

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, April 16, 1953

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

Prayer by the Rev. Mr. John Barker of Gardiner.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Reimbursement to Towns for Real Estate Exempted from Taxation" (S. P. 462) (L. D. 1297)

Report of same Committee reporting same on Resolve Providing for a Deficiency Appropriation for Hospital Aid (S. P. 286) (L. D. 820)

Report of same Committee reporting same on Resolve relating to Winter Sports Development at Mount Blue State Park (S. P. 467) (L. D. 1310)

Report of the Committee on Claims reporting same on Resolve in favor of Lewis M. Mooers of Gardiner (S. P. 349) (L. D. 962)

Report of the Committee on Highways reporting same on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Three Hundred and Fifteen Thousand Dollars on Behalf of the State of Maine for the Purpose of Taking Over the Westport-Wiscasset Bridge" (S. P. 372) (L. D. 1036)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to the Expedition of Trials in Criminal Cases" (S. P. 131) (L. D. 340)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to Party Enrollments in Primary Election Returns" (S. P. 33) (L. D. 36) reporting same in a new draft (S. P. 532) (L. D. 1436) under title of "An Act relating to Return of Party Enrollments in Primary

Elections" and that it "Ought to pass"

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

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

**Ought to Pass with Committee
Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Number of Justices of Superior Court" (S. P. 402) (L. D. 1117) 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. 402, L. D. 1117, Bill "An Act Relating to Number of Justices of Superior Court."

Amend said bill by striking out the underlined figure "10" in the 5th line thereof and inserting in place thereof the underlined figure '8'

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

**Ought to Pass in New Draft
Senate Amendment Adopted**

Report of the Committee on Judiciary on Bill "An Act relating to the Number of Registered Voters in Election Returns" (S. P. 32) (L. D. 35) reporting same in a new draft (S. P. 531) (L. D. 1435) under title of "An Act relating to Return of Number of Registered Voters in Elections" and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 531, L. D. 1435, Bill, "An Act Relating to Return of Number of Registered Voters in Elections."

Amend said Bill by striking out the underlined word "primary" in the 5th line thereof.

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

Report of the Committee on Judiciary on Bill "An Act relating to Driving a Motor Vehicle While License Suspended or Revoked" (S. P. 113) (L. D. 311) reporting same in a new draft (S. P. 522) (L. D. 1421) under same title and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 522, L. D. 1421, Bill, "An Act Relating to Driving a Motor Vehicle While License Suspended or Revoked."

Amend said Bill by striking out all of the last underlined paragraph.

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

Report of the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Digging of Marine Worms in Alna, Bremen, Damariscotta, Newcastle, South Bristol and Waldoboro" (S. P. 185) (L. D. 426) reporting same in a new draft (S. P. 516) (L. D. 1405) under title of "An Act relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol and Waldoboro" and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 516, L. D. 1405, Bill, "An Act Relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol and Waldoboro."

Amend said Bill, wherever in the title, emergency preamble and sections 1 and 2 the words "South Bristol" appear, add after said words the punctuation and word 'Nobleboro'.

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

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing for a Salmon Rearing Station in Southern Maine (S. P. 40) (L. D. 53)

Report was signed by the following members:

Messrs. HASKELL of Penobscot
SINCLAIR of Somerset
—of the Senate

Messrs. JACOBS of Auburn
COLE of Liberty
CATES of Machias
JALBERT of Lewiston
—of the House

Minority Report of same Committee on same Resolve reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. COLLINS of Aroostook
—of the Senate

Messrs. CAMPBELL of Guilford
DAVIS of Harrison
BURGESS of Limestone
—of the House

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

In the House: Reports were read.

The House voted to concur with the Senate in the acceptance of the Majority "Ought not to pass" Report.

Non-Concurrent Matter

Bill "An Act relating to Unlicensed Dogs" (H. P. 668) (L. D. 711) which was passed to be engrossed in the House on April 10.

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

In the House: On motion of Mr. Stewart of Portland, the House voted to recede and concur with the Senate.

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.

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

Thereupon, the Sergeant-at-Arms escorted Mr. Cole to the rostrum, where he assumed the Chair amid the applause of the House, the members rising, and Speaker Bates retired.

Orders

Mr. Bibber of Kennebunkport, presented the following Order and moved its passage:

ORDERED, that beginning with the session of the House today, recordings of all sessions be permitted for the remainder of the present session of the Legislature, for the purpose of being broadcast by any radio station situated within the State of Maine.

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

(Calls of "No" and "Yes")

The SPEAKER pro tem: The House will be in order.

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

Mr. BIBBER: Mr. Speaker, I think it is about time that the Legislature found some means of giving to the public of this State its actions. I am getting sick and tired of having the Gannett papers misconstrue the facts. In yesterday's editorial they took a wallop at us, and according to the morning paper today they have taken a couple of

more whacks at us. I think the people of this State are entitled to know the facts and know them right from the horse's mouth. That is the reason for the order.

The SPEAKER pro tem: All those in favor of the passage of the order will please say aye; those opposed will say no.

A viva voce vote being taken, the order received passage.

House Reports of Committees Leave to Withdraw

Mr. Caverly from the Committee on Public Health on Bill "An Act relating to Apprentices in Hairdressing and Beauty Culture Shops" (H. P. 1060) (L. D. 1174) reported leave to withdraw.

Mr. Senter from same Committee reported same on Bill "An Act relating to Hairdressing and Beauty Culture" (H. P. 1143) (L. D. 1291)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Cianchette from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Liability of Sheriffs for Acts of Deputies" (H. P. 1017) (L. D. 1138)

Mr. Low from same Committee reported same on Bill "An Act relating to Salaries of Members of Supreme Judicial Court and the Organization of the Superior Court" (H. P. 1135) (L. D. 1285)

Mr. Trafton from same Committee reported same on Bill "An Act relating to Joint Ownership re Inheritance Tax Law and Joint Bank Accounts" (H. P. 1095) (L. D. 1229)

Mr. Moulton from the Committee on Natural Resources reported same on Bill "An Act relating to Pollution of Waters" (H. P. 1109) (L. D. 1237)

Mr. Dicker from the Committee on Public Health reported same on Bill "An Act relating to Renewal of Certificates of Registration for Hairdressing and Beauty Culture" (H. P. 1110) (L. D. 1244)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Trafton from the Committee on Judiciary on Bill "An Act relating to Joint Tenancies Between Husband and Wife" (H. P. 68) (L.

D. 64) reported same in new draft (H. P. 1246) (L. D. 1452) under same title and that it "Ought to pass"

Report was read and accepted, the Bill read twice and tomorrow assigned.

**Ought to Pass
Printed Bills**

Mr. Low from the Committee on Judiciary reported "Ought to pass" on Bill "An Act Amending the Maine School Building Authority" (H. P. 522) (L. D. 556)

Mr. Martin from same Committee reported same on Bill "An Act relating to Acquisition of Schoolhouse Lots by Condemnation" (H. P. 269) (L. D. 297) which was re-committed.

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

**Ought to Pass with Committee
Amendment**

Mr. Burgess from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Appropriation for Unorganized Territory Capital Working Fund" (H. P. 1073) (L. D. 1213) 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. 1073, L. D. 1213, Bill, "An Act Relating to Appropriation for Unorganized Territory Capital Working Fund.

Amend said Bill by striking out in the 5th line under Sec. 148-A the figures "\$140,000" and inserting in place thereof the figures '\$16,906.35.'

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

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Revolving Fund for Administration of Social Security for Political Subdivisions of State" (H. P. 1007) (L. D. 1134) 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. 1007, L. D. 1134, Bill, "An Act Relating to Revolving Fund for Administration of Social Security for Political Subdivisions of State."

Amend said Bill by adding to the 4th line under Sec. 7 after the underlined words "general fund" the underlined words 'unappropriated surplus.'

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

Mr. Cianchette from the Committee on Judiciary on Bill "An Act relating to Persons Treating for Gunshot Wounds" (H. P. 1094) (L. D. 1228) 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. 1094, L. D. 1228, Bill, "An Act relating to Persons Treating for Gunshot Wounds."

Amend said Bill by inserting after the underlined word "who" in the fourth line thereof the underlined word 'professionally'

Further amend said Bill by adding after the underlined word "sheriff" in the 7th line thereof the following underlined words and punctuation 'or any of his deputies, or any police officer'

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

Mr. Dicker from the Committee on Public Health on Bill "An Act relating to Removal of Bodies to Crematories" (H. P. 989) (L. D. 1077) 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 then read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 989, L. D. 1077, Bill, "An

Act Relating to Removal of Bodies to Crematories.”

Amend said Bill by inserting at the end thereof, before the period, the following underlined words: **‘or other suitable container’**

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

Mr. Senter from the Committee on Public Health on Bill “An Act relating to the Registration and Practice of Osteopathic Physicians and Surgeons” (H. P. 1111) (L. D. 1246) 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. 1111, L. D. 1246, Bill, “An Act Relating to the Registration and Practice of Osteopathic Physicians and Surgeons.”

Amend said Bill by inserting in the last line thereof, after the underlined word **‘osteopathic’**, the underlined word **‘physician’**

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

Mr. Wylie from the Committee on Public Health on Bill “An Act relating to the State Board of Examiners of Funeral Directors and Embalmers” (H. P. 990) (L. D. 1078) 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. 990, L. D. 1078, Bill, “An Act Relating to the State Board of Examiners of Funeral Directors and Embalmers.”

Amend said Bill by inserting before the period at the end of section 2 the following underlined words: **‘upon authorization by the board’**

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

Divided Report

Majority Report of the Committee on Judiciary reporting “Ought not to pass” on Bill “An Act to Enable Party Conventions to Propose Candidates for Governor, U. S. Senator and Members of Congress to be Placed Upon the Ballots at Direct Primary Elections” (H. P. 335) (L. D. 402)

Report was signed by the following members:

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

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

Report was signed by the following members:

Messrs. McGLAUFILIN of Portland
FITANIDES of Saco
—of the House

Reports were read.

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

Mr. McGLAUFILIN: Mr. Speaker and Members of the House: I signed the minority report in this case because I thought the matter was worthy of discussion, and I am going to set out to you one side of the picture and then you can do what you please with the bill.

I am one of those who well remember the old convention system. I was one of those who favored the direct primary in order to get rid of that system, and the principal reason why we opposed it was that we considered the conventions boss-controlled. In other words, you couldn’t get elected to anything unless you stood in right with the political leaders.

I had some experience along that line myself. I tried to run for the Legislature many years ago. I carried my ward, and I got the promise of the adjoining ward, but it so happened that Ex-Governor Cleaves, who was pretty much one of the political bosses at that time, considered me a very dangerous

man, and I was, to the views that some of them had at that time. He told the delegates in Ward 8, where Frank Ridlon was running—all of those delegates were promised to me—that if they voted for me, they would not get a vote in Wards 5, 6, and 7, and so Judge Sturgis, who was at the head of that delegation, told me that as much as they regretted it, they couldn't vote for me because by doing so they would kill their own delegate.

I was defeated. I could tell you some other reasons for that defeat. The old process was: they had the caucus in each ward, and usually in every ward there were some five or six men who ran the politics in that ward, and they put on a delegate to the convention, especially to the city convention and the county convention, anybody that they saw fit to put on—and when the ballot came up, there was nobody else to vote for, so they always elected the delegates that they selected.

Now we had a city boss. I remember when Fred Hay was the city boss in Portland. All he had to do was to contact the leaders of these different wards, and they would do anything he would tell them to do.

Now the primary system hasn't been a perfect system by any means. In some ways it has been a considerable nuisance. Now my theory is, right or wrong, that if you should elect or nominate the higher offices, like the Governor, the Senators and the Representatives, and those only, elect them at the conventions, they would less likely be boss-controlled if you kept the primary system as it is now, in the election of members of the Legislature, members of the Senate, sheriffs and county officers.

No boss can have any great control unless he has got a following. Now under this proposed bill—this is not my bill—but under the provisions of this bill the bosses have nothing to do with the selection of these lower brackets. Of course some men, at a convention, their personality gives them more influence than others.

Now what would be the advantage of having the convention

select the higher, more important, officers? For one thing, the man that it has selected, while it does not prevent others from running, it does at least give him the inside track and he is the one that is likely to be nominated, and people — independent candidates — are much less likely to run.

Under our primary system it has gotten so that to run for one of these high offices, especially if there is a contest, you must have all sorts of money, which many good men cannot afford. At this last election, according to the reports of the candidates, the money that was spent to elect United States Senators went into many thousands of dollars, and the same was true in the election of Governor. There was much money spent. Somebody had to lose, and many lost money they could not afford.

Four years ago we had five candidates for Governor, and they also spent a great deal of money, trying to get that nomination. Why anybody wants to be Governor of the State and spend all this money I do not know. I would not take the job as a gift.

That is an outline of one side of the picture. Now I leave it to you, to do what you please.

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

Mr. CIANCHETTE: Mr. Speaker, as you will notice, I was one of those who signed the majority "Ought not to pass" report on this measure. I have many reasons for signing the report that this bill should not pass.

In the first place, I think this bill is deceiving, or at least the question which would be presented to the people upon referendum is deceiving. If this bill were passed by the Legislature and went to the people on referendum, as it would if it were passed, the question which the people would see upon the ballot, upon which they would vote, would be this: Shall "An Act to Enable Party Conventions to Propose Candidates for Governor, U. S. Senator and Members of Congress be Placed upon the Ballots and Direct Primary Elections be Accepted".

Now that sounds innocuous enough when you simply read the title,

simply permitting party conventions to place names upon the ballot. It does not seem as though there is anything wrong with that. But, when you read this bill, and compare this bill with the law as it was when we were under the convention system, up until 1911, you will see that this has all of the provisions in the bill that the old law had. Fox example: You will notice, if anybody has this bill, which is Legislative Document Number 402, on page 4, section 6 of that bill, it provides that ". that the names of candidates who have been duly proposed for the nomination for the office of governor, United States senator, or representative to congress by a convention held under the provisions of this chapter shall appear first on the list of candidates for such offices, and shall be designated thereon as the candidates proposed by the appropriate convention. . . ."

Now, as the law was when we had the convention system, this was not the case. The candidates were chosen in the convention, and anybody who wanted to get on the ticket by nomination papers, as we do now, could also go on the ticket, all names — names of all candidates — whether they were those chosen by the convention or whether they were those placed on there by nomination papers — all appeared upon the ballot under the same heading. The candidate chosen by the convention was not given preference. His name was not set out as being the candidate of the convention. His name did not necessarily appear first on the ballot. Therefore, it is evident that if this were adopted, the candidate chosen by the convention would certainly have a distinct advantage over any other candidate.

Now, this bill also provides that each state convention shall propose a candidate for these offices. It is not a permissive thing. Under this bill it is mandatory. Now then, the effect of this bill — now, whether we like the bill or not, I think we have got to face the fact — that the effect of it is to return to the convention system as far as these major offices are concerned.

Now, as I said, I wouldn't mind too much if this Legislature passed this bill because it would go to the

people, and I am thoroughly convinced that the people would overwhelmingly defeat it, if they knew what they were voting on, but when you read the title, which is all that they would see to this bill, you realize that they would not know what they were voting on, and I would be afraid that they might be influenced, as I was influenced when I first read the title of this thing, with the idea that it was simply a permissive thing, to permit the candidates to place a name, not to actually return to the convention system.

Now, what is wrong with the convention system? One of the reasons pointed out for adopting this bill is because of the great expense for gaining nomination today, the great amounts of money that are being spent by the candidates in order to secure a nomination. Now would that change by this? I do not think that it would. It is true that today the candidates spend the money to tour the State, to advertise themselves and their policies and their qualifications for office, and to get other people to work for them.

Now, if this bill were enacted, the money, or such great sums of money, perhaps would not be spent for that because once the party chose their candidate, that would certainly be tantamount to election. So, where will the money be spent? It will be spent in influencing delegates and influencing the selection of delegates, just as it was under the convention system.

Now, you will not know how much money is spent in that way because under this bill there would be no requirement that those expenditures be reported as they are now in the primary elections. We feel that people are spending a great deal of money today, but today we know how much they are spending. Under this system there would be no way of knowing how much they were spending.

Another thing: This simply provides for the nomination of the major candidates. Now, if the major candidates are selected at a convention, what is there left for the people to vote upon when they come to the primary election? Of course other candidates can go against the convention and put

their names in nomination, or put their names upon the ballot, but now I ask you: Once a party in a convention has spoken and they have said "We want this man for our candidate," what chance would anybody have who attempted to go against the wishes of the convention? What support could he get among people who wanted to be good party workers? Certainly, a person who wanted to remain in the Republican party, and have any voice in the Republican party, would not support a candidate other than the one chosen by the party convention.

Now, when this law was changed, — certainly for a great many years before this law was changed in 1911, — there was a great support for this change, for this direct primary, and of course this went into effect long before I was born, and there probably are not very many here who can remember conditions as they existed under the convention system, but we can read, we can recall what those evils were. The gentleman from Portland, Mr. McGlauffin, has pointed out most of them.

Now, some of the advantages of this direct primary system over this convention system: In the first place it becomes an effective instrument of popular government. It affords a more representative government. It affords an opportunity for the voters to overturn any organization with which they are dissatisfied. It has a distinct educational advantage because of the added interest arising out of the greater publicity given to the qualifications and the policies of the candidates. The officers elected under the direct primary become far more responsive to the will of the people than those chosen under a convention system. Officers publicly elected or publicly nominated are less easily controlled by special interests which always control the party conventions. It will eliminate those evils of the convention system, of "bossism" and corruption of delegates, factional battles, and of distribution of the spoils through bargaining of offices for the support of delegates.

I think that certainly the people here will agree with me, if they

have spent any time in analyzing this bill, that the effect of it will be to return to the convention system, and I think that that is the real issue before us now. Do we want to return to the convention system? I certainly do not. I move the acceptance of the majority report.

The SPEAKER pro tem: The gentleman from Pittsfield, Mr. Cianchette, moves that the Majority "Ought not to pass" Report be accepted.

The Chair recognizes the gentleman from South Portland, Mr. Low.

Mr. LOW: Mr. Speaker, what you have just heard from Representative Cianchette, certainly leaves very little to be said. However, I do think that if men are willing to spend the enormous sums of money that they do spend, in order to be elected to these high offices, they certainly will continue to be willing to spend that same amount of money. Now I would rather see that same amount of money more widely distributed, as it is under the primary system, than concentrated in trying to influence the vote of a few delegates, because they will spend that same money and they will spend it in much worse ways if we return to the old convention system.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Lord.

Mrs. LORD: Mr. Speaker, I would like to move to lay this on the table until next week.

(Calls of "No")

The SPEAKER pro tem: The gentlewoman from Portland, Mrs. Lord, moves that the two reports with accompanying papers lie on the table. Is it the pleasure of the House that this item lie on the table?

(Calls of "No" and "Yes")

All those in favor of the motion of the gentlewoman from Portland, Mrs. Lord, that this item lie on the table will say aye: all those opposed will say no.

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

The SPEAKER pro tem: The Chair recognizes the same gentlewoman.

