS: Mr. Speaker and Members of the House: I did not intend to say anything on this measure, but I am one of those rare animals, a politician who attempts to keep his promises. I promised the people of Westbrook that if re-elected to the Legislature I would do all in my power to remove what I and they considered inequities in the sales tax. This is one of them. I think the most important thing said here this afternoon is the statement by the gentleman from Limestone, Mr. Burgess, a member of the Appropriations Committee: In his opinion we can pass this ex-

emption, right this wrong, and still trim the appropriations budget to where it belongs and perform the necessary functions of the State.

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

Mr. TRAFTON: Mr. Speaker, it is axiomatic, I believe, that each Legislature should pass on questions of its own mind and not try to do what a previous Legislature intended to do. Certainly the question is: What is the right action? Now are any taxes equitable? I would call your attention to the tobacco tax that is lying on the table at this time. That is equally, in a sense, a heavily-burdened industry so far as taxation is concerned. The same is true of automobiles. But I feel that if you want to speak of how much the industry is taxed you certainly should give equal consideration to that particular industry.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: Most of the members have talked on whether it is right or wrong, but some here state that the tax is on the net price. I would like to know what net price is. People understand that this tax is a sales tax, and that is the way I understand it. Right or wrong, the sale of an automobile is a sale. I would like to say right here and now that each automobile dealer — there are some here and I believe they will go along with me — when an automobile sale is made the total amount of the sale of that car is carried on their books as a sale. Therefore, being neither for nor against the indefinite postponement of this measure, I still maintain that the total sale price is the sale of that car, therefore it should be a two per cent tax.

Another thing that I would like to say here is the fact that the individual car owner is not hurt too much by this tax. He is not hurt as much, if he is the owner of a small amount of real estate, as he would be by the State tax being put back onto the towns. But the one who is being helped by this bill as it is written is a man who is a con-

tractor and buys heavy equipment, a man who owns several cars, maybe an individual who owns several cars, and who beyond a doubt is in a position to pay this tax much more than a small real estate owner is in a position to pay the State tax if it is put back on.

I personally cannot find a single car owner who is definitely hurt by the sales tax. Mr. Low has stated in his last talk that he would like to go along with Amendment "B". Amendment "B" would be way out of reason in my mind. If I go along with it at all, and I won't say whether I will or I won't, I would like to go along with the measure as is as brought in under L. D. 1388.

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

Mr. CHASE: Mr. Speaker and Members of the House: I state again that I voted for the two per cent sales tax at the last session. However, I would not have voted for that tax had I known that this unfair tax on trade-in on cars had been attached to the bill. My thinking has been that we should go back to the Governor's budget, then we could afford to do away with this unfair tax. I find that many in this House have changed their minds simply because they want to go along with the big appropriations bill.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Tupper.

Mr. TUPPER: Mr. Speaker, I would just like to say amen to my friend, the gentleman from Whitefield, Mr. Chase.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Fogg.

Mr. FOGG: Mr. Speaker and Members of the House: I have had a lot of people talk to me about this change in the sales tax before I came down here to this session. I know there is quite a bit of feeling for the bill. Now I suppose I am going to stick my neck out and when I go back home I am going to have it chopped off, but I think that we should approach this whole tax proposition with a little bit of caution here and sort of look at what is in the air.

Now this is undoubtedly going to cut into our revenue considerably; it may be that we will have to get other revenue. The gentleman over here said that. Now if we take this sum of money out of our revenue how are we going to get that money? Now we do have a tax bill in the Taxation Committee, I understand, which calls for a tax on fuel. Now that is going to hit the man with a family, the man who cannot afford to pay the tax. I believe that the people who are buying new automobiles are in a better position to pay this tax than the people who have a lot of children and cannot afford to pay a fuel tax. I do not know how this bill is coming out of committee, but it is a very dangerous proposition so far as I am concerned.

Now there has been quite a lot of talk about taxation of industry, and that is the automobile business. If you will refer to Legislative Document 1425 I think you will see a document there which is about as big a slap at industry as you could possibly give in the form of a tax. Now if we take this tax off of automobiles are we going to turn around and take it out of industry? On the other hand, are we going to take it out of the people or are we going to give them back something and let them keep it? Now before I go along with the repeal of this sales tax or cutting it down on automobiles I would like to have this question answered.

The SPEAKER: The Chair recognizes the gentleman from New Limerick, Mr. Hand.

Mr. HAND: Mr. Speaker, I had intended to say nothing on this matter but I have held my tongue about as long as I can. It is when people begin to discuss this matter on the basis of right or wrong that I begin to be disturbed. If anybody can tell me why it is more wrong that an automobile sale should be taxed than it is to tax any other sales, I would like to know why. I cannot see through that.

There have been some inferences that this is nothing but double taxation. If you were taxing property then you could talk about double taxation, but this is a sales tax and each and every individual

transaction should be subject to it. If you swap your refrigerator you pay the whole thing. I cannot see any reason why automobiles should be exempt. It is not an industry tax: the ultimate consumer pays it. It is no burden on industry that I can see. So far as the last Legislature is concerned, I voted for the sales tax too, but I do not believe that any tax bill which sets up preferences and allows sales of certain items to go with less taxation than is designed to affect other items, I do not believe that that tax bill is fair.

