

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

Friday, April 10, 1953

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

Prayer by Lieut. Lloyd Scott of the Salvation Army of Augusta.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Reports of Committees
Divided Report**

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Qualifications of Liquor Licensees" (S. P. 414) (L. D. 1124)

Report was signed by the following members:

Messrs. TABB of Kennebec
BOUCHER of Androscoggin
DENNETT of York
—of the Senate

Messrs. LARRABEE of Westbrook
ANDERSON of Greenville
DOSTIE of Winslow
CHASE of Whitefield
ALBERT of Augusta
—of the House

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

Report was signed by the following members:

Mr. BROWN of Robbinston
Mrs. CHRISTIE
—of Presque Isle
—of the House

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

In the House, Reports were read and on motion of Mr. Albert of Augusta, the Majority "Ought not to pass" Report of the Committee was accepted in concurrence.

**Divided Report
Tabled**

Majority Report of the Committee on Taxation on Resolve Proposing an Amendment to the Constitution to Authorize the Legislature to Establish Classifications of Property for Uniform Assessment for Taxation (S. P. 37) (L. D. 40) reporting same in a new draft (S. P. 526) (L. D. 1418) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. CHASE of Cumberland
CARTER of Oxford
—of the Senate

Messrs. KEAY of Albion
LOW of Rockland
WILLEY of Ellsworth
ALBEE of Portland
DUQUETTE of Biddeford
—of the House

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

Report was signed by the following members:

Mr. WIGHT of Penobscot
—of the Senate

Messrs. SANFORD
of Dover-Foxcroft
SEAWARD of Kittery
—of the House

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

In the House: Reports were read. The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, I move the Minority Report, "Ought not to pass" be accepted in concurrence.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that the Minority Report, "Ought not to pass," be accepted in concurrence.

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

Mr. FULLER: Mr. Speaker and Members of the House: I am opposed to the accepting of the minority report on this item at this time, for this reason: That as it stands, it is going to be necessary at each session of the Legislature to go through the motions of assessing the State property tax, then go through the motions of having the State retain the tax on unorganized territory and return, by a bookkeeping transaction, the tax on the organized territory.

It seems to me that there would be very little controversy about the last part of this amendment, the part following the semi-colon. If there were controversy over that, Article 9, Section 8, could be amended by adding another sentence about which there would not be any controversy, so it seems to

me that this matter might be retained in this branch to see if something of that kind cannot be accomplished, and that is what I would like to see done, and after other members have had an opportunity to speak on it if they wish to, I would like to offer a motion that it lie on the table.

The **SPEAKER**: The Chair understands the gentleman from Bangor, Mr. Fuller, moves that Item 2, Majority and Minority Reports on L. D. 1418, lie on the table unassigned pending action on the motion of the gentleman from Dover-Foxcroft, Mr. Sanford, that the Minority Report, "Ought not to pass," be accepted in concurrence. Does the Chair so understand?

Mr. **FULLER**: Yes, Mr. Speaker. If no other member cares to speak on the matter, I will make that motion.

The **SPEAKER**: Is it the pleasure of the House that this matter lie on the table unassigned pending consideration of the motion of the gentleman from Dover - Foxcroft, Mr. Sanford?

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

Divided Report Indefinitely Postponed

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Junior Operators' Licenses for Motor Vehicles" (S. P. 382) (L. D. 1045)

Report was signed by the following members:

Messrs. **HASKELL** of Penobscot
JAMIESON of Aroostook
—of the Senate

Messrs. **TRAVIS** of Westbrook
DODGE of Strong
KELLY of Rumford
FINEMORE of Bridgewater
TOTMAN of Bangor
CURTIS of Bowdoinham
JEWETT of Bucksport
—of the House

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

Report was signed by the following member:

Mr. **CUMMINGS** of Sagadahoc
—of the Senate

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House, Reports were read and on motion of Mr. Travis of Westbrook, the two Reports, with accompanying Bill, were indefinitely postponed in concurrence.

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Immunity for Members of Legislature" (S. P. 485) (L. D. 1343)

Came from the Senate with the Report read and accepted.

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Corrupt Practices in Elections" (S. P. 491) (L. D. 1363)

Came from the Senate with the Report read and accepted.

Report was read.

In the House:

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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: I would like to make a motion that the bill be substituted for the report. I would like to further qualify my motion by frankly admitting that my sole purpose in making this motion is to try and evoke a little debate and explanation as to why the Judiciary Committee has so unanimously thrown out practically every bill which has been introduced, except one, to try and clean up some of the campaign information and the expenditures of money in campaigns.

My own bill I let go by without comment the other day, but I do feel that it would be at least courteous to some of us who are very much interested in keeping the campaigns on a clean level to know why they were thrown out. I therefore make a motion that the bill be substituted for the report.

The **SPEAKER**: The gentleman from Bangor, Mr. Totman, moves that Bill "An Act relating to Corrupt Practices in Elections, Senate Paper 491, Legislative Document 1363, be substituted for the "Ought

not to pass" report of the committee.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: It was my thinking, as a member of the Judiciary Committee, in voting "Ought not to pass" on this measure, that any effort along this line to try to regulate campaign purity by filed information was more or less ineffective in accomplishing its purpose and would just be one more complication. I think that the items of the bill could be explained in detail. I am not prepared to do so at this time.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Fitanides.

Mr. FITANIDES: Mr. Speaker and Members of the House: My reasons for signing along with the rest of the committee on this bill was that it was not inclusive enough; there is another measure coming along that was introduced by the gentlewoman from Rumford, Miss Cormier, that I think covers everything quite completely, and I have signed a minority report on that bill, and I hope there will be some debate on that one later.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, one of the other reasons for the report on this bill is the fact that another bill, introduced — I believe it was in the Senate — by, I don't recall the member's name, but it was worked out with the cooperation of the Deputy Secretary of State, and what seemed to be the desirable features of this bill we felt were incorporated in that bill, which is quite inclusive, and that is one of the major reasons that we felt that this bill was not necessary.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Totman, that the bill be substituted for the report.

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I move that the motion to substitute the bill for the report be indefinitely postponed.

The SPEAKER: Does the Chair understand the gentleman from Pittsfield, Mr. Cianchette, moves to indefinitely postpone a motion?

Mr. CIANCHETTE: Yes, Mr. Speaker.

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

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

Mr. TOTMAN: Mr. Speaker, if it will help matters, now having accomplished my aims, I will withdraw my original motion.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Totman, withdraws his motion.

Thereupon, the "Ought not to pass" report of the committee was accepted in concurrence.

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Submission of Information by State Employees and Candidates for Certain Public Office" (S. P. 492) (L. D. 1362)

Report of the Committee on Public Utilities reporting same on Bill "An Act Repealing Law relating to Street Railroads" (S. P. 324) (L. D. 814)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Taxation on Bill "An Act Exempting Certain Education Institutions from the Sales Tax" (S. P. 99) (L. D. 234) reporting same in a new draft (S. P. 524) (L. D. 1416) under same title and that it "Ought to pass"

Report of the Committee on Transportation on Bill "An Act relating to Special Registration Plates for Amputee Veterans" (S. P. 151) (L. D. 350) reporting same in a new draft (S. P. 525) (L. D. 1417) under same title and that it "Ought to pass"

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

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

Bills read twice and assigned the next legislative day.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve in favor of Presque Isle Armory Project (S. P. 121) (L. D. 330)

Report of same Committee reporting same on Resolve in favor of the Maine Historical Society (S. P. 122) (L. D. 331)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act Creating Coiby College Game Management Area" (S. P. 298) (L. D. 830)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Power of Leavitt Institute to Hold Property" (S. P. 86) (L. D. 194)

Report of same Committee reporting same on Bill "An Act relating to Legal Voters of Farmington Village Corporation" (S. P. 207) (L. D. 545)

Report of same Committee reporting same on Bill "An Act Amending the Charter of the Maine School for the Deaf" (S. P. 319) (L. D. 807)

Report of same Committee reporting same on Bill "An Act relating to Sale of Ammunition to Minors" (S. P. 375) (L. D. 1038)

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

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

Tabled

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Entertainment in Licensed Liquor Premises" (S. P. 132) (L. D. 320)

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

In the House: Report was read. (On motion of Mr. Stewart of Portland, the Report, with accompanying papers, was tabled without

assignment pending acceptance of the Committee Report)

Ought to Pass

With Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Liens on Certain Personal Property" (S. P. 43) (L. D. 56) 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. 43, L. D. 56, Bill, "An Act Relating to Liens on Certain Personal Property."

Amend said bill by striking out in the 3rd line of that part designated as "Sec. 70." the underlined word and figure "6 months" and inserting in place thereof the underlined word and figure "2 years"

Further amend said bill by striking out in the 4th line of that part designated as "Sec. 70." the underlined word and figure "6 months" and inserting in place thereof the underlined word and figure "2 years"

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

On motion of Mrs. Downing of North Kennebunkport, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Report of the Committee on Judiciary on Bill "An Act to Provide for the Approval of Degree-Granting Institutions" (S. P. 464) (L. D. 1299) 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. 464, L. D. 1299, Bill "An Act to Provide for the Approval of Degree-Granting Institutions."