Mrs. LORD: Mr. Speaker, the primary law was adopted in 1911, and the thought behind it was to change the old convention system to make it easier for a man of ability, with moderate means, to win the nomination. It has not worked to that end. In fact, just the opposite has been brought about. It takes many thousands of dollars to get a nomination for an important office. In addition, the candidate must be a vote-getter, be good looking, and have everything except executive ability.

The primary law was brought up by liberal thinkers, as all measures which weaken our constitutional government have been. They sound good, but sometimes they do not work. If we continue with no thought of what is happening, we may wake up with a Communist as Governor or United States Senator. The liberal thinkers of today have absorbed all kinds of fuzzy thinkers, all theory and no common sense.

I recently read a description of a liberal thinker. It was a person with both feet firmly planted in midair.

We live in a Republic. When we salute the Flag, we say "To the Republic for which it stands." Benjamin Franklin said, "We have given you a Republic, if you can keep it." That means we have a representative form of government. We elect persons to represent us on the state, nation and local level. This bill would do exactly the same thing. You would elect your delegates to represent you at the convention, exactly the same as we do now.

Our forefathers, who had little freedom in the countries from which they emigrated, set up safeguards in the Constitution against the indifference of the voters. The Electoral College, where originally the electors, which consisted then as now, of the same number of Senators and Representatives from each state, as we have in the United States Congress, actually met and selected the President, the person they thought best able to be President of the United States. That was clearcut representation of the people. That has been amended until it is no longer effective.

The United States Senators were elected by the Legislature in the states. That has also been changed. There again, the representatives of the people were selecting high officials. The forefathers were not so much afraid of the ability of the people as they were of the carelessness and indifference of the electorate.

Our whole government is built on the two-party system, yet the party actually has no part in the nominations for offices. A Communist might take out a nomination paper in either party, right here in the State of Maine, by spending plenty of money to get the nomination, and if elected to high office, would have no responsibility to the party, would disregard the party platform, yet the party would then be held responsible for him.

This bill allows the party in convention, with duly elected representatives, to vote by written ballot for one nominee for Governor and United States Senator. The voting is done by delegates or alternates; there is no voting by proxy. The platform is adopted at the same time. Here you have your representative form of government again. The names are placed on the ballot with proper marking, so that all may know what they represent. Others may take out nomination papers, as they do now. It does not prohibit anyone from running. The names of all candidates will be printed on the primary ballot.

This bill also establishes a uniform date for caucus throughout the state, so that all citizens will know when the caucus will be held and more citizens will participate, because they will realize that it is part of the whole system of representative government.

It will reduce spending. It will benefit young party workers. Here the office will seek the man and not the man seek the office.

I have been through a great many campaigns and I know the money that has to be spent in order to get a nomination. I have never been on the payroll, however. But I do believe that if we could have the right to select, in our party convention, one person for these offices, it would make for a better form of government and if any of you

have read the Communist Manifesto, you will find out that we have already adopted all but two things that they are after, and I think it is time that we gave the representatives of the people a chance to go back to a Republic. There is no place in the Constitution where Democracy is mentioned, and I feel that we should go along with this bill and try it. It also carries a referendum and goes to the people to see if they will support it, and I believe we should accept this minority report.

The SPEAKER pro tem: Is the House ready for the question?

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

Mr. TRAFTON: Mr. Speaker and Members of the House: It is possible to take two sides on a question like this, and we cannot be exactly sure what the effect of adopting such a bill will be. It is possible, under our existing law today, for a convention, when meeting, to recommend and endorse candidates. To be sure, they would not be so designated on the ballot, but that designation could be publicized. In Massachusetts, I believe that has been done once without a law. They also had a law and are considering a similar measure such as this.

It seems to me, perhaps, that the idea of this bill has a great deal of merit but should be tested by doing it without the sanction of statutes. I would like to see this technique tried out by our parties in convention, and if it does prove good, and not vicious, as the opponents feel, then would be the time to enact it into law.

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Berwick, Mr. Gowell.

Mr. GOWELL: Mr. Speaker, I intend to support this majority report of this committee. I am heartily in favor of it, but I wish to reply just briefly to some remarks made by the gentleman from Pittsfield, Mr. Cianchette, when he referred to the old convention system. You would think that the old convention system was the embodiment of all evil. But I can remember, as you might imagine, that system, and I will say that there was one

time, when it was working under that system, that the State of Maine had more influence in the Congress of the United States than any state in the union. At that time the distinguished citizen from Kennebec County, whose family contributed their home in memory of one of the veterans of World War I, was Secretary of State; Senators Frye and Hale represented us in the Senate of the United States, Honorable Thomas B. Reed was the Speaker, Nelson Dingley, from the Second District, Boutelle and Milliken, from the Third and Fourth District, those seven men had more influence than the popular state of New York or Massachusetts or of any other state in the Union, and we might say that under that system, as far as the State of Maine is concerned, the record of the past has been secure.

Now the direct primary law is the law of the land. It represents a majority, and we cannot say anything against it, but I know that in our section, in the smaller towns, we could get representation under the convention system, which we cannot get today. It is almost impossible for the candidates in the country towns in the rural communities to be successful, and I know of certain cities through the State, and all over the country, where you can nominate a Chinaman, and the people in the majority will vote for him, while in the other form of government they used to go to the leaders and say: "Who do you want down in that section? You have a right to your representation."

I do not know as this is appropriate, but I will say there are many good things that have come out of the convention system. The first year that it was adopted, in the county of Rockingham, which is just across the line, in New Hampshire, they always gave one commissioner to the city of Portsmouth. At that first election, after that direct primary was adopted, every officer in the county of Rockingham was from the city of Portsmouth. In the county of Strafford, just across the line, they always had one candidate from Dover and the other from other sections.

Three were nominated from the city of Dover, so there are always two sides to every question.

This may be a little out of order, but when he further referred to the corruption and the misuse, the inequality and inequity of the voters under that system, it kind of got under my skin, because you know I can remember those things. I thank you for the indulgence of the House, and I will say that I propose to go along with this bill, but under that system we had some success and some prosperity and the State of Maine was very well represented in all the branches of our Congress as well as by our State officials. (Applause)

The **SPEAKER** pro tem: Is the House now ready for the question?

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

Mr. **CURTIS**: Mr. Speaker and Members of the House: This bill would most certainly curtail democratic action in regard to self-government. Let us look at the record. The gentleman from Portland says the delegates to the convention are as representatively elected as are the candidates chosen by the primary procedure. The records do not show this to be true. I have, for the past ten years, been a delegate to the Republican Convention, five conventions. Never more than twenty members of the Republican party or any party ever attended the caucus when I was chosen as a delegate, but when I was chosen to represent my district here in the House nearly a thousand people took part.

The **SPEAKER** pro tem: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the

Mr. **LORD**: Mr. Speaker, Mr. Speaker, I ask for a division.

The **SPEAKER** pro tem: The gentlewoman from Portland, Mrs. Lord, asks for a division.

The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the majority report "Ought not to pass" of the Committee on Judiciary on Bill "An Act to Enable Party Conventions to Propose Candidates for Governor, U. S. Sena-

tor and Members of Congress to be Placed upon the Ballots at Direct Primary Elections", House Paper 335, Legislative Document 402, be accepted.

As many as are in favor of the motion of the gentleman from Pittsfield, Mr. Cianchette, to accept the majority "Ought not to pass" report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Ninety-three having voted in the affirmative and nineteen having voted in the negative, the motion prevailed and the majority "Ought not to pass" report was accepted and sent up for concurrence.

Divided Report Indefinitely Postponed

Majority Report of the Committee on Judiciary on Bill "An Act to Provide for the Observance of Legal Holidays" (H. P. 819) (L. D. 850) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. **REID** of Kennebec
 WARD of Penobscot
 —of the Senate

Messrs. **FITANIDES** of Saco
 LOW of South Portland
 FULLER of Bangor
 CIANCHETTE of Pittsfield
 —of the House

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

Report was signed by the following members:

Mr. **HARDING** of Knox
 —of the Senate

Messrs. **MARTIN** of Augusta
 TRAFTON of Auburn
 McGLAUFILIN of Portland
 —of the House

Report was read.

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

Mr. **McGLAUFILIN**: Mr. Speaker and Members of the House: I now come to a bill that I am interested in. I think that a communist from Russia could not have invented a more diabolical bill to upset the morale of the people of this country than this bill. Let us see what it is.

It proposes to have any national holidays on a Monday. Instead of having Washington's Birthday, it is Presidents' Monday. Memorial Day will probably be Blue Monday. Another one could be Wash Monday and so on.

This bill provides that it shall be. Somebody is interested outside this State; they are trying to get it all over the country almost equivalent to a constitutional amendment. They say, trying to mislead you, that this is not to take effect until 31 states approve it and they hope that we will be the first suckers.

Now, I want to point out to you a few facts that I want you to heed. The first point I want to make is that these national holidays affected by this bill are landmarks in history. And the second point that I will make is that these landmarks are part of the inheritance of every American citizen. I looked in the Bible and I find in Proverbs II, 28, "Remove not the landmarks which thy fathers have set." And I find in Deuteronomy 27, 17, "Cursed be he who removes his neighbor's landmark."

I want to call your attention to a familiar story of where there was a man in Scripture by the name of Isaac. He had two sons: Jacob and Esau. Esau was a hunter. Isaac built a tent. One day Esau went out hunting and he wasn't very successful and he came back very hungry. Isaac had prepared some lentils and Esau asked him if he would give him something to eat and Isaac said: "Yes, you can have something to eat if you will sell me your birthright." And Esau said: "What good is my birthright if I have to starve to death?" Esau turned over his birthright and the Scripture says Esau despised his birthright.

Now, I am coming to the point: The people who supported this measure were of two classes: Those who were seeking more pleasure, thinking they have got an extra day to ride around the country and kill somebody and the other class is those who thought it was going to make a little more money in the hotels or the motels or the wayside taverns. Now, the point I am making to you is that these people despise their birthright. They think that these landmarks in history

should go out the window so that they can have an extra day of pleasure or make a little more money and I want to point out to you that that is a very dangerous situation for this country.

What does this bill do? First: It changes Washington's Birthday to Presidents' Day. George Washington, to whom this country owes more for its existence even than to any other man who ever lived. The man who kept his army together at Valley Forge when the task was almost impossible; the man who kept that army together and crossed the Delaware River in the floating ice and defeated the British at Trenton; the man who obtained the surrender of Lord Cornwallis at Yorktown; the man who became the first President of the United States and who had good sense enough not to run for two terms. In 1782, Washington's Birthday was established and it has continued to this day. Now, they propose to throw Washington's Birthday into the ashcan; they call it Presidents' Day; and put George Washington in the same class as James Buchanan and Johnson and Chester A. Arthur. What next?

In 1868, John E. Logan was the head of the Grand Army of the Republic and he established Memorial Day on the 30th day of May. We have continued to observe that day almost as a sacred day ever since. That is the day we decorate the graves of our dead with flags. That was primarily for the veterans of the Civil War but it is continued now until it has become a custom to decorate all the graves of our heroic dead soldiers.

Now, what they propose, they want to change that, as I said a moment ago, to some blue Monday. It is a different day each year. You take away half the sacredness of that day when you change it, as I have cited at the first of this debate. Now, that is a landmark in history and cursed be the man who removes his neighbor's landmark! If you want to celebrate Monday, I have no objection. I do object to your taking away my birthright which is to have these holidays, these historic holidays, just as they were first established and just as

they have been throughout the years.

We come now to the Fourth of July, that great day for the young people. Now, it is no longer the Fourth of July. It may be the 9th or the 7th or the 6th. You have taken away all of the glamour, all of the patriotic appeal there is to that wonderful day of the Fourth of July, which is accustomed to thrill every child throughout the country and you make it nothing but a holiday to go out, getting around the country and spending your money.

What more does this do? I call this a diabolical bill and why do I say that? When you take away these historic landmarks you are taking away the morale of our people. What makes our boys willing to fight for their country? It is because they have been trained to learn the days like the Fourth of July represent great achievements in history; because they feel that on the 30th day of May, if they are killed in action, they will at least be remembered by their country.

And then we come to Thanksgiving Day. You can have your Thanksgiving Day on Monday if you like; I want my Thanksgiving Day on Thursday and I do not want it on any other day! I want that. We can stuff any old day but it means nothing but when when you have it on Thursday and have religious ceremonies that take place on that day, you have a feeling of thanksgiving to Almighty God for the blessings he has bestowed upon us during the year. I want that day to stay just where it is.

I think you have the outline of my argument and perhaps in a little less serious strain, I want to read to you a poem that I have composed for this particular occasion.

“Under the law that is proposed here

Our traffic death will increase each year.

While workmen may get an extra day

For their fun and folly they must pay.

And while hotels may take in more cash

Our historic landmarks go to smash

Washington now becomes a has-been,

While Russian communists grin and grin

As they watch us weaken our morale

While they further help their Chinese pal.

The thirtieth of May goes out the door

So that workmen may on Monday pour

O'er the country upon a grand spree

No graves to visit, but just to see.

The fourth of July that day of days Is now to become a misty haze.

Our country's birth is soon forgotten

As our morale becomes more rotten.

Whoever heard of a Thanksgiving Day

To come anytime but on Thursday, But now we will stuff on some Monday

And change our wash-day to some Sunday.

Of all the foolish ideas yet born This is the one we should put to scorn.”

I move the indefinite postponement of this bill. (Applause)

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlauffin, moves that the two reports with accompanying papers on Bill “An Act to Provide for the Observance of Legal Holidays”, House Paper 819, Legislative Document 850, be indefinitely postponed.

The Chair recognizes the gentleman from Harrison, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Members of the House: I haven't the oratorical ability of my good friend or the ability to express my sentiments in verse, but I would like to quote for him from one of the most influential men of all times, Confucius. Confucius said: “Let a man living in the present age go back to the ways of antiquity; on the person of all who act thus, calamities are sure to come.” As for his other arguments, I think possibly I would compare them with champagne. I have heard it said that champagne is made of \$1

worth of wine and \$3 worth of bubbles. (Laughter)

This bill provides for four major holidays to be observed on Monday. Along with Labor Day, this plan would insure five long weekends, evenly distributed throughout the year. They are as follows: Presidents' Day, third Monday in February, combining and superseding the varied dates now observed for Washington, Lincoln, and other Presidents; Memorial Day, the last Monday in May; Independence Day, the first Monday in July; Thanksgiving Day, the fourth Monday in November. The plan does not include any changes in religious holidays.

Washington's Birthday was originally celebrated on February 11; after the new calendar came into general use, February 22 was adopted. At the present time, Memorial Day is celebrated sectionally on one of four different dates: May 30, April 26, May 10 and June 3. When we celebrate July 4, we are ignoring history because the Declaration of Independence was passed on July 2, 1776, and while John Hancock signed it on July 4, the summer passed before all signatures were affixed. Thanksgiving Day was first observed in New England in the autumn of 1621 but as a national holiday it has been observed only since 1863; the date has already been changed several times in recent years. I contend that the changes proposed do not violate tradition. A clause in the bill, and I wish to emphasize this, provides it will not go into effect if passed by this Legislature until it has been approved by two-thirds of the States. The bill will be presented in at least 34 of the 42 states that are holding legislative sessions this year.

The advantages of the Monday Holiday Plan are numerous. It would afford several three-day holidays enabling one to have enough time for both rest and recreation. It would give everyone an opportunity to visit areas and do things that on an ordinary week end there is not sufficient time to do. Families could look forward to spending a long week end together as a group whereas this opportunity is seldom assured for any length of time under our present holiday set-up.

Monday holidays would mean less disruption of work in industrial plants and would cut down absenteeism experienced when holidays fall on a mid-week day, thus production levels would not suffer. This is also true in the schools. A holiday falling on a Thursday or Tuesday, thereby causing a "marooned" work day either before or after the week end, is tempting to the student to create his own long week end, even though it may not be a legitimate one.

People who are too busy to take a regular vacation or cannot afford a long vacation would be encouraged to take advantage of the long week end, enabling them to change their mode of living for a few days from that of daily routine and engage in their favorite activity. Enough of this activity would involve travel to serve as a stimulant to the travel business, and the new money brought into communities through this travel would stimulate all business. The plan would strengthen attendance and encourage greater participation in church services, too, since each holiday span would include a Sunday and people away from home would have more time to take part in church observances.

Hundreds of newspapers and magazines throughout the country have published editorials or have commented on the Monday Holiday Plan. Approximately 98 per cent of all comments received by them have favored or endorsed the Monday Holiday Plan wholeheartedly. Several newspaper editors report that rarely before have they featured any article in their newspapers which has brought such an overwhelmingly favorable response from their readers. Polls conducted by some newspapers indicate that the rank and file of the American public are for the Monday Holiday Plan.

I hope that the motion of the gentleman to indefinitely postpone this bill does not prevail. Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I am glad

that at least these people who drew up this bill have left New Year's Day on January 1st. (Laughter) I regret though that people feel it is necessary to have more long holidays. Long holidays are a headache to the police; they are a headache to the Safety Council and they are a headache to many families who lose members of their families because of accidents. It seems to me that the more long holidays we have, the greater our accident toll and consequently the greater sorrow to our State.

All that the gentleman from Portland, Mr. McGlaflin, has said is good, and I will say "Amen" to it and I hope that this bill does not pass.

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

Mr. SANFORD: Mr. Speaker and Members of the House: There is only one important thing that I know that my good friend, the gentleman from Portland, Mr. McGlaflin, has left out and it might have quite a lot of bearing on the way people will vote on this particular question. The point is that my birthday happens to be May 30. (Laughter)

The SPEAKER pro tem: Is the House ready for the question?

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

Mr. TONDREAU: Mr. Speaker and Members of the House: I have sat here quietly and took part in the burial of two holiday bills so far, one presented by myself and one presented by the gentlewoman from Lincoln, Miss Steeves, and I can't confine myself any longer.

My major difference with this bill stems from the difficulty, I believe, that it includes only courts and the schools. Now if these holidays are important enough to set aside school and court proceedings, I think they are important enough for the entire people of the State of Maine to observe.

I think it may be fitting to change the dates of holidays that are commemorative of significant events and people in our past history but I do not think that we ought to pass up the opportunity of commemorating or giving homage, if you will, to the greatest day, one

of the greatest importance to our State and our Country, and that is President's Day, I beg your pardon, Inauguration Day or the Election Day.

My reason for arising is that if this bill is accepted by the House, I hope I may have the privilege of tabling it in order to offer an amendment. The amendment I would wish to offer would be to make these holidays State legal holidays. I feel, as I have said before, that if it is important enough to set aside court proceedings and schools on those days, I think all of the people should observe them.

A further thought that I have and would like to work on in the way of an amendment would be to provide for either Presidential Inauguration Day or Presidential Election Day to be a holiday.

