

MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Monday, May 4, 1953

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

Prayer by the Rev. Mr. Haldon Arnold of Augusta.

The members stood at attention during the playing of the National Anthem.

Journal of the previous session was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve in Favor of Arthur Payson of Brooks, House Paper 1098, Legislative Document 1232, report that they have had the same under consideration and ask leave to report that the Senate recede and concur with the House.

Report was read and accepted and sent up for concurrence.

Papers from the Senate Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Highways on Bill "An Act to Increase the Salaries of the State Police" (S. P. 295) (L. D. 829) which was recommitted, reporting same in a new draft (S. P. 603) (L. D. 1546) under title of "An Act relating to Compensation of State Police and Wardens of Inland Fisheries and Game and Sea and Shore Fisheries Departments" 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. 603, L. D. 1546, Bill "An Act Relating to Compensation of State Police and Wardens of Inland Fisheries and Game and Sea and Shore Fisheries Departments."

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

'Emergency preamble. Whereas, because of the advancing high cost of living, salaries of members of the state police and wardens of the departments of inland fisheries and game and sea and shore fisheries must be adjusted to such cost of living; and

Whereas, great hardships have been caused among such employees unless such salary scale is adjusted; and

Whereas, efficiency of the administration of state government in such departments has been vitally affected; and

Whereas, efficient administration of state business is vital to the well-being of the state and to its citizens; and

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

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

'Sec. 7. When effective. The provisions of this act shall become effective for the 2nd payroll period next following the effective date of this act.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

Final Reports

From the Senate:

Final Report of the Committee on Agriculture.

Final Report of the Committee on Business Legislation.

Final Report of the Committee on Claims.

Final Report of the Committee on Education.

Final Report of the Committee on Highways.

Final Report of the Committee on Inland Fisheries and Game.

Final Report of the Committee on Judiciary.

Final Report of the Committee on Labor.

Final Report of the Committee on Liquor Control.

Final Report of the Committee on Natural Resources.

Final Report of the Committee on Public Health.

Final Report of the Committee on Public Utilities.

Final Report of the Committee on Sea and Shore Fisheries.

Final Report of the Committee on Taxation.

Final Report of the Committee on Towns and Counties.

Final Report of the Committee on Transportation.

Final Report of the Committee on Veterans and Military Affairs.

Final Report of the Committee on Welfare.

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Non-Concurrent Matter

An Act Amending the Election Laws (S. P. 309) (L. D. 926) which was passed to be enacted in the House on April 8, and passed to be engrossed as amended by Committee Amendment "A" on March 31.

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

In the House:

The House voted to recede from its former action whereby it passed this Bill to be enacted on April 8; and further voted to recede from its former action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" on March 31.

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

SENATE AMENDMENT "A" to S. P. 309, L. D. 926, Bill "An Act Amending the Election Laws."

Amend said bill by striking out all of section 23.

Thereupon, Senate Amendment "A" was adopted and the Bill was passed to be engrossed as amended by Committee Amendment "A" and by Senate Amendment "A" in concurrence.

Non-Concurrent Matter

Resolve to Create a Special Committee to Study Safeguards in Con-

struction Projects (S. P. 536) (L. D. 1441) which was indefinitely postponed in the House on April 29.

Came from the Senate with that body voting to insist on its former action whereby the Resolve was passed to be engrossed on April 16, and asking for a Committee of Conference with the following conferees appointed on its part:

Messrs. WARD of Penobscot
REID of Kennebec
ST. PIERRE

of Androscoggin

In the House:

The SPEAKER: The Chair awaits a motion.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I move the House insist on its former action and join in a Committee of Conference.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House insist on its former action whereby Legislative Document 1441 was indefinitely postponed in the House on April 29 and join in a Committee of Conference.