Amend said bill by striking out in the 3rd line of that part designated "Sec. 124-A." the underlined word "shall" and inserting in place thereof the underlined word "may"

Further amend said bill by striking out all of the last sentence of the bill and inserting in place thereof the following:

'If in the judgment of the state board of education these changes are sufficient to warrant review of the institution's authority to confer degrees, it shall be the duty of the commissioner to report these changes to the current membership of the legislative committee which originally considered the measure.'

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

Report of the Committee on Legal Affairs on Bill "An Act to Ratify and Confirm the Incorporation of Berwick Monthly Meeting of Friends" (S. P. 27) (L. D. 15) 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. 27, L. D. 15, Bill, "An Act to Ratify and Confirm the Incorporation of Berwick Monthly Meeting of Friends."

Amend said Bill by striking out the words and punctuation "and all the acts of the members, officers and directors of said corporation, as such, prior to the effective date of this act, are hereby ratified and confirmed;" appearing after the

semicolon in the 3rd line of said act.

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

Report of the Committee on Legal Affairs on Bill "An Act to Create the Washington County Recreation Authority" (S. P. 208) (L. D. 558) 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.

Committee Amendment "A", which is Legislative Document 1431, was then read by the Clerk.

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

Report of the Committee on Liquor Control on Bill "An Act relating to State Liquor Warehouse and Wholesale Store" (S. P. 357) (L. D. 968) 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. 357, L. D. 968, Bill "An Act Relating to State Liquor Warehouse and Wholesale Store."

Amend said bill by striking out in the 6th line the underlined word "Augusta" and inserting in place thereof the following underlined words: 'a place designated by the state liquor commission'

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

Report of the Committee on Transportation on Bill "An Act Repealing Certain Laws relating to Teams Under Motor Vehicle Laws" (S. P. 270) (L. D. 957) 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. 270, L. D. 957, Bill "An Act Repealing Certain Laws Relating to Teams Under Motor Vehicle Laws."

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

'R. S., c. 19, § 73, repealed. Section 73 of chapter 19 of the revised statutes is hereby repealed.'

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

Report of the Committee on Transportation on Bill "An Act relating to Operation of School Buses" (S. P. 281) (L. D. 770) 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. 281, L. D. 770, Bill "An Act Relating to Operation of School Buses."

Amend said Bill by striking out in the next to the last line the un-

derlined words "**parked on any way**" and inserting in place thereof the underlined words '**stopped and does not contain any pupils**'

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

Bill Substituted for Report

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities" (S. P. 482) (L. D. 1341)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House:

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

Mr. **JACOBS**: Mr. Speaker, this bill gives the University of Maine the privilege of selecting four or five students who have received a high school education and a college education up to a higher education. It calls for \$5,000 of the State's money.

It did seem to the Committee on Appropriations that when the student receives a college education, that he or she should go on their own from there and not be obligated or obliged to come to the State for assistance.

Suppose, if this is passed, there are ten seeking this aid from the State for a higher education, and only five that are accepted can go, it seems to me it is discriminatory, one against another, so that is the reason why we voted "Ought not to pass."

The **SPEAKER**: Does the Chair understand the gentleman—

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. **DICKEY**: Mr. Speaker, I move that we concur with the Senate.

The **SPEAKER**: The gentleman from Brooks, Mr. Dickey, moves that the bill be substituted for the report in concurrence.

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

Mr. **CAMPBELL**: Mr. Speaker and Members of the House: I would like to say a word in support of

the committee's position in this matter. We all recognize the fact that it is a worthy cause, but due to the small amount of money requested in the appropriation, we feel that it would necessarily be discriminatory because we might have ten students who were equally worthy and only perhaps four or five could receive aid in this manner. So I hope that the motion of the gentleman from Auburn, Mr. Jacobs, prevails.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the bill be substituted for the report in concurrence.

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

Mr. ROUNDY: Mr. Speaker, I wish to rise in support of the motion of the gentleman from Brooks, Mr. Dickey, and I would like to recite one statement of fact that might easily apply in this particular situation.

We have had some talk in a previous Legislature that the State of Maine ought to educate physicians, recognizing the great need at the present time for an increased number of practicing physicians in this, our State. I am reminded that through this process we would be enabled to help certain ones studying in this field, whereby the State of Maine could be really helped, and I am in a position to report that the cost for providing within our own State for the education of physicians at the present time is of such extensive character, is so great, that the provisions of this bill would help very much indeed. For example, only a few years ago, perhaps back at the end of the first World War, the four years' expense for medical training — the average throughout the United States, would be \$2,000. At the present time for that four years of training it is \$15,000. It presents a very real difficulty, and I think this bill, in a small way, may lead the way to further adjustments whereby our State may have very great satisfaction and to the very real benefit of folks that are in special training and who very greatly need the help that our

State might provide. Thank you very much.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: The purpose of this bill is certainly worthy, but it appears to me that until we can do right by the undergraduate part of the university we should not spend extra money for postgraduate work. Certainly if there is this money available, I believe that it should go into the general fund budget for the university, and I hope that the motion of the gentleman from Brooks, Mr. Dickey, shall not pass.

The SPEAKER: The Chair recognizes the gentleman from Lime-stone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: I rise only for the purpose of attempting to clarify something that might be misunderstood.

To start with, the Committee on Appropriations recommended unani-mously "Ought not to pass." The \$5,000, which the original bill called for, admittedly is of no value. The measure itself is a wedge. I do not want to be misunderstood, that I am opposing anything in the field of education, be it regular or advanced education. The question I think we must decide here now this morning, or should decide, is whether or not we wish to take on an extra activity which will, without question, cost the State of Maine many, many thousands of dollars, and no doubt you will have placed before you, if you concur with the other branch, an amend-ment which will change this \$5,000 to some figure which will be of value to put the measure in operation.

If you are going to leave the figure at \$5,000, I believe you should adopt the committee report. If you wish to enter into this extra field of activity, and vote to concur with the other branch, then I think you should decide now that you will eventually, before the session is over, amend this to something like \$50,000 or \$100,000.

Now for my own personal part, I am again stating that I am not against any part in the field of

education. I believe that any money, any additional money, that you may wish to appropriate for the University of Maine, should be for free tuition for those boys and girls who cannot, under any circumstances, raise the money within their families to attend the university. There are a great many of them in our State, and their loss to society is of great importance. I think you should consider that against the others, and I hope that the committee report will be finally accepted and that the motion now before the House does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker. I rise for a point of information. I am a little bit confused on this matter and I would like to ask a question of Mr. Dickey, through the Chair.

The SPEAKER: The gentleman from Kennebunkport, Mr. Bibber, requests permission to address a question through the Chair of the gentleman from Brooks, Mr. Dickey. The gentleman from Kennebunkport, Mr. Bibber, may proceed.

Mr. BIBBER: Mr. Speaker, does this bill allow for a reciprocal agreement with other state universities in exchange of students, and what is the price figure set on it by other states?

The SPEAKER: The gentleman from Brooks, Mr. Dickey, may answer if he so desires.

Mr. DICKEY: Mr. Speaker, I do not have the price figure. This bill, as I understand it, will allow the various northern states to have their students — for instance, they have a school of medicine in Vermont; we have a very good school of pulp and paper in Maine; there is a belief that there will be a veterinarians school in Connecticut, a dentistry school in Massachusetts. We certainly want more doctors, we want more veterinarians, we want more dentists, we want more pulp and paper engineers.

Now we had permissive legislation, at the last session, whereby the University of Maine could put in a school of medicine. I imagine that would approximate around \$5,000,000, that we certainly could not afford, but we can afford to

make some agreement with the other states whereby our students could attend the school in Vermont for medicine, or the proposed veterinarian school in Connecticut.

I believe it is sound and I hope that you will go along with my motion.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the bill be substituted for the report in concurrence. As many as are in favor of the motion will please say aye; those opposed will say no.

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

The SPEAKER: Is it the pleasure of the House that the "Ought not to pass" report on Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities," Legislative Document 1341, be accepted in non-concurrence?

Mr. DICKEY: Mr. Speaker, I move this matter lie on the table.

(Calls of "No")

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that Item 25, Legislative Document 1341, lie on the table. As many as are in favor of the motion of the gentleman from Brooks, Mr. Dickey, that this matter lie on the table 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.

Fifteen having voted in the affirmative and seventy-seven having voted in the negative, the motion did not prevail.

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

Mr. TOTMAN: Mr. Speaker, on Item 24 - - -

The SPEAKER: The Chair will interrupt the gentleman to say that action has not been settled on Item 25 at this moment.

Mr. TOTMAN: Pardon me, Mr. Speaker.

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

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

Mr. TOTMAN: Mr. Speaker, on Item 24, I apologize for not being able to catch what I feel certain is an error in the amendment. Since it is a bill from my own committee, I ask the House to reconsider its action whereby it passed the bill with amendment to be engrossed, in order that I may make a motion to have it tabled until the next legislative day.