Now, I say these things; I hope that I am not being diabolical, I certainly do not hope to be, I certainly wish that the Judiciary Committee had felt as patriotic towards these two bills as the gentleman from Portland, Mr. McGlaflin, feels towards the change of these holidays to Monday. I would agree with my colleague, Mr. McGlaflin, from Portland, that there is perhaps some question there as to whether or not we ought to change the dates of the holidays. Personally, I do not believe that it makes that much difference. I think the idea is the thing. If we can save time and labor and money as this bill would do, I think it is a wise bill. Furthermore, I think that the observance and the importance that we have placed on some of these holidays is a sham, and that this bill would actually allow enough time for the people to stop and think and realize the importance and the significance of these holidays, all of which have a very deep and vital significance in our past history. I think they are important and I think that we ought to take time to observe them properly.

I would like to restate a few remarks that I made in the hearing concerning Presidential Inauguration Day, which I felt was important enough for the people to stop and pay homage to when they arrive. It is my feeling that in this one regard it is a matter of Election

Day or Inauguration Day that you can not set the date on Monday because they are actual holidays, they are history in the making, and that would have to be one exception and I would like to make that amendment at the proper time.

In regard to Presidential Inauguration Day, I feel that today we recognize and pay tribute to a number of official holidays, all of which or most of which are commemorations of great events in the past. We do not have or observe any holidays that are of the present or of history in the making. Now, the present is, I believe, the most important period of time for all of us. It is the keynote to what will happen in the future. Today, we place on the pages of history significant events that people will commemorate tomorrow yet we make no official attempt on this date, Presidential Inauguration Day, to set aside our chores and to ponder over the great significance that this day has in each of our lives. On a day of such tremendous importance, it is my belief that we should set aside our work in courtesy to our newly elected President, the highest position that our country can bestow. We should do this in recognition of our great fortune in this time in world history when so many nations have lost or are losing their liberties. Furthermore, it should be our desire, and I believe it is our duty as a nation which is looked to for world leadership, to exemplify the extent to which we prize our heritage of self-government.

For this reason, Mr. Speaker and Members of the House, I feel that this is a good bill. I think it would allow the people more time to pay the proper tribute, to ponder over and to place a deeper significance over these holidays.

I take issue with the gentleman from Portland. I believe it is not a diabolical bill but it is a patriotic bill and I believe that with the proper amendments, which I would enjoy having the privilege of offering, I think the bill is a good one.

Therefore, I would move, Mr. Speaker and Members of the House that this bill be passed and then that it be tabled for amendment.

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

Mr. LOW: Mr. Speaker, I sort of tremble to stand up and say anything in defense of my vote with the majority of the Judiciary Committee. I am expecting momentarily to be struck with a bolt for having the nerve to stand up here. However, I do think that a couple of things should be mentioned. I do believe that in the course of time the coming generations will revere just as much as we do the same holidays that we now observe. It may be hard for us to celebrate, let us say, the Fourth of July, on the 2nd of July but I feel certain that the coming generations who are taught to celebrate Independence Day as the day which recognizes the event of the signing of the Declaration, while not the exact day it will be just as much revered by our young children and our older people as we now revere the Fourth of July. I do not think that there is any great importance in a name such as the Fourth of July over Independence Day.

My other reason for voting with the majority of the Judiciary Committee on this bill is because I know that a holiday in the middle of the week kills the week. You don't want to work the day before the holiday and you don't want to work the day after the holiday. If you have a Thursday holiday, you don't want to work Wednesday and you certainly are not going to work Friday and Saturday. I feel that if you have a holiday on Monday you have done enough celebrating and perhaps you can get back to work on Thursday and get something accomplished.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: First of all to clear up what I believe is a misunderstanding on the part of the gentleman from Brunswick, Mr. Tondreau, that if this bill is passed these holidays would become State legal holidays. The only places in the law that refer to legal holidays are the two places under the court

holidays and the schools. I think the only question involved here is whether or not this House or this Legislature wishes to commercialize our legal holidays. If they do, they should vote with the majority; if they do not, they should vote with the minority.

I still feel that there is a certain patriotic and religious significance attached to such holidays as Memorial Day and the Fourth of July. I think the framers of this bill were very clever in that they did not include Armistice Day nor did they include Patriot's Day. But I might point out that at the time of the hearing, the proponents were asked why they did not include Christmas and they said that they had discussed it but that they thought perhaps there was too much of a religious significance attached to that so they left that out.

I therefore trust that this House will go along with my good friend, the gentleman from Portland, Mr. McGlauffin, and vote to indefinitely postpone this bill.

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

Mr. SENTER: Mr. Speaker and Members of the House: I arise to support the motion of the gentleman from Portland, Mr. McGlauffin, to indefinitely postpone this bill.

Now, as a retail merchant, you would normally expect me to favor this bill because it has been said that this bill would help business. I am opposed to this bill. We have had some experience in our town of changing the date of holidays. Oftentimes when a holiday falls on Saturday, our Merchants Association has decided to observe the holiday on the following Monday. Now, I say to you that there is no longer any significance in the holiday unless you observe on the day of the holiday. If you are willing to throw out these days which are so important, then you will vote against Mr. McGlauffin's motion. I say these are times to hold onto those things which made our country great. My only regret is that we do not observe the holidays as they should be observed with fitting ceremonies. I am definitely

opposed to changing the date. I am going to vote with Mr. McGlauffin.

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

Mr. ROUNDY: Mr. Speaker and Members of the House: I only wish to say that more than once I have been thrilled by the statements of my colleague from Portland but I shall particularly value this day for his effective way of crystalizing our sentiment which means everything to us as American citizens in a matter of this kind and I certainly think that our allegiance to our American way of life, our sense of the meaning of tradition in connection with these holidays, has been most finely put by him and I certainly hope that we shall decidedly follow him in the motion which he has made. I thank you.

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

Mr. CRABTREE: Mr. Speaker and Members of the House: I have not paid much attention to this bill up to now and, for the moment, skipping over the matter of birthrights and landmarks and birthmarks and even champagne, I can not help but wonder what the attitude of Abraham Lincoln and George Washington and even those who fell in the Civil War would be when the proposition was that by a little rearranging of dates the working men and their families would have an extra day, four times a year. I rather suspect that Abraham Lincoln and those other folks would rather favor it. I do. Thank you.

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

Mr. FULLER: Mr. Speaker and Members of the House: I will make this brief. One of the reasons for this proposed change has been indirectly brought out by some of the preceding speakers, that is, that these days may be more properly observed. That is the day like the birthday of George Washington or Abraham Lincoln or Woodrow Wilson or later Franklin Delano Roosevelt might be observed more properly as part of a longer rest period when it didn't have to be sandwiched in between two other work-

ing days. It is hoped, I am sure, by the proponents of this bill that by having more time it can be more adequately observed by better programs than some of these important days are at the present time.

Then, the other thing is that whether we like it or not, our holidays and working days have become part of our system of industrial production. They have become part of our system of collective bargaining. That means that we have to pay some consideration to the employers and employees as well as those of us who work for ourselves, and isn't it better that the employees in our system of industrial production be allowed to—and the rest of us too—observe these days in the manner proposed in this bill? It is for their own physical and mental benefit.

Of course, the final thing is that this bill does not actually do anything until the Legislatures of thirty-one other states have done the same thing. And the point is to see that if the Legislatures of other states see fit to take this action that Maine will not be left all by itself.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hallowell, Mr. Vaughan.

Mr. VAUGHAN: Mr. Speaker and Members of the House: It seems that we have already had fifteen long weekends in this year and I think that we ought to, before we create any more, get down to work a little bit and I move the previous question.

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

All those in favor of the Chair entertaining the motion for the previous question will please rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER pro tem: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaflin, that the two reports with accompanying papers on Bill "An Act to Provide for the Observance of Legal Holidays," House Paper 819, Legislative Document 850, be indefinitely postponed.

A division has been requested by the gentleman from Harrison, Mr. Davis.

As many as are in favor of the motion of the gentleman from Portland, Mr. McGlaflin, that this matter be indefinitely postponed will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-one having voted in the affirmative and forty-two having voted in the negative, the motion prevailed and the two Reports with accompanying papers were indefinitely postponed and sent up for concurrence.

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: The gentleman from Liberty, Mr. Cole, the House has been most happy to have you serve as Speaker pro tem I am sure and in behalf of the Members of the House and personally I wish to thank you.

Thereupon, Mr. Cole was conducted by the Sergeant-at-Arms to his seat on the Floor amid the applause of the House, and Speaker Bates resumed the Chair.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Undesirable Political Activities" (H. P. 1192) (L. D. 1359)

Report was signed by the following members:

Messrs. REID of Kennebec
WARD of Penobscot
HARDING of Knox

—of the Senate

Messrs. TRAFTON of Auburn
 CIANCHETTE of Pittsfield
 LOW of South Portland
 FULLER of Bangor
 MARTIN of Augusta
 McGLAUFLIN of Portland
 —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 gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I am going to attempt to table this and move that this bill lie upon the table and be specially assigned for next Tuesday.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, moves that Item 19, the two reports of the Committee on Judiciary on Bill "An Act relating to Undesirable Political Activities", House Paper 1192, Legislative Document 1359, with accompanying papers, lie upon the table pending acceptance of either report and be specially assigned for next Tuesday, April 21. Is this the pleasure of the House?

The motion prevailed and the two Reports with accompanying papers were tabled pending acceptance of either report and specially assigned for Tuesday, April 21.

Divided Report

Report "A" of the Committee on Judiciary reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 597) (L. D. 637)

Report was signed by the following members:

Messrs. CIANCHETTE of Pittsfield
 FITANIDES of Saco
 MARTIN of Augusta
 TRAFTON of Auburn
 FULLER of Bangor
 —of the House

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

Report was signed by the following members:

Messrs. REID of Kennebec

WARD of Penobscot
 HARDING of Knox
 —of the Senate
 Messrs. LOW of South Portland
 McGLAUFLIN of Portland
 —of the House

Reports were read.

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

Mr. FULLER: Mr. Speaker and Members of the House: I move the adoption of the "Ought to pass" report, Report "A".

The SPEAKER: The gentleman from Bangor moves that Report "A" of the committee be accepted.

The Chair recognizes the same gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: This may be a hard day to change a thing with historical background but I am going to set forth the feelings of the members of the Judiciary Committee who signed Report "A" so as to convince you that there is no conspiracy among the legal minds to keep the people of the State from holding their elections whenever they wish to do so. There are a number of reasons for making a change in something which really has only an historical basis for it is said that our State election was set in September due to road conditions and weather later in the fall. Other than that what can be said for a change? One of the best reasons I know of for making a change is that the nation-wide newspaper and magazine releases of articles of all kinds are planned for the November election in the other states, likewise our radio and television programs. A change to bring us in line with the other states would make our elections more interesting, would take advantage of this publicity, and we would probably have a better vote which is the thing that we all would like to see.

Now, my second reason for my position on this matter is this:

The position in which our Congressional delegation is left by having a June Primary and a September election. When Congress had short sessions, it didn't make any difference but now the members of our delegation who are running for office have to cam-

paign prior to the June primaries at a time when Congress is apt to be exceedingly busy because that is the time when Congress is trying to get its affairs in order in order to take a summer recess of some kind.

There are other good and sufficient reasons for the change which I hope will be presented by others. In consideration of this whole subject, I shall again ask you to remember that we are not changing anything here in this Legislature. If you support my motion, we are merely giving the people of the State a chance to do as they see fit on this matter, either retain the September election or change to November if they so desire.

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

Mr. McGLAUFFLIN: Mr. Speaker and Members of the House: I do not care at this time to make a major speech on this question. If necessary, I will do so later. I am going to have plenty of opportunity to oppose it as I have in the past.

I do want to say a word of tribute to the man who introduced this bill, the gentleman from Lewiston, Mr. Jalbert. He is a man of considerable ability, a fine personality, a good loser and nobody can say that he isn't persistent. I have led this fight against this bill, legislature after legislature, ever since he has been here. He has stated to me that this bill has been killed in this House twenty-four times. This is going to be the twenty-fifth time. It comes up every year so all we could do was kill it two years at a time. It has more lives than a cat. (Laughter) I shall oppose the motion of the gentleman from Bangor, Mr. Fuller.

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

Mr. SENTER: Mr. Speaker and Members of the House: I arise to support the motion of Representative Fuller of Bangor. I believe that this is one date that should be changed. To my mind it makes sense to have both the state and the national election on the same date. I think that people should

have the opportunity of deciding this. As the gentleman from Portland, Mr. McGlaufflin, says, a bill like this has been introduced in the legislature twenty-five times and killed each time.

I think that it is high time that this Legislature let the citizens of the State decide the issue. I am in favor of the motion because I think that the towns and cities in the State will save a great deal of money by having just one election rather than the two elections.

A poll was taken some time ago of the town and city managers in the State, as well as the selectmen, and of 195 replies received from that poll on this subject 176 of 195 favored the change. 17 of the 195 were opposed to the change. My opinion is that the town and city managers and selectmen of our communities in the State favored the change in the date of the election because of the possibility of saving money. It has been estimated that in the communities that replied, 195 communities replying, approximately \$33,000 would be saved by those communities and of the other communities not replying to the poll, the estimate has been made that that would equal about \$39,000. Now, I say to you that this is a waste of money, this is a waste of money. I know that the City of Brunswick could use the \$900 that it costs us to have the September election; we could use that to better advantage for our schools, for many other worthwhile purposes. I also think that we would have a larger vote if both the state and the national election date was on the same day. I think we would have more interest in our government, both on the state and national level. I feel that if this date is held because it is considered politically wise in the trend, or as the saying has been "As Maine goes so goes the Nation", if that is important then I say that the National campaign, National Republican Campaign Headquarters, should pay the cost of the September election. They do not pay it. The citizens of our community pay it and it is a waste of money.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I arise to concur with the remarks just made by the gentleman from Brunswick, Mr. Senter. I have voted against this measure on two occasions in the House in two previous sessions but I find a growing sentiment among the people I represent to be allowed to vote upon this matter themselves and I am going to vote for the national day.

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

Mr. STEWART: Mr. Speaker, I would like to offer what I hope is a new argument in this ancient debate on the subject of a change in the election date. A study of the editorials and magazine articles at the time of the presidential election indicates that perhaps the majority of political commentators, political experts, may be coming over to the Maine idea on the proper time of holding a general election. We live in a modern age. We live in an age of radio and television. It is not long under the impetus of those modern means of dispensing information before the public is fully acquainted with the arguments, fully acquainted with the personalities involved in an election. It was the view of these commentators nationally that the length of the campaign nationally was altogether too long. In this modern day and age they have heard the same arguments over and over and over again, and they felt that it was time that we began to go back to an earlier date of holding a general election. It is my hope that your vote this morning will concur with this expert opinion, that the shorter period of campaign time is better and that Maine is in step, that the rest of the country may very well get in step with Maine as it did in the Republican election this past year.

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

Mr. TRAVIS: Mr. Speaker and Ladies and Gentlemen: I feel that

the question each of us should ask ourselves as we vote this morning is first, how the voters of my town feel and secondly, how it will affect my town. I agree with the gentleman from Portland, Mr. McGlaufflin, that probably this will be defeated for the twenty-fifth time but I still personally voice my support of the motion of the gentleman from Bangor, Mr. Fuller.

Now, Westbrook has frequently been pointed to as a good example of why the date should not be changed. However, I can truthfully say that 90 per cent of the Westbrook people whom I have discussed this matter with are very much in favor of changing the date.

In 1932, Westbrook went Republican in the national election. They did not go Republican again in a national election until last year, 1952, a twenty year spread. However, in the interim we were able, four different times, we have elected four different Republican mayors, three of whom were elected for only one year; the fourth served three or four years, showing that Westbrook is pretty much on the democratic side. In other words, in our state elections, in order to put over our candidates for the State legislature, we, in the Republican party in Westbrook, have got to spend a major part of the summer planning our campaign and it is a lot of hard work, a lot of expense. Contrast that with our city election in December and we have our caucus two weeks before the election, we put on a two weeks' campaign.

This last year, Eisenhower's majority in Westbrook was over one thousand votes yet a few weeks later in December the Democratic mayor in Westbrook was re-elected by 900 votes. Now, that proves to me that the people of Westbrook do have intelligence and do know how to vote intelligently and as they wish. I do not think that they would be confused by the national and state issues. I feel that they would vote intelligently and since I have taken a stand of economy in this Legislature, I feel that this is one place that we Republicans should forget our time-worn fear of electing a lot of

Democratic representatives and say: "Here is at least one spot that we can save a little money." Let's try it.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I am highly pleased that the gentleman from Brunswick has taken the stand to save money, because this is quite a rarity in some stands that he has taken on some of the other bills.

Now, I do not believe that this should be decided or should not be decided on saving money. Now, if we do want to save money on elections, let's have a king; England is going to crown a queen right away and that is going to be the end of it for a long while. At least, we hope so; I hope she lives out to be old as her grandmother, who was just buried the other day at eighty-five. Now to me this is a question of the best government. Of course, government costs money, if it didn't they would send us all home because we wouldn't work without some little compensation.

Now, I do know, and I believe that you will agree, that a great many times state issues have been decided adversely for the State simply because of riding in on the coat-tails of the State or some of the national people who were up in other states. This has not happened so in our State because we do have a state election where only state questions are concerned and where we have time and opportunity to study them and go out and vote intelligently on them, and simply because there has been someone like my good friend from Westbrook (Mr. Travis) say that 1900 Democrats voted for Eisenhower, good Democrats, I think the vote is right and let them go straight back and vote the Democrat ticket. Now they can be very easily carried away in just that way in these national elections. I believe that the day is coming in this modern age, the Representative from Portland (Mr. Stewart) tells about being modern, I don't know how modern we are, I know our welfare load is

getting heavier and our rum question is getting greater and if that is modernism, of course we are getting modern. But I do believe that as we become modern, if we do, the other states will have a state election just the way Maine does, because I believe that the best way for real, actual state representation is at the State election and not to be carried away at the national.

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

Mr. TUPPER: Mr. Speaker and Members of the House: I arise to support the motion of the gentleman from Bangor, Mr. Fuller. I feel that there is too much pessimism on the part of the proponents of this change. I think we can and should change this on the twenty-fifth time it has come up for consideration.

I was admonished yesterday for speaking on a bill regarding ice fishing. My severest critic was my wife. Mrs. Tupper, in no uncertain terms, suggested that I confine my remarks to things I knew something about. I explained patiently to the good wife that I was just trying to be helpful. She said: "Nonsense, you didn't get enough sleep the night before and you had a chip on your shoulder." If others got that reaction, I apologize. On the matter at hand, I assure you that I speak from the knowledge that an overwhelming majority of my constituents are in favor of this change in the date of the general election. The class towns in the so-called Madeira of Maine that I represent are strongly Republican but they do not believe in sacrificing principle and economy for partisan politics. We all know the arguments pro and con. It is just a question of whether we all rise above political considerations and vote for this sensible change. I hope the "Ought to pass" report prevails.