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

Mr. FULLER: Mr. Speaker and Members of the House: I did not intend to say anything on this bill either, but notwithstanding the fact that we killed Amendments "A" and "B" those amendments are still on the bill as far as the other body is concerned. As the bill arrived in this House I considered it gross discrimination. For instance, we were told that this tax affected the poor man. The poorest people in the world have a little pick-up truck or maybe a gravel truck with which they earn their living. They also use that as a pleasure vehicle. Therefore, even though we have killed Senate Amendments "A" and "B" apparently the other body is in favor of these amendments, and until that thing is straightened out I certainly would have to go along with the gentleman from Portland, Mr. Stewart.

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

Mr. LEGARD: Mr. Speaker, I rise in opposition to the indefinite postponement. I hesitate, having heard all the eloquence on this question, to speak, but I would like to state one of the points that more or less interested me and that was what my good friend, the gentleman from Lewiston (Mr. Jalbert) said: "Two wrongs do not make a right."

The principle of this bill is unjust and unfair. I do not believe in taxing any industry or any individual twice or three times in a year. That is really what this bill

seeks to eliminate, the unjust tax. I personally feel that unless we take a favorable action towards this bill in some form, even if it has to be amended, we will be derelict in our duties to our constituents and to the State.

The **SPEAKER**: The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. **CRABTREE**: Mr. Speaker, for a change I would like to say that I did intend to say something about this bill, and perhaps I should suggest that the gentleman from Bangor, Mr. Totman, brace himself, because I am going to say again that I feel perfectly justified in voting for the indefinite postponement of this bill.

I do not know how in the world we ever got to make a moral or ethical problem out of this tax bill. We have detoured all over the lawn and everywhere else here. (Laughter) We are talking about a tax measure that means a million, two hundred thousand dollars. Of course we need it. Of course I was here two years ago and voted for it. I am cognizant indeed of the wrong information which we got, which is like a typographical error maybe. It would not have made a particle of difference to me whether the matter arose at the time, I still would have voted for the sales tax. The fact that there are so many automobiles around this State House seems to prove it has not hurt the sale of cars any. I think we are getting far afield on the thing. It is amazing, some of the things that have come out here this morning. I can hardly follow it. My good colleague from the Garden of Maine, the gentleman from Limestone, Mr. Burgess, who had a part in bringing out the plump and adequate bill on Appropriations, for which I thank him, now says the way to go at it is to take away the revenue. That is backing up on it a little, I think. I do not seem to follow that, but there are so many of these things I do not follow I guess I am lost in the woods.

I certainly want to go along with all the vigor I can command in the indefinite postponement of this measure. If you want to treat it

like a new tax, if that will make your consciences feel better, just consider it as a brand new tax if you will. Certainly every Legislature stands on its own feet or sits in its own chair or something. So why not think of it, if it will ease you any, think of this as a new tax, one that we need, one that does not do any great harm to anybody.

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

Mr. **TURNER**: Mr. Speaker and Members of the House: I suppose the way to start one of these speeches is to get up and say, "I didn't intend to say anything," but one thing I can't brag about—all the rest of these members have been bragging today about the sales tax they voted for at the last session. I don't know, but I guess perhaps I am the only one here who didn't vote for it. (Laughter) I didn't vote for it last session because I figured they had the Appropriations Bill padded too heavy, and I feel as if today they have got it padded too heavy. I think in order to help your taxpayers back home it is a good thing to kind of ease up on them a little and vote against this motion of my friend, the gentleman from Portland. I want to go along as against it.

The **SPEAKER**: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. **MCCLUSKEY**: Mr. Speaker and Members of the House: I agree with Mr. Crabtree that we should all stand on our own feet and not be swayed by oratory. I still think I would not like to go along with Mr. Stewart.

The **SPEAKER**: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. **FERGUSON**: Mr. Speaker and Members of the House: I would like to say a word in regard to this bill. Inasmuch as we are all down here with some sort of a resolve to help our hospitals or institutions or one thing or another, I feel that the people who go out and buy automobiles are much better able to absorb some of the tax costs than the poor people who will have to go to the hospital and pay a tax on their fuel bills. We have not got that bill yet but I understand that



there is such a bill being considered. I want to go on record as going along with the motion of the gentleman from Portland, Mr. Stewart, for the indefinite postponement of this bill.

The **SPEAKER**: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. **CASWELL**: Mr. Speaker, I don't know whether I intended to say anything or not, but probably I have said as little as anybody who has got up, and there is just one more word I would like to say.

I advisedly did not say anything about the right or wrong of this, but I did say I voted for that bill thinking two years ago that this was a tax on net sales. Now someone has just said that one Legislature need not go along with the acts of the preceding Legislature. That would seem to carry the thought that if you want to keep your word you can keep it two years but after two years it is all right to go back on your word.

The **SPEAKER**: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. **OSBORNE**: Mr. Speaker, not having been a member of the previous Legislature I can safely say that I voted neither for nor against this sales tax. However, I believe that the very fact that the Appropriations Committee is now holding the Appropriations Bill, waiting to see what happens on this and other similar measures, gives evidence of the thought in mind that they will make it fit whatever comes out. Now I may be wrong, but I believe that if the previous Legislature had seen fit to pass a five or even a ten per cent sales tax that the Legislature, the department heads and the other spending agencies would have been equal to the occasion and would have been able to arrange for means to dispose of the revenue.