The SPEAKER: Does the Chair understand the gentleman is now talking about Item 24, Legislative Document 770?

Mr. TOTMAN: Yes, Mr. Speaker, "An Act relating to Operation of School Buses." I move that we reconsider our action whereby we passed the bill with committee amendment to be engrossed.

The SPEAKER: The Chair wishes to inform the gentleman that that item is assigned for third reading on the next legislative day, and if the gentleman is in favor - - -

Mr. TOTMAN: I withdraw my motion, Mr. Speaker.

The SPEAKER: The Chair thanks the gentleman.

Ought to Pass with Committee Amendment

Passed in Senate without Amendment

Report of the Committee on Claims on Resolve in favor of Wesley Ramsey of South Portland (S. P. 245) (L. D. 1438) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Committee Amendment "A" indefinitely postponed and the Resolve passed to be engrossed without amendment.

In the House, Report was read.

The SPEAKER: The Chair awaits a motion.

The Chair recognizes the gentleman from Gorham, Mr. Alden.

Mr. ALDEN: Mr. Speaker, I move the resolve be passed without amendment.

The SPEAKER: The gentleman from Gorham, Mr. Alden, moves that the House accept the report of the committee. Is this the pleasure of the House?

The motion prevailed and the "Ought to pass" as amended by Committee Amendment "A" report was accepted in concurrence.

On further motion of Mr. Alden, Committee Amendment "A" was indefinitely postponed in concurrence.

Thereupon, the Resolve was given its first reading and was assigned for second reading the next legislative day.

Ought Not to Pass Recommitted

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Fire Escapes" (S. P. 256) (L. D. 681)

Report of same Committee reporting same on Bill "An Act relating to Motor Vehicle Racing" (S. P. 258) (L. D. 682)

Report of same Committee reporting same on Bill "An Act relating to Open Air Drive-In and Summer Stock Theaters" (S. P. 471) (L. D. 1314)

Came from the Senate recommitted to the Committee on Legal Affairs.

In the House, Reports were recommitted to the Committee on Legal Affairs in concurrence.

Non-Concurrent Matter

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Fastening of Logs and Tubular Products Carried by Motor Vehicles" (H. P. 880) (L. D. 872) which was read and accepted in the House on April 8.

Came from the Senate recommitted to the Committee on Transportation in non-concurrence.

In the House:

The House voted to recede and concur with the Senate in the recommitment of the bill to the Committee on Transportation.

Non-Concurrent Matter

Bill "An Act relating to Taxation of Personal Property Held in Trust" (H. P. 417) (L. D. 465) which was passed to be engrossed in the House on March 31.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Clerk will read Senate Amendment "A".

SENATE AMENDMENT "A" to H. P. 417, L. D. 465, Bill "An Act Relating to Taxation of Personal Property Held in Trust."

Amend said bill by adding at the end thereof the following underlined sentence:

'Provided, however, that in the event any of the income arising therefrom is to be paid free of trusts to a non-resident, such personal property shall be taxable to the executor, administrator or trustee in the place where he resides to the extent of the beneficial interest of such non-resident.'

The SPEAKER: Is it the pleasure of the House to recede and concur with the Senate in the adoption of Senate Amendment "A" to Legislative Document 465 and pass the bill to be engrossed as amended in concurrence.

The SPEAKER: A paper from the Senate, not in the Advance Journal.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 14, 1953, at ten o'clock in the forenoon. (S. P. 533)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

Orders

Mr. Dickey of Brooks, presented the following Order and moved its passage:

ORDERED, that the State Librarian be directed to supply from the surplus stock, to such members of the House of Representatives as have not already received them, copies of the Session Laws of 1945, 1947, 1949 and 1951.

The SPEAKER: Is it the pleasure of the House that this order receive passage?

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

Mr. TOTMAN: Mr. Speaker, I will admit I don't know too much about that order, but it sounds like a very big order and I would like to have it explained a little bit.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, the reason I put in this order is for the reason that we are having a revision of the statutes, therefore I feel that the '45, '47, '49 and '51 session laws which are in surplus now would be perhaps of no value but they would be of value to the members of the House. There would not be any cost because they are in surplus now.

Thereupon, the Order received passage.

On motion of Mrs. Lord of Portland, it was

ORDERED, that Mr. Winchenpaw of Friendship be excused from attendance for the week beginning April 13, 1953.

Mr. Jacobs of Auburn, presented the following order and moved its passage:

WHEREAS, the General Fund appropriation bill is in the possession of the House, and the pending question thereon is Passage to be Engrossed;

AND WHEREAS, it is obvious that the action of the House in amending the Sales Tax Law requires substantial reduction in the total of that appropriation measure;

NOW THEREFORE BE IT ORDERED, that the House members of the Committee on Appropriations and Financial Affairs, be and hereby are directed to present to the House at the convening of the next legislative day, such amendment or amendments as in their judgment should be adopted by the House in order to reduce the general fund appropriation totals to a sum consistent with the House action in the reduction of general fund income related to the sales tax receipts on automobile sales.

The SPEAKER: Is it the pleasure of the House that this order receive passage?

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

Mr. TOTMAN: Mr. Speaker, I hate to get up here and always be the only one asking questions but there certainly are some questions on this order, in my mind.

My understanding was that the Appropriations Committee, in view

of some pending actions by this branch of the Legislature, on not only the automobile sales tax but possibly the tobacco sales tax, was going to suggest that the Appropriations Bill be recommitted.

Now it seems to me that this is a little bit premature. I hate to second-guess the committee if they want to do something, but I don't quite understand how they are going to come back the next legislative day and adjust the Appropriations Bill until they know what the Senate is going to do with the amendments that we knocked off yesterday, and furthermore, I still believe and it is my distinct impression that the Appropriations Bill was going to be adjusted, after we had acted on not just one tax measure but also, as I said before, the tobacco tax measure, and I don't quite understand the particular purpose of assigning this at least to the next legislative day.

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

Mr. STEWART: Mr. Speaker, I move that the order lie upon the table, unassigned.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves that the order lie on the table unassigned. Is this the pleasure of the House?

(Calls of "No")

As many as are in favor of the motion of the gentleman from Portland, Mr. Stewart, that this order lie on the table will say aye; those opposed will say no.

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

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

Mr. FULLER: Mr. Speaker and Members of the House, this is not a recommitment. This is a time saver, we hope, and the Appropriations Committee is going to try and show us, as I understand it, what will happen to our Appropriations measure in case the automobile tax is defeated and then we can also know what will happen in case the tobacco tax is defeated too, but it is a time saver — it probably would save a week — and the bill will still be on the table in the House but they are going to study the thing

and present to us just what they think should happen and will happen in case the automobile tax is defeated and also the tobacco tax.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: Mr. Speaker, I would like unanimous consent to address the House for a couple of minutes, off the record.

The SPEAKER: It would be the Chair's opinion that the fact that the gentleman wishes to address the House off the record may have little or nothing to do with the pending motion.

Thereupon, the order received passage.

House Reports of Committees Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Saturday Closing of Courthouse Offices" (H. P. 966) (L. D. 1054)

Report was signed by the following members:

Messrs. REID of Kennebec
HARDING of Knox
WARD of Penobscot
—of the Senate

Messrs. LOW of South Portland
FITANIDES of Saco
MARTIN of Augusta
FULLER of Bangor
McGLAUFLIN of Portland
—of the House

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

Report was signed by the following members:

Messrs. TRAFTON of Auburn
CIANCHETTE of Pittsfield
—of the House

Reports were read.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: This amendment provides as follows: "The public offices in county buildings may be closed to business on Saturdays and on the above named holidays."

Previously the "and on Saturdays" was not in the law. I believe the matter should be one of local option. In Androscoggin

County, to speak close to home and about things with which I am familiar, the banks do not open on Saturday; the insurance companies do not open on Saturday. In the summer the Bar votes in the months of July and August not to keep their offices open on Saturday. As the law now is, nevertheless, although the lawyers are not practicing law, although the banks are closed and do not need to go to the Registry of Deeds, the office has to be open and the Clerks in all of the offices in the county building stay on duty. They do so only as a skeleton force, but, even so, someone has to be there just to comply with the law as it is today.

It seems to me that a matter of local option should be created, that if, within a particular county, the people there do not wish to use the facilities in the county building, they should be allowed so to close. Now this says "may be closed." I believe that in the counties where lawyers all wish to go to work in the county building on Saturday, that the offices should remain open because the elective officials in the county would want to do what the public wishes. As it is now, they have to remain open even though the public does not want them to do so. It could be provided as an amendment that this should be a matter of decision by the County Commissioners. I do not believe, however, that that is necessary.

I move that the minority report be accepted.

The SPEAKER: The gentleman from Auburn, Mr. Trafton, moves that the minority "Ought to pass" report be accepted.