The SPEAKER: The Chair recognizes the gentleman from Liberty, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: This is undoubtedly a minority party measure. However, I am for the thinking of the gentleman from

Bangor, Mr. Fuller. As a local election official for many years, I feel that a great many more voters would go to the polls if we could cut the number of elections. I, for one, am not in fear of the minority party even though their national committee woman from Rumford did organize a good party ticket in Waldo County last fall. However, I really feel that a good, strong minority party is good for the State of Maine. Therefore, I will go along with the gentleman from Bangor, Mr. Fuller, and when the vote is taken I will ask for a division.

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

Mr. McCLUSKEY: Mr. Speaker and Members of the House: There is one point, I think, that hasn't been brought out which I think history would prove is true: That the September elections were held primarily on account of weather in the old days; in other words, in November the weather is bad in the northern states, and some northern states accepted the September election, but our modern transportation and so forth and good roads and good plowing have done away with that and I would like to go along with the gentleman from Bangor, Mr. Fuller.

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

Mr. FULLER: Mr. Speaker and Members of the House: Notwithstanding the fact that there are some good Republicans on this report, it is a party issue pure and simple and as somebody has said, it has been introduced twenty-five times. I have no record but I would say probably each time by a member of the minority party. If it is of no value to the minority party, I wonder why they are so much interested in it. If the time comes when the Republican party is in favor of changing the election, I think it should be put into the Republican platform. It is not in the Republican platform and therefore I oppose it and I move for the indefinite postponement of the bill. (Applause)

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the two reports with ac-

companying papers on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election, House Paper 597, Legislative Document 637, be indefinitely postponed.

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

Mr. CHASE: Mr. Speaker and Members of the House: I want to go on record as favoring the "Ought to pass" report of the committee. I contend that this question should be the people's choice. Why not give them that chance? There surely will be no confusion in the minds of the voters if this question was put on the ballot. I am not always in favor of the old adage: What was good enough for grandpappy is good enough for me. I hope we all understand that the passage of this bill will only allow a referendum vote on the question. I hope the motion of Mr. Fuller (of Bangor) will prevail.

The SPEAKER: The Chair recognizes the gentleman from Sweden, Mr. Moulton.

Mr. MOULTON: Mr. Speaker and Members of the House: I doubt in my mind if discussion on this bill for another hour will change one vote. I move the previous question.

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

All those in favor of the Chair entertaining the motion for the previous question will please rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from South Portland, Mr. Fuller, that the two reports with accompanying papers on Resolve

Proposing an Amendment to the Constitution Changing the Date of the General Election, House Paper 597, Legislative Document 637, be indefinitely postponed.

As many as are in favor of the motion of the gentleman from South Portland, Mr. Fuller, 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.

Thirty-five having voted in the affirmative and ninety-three having voted in the negative, the motion for indefinite postponement of the two reports with accompanying papers did not prevail.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bangor, Mr. Fuller, that Report "A" of the Committee "Ought to pass" be accepted. The gentleman from Liberty, Mr. Cole, has requested a division.

As many as are in favor of the motion of the gentleman from Bangor, Mr. Fuller, 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.

One hundred and two having voted in the affirmative and seventeen having voted in the negative, Report "A" of the Committee "Ought to pass" was accepted.

Thereupon, the Resolve was given its first reading and assigned for second reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Acceptance by State of Funds for Unorganized Territory Capital Working Fund" (H. P. 1072) (L. D. 1212)

Bill "An Act to Change the Name of Portland University Extension Courses, Inc., and to Grant It Certain Powers" (H. P. 1139) (L. D. 1289)

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

Resolve in favor of Bosworth Memorial Association (H. P. 23) (L. D. 18)

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

The SPEAKER: The Chair recognizes the gentleman from Sweden, Mr. Moulton.

Mr. MOULTON: Mr. Speaker and Members of the House: I move the indefinite postponement of Item 3.

The SPEAKER: The gentleman from Sweden, Mr. Moulton, moves that Item 3, Resolve in favor of Bosworth Memorial Association, House Paper 23, Legislative Document 18, be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Sweden, Mr. Moulton, 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.

Five having voted in the affirmative and fifty-one having voted in the negative the motion did not prevail.

Thereupon the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

Resolve to Reimburse the Town of Brooks for Pauper Claim (H. P. 25) (L. D. 1447)

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

Resolve Regulating Ice Fishing in Portage Lake, Aroostook County (H. P. 649) (L. D. 663)

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

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

Mr. ROBERTS: Mr. Speaker, do I understand that we cannot amend these bills in present form?

The SPEAKER: The Chair will inform the gentleman that amendments are in order.

Mr. ROBERTS: Mr. Speaker, I move that Item 5 lie on the table until next Tuesday.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that Item 5, Resolve Regulating Ice Fishing in Portage Lake, Aroostook County, House Paper 649, Legislative Document 663, lie on the table pending second reading and be specially assigned for next Tues-

day. Is this the pleasure of the House?

(Calls of "No")

The SPEAKER: As many as are in favor of the motion of the gentleman from Dexter, Mr. Roberts, that this Resolve be tabled pending second reading and specially assigned for next Tuesday will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

Mr. WATSON: Mr. Speaker and Members of the House: I move the indefinite postponement of Item 5.

The SPEAKER: The gentleman from Moose River Plantation, Mr. Watson, moves that Item 5, House Paper 649, Legislative Document 663, Resolve Regulating Ice Fishing in Portage Lake, Aroostook County be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Moose River Plantation, Mr. Watson, 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-four having voted in the affirmative and fifty-three having voted in the negative the motion did not prevail.

Thereupon, the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

Resolve in favor of the Town of Jay (H. P. 798) (L. D. 1448)

Resolve in favor of the Town of LaGrange (H. P. 1242) (L. D. 1444)

Resolve in favor of Town of Van Buren (H. P. 963) (L. D. 1449)

Resolve Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute (H. P. 1036) (L. D. 1180)

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

Amended Bills

Bill "An Act to Clarify the Liquor Laws" (S. P. 439) (L. D. 1207)

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-three and for the Year Nineteen Hundred Fifty-four" (H. P. 120) (L. D. 121)

Resolve for the Purchase of One Hundred Copies of "Highlights of Westbrook History" (H. P. 207) (L. D. 238)

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.

Tabled Temporarily

Resolve to Reimburse George H. Morong of Portland (H. P. 401) (L. D. 454)

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

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

Mr. TRAVIS: Mr. Speaker and Ladies and Gentlemen: I would like to ask a question of a member of the Claims Committee. I know very little about this case except that if my memory serves me correctly, this claim was turned down flatly by the Governor and Governor's Council last year. This year the same claim came before a different Governor and a different Governor's Council, and it was again flatly rejected, so I would like to know, before we finally give this a third reading, the basis on which, after two strikes, the Claims Committee felt that this claim was justified.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, requests information from some member of the Committee on Claims.

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

Mr. ALDEN: Mr. Speaker, regarding the claim of Mr. Morong, we deducted considerable from the claim we had in, but it seemed that he had a \$1,200 insurance policy that he borrowed money on to go on with this work for the Indians, and we thought we were justified in giving him \$1,200, enough to repay the loan on his insurance. That is the only thing that we did and

it is the only thing we recommend.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I was hoping that the Chairman of the Claims Committee would be here because I talked with him considerably on this item. I do not think the member of the Claims Committee even told you how they arrived at the \$1,200 decision in this matter.

It seems rather odd that we here today have been talking about saving money, and we all jump at fishing in Portage Lake, and put a lot of stress on that special item, and still and all let something like this slip by. It wasn't going to slip by because I was going to come up with it.

It seems as though this gentleman here went into business for himself, and was doing business with the Indians. He claims it is to start them some way where they can produce an income, but he did it in a business way, and it seems kind of peculiar that we should reimburse someone who has started a business, and who, through poor business management, has come up with a loss, especially with a loss of what this special bill calls for.

And then it seems rather funny again to cut it down to \$1,200 and consider he had a loss of only \$1,200 when he asked for over \$4,000. In this, I understand—it was supposed to be presented this morning, but I notice the Chairman of that committee isn't here—that he asked for \$70 a trip from the reservation to Portland with a pickup. It seems to me that most anyone in a business with that much for a trip could certainly pay their own way without asking the State to reimburse him.

Therefore, under the circumstances, at this time I will ask Mr. Potter to explain further in regard to this claim, if he will.

The SPEAKER: The Chair understands the gentleman from Bridgewater, Mr. Finemore, requests further information from the Committee on Claims. The Chair would further suggest that as this matter appears to be a matter of considerable controversy, that it might be temporarily laid aside until the

completion of the other Third Readers.

Mr. FINEMORE: Mr. Speaker, I was going to originally make a motion before Mr. Travis spoke that this matter be tabled until later on in the day.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that Item 12, Resolve to Reimburse George H. Morong of Portland, House Paper 401, Legislative Document 454, lie on the table, and be specially assigned for later in today's session, pending second reading.

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

Resolve in favor of the Town of Fort Fairfield (H. P. 1080) (L. D. 1450)

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

Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities" (S. P. 482) (L. D. 1341)

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

The SPEAKER: Is it now the pleasure of the House to take up out of order and under suspension of the rules a paper just received from the Senate? The Chair hears no objection and

The Clerk will read the order.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn today, they adjourn to meet on Friday, April 17, 1953, at 1:30 in the afternoon. (Senate Paper 542)

Came from the Senate, in that body today read and passed.

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

(Calls of "No")

The SPEAKER: The House may be at ease, off the record.

House at Ease

Called to order by the Speaker.

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

(Calls of "Yes")

Thereupon, the order received passage in concurrence.

Passed to Be Enacted

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

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

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

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

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

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

An Act relating to Taxation of Personal Property Held in Trust (H. P. 417) (L. D. 465)

An Act to Create the Jackman Sewerage District (H. P. 849) (L. D. 951)

An Act relating to Costs of Children in Maine School for the Deaf (H. P. 1064) (L. D. 1201)

Finally Passed

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 Regulating Fishing in Webb Lake Tributaries (H. P. 591) (L. D. 613)

Resolve Regulating Fishing for Smallmouth Black Bass on Mount Desert Island (H. P. 738) (L. D. 755)

Resolve in favor of Moses A. Dolley of Vassalboro (H. P. 1126) (L. D. 1394)

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

**Enactor
Tabled**

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

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

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

Mr. LOW: Mr. Speaker, in order that we may debate this bill more intelligently, I am having prepared by the State Controller certain figures. These are not ready at the moment, and I therefore will ask that this bill be tabled and specially assigned for tomorrow afternoon.

The SPEAKER: The gentleman from Rockland, Mr. Low, moves that Item 14, Legislative Document 1388, lie on the table and be specially assigned for tomorrow afternoon, pending passage to be enacted. Is this the pleasure of the House?

(Calls of "No" and "Yes")

As many as are in favor of the motion of the gentleman from Rockland, Mr. Low, will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed, and the Bill was so tabled and so assigned.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to Sale of Fireworks" House Paper 831, Legislative Document 862, tabled by Mrs. Christie of Presque Isle on April 9, pending acceptance of report.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I think that this is one of the most dangerous bills we have had to consider yet in this session. This morning there was a very timely editorial in one of our papers. I would like to read part of that editorial:

It says: "Scheduled for debate is a bill to relax Maine's four-year-old and sensible law banning the use and public sale of fireworks in the

State. It doesn't take a long memory to recall the tragedies Maine suffered from fireworks accidents in the past, tragedies that aroused the State and prompted the Ninety-Fourth Legislature to ban these instruments of injuries. Although the proposal to be debated today would not lift the ban on firecrackers, it would permit sale of certain fireworks to children twelve or older. So dangerous is this proposal that the Maine Association of Fire Chiefs, meeting in Bangor day before yesterday, voted unanimously to oppose adoption. Their stand is a wise one, and will find favor with parents all over the State, with everyone, we believe, who recalls free-ban days of blinded eyes and deafened ears and seared skin.

"This is no time for sympathy for those who wish to sell fireworks. It is time for appreciation on the part of the Legislature as that ban was passed four years ago as the result of a real emergency caused by Fourth of July accidents to Maine's children."

They quote a letter to Governor Burton Cross by the National Fire Protection Association. As the hour is late, I will not read that letter, but I will say that I feel very strongly on this measure. I am the father of four children, two boys and two girls. I do not like to deny them any pleasures of life. On the other hand, I love them very dearly, and this bill has brought back to me very strongly a recollection of a friend of mine who was killed the year after this ban, a boy who played with my boys.

A year after this ban was in force, the boy begged his father for fireworks. His father, recalling his own pleasures, went out of the State and bought fireworks, to shoot off at Sebago Lake. He went to one firecracker which did not go off; he picked it up and held it to his ear to see why it hadn't gone off. Immediately it went off. His head was practically shattered. The boy died within a few hours; he never regained consciousness.

Now, if you want that to happen to your boy or to your neighbor's boy, vote for this bill. I move the indefinite postponement.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, moves that House Report "Ought to pass" on House Paper 831, Legislative Document 862, Bill "An Act relating to Sale of Fireworks" with accompanying Bill, be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Gowell.

Mr. GOWELL: Mr. Speaker and Members of the House: The basis of this bill is what is called a safe and sane fireworks bill. It was presented to the committee on Legal Affairs, notice was given, and there was no opposition. It was tabled last week, and it would seem that the opponents have had sufficient time to prepare any objections they wish to make at this time.

It is not the intention of any member of the Legal Affairs Committee, I am sure, to force hasty action on the part of the Legislature. At that hearing several appeared in favor and none against this bill. It was stated, and I think it can be proven, that the objectionable features have been removed, that is that the fireworks that were allowed to be displayed and sold were of such a nature that it did not involve any special hazard or any fire hazard.

I have no objection to accommodating our friend, the gentleman from Westbrook, Mr. Travis, but it is late in the session and they have had a long time to think this over. I will say that it did not appear, from the way the bill was explained to the committee and on reading it, we could not see any danger or any hazard whatsoever.

The principle objection down in my section has not been because of accidents that have happened, but there have been some complaints that fireworks caused people to lose their sleep and rest, and that is brought out largely, perhaps, by the local dealers putting fireworks on the market before they should.

This bill, if it is passed, will allow the youngsters to observe Independence Day as they have in our State ever since Maine has been admitted to the Union.

That is about all we can say. I am sure that we have no desire to inflict any hazard on any of the

boys and girls of the State. As I have said, some have had their rest broken at some time, but I will say that during the last session of the Legislature I lost more sleep down at the Augusta House than I ever did from the fireworks.

I was hopeful that when my friend, the gentlewoman from Presque Isle (Mrs. Christie) tabled this bill that she might have made an error in tabling the bill. I thought probably she might have said that was firewater, for I know that firewater and fireworks do not mix.

Now I do not wish to make light of this subject, but if the members think they can receive any more intelligent explanation by postponing it a week, all right, but this was reported out by the committee unanimously, they have given it considerable thought and discussion, and I think the people have had a reasonable amount of time to raise their objections. I would move, Mr. Speaker, if it is in order at this time, that the unanimous report on the bill "Ought to pass" be accepted.

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

Mr. MCGLAUFFIN: Mr. Speaker and Members of the House: I cannot go along with the motion of the gentleman from Westbrook, Mr. Travis. He and some others seem to think that you are going to eliminate danger by defeating this bill.

As a boy, the Fourth of July was the greatest day in the year for me. We did not have any firecrackers or anything of that sort, but don't you think for a moment we didn't celebrate.

I am very thankful for one Fourth of July that I recall. I was out with a number of boys. We found a double-barrelled pistol. It had no handle, but that did not trouble us any. We filled those barrels up with powder, rammed in a lot of wet grass so as to make a good noise. It went off. What happened? That pistol blew to smithereens and a piece of it passed my head within a few feet and sent that pistol over the sawmill some distance away. I am lucky to be here now.

That wasn't all. We were out to celebrate. We found an old anvil of some kind. It had a nose on it about five inches across with a hole in it about an inch across. We pounded a lot of powder into that and we tamped it in with wet grass. That was supposed to make more noise. And then we set it off. Oh, before that, we put a block of wood, about a foot cube, on top of this anvil, I call it, whatever it was. I myself got off for a distance of at least a hundred feet when that thing went off. Pieces of that wood flew over my head for three hundred feet. I was lucky not to get struck that time.

But I want to tell you that you do not eliminate the danger to these country boys when they are out to celebrate. It is true that once in a great while an accident happens, and in the case cited by the gentleman from Westbrook, Mr. Travis, that boy was killed. But many boys have been killed just sliding down hill. The number of people killed in Maine by fireworks of any sort has never been but very, very few. We kill over a hundred people a year by automobiles and it makes no stir whatsoever.

Now this bill does not provide that you can buy fireworks indiscriminately. It does not even allow you to have firecrackers. It allows you to have pinwheels and little rockets and things of that sort.

About 1903, fifty years ago, I began to go to a camp that I now own in New Hampshire near the Willey House station. The people who ran that station, the man and his wife, had six girls. I have watched those children grow from babyhood to womanhood and they are all still alive, all have families of their own. I used to spend my Fourth of Julys in the mountains and I took up numerous packages of these little firecrackers an inch or an inch and a half long, pinwheels and little torpedoes that you could snap down on a rock. I can see now the pleasure and the delight of those six girls as they used those little noise-makers and sparklers at night. None of them were ever hurt, there wasn't anything that gave them greater pleasure.

When I was in the Senate in 1943 the Legal Affairs Committee passed out a bill making it prohibited, as it is today, to have any fireworks whatever. I remember of sitting beside Judge Sanborn, who was then in the Senate with me. He was the Senate Chairman of the Legal Affairs Committee. He said to me, "You don't think you can overcome a unanimous report of the Committee on Legal Affairs that says this bill ought to pass to kill these fireworks?" I said, "I am going to try it." And I did successfully; the Senate went with me and the House followed. I myself had introduced a bill to make fireworks safe, cutting it down so that you could not use these giant crackers but could only use small firecrackers. After I killed that bill they adopted my bill, which passed.

Now some four years ago there was some other agitation about this matter and they passed the present law which goes altogether too far.

You are shutting out what the children love. The thing that is necessary is to teach these children to be careful. Nobody in this world was ever killed by a firecracker when it wasn't due to the carelessness of somebody.

Another thing I want to point out to you: children should be trained to realize that there is some danger in handling such things as fireworks or powder or dynamite. You shut out from the children the right to use these little sparklers or pin-wheels or something of that sort, but you expect the same boys that you are trying to protect to go out and bomb a city with atomic bombs or something as bad. You are scared to death that your child will face some little danger which is mild indeed, and yet you expect the farmer's boy to go out and blow up stumps with dynamite.

We have lost our sense of proportion. It is regrettable that some boy has lost his life by accident. As I stated before, many people have lost their lives by different kinds of accidents.

Now I am in favor of this bill because, as I look it over, it limits fireworks to such an extent that it is not of any danger to anybody. I am against the indefinite postpone-

ment of this bill and I am for the solid committee report.

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

MR. FINEMORE: Mr. Speaker and Members of the House: All I want to do is say that yesterday I received a telephone call from our Fire Marshal, Garth Good, in Monticello, stating that he and the Fire Chiefs Association, together with the Fire Insurance Association of Aroostook County, very much opposed this bill, and I was asked to go along with the indefinite postponement of this bill. Thank you.