On the Committee of Conference of the two Branches of the Legislature on Senate Paper 536, Legislative Document 1441, Resolve to Create a Special Committee to Study Safeguards in Construction Projects, the Chair will appoint the following members on the part of the House:

Messrs. DICKEY of Brooks
CIANCHETTE of Pittsfield
SMITH of Farmingdale

Non-Concurrent Matter

Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 400) (L. D. 453) which was passed to be engrossed as amended by House Amendment "A" in the House on April 29.

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

In the House:

On motion of Mr. Martin, of Augusta, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Open Season on Muskrats in Washington County" (H. P. 257) (L. D. 287) on which the House accepted the "Ought to pass" Report of the Committee and passed the Bill to be engrossed on April 17.

Came from the Senate with the Report failing of acceptance in non-concurrence.

In the House:

On motion of Mr. Cates of East Machias, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Evidence of Intoxication" (H. P. 422) (L. D. 469) on which the House accepted the Majority Report of the Committee reporting "Ought to pass" and passed the Bill to be engrossed on March 31.

Came from the Senate with the Minority Report of the Committee reporting "Ought not to pass" accepted in non-concurrence.

In the House:

On motion of Mr. Trafton of Auburn, the House voted to insist on its former action whereby it accepted the Majority "Ought to pass" Report of the Committee and passed the Bill to be engrossed, and ask for a Committee of Conference.

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

Thereupon, the gentleman from Hope, Mr. Ludwig, was escorted by the Sergeant-at-Arms to the rostrum, where he assumed the Chair amid the applause of the House, the members rising, and Speaker Bates retired.

Orders

Mr. Potter of Medway presented the following Order and moved its passage:

ORDERED, the Senate concurring, that "An Act relating to Application of Plumbing Laws" (H. P. 1276) (L. D. 1512) be recalled to the House from the office of the Governor. (H. P. 1300)

The Order received passage and was sent up for concurrence.

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

Mr. CRABTREE: Mr. Speaker, I present an order and move its passage, and I would like to make just a remark or two after the Clerk has read it.

The SPEAKER pro tem: The gentleman from Island Falls, Mr. Crabtree, presents an order and moves its passage. The Clerk will read the order.

ORDERED, That there be reproduced from original stencils, copies of the Legislative Report on Littlefield Homicides, to the number of 500, if possible, and that there be included therewith the findings and order of Justice Beliveau on the Habeas Corpus Petition of Francis M. Carroll, and

BE IT FURTHER ORDERED, that copies of said Report together with the findings and order of Justice Beliveau be delivered to all county attorneys, sheriffs and county law libraries in the State and the balance be deposited in the State Library for general distribution.

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

Mr. CRABTREE: Mr. Speaker, the order from the Ninety-fifth Legislature covered a report to the members of this Legislature which of course was done, and we have all received our report. However, there were some considerable number of people who wanted one of those reports, some law-enforcement agencies that could not get them because they simply were not available.

The stencils are available and are now in the Clerk's office. It is my desire to see that these reports are made available. I have discussed the matter with the good Judge, the gentleman from Portland, Mr. McGlauffin, and he does not disagree with this whatever. I am sorry he is not here.

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

Thereupon, the order received passage.

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

Mr. DICKEY: Mr. Speaker, I present an order and move its passage and I would like the opportunity to make a few remarks.

The SPEAKER pro tem: The gentleman from Brooks, Mr. Dickey, presents an order and moves its passage. The Clerk will read the order.

ORDERED, the Senate concurring that

WHEREAS, the two branches of the Legislature have been in non-concurrence with respect to the Merit Award Board; and

WHEREAS, the Senate did recede and concur with the House in the deletion of the Merit Award appropriation in the appropriations measure;

BE IT THEREFORE RESOLVED that the Committee on Appropriations and Financial Affairs may forthwith present to the House, such bill or resolve as the Committee may wish relating only to the subject contained therein. (H. P. 1299)

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

Mr. DICKEY: Mr. Speaker and Members of the House: I did put up quite a fight for the Merit Award Board. At the present time, because the House and the other branch could not agree, we now have the bill in effect, but they haven't any money to operate. Since the time of my appearance before the committee and since such time as I have been before the House, much material has come to me, and I think, in courteousness to the other branch that we at least should have another reconsideration of this matter, and I hope my order will pass.