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

Mr. McGLAUFLIN: Mr. Speaker, the Judiciary Committee considered this matter very carefully and, as you will note, the majority of them are against this measure. At the present time the law requires the Probate Court, for instance, to be opened on Saturdays. There are very substantial reasons why it should be open on Saturdays. I, myself, want the privilege of getting into the courthouse on Saturday, especially when I am in this Legislature and don't have hardly any time at all at home. I do not want that courthouse closed or the offices

closed so that I cannot get in there.

I am definitely opposed to the motion of the gentleman from Auburn (Mr. Trafton).

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

Mr. FULLER: Mr. Speaker, this situation varies from county to county. In some counties there are as many as three courts functioning in the courthouse, namely, the Municipal, Probate and Superior. This bill does not purport to change the court holidays and make Saturdays court holidays, therefore we encounter an added question of whether a person on being arrested is entitled to an immediate or speedy arraignment and trial in the Police court. That is one of the reasons why I joined the majority in this report.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: Mr. Speaker, after talking with one of our county officials, I want to go on record as saying that I believe the majority of the county officers in my county favor the majority report. Not only that, to save speaking at some other time, they are not in favor of closing with personnel holidays or any other type, but would like to leave it just the way it is, and that is the way I feel.

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

Mr. TRAFTON: I would like to reiterate one point, Mr. Speaker. This does not compel any change from the way it is if you accept this law. It simply permits those places where there is a reason for changing to do so locally if they so desire.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Auburn, Mr. Trafton, that the minority report "Ought to pass" of the Committee on Judiciary be accepted.

Mr. FULLER: Mr. Speaker, I ask for a division.

The SPEAKER: As many as are in favor of the motion of the gentleman from Auburn, Mr. Trafton, that the minority report "Ought to pass" of the Committee on Judiciary be accepted will kindly rise and re-

main standing in their places until the monitors have made and returned the count.

A division of the House was had.

Thirty-three having voted in the affirmative and fifty-six having voted in the negative, the motion did not prevail.

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Political Party Representation on State Boards and Commissions" (H. P. 1021) (L. D. 1140)

Report was signed by the following members:

Messrs. REID of Kennebec
WARD of Penobscot
HARDING of Knox
—of the Senate
Messrs. McGLAUF LIN of Portland
TRAFTON of Auburn
FULLER of Bangor
LOW of South Portland
MARTIN of Augusta
CIANCHETTE of Pittsfield
—of the House

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

Report was signed by the following member:

Mr. FITANIDES of Saco
—of the House

Reports were read.

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

Mr. JALBERT: Mr. Speaker, the nine to one "Ought not to pass" report of the committee was really a bombshell of disappointment to me. If any members of the House feel that this is a political bill, they are wrong. (Laughter) The only reason I introduced the bill is because the time is coming when the minority will become the majority and I felt that, in view of that fact, I wanted to be certain that the majority that would become the minority would be protected. (Laughter)

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

Mr. McGLAUF LIN: Mr. Speaker, I move that the majority report "Ought not to pass" be accepted.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the majority "Ought not to pass" report be accepted.

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

Mr. ALBERT: Mr. Speaker, it is quite evident that the good gentleman from Lewiston (Mr. Jalbert) is trying to give us Republicans a break. It seems to me that we are getting along nicely now, and when his party does become a majority, then he can give us a break at that time.

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

Mr. FOGG: Mr. Speaker and Members of the House: I would like to point out that some times during the last twenty years in Washington the Republicans were very much on the small end of the deal, but they did receive minority representation on the commissions in Washington, and I think, to sort of compensate in the State of Maine here, it would be only fair to have minority representation on the commissions and the State boards here in the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Fitandides.

Mr. FITANIDES: Mr. Speaker and Members of the House: I arise only to bring one point out, and that is the point of health. It makes for a healthier situation when they are both represented on one board or commission.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. McGlaufflin, that the majority report of the Committee on Judiciary, "Ought not to pass" be accepted and sent up for concurrence. Is this the pleasure of the House?

(Calls of "No")

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

Mr. FULLER: Mr. Speaker, I ask that when the vote is taken, it be taken by a division.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, requests a division.

As many as are in favor of the motion of the gentleman from Portland, Mr. McGlauffin, that the majority "Ought not to pass" report of the committee be accepted 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. Seventy-four having voted in the affirmative and twenty-two having voted in the negative, the motion prevailed, and the majority "Ought not to pass" report of the committee was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to the Retail Sale of Wine" (H. P. 540) (L. D. 553)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin
—of the Senate

Messrs. ANDERSON of Greenville
CHASE of Whitefield
LARRABEE of Westbrook

Mrs. CHRISTIE of Presque Isle

Messrs. BROWN of Robbinston
ALBERT of Augusta
—of the House

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

Report was signed by the following member:

Mr. DOSTIE of Winslow
—of the House

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I move the acceptance of the majority report.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, moves that the Majority "Ought not to pass" report be accepted.

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I move that Item 3 be laid on the table.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the two reports with accompanying

papers be laid on the table pending acceptance of either report and unassigned. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: As many as are in favor of the motion of the gentleman from Brooks, Mr. Dickey, that the two reports with accompanying papers be tabled pending acceptance of either report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

None having voted in the affirmative and forty-three having voted in the negative, the motion of the gentleman from Brooks, Mr. Dickey, that the two reports and accompanying papers be tabled did not prevail.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to the Retail Sale of Wine," House Paper 540, Legislative Document 553, be accepted and sent up for concurrence.

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker and Members of the House: I am willing to debate that this morning. My only purpose in tabling it was that from some of your votes here I see that there are approximately 90 in the House. There may be some who are for and some who are against. I have no way of knowing. It is simply in the matter of fairness that I wanted to table it. However, as long as it is before us now, I will ask you to turn to Legislative Document 553.

Mr. Speaker and Members of the House: This is a long bill which covers ten pages. The pertinent points I will point out to you and the rest of the bill that is long is simply to clarify the law. I might add that the Deputy Attorney General, Mr. Heselton, has been over this bill and, in his judgment and in mine, all of the corrections are right.

Now, on the first page under 4a, you will note that the local option is in this bill. You will also notice on page 2 that the local option is

incorporated in the bill. You will note on page 4 that the fees of the wineries, about half-way down the page, in section 12, the license fee will be \$100. On page 5 the license fees are listed for wine only, \$300; malt liquor and wine together is \$500. On page 6, at the end of the first paragraph, you will note that we have put in "the approved government instrumentalities." You will note on the lower part of page 6 the retail wine license is \$100. Those are the things that you want to follow along in this bill. The rest of it, it is long reading, but as I said before it is simply to correct the law if you decide that wine should be handled through the retail stores.

I have the figures from Mr. Robie, the administrative assistant in the Liquor Commission; these figures were as of the year ending June 30, 1952. They were the latest figures available. Sales on wine, \$1,835,-517.85; gross profit \$623,663.64; net profit, this is the dilly, the net profit is only \$361,767.90. That is from the sale of 448,381 gallons of wine. Under my bill, and this is my bill, I estimate that the winery licenses at \$100, I assume there will be perhaps in the neighborhood of twenty, that is \$2,000. The wholesalers licenses, I assume there will perhaps be thirty at \$200 apiece, \$6,000. The best estimate I could have for the retail licensees, there would be 1800 at \$100, which would be \$180,-000. Assuming that the sale of wine would be the same, 448,381 gallons of wine at 40 cents would bring you a return of \$179,352.40. This would bring in a total of \$367,352.40 or \$5,884.50 more than was received at the same time and yet not have any headaches over scandals that we have had.

We had quite a hearing. I didn't ask anybody to appear for me. There was one gentleman from the Wine Institute whom I thought did a very good job in pointing out to the committee the features of this bill and I believe that one gentleman was a wholesaler of beer at the present time who was interested in this bill. I did not ask them to appear. There was a whole houseful of opposition. Whether it is the same old story, I'm against, I'm against for no particular reason. I will point out to you a letter of the

newspaper of the Civic League, called the Civic League Record. This is dated February 1953 wherein they say: "The liquor interests are conducting a very vigorous campaign at the Legislature this winter. They are attempting the sale of wine in grocery stores, which is just another means to break down control." That is a lie. This is my bill. I have been working on it two years.

Now, if you people are sick and tired of reading these so-called reports in the papers, you can understand why I would put in this bill. "Bird Report of the Maine Liquor Probe," "Full Text of Bird Report"—it isn't just old stuff, it is still in the papers. "Politics No Guide to Maine Liquor Buying"; "Cross Charges Political Slush Fund"; "Bird Report on State Liquor Probe"; "Cross Presents Probe Plans"; "See Move to Rule New State Administration as Two Wine Firms Drop Maine Salesmen." It is all up-to-date.