I personally do not feel that a tax upon a tax is justified. I think it is a travesty of justice, and I certainly am opposed to the indefinite postponement of this bill. I am also opposed to Amendment "B" because I think that that further differentiates the bill from its original meaning.

The **SPEAKER**: The Chair recognizes the gentleman from Dexter, Mr. Roberts.

Mr. **ROBERTS**: Mr. Speaker, a good many members seem to be concerned about the loss of revenue that will result from the passage of this bill. I presume many of us have received from the Tax Assessor statements of the tax collection during July, August and September, which amount to \$7,326,340. If the other three-quarters of the year produced as much revenue it would amount to \$29,505,360. On the other hand, if the other three-quarters only produced as much revenue as the three months of July, August and September, we would receive \$14,652,680. If I am not mistaken the estimated revenue is around twelve million dollars.

The **SPEAKER**: The Chair recognizes the gentleman from Portland Mr. Stewart.

Mr. **STEWART**: Mr. Speaker, unlike the gentleman from Island Falls (Mr. Crabtree) during my campaign in Portland I did feel I had to make a few campaign promises. One of those promises was that if elected I would try to do something to better the salary conditions of teachers in the State of Maine. I know that is perhaps one of the standard promises that are made. It is like being for the Bible and against sin. But nevertheless, when you come down to means of meeting that promise it seems to me that the bill which is before us today would cut that means of meeting the salary situation of the teachers in the State of Maine.

My friend, the gentleman from Island Falls—I would like to borrow a little of his thunder—is worried about the condition of fat schoolhouses and skinny teachers. It seems to me that here in this State of Maine it is up to us at this time to try to do something to aid education. A brochure which we have received indicates that the advertisers in there representing a cross-section of people and a cross-section of business from all over the State, say to us, "We are in favor of economy, yes, but don't begin with hurting our school teachers. Let's help our school teachers, let's help their salary problem," and so

they say to us, "Go along with that sort of measure."

There are many other worthy bills before this Legislature, there are many worthy activities that need the support and need the funds that can be provided by this Legislature. If we cut \$1,200,000 from our existing revenues it seems to me we are trying to commit financial suicide. It seems to me that we need to preserve a source of revenue which has provided this sum of money, and which, as many have expressed here today, is not grossly inequitable. A person, when he buys a car, can pay this tax, he is paying it, and it is my hope that you will go along with preserving this source of revenue to the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Pownal, Mr. Tuttle.

Mr. TUTTLE: Mr. Speaker, I want to go on record as being thoroughly opposed to the motion of my friend, the gentleman from Portland, Mr. Stewart, for one or two reasons. One is that I believe the measure is vitally wrong; another is, that we who had an opportunity were glad to assure our constituents previous to election that we would be glad to do what we could to correct this gross inequality and I believe that our constituents are going to attend to it that this is corrected. If we cannot see our way clear to do it, I believe that they will take care to elect representatives if they find that we of the majority party will not stand by the agreements that we have made, they will attend to it that another party comes in here in two years to correct this gross inequality, and I don't know but what I will stand on the sidelines and say "Amen" at least. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Washburn, Mr. Story.

Mr. STORY: Mr. Speaker, I didn't intend to say anything on this question. I have been here four terms and I have never said anything before but I am going to now. My constituents are selling potatoes up there for around 60 cents a barrel besides the freight and when they buy a truck and

turn in another, they pay a sales tax on it. When they buy a tractor, they pay a sales tax on it. There isn't one of them that I know of who has got money enough to come down here and defend themselves but when you speak about the injustice of this I don't know why it is any worse to tax the man who is buying an automobile than it is a farmer who buys a truck. He is paying a sales tax. I think that this should be indefinitely postponed.

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

Mr. ALBERT: Mr. Speaker and Members of the House: Until about three minutes ago, I was unaware that we were discussing the merits of fattening up our teachers, but it seems that this is going along that way. I was under the impression that we were discussing the sales tax on automobiles. I want to point out to the members who weren't here and those who were will remember vividly that when the sales tax was passed two years ago, it was passed with a 101 vote, which was two-thirds of the then-elected members of the House and they needed each and every one of those 101 votes to put it across as an emergency measure. Even at that, the members of this House were under the impression that the sales tax was going to be on the trade-in allowance and not on the price of the car. Consequently, if that had been explained, the sales tax would not, in my opinion, have been passed two years ago but it would be before you today for your consideration.

To go back to the gentleman from the Garden of Maine, and I bow when I say that, Mr. Crabtree, he tells us that we should consider this as a new tax and I can't see it that way because we considered a sales tax two years ago. This is to correct an inequality that exists in that tax and the only way we are going to do it is not by indefinitely postponing this measure but to vote upon it and accept it as it now stands.

The SPEAKER: The question pending before the House —

The Chair recognizes the gentleman from Biddeford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, I am against this motion and everybody seems to want to go on record. If we want to go on record, we should take a yea and nay vote.