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

The Order received passage.

Thereupon, on unanimous consent, the order was sent to the Senate forthwith.

House at Ease

The House was called to order by the Speaker pro tem.

On motion of Mrs. Lord of Portland, House Rule 25 was suspended

for the remainder of today's session in order to permit smoking.

House Reports of Committees Ought to Pass with Committee Amendment

Mr. Childs from the Committee on Legal Affairs on Bill "An Act to Provide a New Charter for the City of Saco" (H. P. 439) (L. D. 477) 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. 430 L. D. 477, Bill "An Act to Provide a New Charter for the City of Saco"

Amend said bill by striking out all of the emergency preamble.

Further amend said bill by striking out all of section 7, Article III and renumbering sections 8, 9 and 10 to read sections 7, 8 and 9.

Further amend said bill by striking out the words and punctuation "at the discretion of the city council," appearing in the 13th and 14th lines of the 1st paragraph of section 2, Article IV.

Further amend said bill by striking out the words "a majority" in the 2nd line of the 2nd paragraph of section 2, Article IV and inserting in place thereof the figures '5/7'.

Further amend said bill by inserting after the words "All moneys received" appearing in the 1st and 2nd lines of section 6, Article IV the words 'for or on behalf of the city.'

Further amend said bill by striking out the word "No" at the beginning of the 1st line of section 10, Article IV, and inserting in place thereof the words 'Subject to the provisions set forth in section 5 of this Article, no'

Further amend said bill by striking out all of section 14 of Article IV after the headnote and inserting in place thereof the following:

"The city council shall have the power, on such reasonable terms and conditions as shall be imposed, to authorize and empower any person or corporation to place in, on or under, any public way or walk, such structures, whether temporary or permanent, as are ordinarily per-

mitted by the general law relating to municipalities.'

Further amend said bill by striking out the word "The" at the beginning of the 1st sentence of section 16, Article IV and inserting in place thereof the following words 'Subject to provisions of the law, the'

Further amend said bill by striking out the comma appearing after the words "violations thereof" appearing in the 5th line of section 16, Article IV and inserting in place thereof a period and striking out the remainder of the section.

Further amend said bill by striking out the figures "300" in the 2nd line of the 3rd paragraph of Article V and inserting in place thereof the figures '200.'

Further amend said bill by inserting after the words "and in case of a vacancy in the office of mayor" appearing in the 35th and 36th lines of section 2, Article VI, the words and punctuation 'or of an alderman.'

Further amend said bill by striking out the word "office" in the 35th line of section 2, Article VI and inserting in place thereof the word 'offices.'

Further amend said bill by adding at the end of Section 2, Article VI the following paragraph:

'In the event of a vacancy in the office of mayor, or of an alderman, elections for the selection of a person or persons to fill the vacancy in said office shall be held as elsewhere herein provided within a period of 60 days from the occurrence of such vacancy.'

Further amend said bill by striking out the 1st sentence of section 1, Article VII and inserting in place thereof the following:

'The superintending school committee shall consist of 3 members elected at large from the qualified voters of the city for a term of 3 years and until their successors are elected and qualified. The superintending school committee shall elect 1 of their number as chairman. All regular meetings of the committee shall be open to the public.'

Further amend said bill by striking out the word "city" in the 10th line of section 1, Article VIII and

inserting in place thereof the word 'assessors.'

Further amend said bill by inserting after the words "person in each ward" appearing in the 11th line of section 1, Article VIII, the words 'provided the city council shall so direct.'

Further amend said bill by inserting after the words "board of assessors" appearing in the 2nd line of the 2nd paragraph of section 1, Article VIII the words 'and the compensation for the assistant assessors.'