I think the conservative figure would be that we have spent in the neighborhood of \$100,000 on this investigation, which is only wine. Where have we got? We have only had the opportunity of spending \$100,000. Your people and my people will probably ask you: "What are you going to do about it?" What have we done about it? We haven't done anything about it. But if you want to do something about it you can go on my bill and it will clean it up because when you throw the skids under the whole business, that is the thing that will clean it up. There won't be any more money going down the rat hole. In this House we turned down an appropriation proposal of \$35,000 for more investigation. As far as I know now we are spending \$500 a week for more investigation. What are we going to get? I will tell you that we aren't going to get anywhere and you can remember those words that I have told you. You won't get anywhere. These people won't talk. And what does it all concern? Wine! This has been a hot potato ever since Prohibition was repealed in the State of Maine and it will continue to be a red hot potato. I have nothing against the present commissioners but my bill will look to the future. It has happened before; it may happen again.

I trust that it won't but let's set it up so that it will not happen again.

Some of the people here at the hearing, one of the men, said that I was trying to tear the roof off the building which could be repaired. I am not trying to tear the roof off the building. I want to move into a new building. The other one is full of termites. We have tried to repair it. In one instance, which I mentioned to you, with \$100,000 we tried to repair it. You can't do it. Let's build a new house. How can you build it? Go along with my bill, 553. That is for free enterprise, members, and that is what has made America great. The State of Maine shouldn't be in any business. Why are they in the wine business? Simply because years ago when they first put the wine bill in they thought that it would keep it clean if the State had control. It is certainly clean. It is one of the greatest scourges on the State of Maine.

One gentleman said that it was not a wet and dry issue. He said he was not against free enterprise except wine. He was afraid of the double sale. He said that the best control was by monopoly. Wanted to stop the leaks. One other gentleman got up and he wanted to bring in class. Tried to arouse class hatred. What has class got to do with it? Another gentleman said that the reason France lost the war was because all of the Frenchmen were drunk. I tell you that if the committee had listened and their vote was 9 to 1, they didn't listen very well. 9 to 1. I sell fire pumper. That has to do with water pressure. We have had other pressure. You couldn't even walk up and down the corridors here. They even had the nerve to send a letter to me asking me for a dollar because they are so poor that they can't have lobbyists here.

Then they send out another letter, "Civic League Record of March reports the liquor business runs the State into the red \$24,000,000." Is that the kind of stuff that we are going to swallow here? I can mention the Civic League very well; I can mention the Women's Christian Temperance Union because I realize they have representatives in this House. Therefore, I feel that it is upon me to make the statements and they can refute them if they

see fit. They tell you in a letter that they sent me, I believe this is the Civic League, that they work for the election of legislators and other officials concerned with the improvement of existing laws. Yet they will go against this bill. That is exactly what I am trying to do is to improve the existing laws. They ask for the truth, the League places before the people the truth about this insidious traffic in their State. Yet I say to you, are they telling the people the truth when they accept this gobbledegook about \$24,000,000 in the red when they say to you that the liquor interests are the ones behind the bill; when they tell you that the Frenchmen lost the war simply because they were drunk?

One other gentleman came before this committee. He was in the wine business. His name was O'Toole. He said he was connected with the Lawrence Bottling Company. He was very much against this bill. There is not much I can say about that gentleman except to ask you to read in the Legislative Record, page 93; the files of the Liquor Commission show filings on October 22, 1951 of this company was 65 cents a fifth and \$1.50 a gallon. Yet after a phone call, new price listings filed, showed 75 cents a fifth and \$1.75 a gallon. I don't think that I need to say anything more about that gentleman. Yet he was one who opposed my bill.

I have got a whole file of letters from people telling me that I am a cad and all that sort of thing. But I tell you that when I come here to the Legislature I am going to try and do what is right. We have our Legislative Research Committee in their third Report to the 96th Legislature, dated January 1953, wherein they recommend and we assume that these gentlemen made a great study, they state that the State should either go out of the wine business or jack up the price so that they can make a little more profit. I can agree with them that they should go out of the wine business but there is no sense in jacking up the price when the difference between the gross profit is \$600,000, down to a net profit of \$300,000. They would simply be jacking up the price to the people

who pay for it and yet we wouldn't get any more profit out of it.

I suppose I could read the newspapers here. It is only twenty minutes past eleven. I assume many of you want to go home. These figures you can substantiate in the Liquor Commission yourself.

We praise Longfellow. He praised a cup of wine, devoted a great verse to it, as I mentioned in the committee hearing. The great man, Thomas Jefferson, advocated wine as a beverage of temperance. Wine is as old as civilization itself. I have protected it under my bill, the local option. I might add that I represent nine towns, eight of them are dry. Maybe you think that it takes courage but I don't think so. If you believe you are right, you will vote your own convictions.

The figures that I have, they were in 1943, the latest that I have available, shows that 34 per cent of the wine used was used as food with meals and 8 per cent was used in cooking. In a broadcast that I listened to a short time ago by Cedric Adams, now this is quoting beer instead of wine, 74 per cent of the beer sold was consumed in the home. This is just a guide for your thinking and 51 per cent of the beer sold was purchased by women. 28 states permit the sale of wine in food stores. There are 17 monopoly states the same as the State of Maine. 8 of them permit the sale of wine in stores. They are Michigan, North Carolina, Ohio, Oregon, Vermont, Virginia, Washington and Wyoming.

Of course, I hope that the motion of the gentlewoman from Presque Isle (Mrs. Christie) does not prevail. As long as she hastily got up on the floor and grabbed the bull by the horns, it is all right by me but I will recall that in reading the rules of the House the person to be recognized is the one who gets up and asks and I think that I was the first one who spoke and as long as she was so anxious to get up I will let her have the floor and I may return with a few remarks.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I wish to apologize to the gentleman from Brooks (Mr. Dickey) for taking from him his prerogative, if that is correct, and I do not want to take the time of this House today to discuss this bill at any length. Since Mr. Dickey has been quoting some poets, I would like to make one or two quotations. Solomon said "Wine is a mocker and who-soever is deceived thereby is not wise." Shakespeare said: "Oh, thou invisible spirit of wine if thou hast no name to be known by, let us call you devil."

Any further than that, I will not go but I will say this, that if there is any bill which is opposed by the general public my observation is that this bill is it. I have had more people speak to me and say: "You won't let that wine bill go through, will you?" With that, I am not going to say any more.

I ask that when the vote is taken it be by division.

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

Mr. TONDREAU: Mr. Speaker and Members of the House: I would like to say that even though I am in the grocery business I have no especially strong feeling as to which way the House decides on this matter. However, I would like to say in support of the grocery business that if wine is returned to free enterprise that I don't see as we would have a very great amount of difficulty in keeping the standards in the sale of wine at a better level than it has been in the past few years.

I would, however, like to point out that now the State has given wine such a poor light that I don't know as we would want to carry it.

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

Mr. FULLER: Mr. Speaker and Members of the House: In connection with this bill, I would like to make one brief observation. You can see from it just what the situation is as far as the financial policy of the Legislature with respect to the Liquor Commission is to be. It costs just as much money to store a bottle of wine, and to transport

a bottle of wine, and handle a bottle of wine by the Liquor Commission as it does to go and transport and sell a bottle of hard liquor which costs several times more. That accounts for the very small margin of profit as the gentleman from Brooks (Mr. Dickey) has pointed out which is connected with the wine sales by the Liquor Commission. In some states we ran into a further situation which I think is not accurately reflected here as yet, and that is that when the federal government imposed an additional tax on hard liquors that caused the sales of hard liquor to decline and the sales of wines to increase and that threw the thing out of joint even more than it would otherwise be. But there is the situation. I mean, we are the body that determines matters of policy aside entirely from the goodness or badness of it, there it is. We either go along with allowing the Liquor Commission to handle wine and accept a small profit or we get the Liquor Commission out of that and out of whatever difficulties are connected with it and put it back under private sale as Mr. Dickey wishes to do.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to the Retail Sale of Wine," House Paper 540, Legislative Document 553, be accepted and sent up for concurrence.

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker and Members of the House: As long as we want to keep on quoting people, I can tell you that George Washington had wine as his favorite beverage. Wine is mentioned in the Bible 165 times. In the book of Laws, tenth verse, there is a quotation that we could interpret as to misinform a little is to misinform much. I have tried to point out to you where the committee was certainly misinformed and I imagine that with all of the high pressure of the lobbyists in the corridor, you have heard much misinformation.

Another little item that you would be interested in is that not only in the profit of \$367,000, which I have estimated, there should be a profit in the neighborhood of \$40,000 from the sales tax. This bill simply puts before you, ladies and gentlemen of the House, whether you want good government or whether you want to leave it open whereby we may go through another scandal that we have in the past couple of years and which has been festering since the State went out of Prohibition.

One other item that you should be interested in, in good government, is if we are allowed to sell wine in the package stores I would hope that it would put a good many of the bootleggers out of business. That is a great item for you to consider. I trust that the motion of the gentlewoman from Presque Isle, Mrs. Christie, does not prevail.

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

Mr. JALBERT: Mr. Speaker, at one of the meetings of the Legislative Research Committee of which I was a member the question was asked from our attorney whether the solution might or might not be to go out of the wine business. He stated that it would be as far as monopoly is concerned; he stated very definitely in his opinion that was the answer. It was then the concensus of opinion of most members of the committee that that might be the answer, and had the committee not taken the stand of either raising the price or going out of the wine business, or taken a definite stand for one or the other, I feel very certain that the answer would have been, "Go out of the wine business."