The SPEAKER: The gentleman from Biddeford, Mr. Nadeau, requests a yea and nay vote. In order for the vote to be taken by the yeas and nays, it requires the consent of one-fifth of the members present.

As many as are in favor of having the vote taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth of the members having arisen, the yeas and nays are ordered.

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

Mr. TOTMAN: Mr. Speaker, may I ask a question to clarify the pending motion? May I ask if the Chair will state to the House exactly what we are voting on and may I be corrected if I may ask if we are not going to vote on the original bill without any amendments whatsoever.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Totman, makes a parliamentary inquiry. The Chair will attempt to answer. The pending question before the House to be taken by roll call vote is on the motion of the gentleman from Portland, Mr. Stewart, that Senate Paper 509, Legislative Document 1388, Bill "An Act relating to the Sales Tax on Motor Vehicles" be indefinitely postponed. All those in favor of indefinite postponement of Legislative Document 1388, will respond to the roll call by saying yes, all those opposed to the indefinite postponement of Legislative Document 1388 will respond to the roll call by saying no.

The Chair will state in order to clarify the situation for the second time, that Senate Amendment "A" has been indefinitely postponed and Senate Amendment "B" has been indefinitely postponed.

The Clerk will call the roll.

#### Roll Call

YEA—Anderson, Bearce, Bibber, Billings, Brown, Bangor; Butler,

Christie, Cianchette, Cormier, Crabtree, Denbow, Dennis, Emerson, Ferguson, Pitanides, Fogg, Ford, Frechette, Fuller, South Portland; Gates, Gilman, Gosline, Gowell, Hand, Hanson, Henry, Kimball, Lord, Lovely, Low, Rockland; Morris, Murray, Peterson, Rogerson, Roundy, Scott, Alfred; Scott, Wales; Small, Smith, Stewart, Paris; Stewart, Portland; Story, Taylor, Trafton, Vaughan, Watson, Whitney, Willey, Williams.

NAY—Abbott, Albee, Albert, Alden, Archer, Bailey, Baldie, Beal, Boston, Brockway, Buckley, Burgess, Campbell, Carter, Caswell, Cates, Caverly, Center, Standish; Chase, Childs, Clements, Cole, Cote, Curtis, Davis, DeBeck, Dicker, Dickey, Dostie, Downing, Edwards, Evans, Fickett, Finemore, Fuller, Bangor; Harnden, Higgins, Hilton, Jacobs, Jalbert, Jewett, Keay, Kelly, Lane, Larrabee, Latno, Lawry, Legard, Ludwig, Macomber, Martin, Augusta; McCluskey, McGlauffin, Moulton, Nadeau, O'Dell, Osborne, Potter, Pullen, Rich, Riley, Roberts, Robinson, Sanford, Seaward, Senter, Brunswick; Stanley, Stanwood, Steeves, Tondreau, Totman, Travis, Tupper, Turner, Tuttle, Wadleigh, Walker, West, Whiting, Winchenpaw, Woodcock.

ABSENT—Berry, Brown, Robbins-ton; Call, Couture, Currier, Cyr, Dodge, Dorsey, Dumais, Duquette, Gardner, Hussey, Letourneau, Low, South Portland; Madore, Martin, Eagle Lake; Ready, Reynolds, Tardif, Wylie.

Yes 49, No 81, Absent 20.

The SPEAKER: Forty-nine having voted in the affirmative, eighty-one having voted in the negative, twenty being absent, the motion to indefinitely postpone Bill "An Act relating to the Sales Tax on Motor Vehicles", Senate Paper 509, Legislative Document 1388, does not prevail.

Thereupon, the Bill was assigned for third reading the next legislative day.

From the Senate:

Bill "An Act Creating a State Crime Commission" (S. P. 521) (L. D. 1422)

Came from the Senate referred to the Committee on Judiciary.

In the House, was referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine" (S. P. 527) (L. D. 1423)

Came from the Senate received by unanimous consent and referred to the Committee on Agriculture.

In the House:

Mr. BURGESS of Limestone: Mr. Speaker - - -

The SPEAKER: For what purpose does the gentleman from Limestone arise?

Mr. BURGESS: I would ask unanimous consent to address myself to Item 2.

The SPEAKER: The Chair will state that there is a motion before the House which requires unanimous consent prior to your request for unanimous consent. Does the Chair hear objection to the receiving of this bill by unanimous consent in concurrence? The Chair hears none and the bill is received by unanimous consent.

The Chair recognizes the gentleman from Limestone, Mr. Burgess, if he so desires.

Mr. BURGESS: There is nothing I want to say, Mr. Speaker. Thank you.

Thereupon the Bill was referred to the Committee on Agriculture in concurrence.

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From the Senate:

Resolve in favor of Joseph T. Sewall of Wiscasset (S. P. 528) (L. D. 1419)

Came from the Senate received by unanimous consent and referred to the Committee on Highways.

In the House, was received by unanimous consent and referred to the Committee on Highways in concurrence.