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

MR. BIBBER: Mr. Speaker and Members of the House: I do not wish to have the issue confused. I am the little "pappy" who put this bill in and I want to try to defend it to the best of my ability.

First of all, you don't judge a book by its covers or by its title: you open it up and you read the pages. I feel that there are many members of this House who have not read this bill. Just let me read the title to you: "An Act Relating to the Sale of Fireworks." Right there, in its title alone, is where a lot of the opposition has come. They have not taken the time to sit down and open up the pages and read the literature on the inside.

I would like to mention also the hearings held on this bill. I felt that when the hearing was held there would be a lot of opposition to it. It was properly posted and no one appeared. I then went to the Chairman of the Legal Affairs Committee and told him I felt the bill had not been given a proper hearing and asked for a second hearing. The second hearing was held and nobody appeared against it. The bill has certainly had its proper hearings. Then some bright individual reads the title, gets in touch with a couple of fire chiefs in the State, gets them all worked up, and it comes out in the paper yesterday, the Bangor paper: "Fire Chiefs veto bill authorizing fireworks sale." And at that meeting of the fire chiefs representing the entire State there were only forty-seven fire

chiefs there, and I wonder how many copies of the bill they had there to read.

The purpose of this bill is based on a small industry here in Maine. After World War II there were two veterans who live here in the State who decided that they wanted to start an industry and employ Maine people. They looked around for some industry to purchase. They went over in New Hampshire and bought this little woodworking concern and moved it into the town of Kennebunk and employed between forty and fifty people.

When the Ninety-fourth Legislature met and they abandoned the sale of fireworks, it put this little company behind the eight ball to the extent that they lost about two months' work and caused a layoff.

Now I am opposed to any legislation that pushes the industries out of the State of Maine. I think we should do everything in our power to bring it in and give our people employment.

All this firm did was to manufacture the little bases that go in fountains, pinwheels, the wooden bases that these little fireworks set on. That was the purpose of the bill, and I feel that it has become misconstrued. The records show that the Ninety-fourth Legislature didn't abolish fireworks because of the fire hazards; they abolished it because the people that had the fireworks didn't know how to use them and made a nuisance of themselves.

I live in a summer resort and I know. This law was put on the books four years ago and the State hasn't done a thing to enforce it as far as the people coming into the State bringing fireworks. They start down in my town about the 15th of June and they keep firing until about the 10th of August, day in and day out.

As far as the remarks of the gentleman from Westbrook (Mr. Travis), about the little boy that stuck the firecracker in his ear, I wonder if that same gentleman read the headlines in the paper on July 5, of 1951, which read: "The only fatality in the United States was in Westbrook, Maine,"—because this young redblooded individual wanted to celebrate Independence Day, he took his father's shotgun and tried

to make an explosive and by this means killed himself. I think if we had had fireworks, the youngster would have been properly trained and that accident would never have happened.

This morning I stood up and asked for an order to be passed, that the people of this State might know what is going on. We, as a race, are a little bit bloodthirsty in reading our newspapers. We like to read about accidents and things that happen, a little on the gruesome side.

Now it is true, through the years, that our generation has changed and doctors are no different than anybody else. When our holiday rolls around, they like to take that day off and celebrate it just like everybody else, and I can think back on a certain July 4 when I got a severe burn, and my father took me to the doctor, to his home, and had my hand patched up. There was nothing in the paper about that. But what do we do today on a holiday when somebody gets injured? We rush them to the nearest hospital or an outpatient department, and a young cub reporter is trying to make a name for himself, and somebody comes in with a burned hand on Fourth of July and they spread it clear across the papers, building up resentment against the fireworks.

This bill only calls for safe and sane fireworks, and I might say that out of several states that have abolished the fireworks they have reverted and gone back to the "safe and sane." Seven of these states have put the laws into effect and there hasn't been one single accident from this bill.

If we are going to pass such legislation abolishing things for our children, why don't we abolish the electrical toys that are coming out, electric trains, little electric stoves for our girls, electric steam engines for the boys? Also, why don't we pass legislation to take the motorists off the highway? The Safety Council comes out the day before a holiday starts and says: "Our predicted death toll will be 700, 650." It has become a score board, a betting proposition, to see how near the Nation's Safety Council will come to it.

I hope that the motion of the gentleman from Westbrook, (Mr. Travis) does not prevail, and that this piece of legislation will be given very careful consideration, Ladies and Gentlemen, and I hope that you will go along with the committee's report, and when the vote is taken, I ask that it be by a division.

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

Mr. **ROUNDY**: Mr. Speaker, I was a member of the House when we, in the Ninety-fourth Legislature, put into action the bill which we did, banishing fireworks, and I felt that the result of that action was one of the fine things which we did in that session. So far as I could determine, by keeping my mind open, and as intelligently alive as I could be, I think from the reports that have come to me since that time from varied sources have altogether borne out the good sense of the Ninety-fourth Legislature in making the provision for prohibition which we did in the matter of fireworks, and I certainly think that we should not in any way weaken the force of what we have already done.

Now I have a couple of grandchildren that are of just the age that would be affected by matters of this kind, and they have gotten used to having Fourth of July without the dangerous methods that previously prevailed, and I think that they are not losing anything in not being able to dangerously go forward with the day, and I certainly want to support, as much as I can, the position of my colleague, the gentleman from Westbrook (Mr. Travis) in the matter of this indefinite postponement.

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

Mrs. **CHRISTIE**: Mr. Speaker, I do not want to take much time of this House at this late hour, but I do want to bring to your attention a letter which was sent by Franklin M. Foote, Executive Director of the National Society for the Prevention of Blindness. He comments on the fact that this bill has been introduced and he said:

"... to permit the sale and use of so-called 'harmless' fireworks.

"The theory that certain fireworks are harmless is contrary to the record. Any explosive is dangerous in the hands of a child. Even if it were not, a child can, and often does, use multiple units at one time or employ a bottle or tin can to increase the effect. Moreover, the technical terms describing the explosive content of an item are meaningless to the dealer and ultimate consumer. Hence, enforcement of the law becomes virtually impossible.

"It is the hope of the National Society for the Prevention of Blindness that individuals and agencies in Maine having the welfare of children at heart will use their influence to prevent enactment of amendments which will eliminate the safety protection provided for in the original fireworks control law."

I feel that if one child is rendered blind by the use of these fireworks, that we would be guilty, and I hope this bill does not pass.

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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: Probably I am as hungry as the rest of you, but I want to take five minutes on this one. I don't appreciate too much the remarks of the gentleman from Kennebunkport (Mr. Bibber) who states that the fire chief probably didn't read the bill and suggests that probably some of us haven't read the bill. It is very seldom I get up to speak when I don't very carefully read a bill, and I have read this bill very carefully and I am still opposed to it, and I would like to point out one of the big loopholes in it.

Number 1. It says no child under the age of 12 years shall buy fireworks. Well, that is fine. It doesn't happen to say that that child, aged twelve, cannot go into my neighborhood with my children aged three and aged five and set them off in their faces. There is no guarantee for that.

Point Number 2. It lists the safe items, and amongst the safe items are included colored fire sticks and fuses et cetera and novelties made

from the above items, and to me that phrase "novelties made from the above items" is a pretty broad phrase.

I would simply like to add two other comments. I know someone is going to get up and say it is local option; let people decide, but I have a letter from the City Manager of the city of Bangor who states that in Connecticut they left it up to the local option, and as a result the big communities banned it and the little communities surrounding the big communities cleaned up by selling fireworks.

Point Number 3. In case you have forgotten, we had a very serious waterfront fire in our town about three or four years ago where there were located some oil storage tanks and the Fire Department chiefs at that time were scared to death that the entire town was going to suffer some very serious explosions.

That fire was started by children playing with fireworks. They didn't confine it to "explosives"; it was "fireworks period."

I certainly will wish to support the motion of the gentleman from Westbrook, Mr. Travis.

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

Mr. HAND: Mr. Speaker and Members of the House: I feel that the unanimous report of the committee and their action should be somewhat more explained, somewhat more defended.

The committee was convinced that this fireworks bill so limited the type of fireworks that could be sold as to remove the dangers that you have heard of here today. Nothing in the nature of an explosive can be sold if it contains any more powder than you find in your ordinary cap that you use with a cap pistol. Those are already legally sold in the State, and this bill intends that nothing of a more explosive nature shall be sold.

I object to fireworks that have too much noise. I think they are a nuisance; I think they are a menace.

I am reminded of a situation that is supposed to have taken place in one of the small communities near

where I live. There was a fellow who ran a barber shop in Smyrna Mills. We affectionately referred to him as "Uncle Joe." Firecrackers had been for sale around there for quite some time before the Fourth of July, and he was getting a little jittery. During the hot weather in the summer he kept his barber shop door open so the flies could get out. Somebody tossed a four-inch salute under the barber chair while he was shaving a man. When he finally came back down onto the floor and got the blood sopped up — some of the language he used might not be entirely complimentary — but he said that he wished that the South had beaten the North, then there wouldn't have been any Fourth of July. (Laughter)

Now I think that the committee intended that such episodes as this would not take place, but the types of fireworks that are for sale we believed were harmless, were not dangerous, were not apt to cause fires, and might supply some entertainment that the children are now deprived of.

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

Mr. GATES: Mr. Speaker and Members of the House: I wish to rise in support of the motion of the gentleman from Westbrook (Mr. Travis). I was a member of the Ninety-fourth Legislature, when we prohibited the use and sale of fireworks. It has been four years since that bill was passed and it has worked very, very satisfactorily.

Nobody is denied the right to enjoy the Fourth of July. Fireworks can be set off by organized fairs in the cities and towns under the supervision of an expert, and it has proven very, very safe.

I wonder if the children are demanding the right to fire these fireworks or is it the industry who manufacture and the salesmen who sell them, who are willing to sacrifice the eyes and limbs and lives of our children simply for a small profit.

The gentleman from Kennebunkport (Mr. Bibber) admits of various damage, and wants us to keep quiet about it. That is a silly thing to

do. We know they get hurt, and why in the devil should we permit them fireworks to get hurt with?

I am emphatically opposed to the sale of these fireworks and display of fireworks, and I want to go along with Mr. Travis on this bill.

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

Mr. CHILDS: Mr. Speaker and Members of the House: Mr. Hand has very well explained our position on this bill. There is only one thing I want to add. I certainly realize that it is the contention of the opponents of the bill that we are again opening the door and letting dangerous fireworks come in. Well, that is where I must disagree with them and part company. I certainly have confidence in future Legislatures and I believe that in the future if anybody proposed any dangerous fireworks, they would be stopped cold.

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

Mr. TUPPER: Mr. Speaker, so that this Legislature will not be here to celebrate the Fourth of July, I move the previous question.

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

As many as are in favor of the Chair entertaining the motion for the previous question will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? As many as are in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Westbrook, Mr. Travis, that House Report

"Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to sale of Fireworks," House Paper 831, Legislative Document 862, together with accompanying papers be indefinitely postponed.

The gentleman from Kennebunkport, Mr. Bibber, requests a division. As many as are in favor of the motion of the gentleman from Westbrook, Mr. Travis, for indefinite postponement of the committee report "Ought to Pass", together with the bill, 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-nine having voted in the affirmative and forty having voted in the negative, the motion prevailed, and the report, with accompanying Bill, was indefinitely postponed and sent up for concurrence.

On motion of Mr. Fuller of South Portland,
Recessed until 3 P. M.

3:00 P. M.

Called to order by the Speaker.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, An Act relating to the Revocation of Insurance Agent's License (S. P. 369) (L. D. 1035) tabled on April 14 by the gentleman from Augusta, Mr. Albert, pending passage to be enacted, and the Chair recognizes that gentleman.

Mr. ALBERT: Mr. Speaker and Members of the House: I tabled this item for the gentleman from Bangor, Mr. Totman, and in his absence and in fairness I would like to retable this matter and specially assign it for tomorrow, Friday.

The SPEAKER: The Chair will state that the gentleman from Bangor, Mr. Totman, is coming into the Hall of the House at this time.

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

The SPEAKER: The Chair thanks the gentleman.

The matter before the House at this moment is the second tabled and today assigned matter, An Act relating to the Revocation of Insurance Agent's License (S. P. 369) (L. D. 1035)

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

On motion of the gentleman from Bangor, Mr. Totman, the House voted under suspension of the rules to reconsider its action whereby it passed to be engrossed L. D. 1035.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 369, L. D. 1035, Bill "An Act Relating to the Revocation of an Insurance Agent's License."

Amend said bill by striking out the last underlined sentence thereof.

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

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, motion of Mr. Albert of Augusta to reconsider passage of House Order relative to Session Laws for members of the House, tabled on April 14 by the gentleman from Augusta, Mr. Albert; and the Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker and Members of the House: I made a motion to reconsider this item last Tuesday because it was the only time I could do it. Since then I have checked with the State Librarian, and there is an insufficient number of copies of the Laws of 1947, 1949 and 1951 to go around for the House members. Actually, there are fifty-six copies available of the 1947 laws and we would need 132 to go around. Aggregately, there is a total of 177 copies missing. The State Librarian informs me that the cost of printing these volumes amounts to a little over eleven dollars each, which would be an expense of some \$1900. If my motion to reconsider our action prevails, then I will move that the order be withdrawn. As it stands now, it will be a matter of only a few of us getting the volumes of those statutes and the rest would have to go without. I therefore move reconsideration, Mr. Speaker.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I certainly did not intend to spend any money when I put in this order, and therefore I would be very happy for you to go along with the motion of the gentleman from Augusta, Mr. Albert, to reconsider, and at that time I would be very happy to make a motion for leave to withdraw.

The SPEAKER: The pending motion before the House is the motion of the gentleman from Augusta, Mr. Albert, that the House reconsider its action whereby it passed House Order relative to Session Laws for Members of the House.

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

Mr. MCGLAUFLIN: Mr. Speaker, I rise to a point of order. Can we reconsider the second time?

The SPEAKER: The Chair will inform the gentleman that the motion was specially assigned and was placed as a reconsidering motion within one legislative day of the original action.

All those in favor of the motion of the gentleman from Augusta, Mr. Albert, for reconsideration will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. DICKEY: I now move for leave to withdraw this order, the third today assigned matter.

The SPEAKER: Is it the pleasure of the House that leave to withdraw this order be granted?

The motion prevailed and the order was withdrawn.

The SPEAKER: The Chair lays before the House a matter tabled earlier in today's session and specially assigned for later in today's session, Resolve to Reimburse George Morong of Portland H. P. 401, L. D. 454, tabled by the gentleman from Bridgewater, Mr. Finemore pending second reading.

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

Mr. STEWART: Mr. Speaker, I rise to a point of information.

The SPEAKER: The gentleman may proceed.

Mr. STEWART: I rise to a point of information as to whether or not there is a motion pending on this resolve. If not, I move the second reading of this resolve.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves the second reading of this resolve. Is this the pleasure of the House?

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

Mr. FINEMORE: Mr. Speaker, I wasn't expecting this, but could I explain why I am holding this up at this time?

The SPEAKER: The gentleman may speak to the motion.

Mr. FINEMORE: Mr. Speaker and Members of the House: I was told to leave this alone but I guess I don't know enough.

I have talked with a former member of the Governor's Council and have been told that this proposal of Mr. Morong's, if that pronunciation is right, was taken up, and at no time was he told to go ahead with the proposal. In fact, the Council thought this proposal had been dropped until the bill of over \$4,043 was presented and was turned down at that time by the Governor's Council. At no time under any circumstances had it been suggested that he go ahead, therefore I do not see any reason why this claim should not be indefinitely postponed, for this reason. They even sent one councillor over to Dana Point with the idea of looking this over, and this councillor gave very much attention to this special item and came back and told the Governor and the Council it was too expensive to go along with.

I would like to read to you at this time some of the expenses which he put in which cover this amount of \$4000.

From June 17th to June 30th, 1951, a period of thirteen days, he put in auto expense, two trips from Portland to both reservations, 1300 miles at 10 cents per mile, \$130. Hotel expense on this trip, \$25.00. Telephone expense, \$40, for that number of days.

On July 1st, 2nd and 3rd, auto expenses and hotel expenses while checking buildings at Pleasant Point and Dana Point, \$100.

July 8th, 9th and 10th, visit with Ed Talberth, hotel meals and telephone, \$75. Telephone expense to July other than the expense mentioned above, \$68.

July 15th and 16th, auto expenses again, conferences and investigation at Old Town in connection with formulating program, \$50.

July 27th and 28th, at Eastport in connection with advisability of using Quonset huts at Quoddy Village, \$75. Expenses in connection with furnishing lodging and traveling expense between Portland and Eastport, \$200.

The month of August, 1951, auto expenses \$100, telephone expenses \$75, travel and meals \$200.

The month of September, 1951, expense in connection with experimental workshop at South Portland \$375, auto expense \$100, telephone expense \$75. Expense for lodging and meals for Indians, \$150. Salary for himself, \$100.

The month of October, 1951, expense in connection with experimental workshop at South Portland \$300, automobile expense \$100, telephone expense \$55.

And so on down through. We will take the month of November again because it is a little greater. Expense in connection with experimental shop \$200, auto expense \$150, telephone expense \$40, lodging and meals \$200.

In my opinion somebody is driving a lot and having very good meals, a lot better than we can afford down here for the money we get.

Then again in December for the same thing, auto expense, telephone and meals, \$435. That is for automobile expense, meals and lodging.

It seems to me that this is quite a bill which the State has no reason to pay at all, because if any of us today in this Legislature go into business for ourselves, it doesn't make any difference what kind of business it is, we do not expect somebody to pay for our business loss. That is just what this is: we are paying for someone's business loss. I will go so far as to say if there had been a profit of \$4000 he would not have brought it back to the State and passed it to them, so I do not see

any reason why we should pay this, and at this time I move for the indefinite postponement of this resolve.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that Resolve to Reimburse George Morong of Portland, (H. P. 401) (L. D. 454) be indefinitely postponed.

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

Mr. STEWART: Mr. Speaker, this is my little bill, reduced here to the point of absurdity, I guess. (Laughter) I think the gentleman in going over the charges which this gentleman has offered for consideration does not take into account the fact that the Claims Committee, in their wise and good judgment, recommended a much lesser sum to reimburse this gentleman than he put in a claim for.

Now the sum of money which they awarded to him, judging from the responses made to questions this morning, the sum of \$1200, was based upon the amount which this gentleman borrowed from the bank and borrowed on insurance policies in order to carry on this work among the Indians. He borrowed this sum of money, \$1200, because he believed that he was given some sort of go-ahead by the Governor and Council to do something to work among the Indians.

He has continued over a period of years a constructive program to help the Indians. His work has received national attention; it has received the attention of the Maine Council of Churches, and has received their commendation in their study of the work amongst the Indians. It has been called to the attention of the reading public in America by an article in the Saturday Evening Post, in which, in their analysis, they believe that he has done as much amongst the Indians as anyone in this country has to aid them.