There are some points which have not been touched upon that I would like to bring to your attention very briefly. One is this: The State of Maine today enjoys approximately five per cent increase so far as sales of malt beverages, wine and hard liquors. There is only one answer for it. The rest of the nation, as far as revenue is concerned, is down. The answer to that is good enforcement. I have stated so publicly and privately, and I think the head of the enforce-

ment division in Maine is one of the best in the country. The answer for our hike is enforcement.

This measure here would not take away dollars, but it would place the problem strictly under enforcement. I assure you of one thing; if you care to go over the record of performances of our liquor industry in Maine you will find that the malt beverage industry handle themselves within themselves and are doing a splendid job of it.

The thought as stated by my friend, the gentleman from Bangor, Mr. Fuller, is accurate. It cost approximately two dollars to handle a case of let us say sixty-five or seventy dollar a case Scotch and it costs two dollars to handle a case of say eight or nine dollar a case wine.

Another thought I would like to bring to your attention in support of Mr. Dickey is that it would become an expense so far as handling it is concerned because in certain periods of the year the stores throughout the State are clogged up with wine, so it will become a fact, at these higher prices, as far as rents are concerned, that in due course of time the stores will have to be enlarged, and naturally that means more of an expense.

Without going into a lengthy dissertation, I cannot help, as a member of the Appropriations Committee, bringing this thought to you, not only as a member of the Appropriations Committee but as a member of the sub-committee that first, so to speak, started this ball rolling. Where we arrived is anyone's guess. However, I must bring this thought to you. That is why I am for Mr. Dickey's bill. I know how much time he has spent on this measure, and I do not believe anybody can question his sincerity. I will leave this one thought with you. Whatever comes in the future is also anybody's guess. But I guarantee you one thing: 99 per cent of all the trouble during all of the investigation so-called centered around our wine bottle. I am not going to talk here about individuals who might set themselves up as king-makers, but I can guarantee to you that it has happened many times. If you care to come over to the Liquor Commission I will show

you slips where one individual might suggest to the Chairman of the Liquor Commission "Order a little more wine."

I must leave this one thought with you, and I repeat: 99 per cent of all the trouble centered around the wine bottle. This will place it under enforcement, and I guarantee you that there will be no she-nanigans with Mr. Murphy. I certainly hope that the motion of the lady from Presque Isle, Mrs. Christie, will very definitely not prevail.

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

Mr. GATES: Mr. Speaker and Members of the House: We have heard considerable talk in regard to figures, how much money was involved. I presume perhaps they are right. But there is one thing that they can't figure and that is the damage to the citizens of the State of Maine. If you permit this wine to be sold in the grocery stores you are simply multiplying your outlets, and the more outlets you have the more damage you are going to do. It is ridiculous to talk about eliminating the scandal. It will simply mean more outlets for more scandal. It is my observation, and I do not believe that any member in this House can successfully contradict me, that the men who sell this liquor will not abide by any rules and regulations, and I do not believe you can employ enough enforcement officers in the State of Maine to clear it up and do away with the scandal. Those are just thoughts to consider. I thank you.

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

Mr. McGLAULIN: Mr. Speaker, I want to state that I shall go along with Mrs. Christie's motion.

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

Mr. SANFORD: Mr. Speaker, speaking about percentages, I really honestly believe that 99 per cent of the trouble starts around some bottle, and I do hope that Mrs. Christie's motion prevails.

The SPEAKER: The pending motion before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the ma-

majority report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to the Retail Sale of Wine," (H. P. 540) (L. D. 553) be accepted and sent up for concurrence. The same gentlewoman has requested a division.

As many as are in favor of the motion of the gentlewoman from Presque Isle, Mrs. Christie, 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.

Sixty having voted in the affirmative and thirty-five in the negative, the motion prevailed and the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Brown from the Committee on Claims reported "Ought to pass" on Resolve in favor of Ervin E. Hustus of Rockland (H. P. 1202) (L. D. 1437)

Mr. Watson from the Committee on Inland Fisheries and Game reported same on Bill "An Act Relative to Closed Season on Pheasants in Penobscot County" (H. P. 408) (L. D. 457)

Mr. Small from the Committee on Labor reported same on Bill "An Act relating to Work Permits for Minors" (H. P. 107) (L. D. 109)

Mr. West from same Committee reported same on Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels" (H. P. 225) (L. D. 252)

Reports were read and accepted, the Bills read twice, the Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Currier from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Flagstaff Lake (H. P. 736) (L. D. 753) 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. 736, L. D. 753, Resolve Regulating Fishing in Flagstaff Lake.

Amend said resolve by inserting the underlined word 'point' after the first word "single" in the fifth line.

Further amend said resolve by inserting the underlined word 'point' after the last word "single" in said fifth line.

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

Mr. Chase from the Committee on Liquor Control on Bill "An Act relating to Duties of the Liquor Commission" (H. P. 937) (L. D. 997) 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. 937, L. D. 997, Bill "An Act Relating to Duties of the Liquor Commission."

Amend said bill by striking out all of the last underlined sentence and inserting in place thereof the following underlined words:

'The commission may refuse to issue licenses to corporations when any of its officers, directors or stockholders do not possess the qualifications required of unincorporated persons under the provisions of this section.'

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

Mr. Low from the Committee on Taxation on Bill "An Act Exempting Ships' Stores from Maine Sales Tax" (H. P. 17) (L. D. 11) which was recommitted, 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. 17, L. D. 11, Bill "An Act Exempting Ships' Stores from Maine Sales Tax."

Amend said Bill by striking out all of that part designated "III-A" and inserting in place thereof the following underlined subsection:

“III-A Ships’ stores. Sale of cabin, deck and engine supplies to ships engaged in transporting cargo or passengers for hire in interstate or foreign commerce, not to include fuel and bunkering oil.”

Committee Amendment “A” was adopted and the Bill as amended was assigned for third reading the next legislative day.

Passed to Be Engrossed

Bill “An Act relating to the Salary of Register of Probate of Hancock County” (S. P. 236) (L. D. 596)

Bill “An Act Amending the Charter of the Sewer District in the Town of Sanford” (S. P. 327) (L. D. 817)

Bill “An Act to Amend the Charter of Aroostook Valley Railroad Company” (S. P. 328) (L. D. 816)

Bill “An Act Repealing Tax on Oleomargarine” (S. P. 379) (L. D. 1042)

Bill “An Act Repealing Certain Laws relating to County Commissioners’ Duties re Ferries and Toll Bridges” (S. P. 424) (L. D. 1128)

Bill “An Act relating to Additional Probation Officer for Cumberland County” (S. P. 472) (L. D. 1315)

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

Bill “An Act relating to the Sales Tax on Motor Vehicles” (S. P. 509) (L. D. 1388)

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

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

Mr. STEWART: Mr. Speaker, I move the indefinite postponement of the bill and ask to have the privilege of speaking to that motion.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Stewart, moves that Bill “An Act relating to the Sales Tax on Motor Vehicles”, Senate Paper 509, Legislative Document 1388, be indefinitely postponed.

Does the gentleman have something beyond that motion?

Mr. STEWART: Mr. Speaker, I asked to have the privilege of speaking to that motion.

The SPEAKER: The gentleman may proceed.

Mr. STEWART: Mr. Speaker, I had a little conversation at the Augusta House after the vote was taken last night. A gentleman said to me: “How do you manage to take so many times the side which has so few votes?” And I stated to him that I am sort of a bellweather of the opposite type. That I go a certain way and the House goes the opposite way. And the gentleman representing the car dealers said: “I certainly hope so.”

Seriously, I feel that the vote of yesterday was the death rattle, the sound of the death knell of a great many fine bills which have been presented to this Legislature but that has been taken as a signal for killing some of these bills or cutting them down severely as indicated by the order which has been presented to you this morning and which has received passage, the order dealing with the Committee on Appropriations.

The question of inequities under the law was discussed in the debate yesterday and the question of double taxation. There are a great many examples of double taxation under the law. For instance, the tax on tobacco is an item of double taxation. The tax on beer is another example of double taxation. The tax on liquor, the mark-up on liquor, is a case of double taxation. These might be considered to be taxed on the turn-in of liquor. It seems to me that the argument that deals with remedying a hardship presents a situation where there are many hardships more meritorious that should be remedied such as the tax on water under the sales tax. The arguments about inequities, inequalities, I think they can be answered by stating that these exemptions in the sales tax constitute a full bill of particulars of inequality and if we are going to start remedying inequalities there is much revision to be done. If we continue to strip these revenue-producing measures in what someone predicted may be a time of financial recession we may find ourselves in a condition of financial nakedness.

There is before this Legislature and it has received a favorable report a bill to take away the tax on

tobacco products and that would similarly, according to my views, strip a ready revenue producing measure that does not constitute a grave financial hardship. It is my hope that you will take the opportunity on this consideration of the motion this morning to reconsider your vote of yesterday and to give the bills which are before the Legislature an opportunity for passage.