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#### Senate Reports of Committees Leave to Withdraw

Report of the Committee on Highways on Resolve Repealing Resolve Authorizing a Reclassification of Highways (S. P. 351) (L. D. 1340) reporting leave to withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Cousins and Littlejohns Islands Village Corporation" (S. P. 412) (L. D. 1122)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

#### Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Licenses for Buying and Selling Poultry" (S. P. 367) (L. D. 1031)

Report of the Committee on Appropriations and Financial Affairs reporting same on Bill "An Act relating to Group Life Insurance for State Employees" (S. P. 446) (L. D. 1260)

Report of same Committee reporting same on Resolve Authorizing Commissioner of Institutional Service to Purchase, for the State, Land in Fairfield (S. P. 468) (L. D. 1311)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Combinations Restricting Use of Musical Compositions" (S. P. 479) (L. D. 1335)

Report of the Committee on Natural Resources reporting same on Bill "An Act Amending the Mining Law" (S. P. 276) (L. D. 766)

Report of the Committee on Transportation reporting same on Bill "An Act relating to Guards on Rear of Motor Vehicles" (S. P. 212) (L. D. 551)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

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#### Ought to Pass

Report of the Committee on Natural Resources reporting "Ought to pass" on Resolve Authorizing Commissioner of Institutional Service to Grant Pole Line Easements on the Property of the State Hospital in Bangor (S. P. 504) (L. D. 1379)

Report of the Committee on Public Utilities reporting same on Bill "An Act Amending the Charter of the Sewer District in the Town of Sanford" (S. P. 327) (L. D. 817)

Report of same Committee reporting same on Bill "An Act to Amend the Charter of Aroostook Valley Railroad Company" (S. P. 328) (L. D. 816)

Report of the Committee on Taxation reporting same on Bill "An Act Repealing Tax on Oleomargarine" (S. P. 379) (L. D. 1042)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to

the Salary of Register of Probate of Hancock County" (S. P. 236) (L. D. 596)

Report of same Committee reporting same on Bill "An Act Repealing Certain Laws relating to County Commissioners' Duties re Ferries and Toll Bridges" (S. P. 424) (L. D. 1128)

Report of same Committee reporting same on Bill "An Act relating to Additional Probation Officer for Cumberland County" (S. P. 472) (L. D. 1315)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice, the Resolve read once, and assigned the next legislative day.

#### Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Dogs Attacking Domestic Animals or Fowl" (S. P. 69) (L. D. 153) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 69, L. D. 153, Bill "An Act Relating to Dogs Attacking Domestic Animals or Fowl."

Amend said bill by striking out the underlined sentence therein and inserting in place thereof the following underlined sentence:

**'Any owner of sheep or fowl or any member of his family or any person to whom is entrusted the custody of any sheep or fowl shall have a right to kill any dog attacking any of said sheep or fowl.'**

Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading the next legislative day.

Report of the Committee on Judiciary on Bill "An Act relating to the Powers of the Maine Turnpike Authority" (S. P. 127) (L. D. 336) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 127, L. D. 336, Bill "An Act Relating to the Powers of the Maine Turnpike Authority."

Amend said bill by striking out all after the fourth line of said bill and inserting in place thereof the following:

**'Provided, however, the authority shall not lease, sell or otherwise convey, or allow to be used, any of its real or personal property or easements therein, franchises, buildings or structures, for commercial purposes, with the exception of such gasoline filling stations, service and repair stations and restaurants as it deems necessary to service the needs of the traveling public while using the turnpike, except that the authority may permit the erection, or installation of electric power, telegraph, telephone, water or pipe line facilities.'**

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading the next legislative day.

Report of the Committee on Judiciary on Resolve Providing for the Revision of the Statutes (S. P. 170) (L. D. 419) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to S. P. 170, L. D. 419, Resolve, Providing for the Revision of the Statutes

Amend said Resolve by adding after the word "representatives" in the 3rd line of the first paragraph the following, 'one of whom shall be a member of the minority party,'

Committee Amendment "A" was adopted in concurrence and the Resolve was assigned for second reading the next legislative day.

#### Tabled

Report of the Committee on Natural Resources on Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County, Maine (S. P. 480) (L. D. 1334) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House: Report was read.

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

Mr. WILLIAMS: Mr. Speaker, I would like to table Item 22 and the papers connected therewith and have it lie on the table unassigned, pending first reading.

The SPEAKER: The Chair understands that the gentleman from Hodgdon, Mr. Williams, wishes to table pending first reading. That is your motion?

Mr. WILLIAMS: That is correct, Mr. Speaker.

The SPEAKER: Will the gentleman kindly defer his motion until we have accepted the report of the Committee.

Is it the pleasure of the House that the report be accepted?

Thereupon, the Report was accepted in concurrence.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves that Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County, Maine, Senate Paper 480, Legislative Document 1334, as amended by Committee Amendment "A" together with accompanying papers lie on the table pending first reading of

the resolve. Is this the pleasure of the House?

The motion prevailed and the Resolve with accompanying papers was so tabled.

Report of the Committee on Public Utilities on Bill "An Act relating to Regulation of Posts and Wires" (S. P. 325) (L. D. 815) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 325, L. D. 815, Bill "An Act Relating to Regulation of Posts and Wires."