Before going into the question about whether or not this matter has been turned down by the Governor and Council a couple of times as was suggested this morning, I would like to quote from a letter received from Frederick Allen by the Committee on this matter, in

which he analyzes the effect of the work done by Mr. Morong amongst the Indians. I crave your indulgence. I have spoken before you once before today, but I hope you will bear with me while I read this letter.

"To the Legislative Committee on Finance, 96th Legislature.
Gentlemen:

I would like to register my approval of the claim of George Morong before your committee at this time. I regret that I am unable to be in Augusta for the hearing today, but would like to be recorded as favoring passage of the resolve.

In my last two years as Chairman of the Legislative Research Committee I had ample opportunity to observe the work which Mr. Morong did among the Indians. His work was not only helpful but his attitude was one of complete sincerity. He attempted for the past several years to promote and encourage self-supporting projects and to generally lift the Indians out of their depressed economic and social status.

It is my understanding that he was encouraged to carry out more extensively this work by former Governor Payne and his executive council, although I understand no funds were ever paid to Mr. Morong.

I do not presume to know the legal aspects of the claim, but I do feel that he rendered services which should have been taken care of by the State and that these services were undertaken by him without any idea of a profit to himself. My endorsement of this claim is personal only and in no way should be construed as having any official status from the Legislative Research Committee which did not consider the matter at any time.

Respectfully submitted,
Frederick N. Allen"

I would like to call to the attention of the House a letter also received in connection with this claim, as I understand it, by Governor Burton M. Cross. The letter was directed to Governor Burton M. Cross by former Governor Percival P. Baxter. In that letter he stated that he had gone over the matter of the claim which Mr. Morong had before this Legislature and that he

believed that the claim was just and that he sincerely hoped that the Governor would do whatever was in his power to facilitate the granting of the claim brought before the Legislature.

Now the question has been raised about whether or not this has been turned down by the Governor and Council. The answer is that it has been turned down by the Governor and Council. The reason is obvious. The gentleman, prior to commencing his work, did not receive an order in Council directing him to do the work, and he based his going ahead with the work upon his understanding of representations made to him in a meeting of the Governor and Council.

At that meeting he had some question whether or not he could go ahead just upon the basis of the word expressed orally by the Governor and apparently supported by the Council. A member of the council, as I understand it, Councillor Lee Good, said to him, "You have heard the Governor make the statement in the presence of the Council. Isn't that good enough for you?" Well, members, I think that would be almost good enough for me, and I believe that the gentleman was justified in going forward with his work on that basis.

I understand in conversation with some people in the legislative corridors today that the councillor to whom these statements are attributed does not remember having made them. Of course after a period of a year or two years it is quite possible that one might not remember all that goes on before meetings of the Governor and Council.

But, to bring this matter into focus, as to whether or not he did receive any encouragement from the Governor and Council, I would like to bring to the attention of the House an item from the Boston Sunday Post, June 17, 1951, in which the actions of the Governor and Council are recorded. I believe that is a United Press item.

"Augusta, Maine, June 16th. Maine's two Indian tribes, long neglected in a manner described by State officials themselves as disgraceful, will soon have a chance to get back on their feet. Chiefly

through the efforts of one man and a white man at that, the Indians are on the verge of getting their longed-for break. The white man, George H. Morong of Portland, and a determined band of redmen descended on Governor Frederick G. Payne and his executive council recently, and amid stinging indictments of the State's indifference to their plight, presented the framework of a long-range rehabilitation program. Morong, fifty-year-old steward of Portland's swank Cumberland Club, has long been interested in the Indian problem and has contributed his time and money in aiding them. 'The solution,' he said, 'is to make the Indian self-supporting and thus provide him with a steady income and restore his sense of decency,' Morong told the Governor and Council.

"The Portland man said he would submit to the executive group at their next meeting, June 27th, a concrete plan and cost estimate for helping the Indians once again to become self-supporting. Specifically, Morong wants to purchase industrial machinery and train the Indians in manufacturing their native products, baskets, canoes and so forth. A vast and substantial market exists for these items, especially baskets, according to Morong."

Now here is a statement of Governor Payne, and I would like to have you heed it well in connection with the remarks made that he did not receive any encouragement to go ahead. "You bring us in a program and assure us that you will be willing to direct it," Payne told Morong, "and I do not think you will have too much trouble here."

"Many of the Passamaquoddy and Penobscot Indians now are State wards. Morong estimates the initial cost of the program at three thousand dollars, but I believe that ten thousand dollars will be necessary to really put this over."

I have before me another press item which I believe is an Associated Press item, which covers much the same material as is incorporated in this item which I believe is a United Press article.

It is my belief that upon the basis of these newspaper reports made at the time of the hearing there

is every evidence that he received encouragement to go ahead with the project to work amongst the Indians. He did take money out of his own pocket, he did borrow money to go forward with this program, he did get results. He is supported in his claim by members of the Indian tribes who swear by him and state that he has done more than any man to help to bring about a condition where the Indians of this State will be self-supporting.

I have no personal interest in this claim other than bringing this matter in behalf of a constituent who brought the matter to me. Some suggestions have been made, perhaps jokingly or otherwise, that perhaps if the twelve hundred dollars is granted that there will be some fee to me for putting the claim through. Actually, I did appear before the Governor and Council and would be entitled to a fee for that; but my judgment on the matter was that since the Governor and Council turned it down, as I believe they had to, because no order in council existed upon which the claim was based, because the matter was a proper matter for a Claims Committee and because legislative counsel must not be amongst the membership of the Legislature, for that reason I believe that it would be inappropriate for me to seek any compensation for conducting the work in behalf of Mr. Morong, and it was never my thought or intention to do so. And yet some people have suggested that there might be some kick-back to me if the claim received favorable action by this Legislature. I would deny that I have ever entertained such a thought, and I have no interest in the bill other than bringing this bill in behalf of a constituent.

It is my hope that you will give this resolve its second reading at this time, and that this gentleman who has done much for the Indians will receive a fitting reward from the people of this State.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, may I ask a question through the Chair?

The SPEAKER: The gentleman may proceed.

Mr. CALL: Has this claim ever been brought up before at the Ninety-fifth Legislature while it was still fresh in the minds of the legislators at that time?

The SPEAKER: The gentleman from Portland, Mr. Stewart, may answer if he so desires.

Mr. STEWART: Mr. Speaker, the work was done in 1951 after the time of the last legislative session, so it has never been brought before any legislature other than this one.

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

Mr. CHILDS: Mr. Speaker, I have a question to ask.

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: Did this report on this claim come out of the committee unanimously "Ought to pass."

The SPEAKER: The records so state.

Mr. CHILDS: Mr. Speaker, I have this to say then. I certainly believe that all of the facts were presented to the Claims Committee and they are much more aware of the situation than we are. Now I think we should occasionally go along with committee reports, and I therefore hope that the motion to indefinitely postpone does not prevail.

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

Mr. FOGG: Mr. Speaker and Members of the House: Being a member of the Claims Committee I feel that I should say something to defend the Claims Committee so far as I am concerned anyway.

I realize that the remarks of the gentleman from Bridgewater, Mr. Finemore, sort of make the Claims Committee look sort of foolish; but I think the gentleman has cut one small corner off of the picture and says, "This picture is all black. To prove it, look at this piece I have here."

Now we did go into this very carefully; we considered every angle of it; we boiled the whole claim down considerably, I think we have cut it down to \$1200, as I recall, and we did feel that the man had a just claim for \$1200. I think if this thing was ever gone into much

deeper it would sort of reflect a bad light upon the Governor and his Council who served previously, so we have handled this thing as tactfully as we could.

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

Mr. ROUNDY: Mr. Speaker, I talked with Mr. Morong a number of times, and I certainly am of the mind that he has a very great and friendly interest for the Maine Indians. Certainly that is most commendable so far as he is concerned. I think we must take very much into consideration as we are here together the statement that was made by former Senator Allen who was definitely concerned in the Research Committee, and whose contact and whose word concerning Mr. Morong ought to have weight with us as we consider this matter. Certainly as it is reduced to the \$1200 over against the tremendous amount that was in the earlier request, I think we would be acting rightly and wisely if we followed the direction of the committee in their recommendation, and I think we would do a very real injustice unless we went that far in meeting this request.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: It seems that I am alone, but I am going to take just one or two more minutes on this and then I will stop right there.

I like Mr. Stewart's idea in saying, "Our poor, neglected Indians in the State of Maine." Our Indians in the State of Maine are a long ways from being neglected. I would like to tell you members of the House right here and now, from Portland and everywhere else, it does not seem right for our own people to go out and work the whole week, our laboring class of people, and when it comes Saturday night take care of their families and pay their rent, and the Indians of Maine to work all the week for the same wages while we, the people of the State of Maine, pay their doctors bills, we pay their hospital expenses; we keep them after Wednesday, Thursday and Friday and Saturday and the next Sunday

while they stay under the influence of liquor. All their expenses are handed to us. Whenever the Indian population of Maine is expecting a new baby they do not come in and ask us, "Will you make arrangements at the hospital for us because we are not in a position at present to pay for it," but they come in and tell us, they come in and say, "Here, you make arrangements for us at the hospital, you make arrangements with the doctors."

In this Legislature you are asking for some ninety to a hundred thousand dollars for the Indians when their total population in Maine is less than that of the little small town which I came from. The population of the two tribes in the State of Maine is a little over 1200.

I will say here that it does not seem right for us to pay a claim that isn't a claim, and this is not a claim against the State of Maine by any means. I will almost say I will defy anyone to say it is a claim against the State of Maine. I would like to know since when the Legislature of the State of Maine is paying claims just because the Saturday Evening Post thinks they are justified.

Another thing, today all of their families when they have children are under our ADC act. I was contradicted on that, but that is nevertheless the truth.

I would like to read one of the last paragraphs here where they insinuate that the Governor might have said something whereby he was led to believe he was going to get a refund from the State. This is from one of Mr. Morong's own letters. He says: "I trust that the Governor and Council will see fit to reimburse me for my actual out-of-pocket expenses as listed above. I do not intend to continue this work so far. There will be no further expense inasmuch as I am concerned. I feel that the program is now sufficiently organized so that the Indians will carry on themselves from this point."

I do not think they will carry on from this point by any means, and I believe that my motion to indefinitely postpone should prevail.

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker, as Chairman of the Claims Committee, I suppose that it would be my duty to defend their actions. I dislike very much to get into the middle of a debate between my two very good friends the gentleman from Portland, Mr. Stewart, and the gentleman from Bridgewater, Mr. Finemore.

The Committee felt that this bill which Mr. Finemore read was grossly padded. How much we didn't know, and as my colleague, the gentleman from Madison, Mr. Fogg, has explained, we cut it down to \$1,200. Whether we have cut it down enough or whether we have cut it down too much we don't know. We thought probably we owed him something, that there was some thought, as Mr. Finemore says, that we don't owe him, but we thought that in order to be on the safe side—we don't like to have a man go into something with apparent consent of the Governor and Council and lose money on it—that probably \$1,200 would be a fair claim to pay, and you have heard the arguments pro and con very nearly as we heard them in the Claims Committee, so you have as much information as the committee had at the time of the hearing.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the Resolve to Reimburse George H. Morong of Portland, (H. P. 401) (L. D. 454) be indefinitely postponed.

As many as are in favor of the motion to indefinitely postpone 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-six having voted in the affirmative and seventy-three having voted in the negative, the motion did not prevail.

Thereupon, the Resolve was given its second reading and was passed to be engrossed and sent to the Senate.

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

Out of order and under suspension of the rules the gentleman from Liberty, Mr. Cole, presented an order and moved its passage.

The order was read by the Clerk as follows:

WHEREAS, the House is informed of the birth of a grandson on April 14, 1953, to Representative Emery S. Dickey of Brooks;

AND WHEREAS, the members of the House are much pleased and wish to extend their heartiest congratulations to Mr. and Mrs. Dickey;

BE IT ORDERED, that the baby boy be named Bryan Lister Cox, and that the Clerk of the House be directed to send to Mr. Dickey an attested copy of this ORDER.

The order received passage amid the applause of the House.

Mr. Low of Rockland was granted unanimous consent to address the House.

Mr. LOW: Mr. Speaker, this morning, when I asked to table L. D. 1388, An Act relating to the Sales Tax on Motor Vehicles, I mistakenly believed that we were not going to have a session this afternoon. Inasmuch as the figures of which I spoke are now on our desks, and since we probably have more members on hand now than we will have tomorrow, I ask unanimous consent, under suspension of the rules and out of order, to take up L. D. 1388.

The SPEAKER: The gentleman from Rockland, Mr. Low, requests unanimous consent to take up Legislative Document 1388. Does the Chair hear objection? The Chair hears none and the matter is before the House.

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

Mr. LOW: Mr. Speaker and Members of the House: After I get through speaking I am going to make a motion, and I am not going to particularly enjoy doing it because I have told many of my neighbors that I thought the tax on the trade-in of cars should be taken off and I would try to help do it. However, examination of the financial condition of the State indicates to me that this is simply impossible.

The figures which you have before you were prepared by the State Controller and give effect to the strong request of the Governor that we should not appropriate in excess

of \$13,000,000 of sales tax money, so that there would be a buffer of \$500,000 a year in case the yield of the sales tax should go down from its present level.

On this basis, if we pass L. D. 1388 in its present form, we will have at least an exemption worth twelve hundred thousand dollars, and we will have to take the latest report of the Appropriations Committee in which they have cut already \$700,000, we will have to take that and cut \$767,000 more. If we pass a bill worth \$900,000, we will have to subtract from that present report \$432,000 more. And if by any chance we indefinitely postpone the bill, we will add to the money available \$432,000 which can be used, if we so desire, to restore some cuts or to take care of L. D.'s which should have passage.

It seems to me that if we make such cuts as will be required by this bill that we are going to seriously affect the services of the State. We are going to do that at the expense, in favor, rather, of the people who buy automobiles who probably, or at least in my opinion, are as able to pay the tax as anybody in this State.

Therefore, Members, I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Rockland, Mr. Low, moves that Bill "An Act relating to the Sales Tax on Motor Vehicles", (S. P. 509) (L. D. 1388) be indefinitely postponed.

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

Mr. ALBEE: Mr. Speaker and Members of the House: These figures are very interesting. I have been over them and I already had them, and you also have before you this document here that you have had for some ten days or two weeks.

I want to prove to this House that these figures, on this particular paper here, with the discontinuing or the repealing of the auto tax, or the difference, are self-supporting. I am going to prove it to you.

He is talking now about the revenue of \$13,505,000 and a cushion of \$500,000 shall be used. He has neglected to tell you that we have,

so far this year, on just two months' revenue, the addition is 1952, January and February, sales of automobiles, \$259,737.06. For the same period January and February, 1953, \$344,589.99, a difference of \$84,852.00.

Now I am going to show you how it is self-supporting.

The difference in the new automobiles sold amounts to \$950,000. That is additional revenue expected in 1953 over 1952's revenues, at the present rate of sales. We beat the bill on casual sales which was estimated by the automobile people of \$150,000, which I know by the actual sales of cars registered in the State was \$126,000. It gives us a net gain, at our present level, of \$824,000, that will take care of the \$900,000 which is estimated on the sale of the loss of the automobiles.

Now he has two operating losses here, one of \$1,200,000 and one of \$767,000, based on \$900,000 and \$1,200,000. These are just estimates, and these here are actual figures.

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

Mr. LOW: Mr. Speaker, I run a store, and this story sounds to me just as though I had a couple of big days last week and went out and hired five more clerks. You cannot budget the State of Maine on two months because they happen to show a large increase. It may well be the next two months will show an equal decrease, and I just do not think that is sound financing.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I have a question to ask the gentleman from Rockland, Mr. Low. How does he reconcile his figures with the estimated general funds revenues of \$34,193,713 for 1953-54 and \$34,213,025 for 1954-55 as reported to us April 15, by the Appropriations Committee.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Low, for the purpose of answering the question only, if he so desires.

Mr. LOW: Mr. Speaker, I really cannot answer that because I haven't studied that particular

point but I do say that these figures came directly from the Controller and I presume that the difference—for instance, one point is that there are \$300,000 reserved for the L. D.'s, and that would raise \$33,200,000 to \$33,560,000. Well, I don't know, I just can't answer that but I take it for granted these figures are correct in principle if they come from the Controller's office.

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

Mr. CRABTREE: Mr. Speaker, it seems as though we are getting bogged down between the optimists and the pessimists (Laughter). There is one thing that stands out fairly clear in my mind. The change in this automobile tax is a very real threat to the people in our hospitals; certainly to education, when we see \$400,000 lopped off already from our subsidy, from the institutions, aid to dependent children, \$150,000, board and care of neglected children—they have got to lower the amount they pay for boarding these poor kids. I cannot go along with that by any manner of means. I don't believe this State is in such dire condition that we have got to neglect the people in our institutions, or our schools.

I certainly want to go along, with all the power and weight, three hundred pounds, with the gentleman from Rockland, Mr. Low, in his motion.

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

Mr. ALBEE: Let me point out, please, Mr. Speaker and Members of the House, that it should be pointed out that the anticipated loss of revenue which would be incurred by the passage of this bill would amount to \$900,000. The estimated additional sales tax income in 1953 totalled \$950,000. There is logical and sound basis for the estimates contained herein. Registration and sales tax revenues thus far, in 1953, bear witness as to the reasonableness of these estimates. Furthermore, there will be substantial excess revenue over anticipated expenditures, as is noted above, to absorb whatever deficiency there might be, and I hope that the gentleman's motion does not prevail.

The SPEAKER: The question pending before the House—

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

Mr. FULLER: Mr. Speaker, I think it boils down to very simple terms. The time has come when we must be very realistic. If we want to abate the automobile tax, we have got to go home and tell the people back home that we have cut our educational subsidy and our hospital aid and our aid to dependent children. We cannot have our cake and eat it too. I think that it is as simple as that. If you want to abate the tax on automobiles, then you have got to expect to take a cut in the services that the State of Maine renders. It is just that simple. If you go along with the tax, or indefinitely postpone the tax, some of the services probably can be restored, and if you don't want the services, well then don't vote to indefinitely postpone the tax.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: I believe that the gentleman from South Portland (Mr. Fuller) has stated the issue correctly. I also believe that there are many of our folks at home, when they have discussed this bill, who would have talked differently if they had realized that it meant cutting essential services or some of the additional things that are before us.

Particularly close to my heart is a bill to increase the aid to elderly school teachers. If the tax abatement is granted, that goes out the window, and I think that we owe the elderly schoolteachers something and there are other groups similarly. Before abating the tax, consider those groups.

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

Mr. CASWELL: Mr. Speaker, I would ask when the vote is taken, that it be taken by the yeas and nays.

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

Mr. SENTER: Mr. Speaker and Members of the House: As it has been pointed out here, if this motion to indefinitely postpone prevails, each one of us in the House may see some particular department or project that we are vitally interested in cut, but I think of more importance is the fact that we keep faith, that we keep faith with the citizens of this State.

Now we were told, and I read it from the record some time ago, that in the opinion of the State Tax Assessor the sales tax on cars would be on the net amount paid, not on the gross amount paid, and the Ninety-fifth Legislature voted for the sales tax, believing that was true, and the citizens of the State were led to believe that that was the case.