Further amend said bill by adding at the end of the 2nd paragraph of section 1, Article VIII the following sentence:

'The assistant assessors shall hold office during the pleasure of the board of assessors.'

Further amend said bill by striking out the words "an executive secretary" appearing in the 1st line of section 2, Article VIII and inserting in place thereof the following words: 'a clerk'.

Further amend said bill by adding the following sentence at the end of section 2, Article VIII: 'The salary of the assessors and the compensation for the assistant assessors shall not be increased or diminished effective during the term in which any assessor or assistant assessor holds office.'

Further amend said bill by striking out the semicolon appearing after the word "provided" in the 17th line of section 1, Article IX and inserting in place thereof a period, and striking out the remainder of the 1st paragraph of section 1, Article IX.

Further amend said bill by inserting the words 'as provided by law' after the words "shall be duly warned" in the 6th line of Section 2, Article X.

Further amend said bill by striking out the period after the word "reference" in the last line of section 8, Article X and adding the following: ', but the same shall remain otherwise unaffected by the provisions contained herein.'

Further amend said bill by striking out the words and punctuation "Emergency clause;" appearing in the headnote of the referendum paragraph.

Further amend said bill by striking out all of the 1st sentence of the referendum paragraph and inserting in place thereof the following:

"This act shall take effect 90 days after adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the city of Saco at the next annual city election, or at any regular state wide election held not less than 6 months nor more than 2 years after the date of approval of this act.

Further amend said bill by striking out the figures "20%" in the 6th from the last line of the referendum paragraph and inserting in place thereof the figures '30%'.

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

Passed to Be Engrossed Amended Bill

Bill "An Act relating to Hunting with Bow and Arrow in Piscataquis County" (H. P. 1280) (L. D. 1516)

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

Thereupon, Mr. Clements of Belfast offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1280, L. D. 1516, Bill "An Act relating to Hunting with Bow and Arrow in Piscataquis County."

Amend said Bill by striking out the word "County" at the end of the Title, and inserting in place thereof the words 'and Waldo Counties'.

Further amend said Bill by inserting after the underlined word "railway" in the 7th line, the underlined words 'and all of Waldo County'.

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

Bill "An Act relating to a School District for the Towns of Porter, Parsonfield, Cornish and Others" (H. P. 1297) (L. D. 1548)

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

Amended Bills

Resolve Providing for a State Pension for Nancy A. Gilbert of Belfast (S. P. 425) (L. D. 1545)

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 relating to Hearings Before the Insurance Commissioner" (S. P. 593) (L. D. 1538)

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.

Bill "An Act relating to the Practice of Architecture" (H. P. 676) (L. D. 692)

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

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: To the gentleman from Hope, Mr. Ludwig, in behalf of the House each and every one of us thanks you sincerely and expresses through me their pleasure in having you as our presiding officer.

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

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

Mr. ALBERT: Mr. Speaker and Members of the House: Under enactors of today, I move that Items 1 and 2 be passed over at this time. There is a constitutional question involved and we will have an answer tomorrow and will take them up at that time.

The SPEAKER: The gentleman from Augusta, Mr. Albert, requests that Items 1 and 2 under Enactors, House Paper 1132, Legislative Document 1282 and House Paper 1133, Legislative Document 1283 not be placed before the House at this time. Is this the pleasure of the House?

It is so ruled.

On request of Mr. Dickey of Brooks, Item 3 under Enactors, An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1954, and June 30, 1955, (S. P. 591) (L. D. 1536) was temporarily passed over.

On request of Mr. Scott of Wales, Item 12, An Act relating to Line Budget for County Estimates (S. P. 335) (L. D. 840) was temporarily passed over.

Passed to Be Enacted Emergency Measure

An Act to Make Allocations from the Department of Inland Fisheries and Game Receipts for the Fiscal Years Ending June 30, 1954, and June 30, 1955 (S. P. 595) (L. D. 1540)

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

The SPEAKER: The present membership of the House is 151. This being an emergency measure under the Constitution it requires for its passage a two-thirds vote of all the members elected to the House.