Amend said bill by striking out in the 4th and 5th lines of said bill the following underlined words: **"Permit to construct lines from municipal officers or county commissioners"** and inserting in place thereof the following underlined words: **'Permit from municipal officers or county commissioners to construct lines'**

Further amend said bill by striking out in the 4th sentence from the end the following underlined words: **"relocation of a pole in approximately the same location or for the relocation of lines along highways and public roads"** and inserting in place thereof the following underlined words: **'relocation of lines or single poles along highways and public roads within the right of way'**

Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading the next legislative day.

Report of the Committee on Public Utilities on Bill "An Act Amending the Charter of the Waterville Sewerage District" (S. P. 326) (L. D. 927) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the

Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

**COMMITTEE AMENDMENT "A"** to S. P. 326, L. D. 927, Bill "An Act Amending the Charter of the Water-ville Sewerage District."

Amend section 1 of said Bill by adding after the underlined figure and words "**2 successive weeks**" in the 1st sentence of that part designated "**Sec. 3**" the following underlined punctuation, words and figure '**, the last publication to be at least 2 weeks**'

Further amend said Bill in section 4 by striking out the underlined words "**any section hereof**" in the 1st sentence of that part designated "**Sec. 6**" and inserting in place thereof the underlined words and figures '**sections 6-A and 6-B**'

Further amend said Bill in section 5 by inserting before the period at the end of that part designated "**Sec. 6-B**" the following underlined punctuation, words and figures '**, except that existing buildings which are already served by a satisfactory private sewage disposal system which meets and continues to feet the requirements of section 122 (b) of the state plumbing code shall not be required to connect with the public sewer**'

Further amend said Bill in section 7 by striking out in the 1st sentence of that part designated "**Sec. 8**" the stricken out figures "**\$1,000,000**" and the underlined figures "**\$1,250,000**" and inserting in place thereof the figures '**\$1,000,000**'

Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading the next legislative day.

#### Recommended

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Evidence Before Grand Jury" (S. P. 407) (L. D. 1112)

Came from the Senate recommit-  
ted to the Committee on Judiciary.

In the House, the Report with accompanying papers was recommit-

ted to the Committee on Judiciary in concurrence.

#### Recommended

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Regulating Locksmiths" (S. P. 321) (L. D. 808)

Came from the Senate recommit-  
ted to the Committee on Legal Affairs.

In the House, the Report with accompanying papers was recom-  
mitted to the Committee on Legal Affairs in concurrence.

The SPEAKER: The Chair, at this time, will request the Sergeant-at-Arms to escort the gentleman from Bangor, Mr. Fuller, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Fuller was escorted to the rostrum amid the applause of the House, the members rising, and Speaker Bates retired.

#### Orders

On motion of Mr. Albee of Portland, it was

ORDERED, that the Commissioner of Finance be directed to furnish to the House of Representatives 250 copies of a statement:

1. Undedicated revenues as per budget together with revised estimates of income.
2. Totals of appropriations recommended by Budget Committee and totals reported by Committee on Appropriations and Financial Affairs.
3. Additions to budget recommendations included in the Governor's Budget message.
4. Details of amounts required by passed and pending acts and resolves requiring funds from the General Fund.

#### House Reports of Committees Divided Report Tabled and Assigned

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Regulating Ice Fishing in Portage Lake, Aroostook County (H. P. 649) (L. D. 663)

Report was signed by the following members:

Messrs. WIGHT of Penobscot  
WEEKS of Cumberland

CARPENTER of Somerset  
—of the Senate

Messrs. FRECHETTE of Sanford  
HARDEN of Rangeley  
CURRIER of Caribou  
WATSON of Moose

River Pl.  
—of the House

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

Report was signed by the following member:

Mr. WHITNEY of Bridgton  
—of the House

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker, I move that the majority report be accepted.

The SPEAKER pro tem: The gentleman from Moose River Plantation, Mr. Watson, moves that the Majority Report of the Committee "Ought not to pass" be accepted. Is this the pleasure of the House?

The motion prevailed and the Majority "Ought not to pass" Report was accepted.

Mr. MORRIS of Portage Lake: Mr. Speaker—

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. MORRIS: Mr. Speaker, I would like to table this resolve and have it specially assigned for next Wednesday.

The SPEAKER pro tem: The gentleman from Portage Lake, Mr. Morris, moves that the House reconsider its action whereby it accepted the Majority Report "Ought not to pass" of the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and on further motion of Mr. Morris the Reports with accompanying papers were tabled pending the motion of the gentleman from Moose River Plantation, Mr. Watson, that the Majority Report "Ought not to pass" be accepted and the matter was specially assigned for next Wednesday, April 15.

### Ought to Pass Printed Bills

Mr. Whitney from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 647) (L. D. 662)

Mr. Childs from the Committee on Legal Affairs reported same on Bill "An Act to Amend the Charter of the City of Hallowell relating to the Election of the City Marshal and Street Commissioner by the City Council" (H. P. 537) (L. D. 570)

Reports were read and accepted, the Bill read twice, the Resolve read once, and assigned the next legislative day.

### Tabled and Assigned

Mr. Gowell from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Sale of Fireworks" (H. P. 831) (L. D. 862)

Report was read.

(On motion of Mrs. Christie of Presque Isle, the Report with accompanying papers was tabled pending acceptance of the Committee Report.)