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

Mr. BROCKWAY: Mr. Speaker, if I am now in order I would like to present House Amendment "A" to Senate Paper 509, L. D. 1388.

The SPEAKER: The gentleman from Milo, Mr. Brockway, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

The CLERK:

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

Amend said bill by adding to the title the words "and Certain Agricultural Materials"

Further amend said bill by adding at the end thereof the following:

"Sec. 3. R. S., c. 14-A, § 10, sub-§ VI, amended. Subsection VI of Section 10, of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951, is hereby amended to read as follows:

'VI. Seed, feed, fertilizer and other agricultural material. Sales of seed, feed and , fertilizer, insecticides, fungicides, herbicides, defoliants and plant growth regulators used in agricultural production and sales of bait to commercial fishermen."

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

Mr. BURGESS: Mr. Speaker, I move the indefinite postponement of House Amendment "A" and would like to state my views very briefly.

First, the matter of repealing the sales tax law which this amendment is an attempt in some degree should be introduced through the regular channels and have a public hearing.

Second, the question, as I understand it, that has been before the

House and has received proper debate has been one of changing the tax on motor vehicles to net rather than to continue to pay on the trade-in allowance.

Therefore, I hope the House will stick to the line, decide how you will the final outcome of that issue, but not allow amendments to enter in and open the door and eventually cause a great deal of confusion and trouble which might be beyond our control at this time.

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

(Cries of "Yes" and "No")

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

Mr. BROCKWAY: Mr. Speaker, in presenting this amendment, before I presented it, I looked the other legislation over in regard to the tax bills and I couldn't seem to find anything which I thought I could put this amendment onto. I believe that this is certainly a fair bill. People engaged in agriculture are paying a sales tax on these items which are, as I understand it, exempt from people engaged in industry.

I have no particular quarrel whether this is accepted or not but I want to get it before the members of this Legislature and I ask that when the vote is taken it be taken by division.

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

Mr. FINMORE: Mr. Speaker, I would like to go along with my good friend, the gentleman from Limestone, Mr. Burgess, and say that yesterday I stated that I would go along with this bill in its original form and I believe that that is the only way we should go along. Our talk back home was on the automobile industry and not on anything else so I would like to go along with Mr. Burgess on that idea. I will go along with the original bill but I do not care for these amendments.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that House Amendment "A" be indefinitely postponed. The

gentleman from Milo, Mr. Brockway, has requested a division.

As many as are in favor of the motion of the gentleman from Limestone, Mr. Burgess, that House Amendment "A" be indefinitely postponed 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.

Seventy-seven having voted in the affirmative and eight having voted in the negative, House Amendment "A" was indefinitely postponed.

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

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

Mr. STEWART: Mr. Speaker, I ask for a division on the now pending motion.

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

Mr. SENTER: Mr. Speaker, I move that Item 7, Bill "An Act relating to the Sales Tax on Motor Vehicles," be tabled at this time and specially assigned for Tuesday next.

The SPEAKER: The motion to table is in order. The gentleman from Brunswick, Mr. Senter, moves that Bill "An Act relating to the Sales Tax on Motor Vehicles", Senate Paper 509, Legislative Document 1388, lie on the table pending the motion of the gentleman from Portland, Mr. Stewart, that the bill be indefinitely postponed and be specially assigned for Tuesday next. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Brunswick, Mr. Senter, that the matter be tabled and specially assigned for Tuesday next, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

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

Mr. BURGESS: Mr. Speaker and Members of the House: I want to apologize for presenting my views to you again in regard to this matter before the House. I would like to point out to you that this morning we passed an order ordering your House Committee on Appropriations to present suggested reductions in the Appropriations Bill which would take care of your loss of revenue should this bill become law. I believe that what I stated yesterday in effect interpreting your ideas of wishing reductions in the Appropriations Bill and economies effected should be given an opportunity now to be realized.

I suggest to you that you vote against the indefinite postponement of this measure, that as soon as the House Committee has had a chance to carry out your instructions with respect to the order of this morning you seriously consider the economies which they suggest. You will have ample opportunity on several occasions before this bill is finally enacted to indefinitely postpone it if you wish, but the mechanics are set up and they are in motion to bring about exactly what you people have demonstrated that you wish. Therefore, I hope that the motion of the gentleman from Portland, Mr. Stewart, my good friend, does not prevail.

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

Mr. NADEAU: Mr. Speaker, to make sure that we have a quorum I move that we vote by yea and nay so that there will be no argument on our action.

The SPEAKER: The gentleman from Biddeford, Mr. Nadeau, requests that when the vote is taken, it be taken by the yeas and nays. 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.

Obviously less than one-fifth of the members having risen, the yeas and nays are not ordered.

The question before the House is on the motion of the gentleman from Portland, Mr. Stewart, that Bill "An Act Relating to the Sales Tax on Motor Vehicles," Senate Paper 509, Legislative Document 1388, be indefinitely postponed. The same gentleman has requested a division.

As many as are in favor of the motion of the gentleman from Portland, Mr. Stewart, for indefinite postponement 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.

Twenty having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

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

Mr. GOSLINE: Mr. Speaker, in spite of the decision on the amendment of the gentleman from Milo, Mr. Brockway, it seems to me that the tendency of the House is to go along with further reductions in the revenue - - -

The SPEAKER: Does the Chair understand, and apologizes for interrupting, that the gentleman is speaking to the amendment offered by the gentleman from Milo, Mr. Brockway?

Mr. GOSLINE: No, Mr. Speaker, House Amendment "B", filing number 305, and I move its adoption.

The SPEAKER: The gentleman from Gardiner, Mr. Gosline, offers House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B".

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

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

Amend said bill by adding to the title the words 'and Certain Farm Vehicles'

Further amend said bill by adding at the end of section 1 the underlined words 'and means farm vehicles, which are operated by power whether or not self propelled'

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

Mr. GOSLINE: Mr. Speaker, thinking over that document I think it calls for gasoline-operated vehicles and there is a gap in there that I don't think is fair. Some of our larger operators of farm equipment have gas-propelled farm equipment. There is a big gap in there of the smaller farmers who have hay balers, field choppers and combines that are drawn by their tractors. The fuel used in this equipment either pays the gas tax or pays the sales tax on the fuel that is used and I think that they are entitled to the same consideration as the farm truck or the road truck or the self-propelled farm equipment. I think the amendment, if you will look at it, is really self-explanatory, anything that is power driven, hauled by a tractor and used on a farm would be covered in this amendment.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: This looks like an amendment that means more trouble than most of the others, due to the fact that up in our county there are a lot of farmers who own bulldozers that cost anywhere from ten to twenty thousand dollars. It looks to me if you take the tax off of them that you would be losing considerable tax and our combines up in our county are going to lose quite a lot of money. It looks to me now as if this 1388 is getting to mean a lot of tax. Therefore, I would like to stick to my stand, I hate to drop back now, I move that we indefinitely postpone this amendment, House Amendment "B" to Legislative Document 1388.

The SPEAKER: The question before the House is on the motion of the gentleman from Bridgewater, Mr. Finemore, that House Amendment "B" be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed and House Amendment "B" was indefinitely postponed.

Thereupon, Bill "An Act Relating to the Sales Tax on Motor Vehicles, Senate Paper 509, Legislative Document 1388, was read the third time, passed to be engrossed and sent to the Senate.

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)

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)

Bill "An Act relating to Disposal of Unlicensed Dogs" (H. P. 666) (L. D. 709)

Bill "An Act relating to Unlicensed Dogs" (H. P. 668) (L. D. 711)

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)

Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 647) (L. D. 662)

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

Amended Bills

Bill "An Act relating to Dogs Attacking Domestic Animals or Fowl" (S. P. 69) (L. D. 153)

Bill "An Act relating to the Powers of the Maine Turnpike Authority" (S. P. 127) (L. D. 336)

Bill "An Act relating to Regulation of Posts and Wires" (S. P. 325) (L. D. 815)

Bill "An Act Amending the Charter of the Waterville Sewerage District" (S. P. 326) (L. D. 927)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee

Amendment "A" and sent to the Senate.

Bill "An Act to Enlarge the Old Town Game Preserve" (H. P. 95) (L. D. 97)

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

On motion of Mr. Latno of Old Town, the House voted to reconsider its action of yesterday where-by it adopted Committee Amendment "A"; and the same gentleman then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

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

Amend said Amendment by adding thereto the following paragraph:

Further amend said Bill by adding to the title thereof the words 'and to Create the Orono Game Preserve'.

House Amendment "A" to Committee Amendment "A" was adopted and on further motion of Mr. Latno Committee Amendment "A" as amended by House Amendment "A" was adopted.

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

Bill "An Act relating to Throwing Substances on Highways Likely to Cause Fires" (H. P. 274) (L. D. 261)

Bill "An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions" (H. P. 533) (L. D. 555)

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)

Bill "An Act relating to Food and Shelter for Sick, Injured or Abandoned Dogs" (H. P. 667) (L. D. 710)

Resolve Providing for the Revision of the Statutes (S. P. 170) (L. D. 419)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first item of unfinished business of yesterday. The first matter of unfinished business is bills in the third reading assigned for yesterday.