As many as are in favor of the passage of this bill to be enacted as an emergency measure, will kindly rise and remain standing in their places until the monitors have made and returned the count.

Ninety-four members arose.

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

Mr. FULLER: Mr. Speaker, I would like to have the membership ascertained.

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

A sufficient number arose.

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

The Clerk will call the roll. If you are in favor of this bill being passed to be enacted as an emergency, when your name is called you will answer, yes; if you are opposed to this measure being passed to be enacted as an emergency, when the Clerk calls your name, you will respond by answering no.

The Clerk will call the roll.

Roll Call

YEA—Albee, Albert, Alden, Anderson, Archer, Bailey, Baldic, Beal, Bearce, Bibber, Brockway; Brown, Bangor; Brown, Robbinston; Buckley, Burgess, Butler, Campbell, Carter, Caswell, Cates, Caverly; Center, Standish; Chase, Childs, Christie, Cianchette, Clements, Cole, Cormier, Couture, Crabtree, Currier, Curtis, Davis, Denbow, Dennis, Dicker, Dickey, Dodge, Dostie, Dumaïs, Edwards, Emerson, Evans, Fickett, Finemore, Fitanides, Fogg, Ford; Fuller, Bangor; Fuller, South Portland; Gardner, Gates, Gilman, Gosline, Hand, Hanson, Harnden, Higgins, Hilton, Jacobs, Jalbert, Keay, Kelly, Kimball, Latno, Lawry, Legard, Lord; Low, Rockland; Ludwig, Macomber; Martin, Augusta; McCluskey, McGlauffin, Morris, Moulton, Osborne, Potter, Pullen, Rich, Riley, Roberts, Roundy, Sanford; Scott, Wales; Senter, Brunswick; Small, Smith, Stanwood, Steeves; Stewart, Portland; Story, Taylor, Tondreau, Trafton, Tupper, Turner, Vaughan, Wadleigh, Watson, West, Whiting, Whitney, Willey, Williams, Winchenpaw, Woodcock.

NAY—Stewart, Paris.

ABSENT—Abbott, Berry, Billings, Boston, Call, Cote, Cyr, DeBeck, Dorsey, Downing, Duquette, Ferguson, Frechette, Gowell, Henry, Hussey, Jewett, Lane, Larrabee, Letourneau, Lovely; Low, South Portland; Madore; Martin, Eagle Lake; Murray, Nadeau, O'Dell, Peterson, Ready, Reynolds, Robinson, Rogerson; Scott, Alfred; Seaward, Stanley, Tardif, Totman, Travis, Tuttle, Walker, Wyllie.

Yea 108, Nay 1, Absent 41.

The SPEAKER: One hundred and eight having voted in the affirmative, one having voted in the negative, forty-one being absent, the bill is passed to be enacted as an emergency measure and will be signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

Resolve Providing for Certain Construction at Portland Municipal Airport (S. P. 553) (L. D. 1486)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 106 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Elderly Teachers' Pensions (S. P. 49) (L. D. 77)

An Act relating to Retirement of Policemen Under Maine State Retirement Law (S. P. 79) (L. D. 187)

An Act relating to Pensions for Dependents of Deceased Officers of State Police (S. P. 114) (L. D. 310)

An Act to Incorporate the "Portland Investment Co." (S. P. 206) (L. D. 539)

An Act to Incorporate the Fidelity Finance Company (S. P. 302) (L. D. 918)

An Act to Incorporate the Union Finance Company of Maine (S. P. 310) (L. D. 923)

An Act to Incorporate the Union Loan Company of Maine (S. P. 311) (L. D. 924)

An Act relating to Membership in State Retirement System (S. P. 374) (L. D. 1037)

An Act relating to Membership on the Maine School Building Authority (S. P. 442) (L. D. 1152)

An Act to Provide for the Approval of Degree-Granting Institutions (S. P. 464) (L. D. 1299)