Mr. Stewart of Portland from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Disposal of Unlicensed Dogs" (H. P. 666) (L. D. 709)

Same gentleman from same Committee reported same on Bill "An Act relating to Unlicensed Dogs" (H. P. 668) (L. D. 711)

Mr. Woodcock from same Committee reported same on Bill "An Act Amending the Charter of the City of Bangor Relative to Change in Election Date and Budget Calendar" (H. P. 535) (L. D. 581)

Reports were read and accepted, the Bills read twice, and assigned the next legislative day.

### Ought to Pass With Committee Amendment

Mr. Harden from the Committee on Inland Fisheries and Game on Bill "An Act to Enlarge the Old Town Game Preserve" (H. P. 95) (L. D. 97) reported "Ought to pass"



as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to H. P. 95, L. D. 97, Bill "An Act to Enlarge the Old Town Game Preserve."

Amend said bill by adding at the end thereof the following paragraph: **'ORONO GAME PRESERVE:** That portion of Marsh Island in the Town of Orono bounded by the Old Town town line on the north, and Stillwater and Penobscot rivers on the west, south and east, be hereby designated the Orono Game Preserve.'

Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

#### Tabled

Mr. Fuller from the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote (H. P. 423) (L. D. 470) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

**COMMITTEE AMENDMENT "A"** to H. P. 423, L. D. 470, Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote

Amend said resolve by striking out the underlined words "except those for representative to the legislature" in the second and third lines of the fourth paragraph thereof.

Further amend said resolve by striking out lines three and four of the sixth paragraph of said resolve and inserting in place thereof the following 'clusive of foreigners not naturalized.'

(On motion of Mr. McGlaulin of Portland, the Resolve with accompanying papers was tabled pending adoption of Committee Amendment "A")

Mr. Stewart of Portland from the Committee on Legal Affairs on Bill

"An Act relating to Food and Shelter for Sick, Injured or Abandoned Dogs" (H. P. 667) (L. D. 710) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to H. P. 667, L. D. 710, Bill "An Act Relating to Food and Shelter for Sick, Injured or Abandoned Dogs."

Amend said Bill by striking out the underlined words "which will" appearing at the beginning of the 4th line of section 17-A and inserting in place thereof the underlined words 'who may'.

Further amend said Bill by inserting the underlined words 'the owner' before the underlined word "may" appearing in the 4th from the last line of section 17-A.

Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act relating to Throwing Substances on Highways Likely to Cause Fires" (H. P. 274) (L. D. 261) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to H. P. 274, L. D. 261, Bill "An Act Relating to Throwing Substances on Highways Likely to Cause Fires."

Amend said Bill by striking out the underlined words "from March 1st to December 1st of each year" appearing in the 4th and 5th lines of section 34-A.

Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions" (H. P. 533) (L. D. 555) reported "Ought to pass" as amended by Commit-

tee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 533, L. D. 555, Bill "An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions."

Amend said Bill by striking out the underlined words "**prior to final action thereon by the city council**" in the 14th and 15th lines of section 8 on page 2.

Further amend said Bill by adding at the end thereof the following: **'Referendum; effective date; return to secretary of state.** This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the city of Bangor at the next regular city election called and held for the purpose at the regular voting places of the city by the officers of the city of Bangor authorized to call such election. A check list shall be used at such election. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The result shall be declared by the municipal officers and due certificate thereof filed by the city clerk with the secretary of state.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters at said election.'

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties" (H. P. 534) (L. D. 580) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 534, L. D. 580, Bill "An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties."

Amend said Bill by adding thereto the following referendum clause: **'Referendum; effective date; return to secretary of state.** This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the city of Bangor at the next regular city election called and held for the purpose at the regular voting places of the city by the officers of the city of Bangor authorized to call such election. A check list shall be used at such election. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Bangor, passed by the 96th legislature, relative to changes in organization, powers and duties, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The result shall be declared by the municipal officers and due certificate thereof filed by the city clerk with the secretary of state.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters at said election.'

Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

#### Tabled

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act relating to Inflammable Oils and Liquids" (H. P. 673) (L. D. 716) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Trafton.

Mr. TRAFTON: Mr. Speaker, I move that Item 14 be laid on the table pending acceptance of the report for the purpose of offering an amendment.

The SPEAKER pro tem: Will the gentleman please approach the rostrum.

The gentleman from Auburn, Mr. Trafton, moves that the Report lie on the table pending acceptance. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was tabled pending acceptance of the Committee Report.

#### Passed to Be Engrossed

Bill "An Act relating to Korean Campaign Veterans' Preference in State Employment" (S. P. 56) (L. D. 84)

Bill "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority" (S. P. 203) (L. D. 543)

Bill "An Act relating to Voting at Cliff Island (S. P. 314) (L. D. 911)

Bill "An Act relating to Banks Renting Safe Deposit Boxes Adjudged Trustees" (S. P. 373) (L. D. 1108)

Bill "An Act relating to Sales of Estates of Non-Resident Owners" (S. P. 404) (L. D. 1115)

Bill "An Act Suspending Sardine Tax on Certain Cases of Sardines" (S. P. 512) (L. D. 1400)

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

#### Tabled and Assigned

Bill "An Act relating to Disposition of Liquor Seized or Forfeited" (S. P. 513) (L. D. 1399)

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

(On motion of Mr. Anderson of Greenville, tabled pending third reading and specially assigned for Wednesday, April 15.)