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

Mr. SENTER: I would like to inquire, Mr. Speaker, whether Item 8, report on Resolve Authorizing the Commissioner of Institutional Service to Purchase for the State Land in Fairfield is in the possession of the House? That is on yesterday's calendar.

The SPEAKER: Following Rule 28 of the Rules of the House, the gentleman from Brunswick, Mr. Senter, asks leave of the House to bring up Legislative Document 1311, and he moves for reconsideration of the action of the House as of yesterday.

The Chair will inform the gentleman that Legislative Document 1311 is in the possession of the House. Does the Chair hear objection to the gentleman from Brunswick, Mr. Senter, asking leave of the House? The Chair hears no objection and the gentleman may proceed.

Mr. SENTER: Mr. Speaker, I move that we reconsider our action of yesterday whereby we accepted the "Ought not to pass" report of the Senate in accepting this resolve.

The SPEAKER: For the purposes of the record, the Chair requests the gentleman to name the resolve.

Mr. SENTER: Resolve Authorizing the Commissioner of Institutional Service to Purchase for the State Land in Fairfield, S. P. 468, L. D. 1311.

The SPEAKER: The Chair thanks the gentleman. The gentleman from Brunswick, Mr. Senter, moves that the House reconsider its action of yesterday whereby it accepted the "Ought not to pass" report on this resolve in concurrence. Is this the pleasure of the House?

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

Mr. JACOBS: Mr. Speaker, this was a unanimous report of the Appropriations Committee not to appropriate three to five thousand dollars for extra land in Fairfield near the Sanitorium. If, in the future, the State needs any more land near that institution they can obtain it by eminent domain. We thought \$3000 unnecessary. They do not need all this land that it is proposed to sell to the State, consequently we voted as we did, "Ought not to pass."

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

Mr. SENTER: Mr. Speaker, because of additional information that our committee has received, we felt that if this Legislature would give us the opportunity to table this measure and refer it back to our committee that we might consider it. Is that in order?

The SPEAKER: The Chair is confused in so far as the gentleman spoke about "your committee" and the committee involved appears to be the Appropriations and Financial Affairs Committee.

Mr. SENTER: I am confused too, Mr. Speaker. I was asked to table this resolve. If I had been here in my chair yesterday as I should have been I would have proposed to table it then, but it got by me and I was called on the carpet last night, and now I am trying to table it. I am sorry for the confusion. I am hungry. (Laughter)

The SPEAKER: The Chair understands the gentleman from Brunswick, Mr. Senter, moves to table his motion for reconsideration of the action of the House whereby the House accepted the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs in concurrence. The gentleman must assign a date.

Mr. SENTER: I will assign it for next Wednesday, Mr. Speaker. You understood me better than I did myself. (Laughter)

Mr. JACOBS of Auburn: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JACOBS: Are we under Orders of the Day, Mr. Speaker?

The SPEAKER: The House is considering unfinished business, which is a special item coming up immediately under Orders of the Day as provided for in the rules of the House. That has been announced by the Chair. For what purpose does the gentleman rise?

Mr. JACOBS: Mr. Speaker, I ask unanimous consent to present to this body a Memorial to the United States Congress.

The SPEAKER: The Chair will state that the gentleman will have to defer his request until action is completed on the motion now before the House of the gentleman from Brunswick, Mr. Senter.

Is it the pleasure of the House that the motion of the gentleman from Brunswick, Mr. Senter, prevail?

The motion prevailed and the matter was tabled pending the motion of the gentleman from Brunswick, Mr. Senter, that the House reconsider its action whereby the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs was accepted in concurrence and was specially assigned for Wednesday, April 15.

The SPEAKER: The Chair now understands that the gentleman from Auburn, Mr. Jacobs, requests unanimous consent to address the House. Does the Chair hear objection? The Chair hears no objection and the gentleman may proceed.

Mr. JACOBS: Mr. Speaker and Members of the House: At this time by unanimous consent I would like to present a Memorial to the Congress of the United States, to be read, if accepted, by the Clerk.

The SPEAKER: The Chair would inquire if the gentleman from Auburn, Mr. Jacobs, will refer this to a committee?

Mr. JACOBS: Yes, Mr. Speaker.

The SPEAKER: Does the gentleman have a committee in mind?

Mr. JACOBS: Judiciary, I believe, Mr. Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, presents a joint Resolution and requests its reception under the unanimous consent rule. The Clerk will read the title.

The CLERK: "A Joint Resolution Proposing the Rescinding, With-

drawing and Repeal of a Resolve adopted by Legislature of 1941 Which Proposed an Amendment to the Constitution of the United States Relative to Taxes on Income, Inheritances and Gifts." (H. P. 1240)

The SPEAKER: Is it the pleasure of the House that this Joint Resolution be received and referred to the Committee on Judiciary and sent up for concurrence?

The motion prevailed and the Joint Resolution was received by unanimous consent, referred to the Committee on Judiciary and sent up for concurrence.

The SPEAKER: The House is continuing under unfinished business of yesterday.

Mr. SMALL of Mexico: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. SMALL: If it is proper at this time, Mr. Speaker, I move to reconsider our action on Item 19, "An Act relating to Throwing Substances on Highways Likely to Cause Fires" (H. P. 274) (L. D. 261) for the purpose of recommitting it to the committee for an amendment from your Committee of Conference on Non-returnable Beer Bottles. (Laughter)

The SPEAKER: Would the gentleman kindly approach the rostrum?

The Chair understands that the gentleman from Mexico, Mr. Small, withdraws his motion.

Amended Bills

Bill "An Act relating to Uniform Code of Military Justice" (S. P. 194) (L. D. 442)

Bill "An Act Providing for Maintenance of a Road on the North End of Baxter State Park" (S. P. 202) (L. D. 538)

Bill "An Act relating to Court Holidays" (S. P. 253) (L. D. 676)

Bill "An Act Clarifying the Law relating to Registration of Voters" (S. P. 408) (L. D. 1111)

Bill "An Act relating to Regrouping of Towns in Supervisory Unions" (S. P. 436) (L. D. 1204)

Bill "An Act relating to the Marking of Moosehead Trail" (H. P. 26) (L. D. 20)

Bill "An Act relating to Appointment of Trustee in Voluntary Trusts" (H. P. 70) (L. D. 66)

Bill "An Act Clarifying the Boxing Law" (H. P. 110) (L. D. 112)

Bill "An Act relating to Accident Insurance for Boxers" (H. P. 112) (L. D. 114)

Bill "An Act Amending the Charter of the Town of North Yarmouth School District" (H. P. 345) (L. D. 363)

Bill "An Act relating to the Airport Commission of the Town of Sanford" (H. P. 347) (L. D. 362)

Bill "An Act Creating a Board of Examiners of Psychologists" (H. P. 432) (L. D. 479)

Bill "An Act to Ratify and Confirm the Incorporation of Servantes du Coeur Immaculé de Marie, in York County" (H. P. 529) (L. D. 566)

Bill "An Act Increasing Salaries of County Officers in Aroostook County" (H. P. 610) (L. D. 609)

Bill "An Act relating to the Salary of the County Attorney of Aroostook County" (H. P. 691) (L. D. 726)

Bill "An Act Amending the Charter of the People's Ferry Company" (H. P. 835) (L. D. 874)

Bill "An Act to Increase the Borrowing Power of the Town of Hermon School District" (H. P. 837) (L. D. 876)

Bill "An Act relating to the Town of Hampden School District" (H. P. 838) (L. D. 877)

Bill "An Act relating to Statement of Income and Expense of Persons Requesting Pauper Assistance" (H. P. 873) (L. D. 944)

Bill "An Act relating to Special Town Meetings in Town of Fairfield" (H. P. 979) (L. D. 1057)

Bill "An Act relating to Uniform Reciprocal Enforcement of Support Act" (H. P. 1023) (L. D. 1142)

Bill "An Act relating to Fines and Costs for Violation of Truck Weight Laws" (H. P. 1050) (L. D. 1191)

Bill "An Act to Grant a Charter to the City of Brunswick" (H. P. 1104) (L. D. 1236)

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

Tabled

Bill "An Act Permitting Parole for Lifers After Thirty Years' Imprisonment" (H. P. 1168) (L. D. 1323)

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

(On motion of Mr. Hilton of Bremen, tabled pending passage to be engrossed as amended.

Bill "An Act to Incorporate the Town of Poland School District" (H. P. 33) (L. D. 27)

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

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

Mr. FULLER: Mr. Speaker, I move that the House now adjourn until next Tuesday at 10:00 A. M.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House adjourn until Tuesday at 10:00 A. M. Is this the pleasure of the House?

As many as are in favor of the motion for adjournment will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and four in the negative, the motion prevailed and the House adjourned until Tuesday, April 14, at 10:00 o'clock in the forenoon.