Now I believe that we have a solemn obligation to correct that error. I believe that we can and should live within our income, within that income that we have a right to expect and that we should have, and I firmly believe that this amount suggested, of \$900,000, is money that the State should not have.

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

Mr. McCLUSKEY: Mr. Speaker, I would like to ask a question through the Chair of the Chairman of the Appropriations Committee.

The SPEAKER: The gentleman may proceed.

Mr. McCLUSKEY: Mr. Speaker, isn't it true that with cuts, as indicated by the Appropriations Committee, that all of these departments in most cases have still more money allotted to them these next two years than they had in the last two years?

The SPEAKER: The gentleman from Warren, Mr. McCluskey, directs a question through the Chair to the Chairman of the Appropriations and Financial Affairs Committee of the House. The gentleman from Auburn, Mr. Jacobs, may answer if he so desires.

Mr. JACOBS: Mr. Speaker, in answer to the question, we find, upon having the heads of the departments come before us for money with which to run their departments for the next two years, their

expenses have been increased over two years ago, and that is the reason.

Mr. LOW: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman from Rockland, Mr. Low, seek recognition?

Mr. LOW: Mr. Speaker, I am able to answer Mr. Travis, and I ask unanimous consent to do so.

The SPEAKER: Does the Chair hear objection to the gentleman proceeding? The Chair hears none and the gentleman may proceed.

Mr. LOW: The reason these figures do not jibe is that the estimated general fund revenue of \$33,693,000 has cut out of it the half million dollars which has been set up as a buffer.

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

Mr. BEARCE: Mr. Speaker and Members of the House: I did not intend to say anything this afternoon, but in answer to the gentleman from Brunswick, Mr. Senter, I feel that I must say one thing. We have heard quite a bit about our obligations to keep faith with our constituents. Now any man in this House or any woman in this House who has made a promise to his or her constituents is certainly obligated to keep it, but that same gentleman or gentlewoman cannot bind me by a statement that he or she made to their constituents. I made no such statement. Some of you have. You should stick to your promise.

We at present are considering a tax bill. We should consider it as of today. What happened two years ago has nothing to do with it. I am not so skilled in figures as my friend, the gentleman from Portland, Mr. Albee, but I can see that if we pass this bill in such a way that we cut off \$900,000 or \$1,000,000 from our income, we have got to find that money somewhere else or cut our appropriation.

Now personally I am a whole lot more concerned with keeping faith with our children and our old people and our hospitals than I am with the people who buy automobiles. If I buy an automobile, I will pay the tax. If you buy an automobile, it is up to you to pay the

tax. The tax is on the thing you buy. It doesn't make a bit of difference to me whether you pay for it in cash, cash in a car or cash in a note or cash in a load of potatoes; I don't care; the tax is on the thing you buy.

I certainly hope that you will go along with the gentleman from Rockland (Mr. Low) and the gentleman from Island Falls (Mr. Crabtree).

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

Mr. TOTMAN: Mr Speaker and Members of the House: I am just as anxious, probably, as the rest of you to try and understand the figures presented to us, both Mr. Low's and Mr. Albee's, but speaking for myself only I would like, first, to put the horse before the cart and I will explain what I mean by that statement.

We have in front of us the possibility, suggested by the Appropriations Committee, of lopping off \$700,000 in round figures each year. I have yet to hear expressed in the House the sentiment as to whether or not the House will go along with these cuts. It seems to me, and I have a very strong suspicion, that the House will not go along with \$700,000 cuts across the board, and if you will not, I think you should first reach such decisions as to what you are going to do with those suggested cuts before you decide on this sales tax bill. Now I may be wrong, but it does seem to me that the intelligent procedure would be to table your decision on your automobile sales tax until you have decided whether you are going to accept the suggested cuts across the board by the Appropriations Committee so that you will know how much leeway you have got, and for purposes of debate I will so make that motion, that we table.

Mr. SPEAKER: The gentleman from Bangor, Mr. Totman, moves that Legislative Document 1388 lie on the table unassigned, pending enactment. Is this the pleasure of the House?

(Calls of "No")

As many as are in favor will please 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 Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: Again I state: If we go back to the Governor's budget, we can afford to rid ourselves of this unfair tax. We have heard so much about cutting. The only cutting that we would have to do would be the proposed services arranged for by this outrageous appropriations bill. I think it is time that we stopped to consider the taxpayer. I certainly hope that the motion to indefinitely postpone does not prevail.

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

Mr. FULLER: Mr. Speaker and Members of the House: My first point is that we cannot go back to the Governor's budget anyway because didn't we hear last night that there was an error in the budget that caused it to be out of whack for a number of hundred thousand dollars?

The second thing is: We talk about cutting the budget. Where are we going to cut? Take this general subsidy in the Educational Department. I won't believe until I actually see it that the votes can be mustered here in the House to cut \$200,000 a year from the educational subsidy. Why? Because that is the subsidy that helps to pay for the education of the municipalities that are least able to maintain their own schools. If you want to cut some amount like that from the part of the budget dealing with education, that isn't going to hurt the city of Bangor, perhaps, too badly. We could go along with that, but it is going to cut some of these smaller municipalities terribly. I don't believe that the votes are here to do that. That is why I am afraid this exemption on the tax on automobiles and trucks will have to be defeated and this bill will have to be indefinitely postponed, whether I like it or not.

Now of course I would like to do something for the automotive people because Penobscot county pays the second highest amount of taxes in that category in the State. Cum-

berland county is the only one ahead of us. Of course I would like to see that tax removed. I don't see how I can vote to remove it because in the first place we have one of the largest general hospitals in the State in our county. If we start to cut the hospital aid appropriation, how are we going to keep that hospital operating? If we start to cut from the educational part of the budget, how are we going to keep some of the schools operating in some of our smaller communities?

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

Mr. BURGESS: Mr. Speaker and Members of the House: I would like to ask the House for a moment or two to consider what your position might have been if the appropriations bill had not been presented to you at the time that it was, or, rather, if you still had not seen the appropriations bill, what would be your position?

Now it seems to me that we have resolved ourselves into this frame of mind: We have seen the appropriations bill, and although it was attacked and justly so—that is democracy—you have said to yourselves inwardly: "That is just what I want. It is very satisfactory to education; it is very satisfactory to everything else." And you now talk about cuts. There isn't a single item in the appropriations bill that you are cutting, if you want to adopt the net tax bill; you are still giving them much more than they ever had before in their lives. So it isn't a matter of a cut from the actuality; it is a matter of cutting from an appropriations bill which two weeks ago you thought was too high.

Now as far as I am concerned, personally, it makes no difference. I am under obligation to no automobile dealer or to no person to take that side of the case, and I have so stated previously, but I believe in it. I believe it is right, and I believe that our obligation to the public today, tomorrow and for the remainder of this session is to show them that we have not developed a mind that is trying to take every last nickel, whether we take it rightly or wrongly, and keep it, that we should recognize that they

are the taxpayers, and if there are savings that can be made, leave them in their pockets. If you once collect them, I am darned sure they will be expended.

I hope that you will not indefinitely postpone this tax bill. Again I hope you will consider amendments which will be offered, and if you feel that you wish to reduce the loss of revenue to the State by some minor compromise, consider that, but first consider once and for all whether you are economy-minded, as I have been led to believe that you were, or whether you desire to expend every nickel that can possibly be extracted from the public.

I hope the motion does not prevail.

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

Mr. CIANCHETTE: Mr. Speaker, I would like to review a few of the statements that I made last night. I would not do that but for the fact that only about half of the members here now were here last night.

I am glad to see that we have finally started to face the issues here. I haven't heard as much comment today upon the matter of principle and fairness and equity that lies in this sales tax as it applies to motor vehicles. When this question was discussed the other day at some length, the primary or the over-riding point why these exemptions should be made was the fact that it was fair and equitable that they should be made, as a matter of principle, they should be made. I haven't heard so much about that since we have had the Appropriations Committee's suggestions as to what will happen if we follow those principles. There seems to be some compromise of principles now.

I think the gentleman from Limestone, Mr. Burgess, has stated the issues, and it comes to this: Do we want to reduce our taxes or do we want to reduce our services? I think that is the whole issue because certainly if we reduce the taxes, we have got to reduce the services. We discussed the question of the services that the State would provide the other day. I was against some of them, but the majority, overwhelmingly, felt that

they wanted to go along with the Appropriations Committee's recommendations nearly as they came out of the committee; therefore it seemed to me that this House wanted to continue those services, wanted to increase the services to the extent that the Appropriations Committee recommended them. Therefore there is nothing left to do but to reduce the taxes. Now we are at that point.

Now it has been suggested that this bill should be kept and then amended, and the suggestions that I have heard are to amend it so that it applies to passenger cars or possibly to passenger cars, trucks and farm tractors, unregistered. There again certainly the question of principle goes out the window, and we come back to a question of expediency or revenue.

Now, if anybody can explain to me the logic and the equity and matter of principle involved in charging only on the net difference on passenger cars, trucks and non-registered farm tractors, and not charging it, or charging on the whole price of registered farm tractors or other tractors or whizzer bicycles or any other motor vehicle, I perhaps could go along with that amendment when it comes, but certainly there is no logic in that, as I can see it.

Now if we simply want less revenue, let us reduce the sales tax to 1½ per cent or whatever you think it would require, or, if we want these services, certainly we have got to keep the revenue as it is now, and it seems to me that we have got to indefinitely postpone this bill and go on from there.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I did not intend to say anything further on this bill but I feel that a lot of us are overlooking one fundamental fact, that we represent the people. Do the people want us to raise taxes? Obviously not. Do they want us to pass an appropriations bill which will necessitate increased taxes? Obviously not. I personally feel that L. D. 1388 as it stands is too broad but I feel that an amendment which will be presented later will bring it down to a level

which we can afford and we can then go along and reduce taxes and maintain essential services. I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Low, that Senate Paper 509, Legislative Document 1388, Bill "An Act relating to the Sales Tax on Motor Vehicles", be indefinitely postponed. The gentleman from New Sharon, Mr. Caswell, has requested a roll call. In order for the vote to be taken by the yeas and nays it requires the consent of one-fifth of the members present.

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

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

The question before the House is on the motion of the gentleman from Rockland, Mr. Low, that Legislative Document 1388 be indefinitely postponed. As many as are in favor of indefinite postponement of the bill will say yes when the Clerk calls the roll; those opposed will say no. The Clerk will call the roll.

Mr. DeBECK of Holden: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. DeBECK: I would ask, Mr. Speaker, if you would just put that question once more.

The SPEAKER: The Chair will be happy to try to do so. The question before the House is on the motion of the gentleman from Rockland, Mr. Low, that Legislative Document 1388 be indefinitely postponed. When the roll is called, those who are in favor of indefinite postponement will answer to their names by saying yes; those who are opposed to indefinite postponement of Legislative Document 1388 will answer the roll by responding no.

The House will be in order and the Clerk will call the roll.

ROLL CALL

YEA—Anderson, Archer, Bearce, Berry, Bibber, Billings, Boston, Brockway, Brown, Bangor; Brown, Robbin-

ston; Butler, Campbell, Christie, Cianchette, Cormier, Crabtree, Currier, Denbow, Dennis, Dostie, Emerson, Ferguson, Fickett, Fitanides, Fogg, Ford; Fuller, Bangor; Fuller, South Portland; Gates, Gilman, Gosline, Gowell, Hand, Hanson, Harnden, Henry, Hussey, Jacobs, Lord, Lovely; Low, Rockland; Low, South Portland; Martin, Eagle Lake; Morris, Murray, O'Dell, Peterson, Rogerson, Roundy, Scott, Wales; Smith, Stanley; Stewart, Portland; Story, Traffon, Vaughan, Watson, Whitney, Willey, Williams, Wylie.

NAY—Abbott, Albee, Albert, Alden, Bailey, Beal, Buckley, Burgess, Call, Carter, Caswell, Cates, Caverly; Center, Standish; Chase, Childs, Clements, Cole, Cote, Curtis, Davis, DeBeck, Dicker, Dickey, Edwards, Evans, Finemore, Frechette, Hilton, Jalbert, Jewett, Kelly, Lane, Larrabee, Latno, Lawry, Legard, Letourneau, Ludwig, Macomber, Madore; Martin, Augusta; McCluskey, McGlauffin, Moulton, Nadeau, Osborne, Potter, Pullen, Rich, Riley, Roberts, Robinson, Sanford; Scott, Alfred; Seaward; Senter, Brunswick; Small, Stanwood, Steeves; Stewart, Paris; Tardif, Taylor, Tondreau, Totman, Travis, Tupper, Turner, Tuttle, Wadleigh, Walker, West, Whiting, Woodcock.

ABSENT—Baldic, Couture, Cyr, Dodge, Dorsey, Downing, Dumais, Duquette, Gardner, Higgins, Keay, Kimball, Ready, Reynolds, Winchenpaw.

Yea 61, Nay 74, Absent 15.

The **SPEAKER**: Sixty-one having voted in the affirmative and seventy-four having voted in the negative, fifteen being absent, the motion to indefinitely postpone does not prevail.

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

Mr. **BURGESS**: Mr. Speaker and Members of the House: I have just promised my good seat mate, the gentleman from Franklin, Mr. Butler, that I would have no more to say on the merits of this tax bill but I do have before me House Amendment "E", which I would like the opportunity of offering and I do not believe that it has anything to do with the merits of net taxation at all. It is simply being offered as a compromise, if you wish, on the amount you wish to reduce the revenue to the State.

Now, if my understanding of parliamentary procedure is correct, it would require a two-thirds vote of those voting to suspend the rules in order that we might reconsider our action and may I point out

that if you wish to leave this measure as it now stands with estimates from \$900,000 to \$1,200,000 as to loss of revenue to the State then I hope you will vote against my motion to reconsider. But, if you wish to consider a compromise which is based — I think I am correct in stating — which is based upon what our good Governor feels is adequate and would keep the campaign pledges of some of our leading officials, then you might wish to consider this House Amendment "E".

Therefore, Mr. Speaker, if I am now in order, I would move suspension of the rules in order that this item, — pardon me, until I get the — Item 14, L. D. 1388. I will restate my motion: I now move that the House reconsider its action whereby L. D. 1388 was passed to be engrossed for the purpose of offering an amendment.

The **SPEAKER**: The Chair understands that the gentleman from Limestone, Mr. Burgess, moves that the House suspend its rules in order that he may move to reconsider the previous action of the House. A two-thirds vote is necessary for suspension of the rules.

As many as are in favor of the motion that the rules be suspended at this time in order that reconsideration may take place later 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.

Ninety-one having voted in the affirmative and three having voted in the negative, the motion to suspend the rules prevailed.

The **SPEAKER**: The Chair understands that the gentleman from Limestone, Mr. Burgess, moves that the House reconsider its action whereby it passed to be engrossed Bill "An Act relating to the Sales Tax on Motor Vehicles," Senate Paper 509, Legislative Document 1388. Is this the pleasure of the House?

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

Mr. **CURRIER**: Mr. Speaker, I have been passed and engrossed and laid on the table so much that I do not know just where I am at the present time but there is a

question I would like to ask if possible. Do we have an amendment that takes care of passenger automobiles only, as a point of information?

The SPEAKER: The Chair will have to state that there is no amendment before the House at this time. In all fairness, the Chair believes it should state that in order to entertain an amendment this procedure seems to be necessary if the House desires to go along with it.

Is it now the pleasure of the House that on motion of the gentleman from Limestone, Mr. Burgess, the House reconsider its action whereby it passed to be engrossed Legislative Document 1388 as amended?

The motion prevailed.

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

Mr. BURGESS: Thank you, Mr. Speaker, for keeping me straight. I now offer House Amendment "E" to Legislative Document 1388 and move its adoption.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, offers House Amendment "E" to Legislative Document 1388 and moves its adoption. The Clerk will read House Amendment "E".

The CLERK:

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

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

'Sec. 1. R. S., c. 14-A § 2, amended. Section 2 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 by inserting in alphabetical order the following new paragraphs, to read as follows:

'"Farm tractor" includes any unregistered tractor used exclusively on farms.'

'"Motor vehicle" includes any vehicle subject to registration under the motor vehicle laws of the state.'

Sec. 2. R. S., c. 14-A, § 10-A, additional. Chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of

1951, is hereby amended by adding thereto a new section to be numbered 10-A, to read as follows:

'Sec. 10-A Tax only upon difference between sale price of purchased motor vehicle or farm tractor and sale price of vehicle or vehicles or farm tractor or tractors traded in. When one or more motor vehicles or farm tractors are traded in toward the sale price of another motor vehicle or farm tractor, the tax imposed by the provisions of this chapter shall be levied only upon the difference between the sale price of the purchased motor vehicle or farm tractor and the sale price of the motor vehicle or vehicles or farm tractor or tractors taken in trade.'

The SPEAKER: The Chair will state that House Amendment "E" appears to be in the form of a substitute. It is important to perfect the substitute by desired amendments before the question of agreeing to it is voted on. The Chair will also state that the Chair is in a position to entertain other amendments to Legislative Document 1388.

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

Mr. BAILEY: Mr. Speaker, I shall have to admit that I am somewhat confused in this but as I understand in 1388 farm tractors and trucks are in the same category as the automobile. Do I understand that this amendment would cut out the sales tax on the farm tractor and leave the reduction wholly on the automobile, if this Amendment "E" is accepted?

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, requests information.

The Chair recognizes the gentleman from Limestone, Mr. Burgess, for that purpose.

Mr. BURGESS: Section 10-A of the amendment, if I may be permitted to read it, says: "Tax only upon difference between sale price of purchased motor vehicle or farm tractor and sale price of vehicle or vehicles or farm tractor or tractors traded in."

As I understand this amendment, it proposes that all motor vehicles subject to registration plus farm tractors would go on the net tax basis.

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

Mr. FINEMORE: Mr. Speaker, is this amendment debatable now or is it going to be laid to one side for the time being?

The SPEAKER: The gentleman may proceed.

Mr. FINEMORE: Mr. Speaker, I have been told to go along with the gentleman from Limestone, Mr. Burgess, because his legislation is usually good legislation but I dispute that here. It says: "Farm tractor" includes any unregistered tractor used exclusively on farms." I can't go along with this because, just roughly, in my town, I just figured it out here, we have 78 farmers and we have 43 tractors in our town that have been registered, and the only reason they are registered is for snow plowing their own potato houses, but they have to register them in order to snow plow their own potato houses. In registering, they are paying the State a registration fee which would seem very unfair here and, in fact, it might be somewhat more work to the Secretary of State in issuing licenses.