Bill "An Act relating to Salary of Members of the Legislature" (H. P. 250) (L. D. 280)

Bill "An Act relating to Structures Used by Spectators in Motorcycle Racing" (H. P. 527) (L. D. 565)

Bill "An Act to Authorize the Town of Brunswick to Provide for

the Collection and Disposal of Garbage and Rubbish" (H. P. 532) (L. D. 569)

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

#### Tabled

Bill "An Act relating to Assessments on Milk Dealers and Producers for Promotional Purposes" (H. P. 624) (L. D. 647)

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

(On motion of Mr. Gosline of Gardiner, tabled pending third reading.)

Bill "An Act relating to Motion Picture Operators" (H. P. 670) (L. D. 713)

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

#### Amended Bill

Bill "An Act relating to Fees of Plumbers" (H. P. 834) (L. D. 864)

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

Thereupon, Mr. Roberts of Dexter offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 834, L. D. 864, Bill, "An Act Relating to Fees of Plumbers."

Amend said Bill by indicating the repealing of the last sentence of the 2nd paragraph of section 1 thereof by drawing a line through said sentence as follows: "Any master plumber who fails to renew his license during any fiscal year, in subsequent years may renew his license only after payment of all unpaid renewal fees."

Further amend said Bill by indicating the repealing of the last sentence of the 2nd paragraph of section 2 thereof by drawing a line through said sentence as follows: "Any journeyman plumber who fails to renew his license during any fiscal year, in subsequent years may renew his license only after payment of all unpaid renewal fees."

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

Bill "An Act Amending the Town of Strong School District" (H. P. 932) (L. D. 1026)

Bill "An Act relating to Annual Meeting of Cousins and Littlejohns Islands Village Corporation" (H. P. 978) (L. D. 1066)

Bill "An Act relating to Pensions for Firemen of the City of Bangor" (H. P. 980) (L. D. 1068)

Bill "An Act relating to Signs Yielding Right of Way at Intersections" (H. P. 1005) (L. D. 1048)

Bill "An Act relating to Following Motor Vehicles" (H. P. 1006) (L. D. 1092)

Bill "An Act relating to Reclassification of State Aid Highways as Town Ways" (H. P. 1153) (L. D. 1301)

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

#### Tabled and Assigned

Bill "An Act relating to Journey-men Welders" (H. P. 1230) (L. D. 1424)

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

(On motion of Mr. Curtis of Bowdoinham, tabled pending third reading and specially assigned for Wednesday, April 15.)

Bill "An Act to Amend the Sales and Use Tax Law Relative to Packaging and Shipping Materials" (H. P. 1232) (L. D. 1426)

Bill "An Act relating to Permits for Moving Heavy Objects and Loads over Highways" (H. P. 1233) (L. D. 1427)

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

#### Tabled

Bill "An Act relating to Exemptions from Taxation of Veterans" (H. P. 1234) (L. D. 1428)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from St. George, Mr. Robinson.

Mr. ROBINSON: Mr. Speaker, I would like to table Item 22, Legislative Document 1428, because the sponsor is absent, and have it unassigned pending third reading.

The SPEAKER pro tem: The gentleman from St. George, Mr. Robinson, moves that Bill "An Act relating to Exemptions from Taxation of Veterans", House Paper 1234, Legislative Document 1428, lie on the table unassigned pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Resolve in favor of the City of Belfast (S. P. 397) (L. D. 1105)

Resolve Appropriating Money for the Purchase of "The Length and Breadth of Maine" (H. P. 313) (L. D. 385)

Resolve in favor of the Town of New Limerick (H. P. 1086) (L. D. 1221)

Resolve Reapportioning Certain Moneys Appropriated for Reformatory for Women (H. P. 1125) (L. D. 1278)

Resolve Reimbursing Certain Taxpayers in Indian Township (H. P. 1165) (L. D. 1320)

Resolve Authorizing State Highway Commission to Study Desirability of New Transportation Facilities Across Jonesport Reach from Town of Jonesport to Town of Beals (H. P. 1237) (L. D. 1430)

Mr. FULLER of South Portland: Mr. Speaker—

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. FULLER: Mr. Speaker, I move that the House adjourn until tomorrow morning at 9.30.

The SPEAKER pro tem: Will the gentleman defer his motion until we have disposed of the matters before the House?

The SPEAKER pro tem: The Chair recognizes the gentleman from Westbrook, Mr. Larrabee.

Mr. LARRABEE: Mr. Speaker, I would like to ask if any action was taken on Item 7a.

The SPEAKER pro tem: The Chair will state that Item 7a was passed to be engrossed.

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: On behalf of the House, I am sure the House has been pleased to have the Representative from Bangor, Mr. Fuller, serve as Speaker pro tem and for the House and personally I thank you very much.

Thereupon, Mr. Fuller was escorted to his seat on the floor, amid the applause of the House, the members rising, and Speaker Bates resumed the Chair.

#### House at Ease

Called to order by the Speaker.

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

Mr. FULLER: Mr. Speaker, I move that the House adjourn until tomorrow morning at 9.30.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House do now adjourn until 9.30 tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the House was so adjourned.