And one other thing I would like to state here, it says: "Motor vehicle" includes any vehicle subject to registration under the motor vehicle laws of the state." That is kind of a vicious act, I would say, because a lot of these companies who buy trucks to use in the woods use expensive trucks and motor vehicles which are never registered under the State of Maine law. They pay the excise tax and forget about the registration for the simple reason that they are not going to be used on the State of Maine highways. And to go along with that, there are some of the construction companies, the bigger construction companies in the State of Maine, who buy trucks and motor vehicles that are used upon the job on air bases and so on and so forth that are not registered under the State of Maine. They pay the excise tax and leave them on the air bases or places of construction, still and all they are not registered. Therefore, they do not have to pay a sales tax. If it is right to have a motion at this time, I make

a motion that House Amendment "E" be indefinitely postponed.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that House Amendment "E" offered by the gentleman from Limestone, Mr. Burgess, be indefinitely postponed.

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

Mr. BURGESS: Mr. Speaker, may I call the attention of the gentleman from Bridgewater, Mr. Finemore, to Section 1, paragraph 2, which I believe will explain the situation with respect to farm tractors. It specifically states: "Farm tractor" includes any unregistered tractor used exclusively on farms." May I further state that I have no issue as to whether or not you do adopt this amendment. It is only offered to determine whether you wish to make a compromise reduction in your revenue.

I may further state that I am of the opinion that if you see fit to accept this that your appropriations bill plus the recommendations which the committee recommended in the way of cuts to absorb the reduction will bring your budget closely to balance. You still have on the table another tax bill which I am in hopes will be enacted to be just and fair, which would, I believe, provide ample reserve to the State. That has nothing to do with the merits or demerits of this.

The SPEAKER: The Chair recognizes the gentleman from Swedden, Mr. Moulton.

Mr. MOULTON: Mr. Speaker, I rise to ask a question.

The SPEAKER: The gentleman may proceed.

Mr. MOULTON: Mr. Speaker, if I am correct you can license a farm tractor in two ways. You can license a farm tractor for a \$2.00 fee for agricultural use only but you can use that tractor on the highway, not to work on anything except farm work, but you can go from farm to farm or different places on the road with it.

Does this amendment include a farm tractor used wholly for agricultural purposes where it has a strictly farm license on it?

The SPEAKER: The gentleman from Swedden, Mr. Moulton, requests information.

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

Mr. SANFORD: Mr. Speaker, I think that the gentleman from Limestone, Mr. Burgess, has already answered that question. He said: " 'Farm tractor' includes any unregistered tractor" but a " 'motor vehicle' includes any vehicle subject to registration." I think that answers the gentleman's question.

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

Mr. HAND: Mr. Speaker, I am sure it was not intentional, but under the definition of "motor vehicle" which includes any vehicle subject to registration under the motor vehicle laws of the state, I think you will find that trailers, wheel bikes, motorcycles and several items would be included in this exemption that probably were never intended.

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

As many as are in favor of indefinite postponement of House Amendment "E" to Legislative Document 1388 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.

Fifty-four having voted in the affirmative and fifty-nine having voted in the negative, the motion to indefinitely postpone House Amendment "E" did not prevail.

The SPEAKER: The question before the House at this time is on the adoption of House Amendment "E", which the Chair rules is in the nature of a substitute. Final action on House Amendment "E" should not be taken if there are amendments to be offered to House Amendment "E" in the nature of a substitute. At this time, the Chair could also entertain amendments to Legislative Document 1388, itself.

The Chair recognizes the gentleman from Brewer, Mr. Archer.

Mr. ARCHER: Mr. Speaker and Members of the House: We have just voted to accept another exemption, to go along with the exemptions that we are already asking.

Now, if we are going to accept two or three exemptions out of the whole field of our sales tax for the special purpose of net sales, that is, exemption on the difference, I do not see why we should take any particular thing. Why don't we take farm machinery, why don't we take washing machines, why don't we take refrigerators and everything else, in other words, include everything?

Therefore, I will present House Amendment "C" and move its adoption.

The SPEAKER: The gentleman from Brewer, Mr. Archer, offers House Amendment "C" to Legislative Document 1388 and moves its adoption. The Clerk will read House Amendment "C".

The CLERK:

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

Amend said Bill by striking out in the title the words "on Motor Vehicles"

Further amend said Bill by striking out all of section 1.

Further amend said Bill by striking out, at the beginning of the 3rd paragraph, the underlined abbreviation and figure "Sec. 2."

Further amend said Bill by striking out all of that part designated "Sec. 10-A." and inserting in place thereof the following:

'Sec. 10-A. Tax only upon difference between sale price of any item of tangible personal property and sale price of any such item traded in. When one or more items of tangible personal property are traded in toward the sale price of another such item, the tax imposed by the provisions of this chapter shall be levied only upon the difference between the sale price of the purchased item and the sale price paid to the purchaser for the item or items traded in.'

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

Mr. CRABTREE: Mr. Speaker, why, yes, I think this is a good motion on the same principle exactly. Let's go along with it. I think I will go along with it. Now, let's dig right down deep in hospitals, take out some more dough

and further go ahead and reduce education, institutions, A.D.C., they are going to get along some way. Maybe they can live on grass or something. The principle is just exactly the same. If we are in the exemption business, let's go right to it, I think this is the same principle. I would like to go right along with it.

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

Mr. **CHASE**: Mr. Speaker and Members of the House: I believe this amendment is just another move to confuse the issue. I therefore move the indefinite postponement of the amendment.

The **SPEAKER**: The gentleman from Whitefield, Mr. Chase, moves that House Amendment "C" be indefinitely postponed.

The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. **WATSON**: Mr. Speaker and Members of the House: I think this is fair. I want to go along with the gentleman from Brewer (Mr. Archer). I think this is the only fair amendment we have had here. If it is fair to take the tax off of automobiles, let's take it off everything. As my good friend, the gentleman from Island Falls, Mr. Crabtree, said, I think these institutions, everybody says they can get along without anything, cut the employees down, cut everybody down. We don't need money so let's go along with this.

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

Mr. **ALBEE**: Mr. Speaker and Members of the House: I trust that we will use a little sanity here and go along on sort of a paying basis rather than a lot of foolishness. I was talking out in the corridor today with a gentleman, I won't even mention his name, who said: "I will fix them all so that they will never get anything through." And I think that this is one of the things that is coming along now. They are taking it all out and cutting the heart out of the thing. We are trying to do a job here and as somebody mentioned today we are going to stay here until the

Fourth of July and if we continue as we are we will be here until next January. Now, if we continue on at the rate we are going now, we have got a special session as I mentioned in 1949 when they disagreed with me. If we are going to have it now, this amendment, I move its indefinite postponement, it's a joke.

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

Mr. **SANFORD**: Mr. Speaker, I have no argument on the fairness of this amendment but I am quite sure that it is estimated that it costs two million and a half and I don't believe we can stand that.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Whitefield, Mr. Chase, that House Amendment "C" be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Whitefield, Mr. Chase, will say aye; those opposed will say no.

A viva voce vote being doubted, a division of the House was had.

Seventy-eight having voted in the affirmative and forty-six having voted in the negative, the motion prevailed and House Amendment "C" was indefinitely postponed.

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

Mr. **CHASE**: Mr. Speaker, I now move the adoption of House Amendment "E".

The **SPEAKER**: The Chair will state in all fairness that House Amendment "E" is in the nature of a substitute and that final action on House Amendment "E" would preclude any amendments to House Amendment "E" and at the same time would exclude any amendments to Legislative Document 1388.

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

Mr. **TRAFTON**: Mr. Speaker, I request unanimous consent to address the House.

The **SPEAKER**: Does the Chair hear objection to the request of the gentleman from Auburn, Mr. Trafton, to address the House? The Chair hears none and the gentleman may proceed.

Mr. TRAFTON: It seems to me, Mr. Speaker and Members of the House, that we are trying to put the horse back again before the cart. There is also a possibility that people will want to amend this amendment before it is passed. I therefore move that further consideration at this time on this measure be tabled.

(Calls of "No" and "Yes")

The SPEAKER: The gentleman from Auburn, Mr. Trafton, moves that further consideration of House Amendment "E" to Senate Paper 509, Legislative Document 1388, An Act relating to the Sales Tax on Motor Vehicles and of Legislative Document 1388 be tabled and unassigned. Is this the pleasure of the House?

As many as are in favor of the motion to 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.

Fifty-eight having voted in the affirmative and fifty-six having voted in the negative, the motion prevailed and the Bill with accompanying papers was tabled pending adoption of House Amendment "E".

The SPEAKER: The House will be in order. The Clerk has two notices to read.

On motion of Mr. Dickey of Brooks, the House voted to take from the table the thirty-ninth tabled and unassigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Business Legislation on Bill "An Act relating to Real Estate Brokers and Salesmen", Senate Paper 26, Legislative Document 14, tabled on April 8 by the same gentleman pending acceptance of the Report in concurrence.

On further motion of Mr. Dickey, the "Ought to pass" as amended by Committee Amendment "A" Report was accepted in concurrence and the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 26, L. D. 14, Bill "An Act

Relating to Real Estate Brokers and Salesmen."

Amend said bill by striking out the underlined words "satisfactory" and "equivalent" in the 17th line and the underlined word "thereto" in the 18 line of that part designated "Sec. 4."

Further amend said bill by striking out all of section 3 thereof.

Further amend said bill by inserting the underlined word 'satisfactory' after the underlined words 'evidence of' in the 17th line of that part designated "Sec. 4."

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

On motion of Mr. Hussey of Windsor, the House voted to take from the table the sixteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve to Reimburse the Town of Pittston for Support and Medical Aid Extended to Certain Families, House Paper 903, Legislative Document 982, tabled on March 25 by the same gentleman pending acceptance of the report.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Hussey.

Mr. HUSSEY: Mr. Speaker, I now move that the House substitute the resolve for the report of the committee.

The SPEAKER: The gentleman from Windsor, Mr. Hussey, moves that the resolve be substituted for the "Ought not to pass" report of the Committee on Claims. Is this the pleasure of the House?

(Calls of "Yes" and "No")

As many as are in favor of the motion of the gentleman from Windsor, Mr. Hussey, 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 Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I request unanimous consent to introduce a bill.

The SPEAKER: The Chair will apologize and retract. In connection with Item 16, is it now the pleasure

of the House that the "Ought not to pass" report be accepted?

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

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

Mr. CHILDS: Mr. Speaker, I request unanimous consent to introduce a bill and I would like to remark on the bill.

The SPEAKER: The gentleman from Portland, Mr. Childs, under the unanimous consent rule, presents a bill. The Clerk will read the title.

The CLERK: Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court".

The SPEAKER: Does the Chair hear objection to the acceptance of this bill under the unanimous consent rule? The Chair hears none and the bill is received.

Thereupon, the Bill was referred to the Committee on Towns and Counties, ordered printed and sent up for concurrence.

On motion of Mr. Hussey of Windsor, the House voted to take from the table the seventeenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to Conveyance of Elementary School Children," House Paper 690, Legislative Document 725, tabled on March 25 by the same gentleman pending acceptance of the Report.

Thereupon, on motion of Mr. Albert of Augusta, the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of Mrs. Christie of Presque Isle, the House voted to take from the table the sixty-first tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Displays of Fireworks", Senate Paper 255, Legislative Document 680, tabled on April 15 by the same gentlewoman pending acceptance in concurrence.

On further motion of Mrs. Christie, the "Ought not to pass" Report was accepted in concurrence.

Order Out of Order

Out of order and under suspension of the rules, the gentleman from Medway, Mr. Potter, presented the following order and moved its passage:

ORDERED, the Senate concurring, that Resolve, in Favor of Wesley Ramsey, of South Portland, (S. P. 245) (L. D. 438) be recalled to the House from the Engrossing Department. (H. P. 1248)

Thereupon the order received passage and was sent up for concurrence.

On motion of the gentleman from Augusta, Mr. Martin, the House voted to take from the table the sixtieth tabled and unassigned matter, Bill "An Act Exempting Certain Education Institutions from the Sales Tax" (S. P. 524) (L. D. 1416) tabled by that gentleman on April 14 pending third reading.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 524, L. D. 1416, Bill "An Act Exempting Certain Education Institutions from the Sales Tax."

Amend said Bill by striking out, in the 9th line thereof, the underlined words "other than" and inserting in place thereof the underlined word "including".

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

On motion of the gentleman from Augusta, Mr. Albert, the House voted to take from the table the fifty-first tabled and unassigned matter, Resolve Regulating White Perch Fishing in Lake Auburn (H. P. 1047) (L. D. 1188) tabled by that gentleman on April 8, pending passage to be engrossed.

The gentleman from Lewiston, Mr. Tardif, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1047, L. D. 1188, Resolve Regulating White Perch Fishing in Lake Auburn

Amend said Resolve by adding after the words "Lake Auburn" in the title thereof, the punctuation and words ' Sabattus Pond and Little Sabattus Pond'.

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

On motion of the gentlewoman from Rumford, Miss Cormier, the House voted to take from the table the tenth tabled and unassigned matter, An Act relating to Appropriations for Flags in Schools (H. P. 360) (L. D. 376) tabled by that gentlewoman on March 18 pending passage to be enacted.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, yesterday we enacted into law a measure which incorporated this very item, and therefore for that reason I would move the indefinite postponement of this item.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, moves that L. D. 376 be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

On motion of the gentleman from Bridgton, Mr. Whitney, the House voted to take from the table the sixth tabled and unassigned matter, House Divided Report, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Muskrats in Cumberland County" (H. P. 804) (L. D. 888) tabled by that gentleman on March 17, pending acceptance of either report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. WHITNEY: Mr. Speaker, I now move for the indefinite postponement of L. D. 888.

The SPEAKER: The gentleman from Bridgton, Mr. Whitney, moves the indefinite postponement of both reports and accompanying papers.

The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: We probably have got only two or three weeks left here, and I hope that some day my good friend, the gentleman from Bridgton, Mr. Whitney, and I are going to be on the same side. I do not know as I have too much quarrel with him if he does indefinitely postpone this, but I have had prepared this little letter that was put on your desks this morning, and from all the reports that we get and all the study they have made they have found that fall trapping is very good for muskrats. I think we have it now in about thirteen counties and it has worked out very well. There is not too much I can say on it. I think this letter covers the situation very well. I do not think the bill should be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: Since this is my bill I will say that I was asked to put it in by the treasurer of the Maine Trappers Association. About two or three years ago, I guess, they had a bill put in this House that was for spring trapping. I think they realized their mistake. This paper that has been put out today by Mr. Watson explains everything and I do not want to take up too much time. It is for the propagation of the muskrats that they put this bill in just for fall trapping rather than in the spring.

Now in the spring, as this paper will readily tell you if you have read it, they catch many other different animals in the traps which are injured and which they have to kill or turn over to game wardens.

I hope that the motion for indefinite postponement does not prevail and that the majority report of the committee "Ought to pass" will be accepted.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Whitney.

Mr. WHITNEY: Mr. Speaker and Members of the House: I hate to take the time at this time of the day to debate this, but I am just wondering. You people probably have read this sheet here that has

been sent out by the Department. More or less of you are farmers; you have gardens, and I am wondering how many of you pick your early corn when it is in the blister. That is exactly what this thing does.

Not being familiar with muskrat trapping, I have spent some time and effort to get information on this subject from a man who has spent many seasons in muskrat trapping.

A dead female muskrat cannot produce young. It does not matter when she was killed. So it would seem wise to trap this animal when the fur is prime and when she stands the best show to keep away from the trapping area. This would be in the spring, as muskrats are then going away from the trapping area, while in the fall they are coming back into it. Furthermore, in the fall many kits would be taken which are worth very little and which, if left until spring, would become prime rats and bring good prices.

We understand that the catch is larger in the fall than in the spring, which seems reasonable, as the rats are coming to winter quarters. Therefore spring trapping would be a conservation measure.

Most of us, when buying fur garments, do not know prime fur from any other. To us, fur is fur, when it is new and made up. If it does not wear well it may be because it was made from unprime pelts.

I sincerely hope that this Ninety-sixth Legislature will not pass any bill that will encourage anyone to try to gyp the public. Therefore we favor spring trapping of muskrats in Cumberland County.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Currier.

Mr. CURRIER: Mr. Speaker and Members of the House: I am not an authority on muskrats but we have a gentleman on the committee who should be an authority. He has bought furs all his life, and he tells us that the difference in the texture of the fur in the spring and fall, there is no question fall is the time to take your muskrats,

but there is a little difference of price, perhaps 25 cents on a hide. If the hide is worth around two dollars or two dollars and a half it will be cut down 25 cents a hide. As the price goes up the cut will be a little bit greater.

The number of muskrats that are taken in the fall more than offsets the discount on the price of the hides. For that reason, and because of the fact that in the fall you are not messed up with your young ones, you are not catching a lot of ducks and a lot of minks which you should not be taking, the committee felt that this should pass and I would like to recommend that the "Ought to pass" report be accepted.

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Cates.

Mr. CATES: Mr. Speaker and Members of the House: I have an identical bill on the table. I might just as well talk on this one and then I won't have to speak on my own.

Did you ladies and gentlemen ever walk down the street and see milady with a beautiful muskrat coat with long glossy, black hairs on it and you remarked what a beautiful coat it was? Perhaps you might have walked down the street and seen another lady with a muskrat coat that looked like a dead wharf rat. That is the difference between the fall rat and the spring rat.

I am not going to debate this issue here, but I will say that I trapped muskrats myself forty years ago in Washington County and my father trapped them before me, and we have gotten along very well in spite of all the biologists' reports to the contrary and in spite of the esteemed gentleman on the committee who buys all these furs at a profit to himself.

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

Mr. WATSON: Mr. Speaker and Members of the House: Inasmuch as we are debating two bills I think it is only right that I should speak on the second bill first. (Laughter)

I think the difference the gentleman from Machias (Mr. Cates)

found in milady's coat was that one fellow was a cheap-skate and he paid fifty dollars and the other guy was a good, flush guy and he bought a thousand dollar coat, and that is the difference. (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Bridgton, Mr. Whitney, for the indefinite postponement of both reports and accompanying papers on Bill "An Act relating to Open Season on Muskrats in Cumberland County," House Paper 804, Legislative Document 888.

As many as are in favor of the motion of the gentleman from Bridgton, Mr. Whitney, will say aye; those opposed will say no.

A viva voce vote being doubted, a division of the House was had.

Twenty-eight having voted in the affirmative and fifty in the negative, the motion for indefinite postponement did not prevail.

On motion of the gentleman from Cumberland, Mr. Call, the Majority "Ought to pass" report of the Committee was accepted, and the bill was given its two several readings and tomorrow assigned for third reading.

On motion of Mr. Cates of East Machias, the House voted to take from the table the seventh tabled

and unassigned matter, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Muskrats in Washington County", House Paper 257, Legislative Document 287, tabled on March 17 by the same gentleman pending acceptance of the Report.

On further motion of Mr. Cates, the "Ought to pass" Report of the Committee was accepted, the Bill was given its two several readings and was tomorrow assigned for third reading.

On motion of Mr. Scott of Wales, the House voted to take from the table the forty-seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Welfare on Resolve Providing for State Pension for Reinold Zebe of Poland, House Paper 384, tabled on April 8 by the same gentleman pending acceptance of the Report.

On further motion of Mr. Scott, the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of Mr. Totman of Bangor,

Adjourned until tomorrow at 1:30 o'clock in the afternoon.