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

An Act relating to Town's Share for State Aid Reconstruction (S. P. 592) (L. D. 1537)

An Act Creating a Division of Indian Affairs (H. P. 245) (L. D. 226)

An Act relating to Compensation for Total Incapacity Under Workmen's Compensation Law (H. P. 428) (L. D. 475)

An Act Amending Law on Ferry Between Beals and Jonesport (H. P. 443) (L. D. 487)

An Act relating to Charges for Medical Examination by Applicants for Employment (H. P. 659) (L. D. 702)

An Act to Incorporate the Saco Sanitary District (H. P. 845) (L. D. 949)

An Act to Grant a New Charter to the City of Hallowell (H. P. 1105) (L. D. 1241)

An Act relating to Expenditure of Potato Tax Funds (H. P. 1253) (L. D. 1462)

An Act to Include the Typing of Blood in Prenatal Examinations (H. P. 1274) (L. D. 1510)

An Act relating to Election of Members of School Board in Town of Camden (H. P. 1282) (L. D. 1522)

An Act to Provide Additional State Office Space (H. P. 1285) (L. D. 1533)

Finally Passed

Resolve in favor of George S. Bradbury, of West Franklin (S. P. 98) (L. D. 233)

Resolve in favor of Frank B. Adams of Thomaston (S. P. 112) (L. D. 313)

Resolve in favor of Vera A. Gordon, of West Sullivan (S. P. 130) (L. D. 339)

Resolve in favor of a Retirement Allowance for Gertrude E. Durost of Mars Hill (S. P. 450) (L. D. 1263)

Resolve in favor of a Retirement Allowance for Harriet McClaskey of South Portland (S. P. 451) (L. D. 1266)

Resolve in favor of Retirement Allowance for Donald Mathieson of Freedom (S. P. 452) (L. D. 1267)

Resolve in favor of a Retirement Allowance for Annie Pierce of Weeks Mills (S. P. 453) (L. D. 1265)

Resolve in favor of Althea C. Ward, of Augusta (S. P. 473) (L. D. 1295)

Resolve in favor of Edward Alvin Hodsdon, of Presque Isle (S. P. 548) (L. D. 1463)

Resolve in favor of Mrs. Ruth Spear Sturtevant of Rockland (S. P. 597)

Resolve Providing for State Pension for Rose LaPointe of Turner (S. P. 601)

Resolve in favor of Rodolphe H. Morais, of South China (H. P. 498) (L. D. 1354)

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.

Passed to Be Enacted

The CLERK: Returning to Item 12, An Act relating to Line Budget for County Estimates (S. P. 335) (L. D. 840)

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

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

Mr. SCOTT: Mr. Speaker and Members of the House: On the vote on the first and second readings and on the third reading of this bill, there was a very small—in other words, there was not much interest by the members in this bill but you should be interested. You are not looking in back or beyond this bill, because if you did the vote to postpone this bill would be much larger.

Now, this bill is an opening for the same thing to happen in any one of your counties and all it takes is a couple of dissatisfied delegates to start it rolling and then one of you in the next Legislature will be standing on this Floor fighting to keep this from being rammed down your throats as I am trying to do now in regard to Androscoggin.

Just who is against this bill? Before the hearing on Towns and Counties Committee, of which I was a member, there were county officials from five and six counties, all against this bill. They said it was not feasible or workable.

There is another phase to this bill which is important and that is, as you know well as I do, there is a certain element within this State that would like to see county government done away with. If you pass this document, you are giving them a high-powered rifle to shoot back at us. Ladies and gentlemen, please think this over carefully. Not only is this bill not workable, but if I were a county official and I had to choose between this bill and a slap in the face, I would take the slap in the face. The pain wouldn't be so much so long; it would be over quickly. It is my

opinion that it is the most insulting bill ever put before this Legislature.

Mr. Speaker, I move again the indefinite postponement of this bill, L. D. 840, An Act relating to Line Budget for County Estimates, and the accompanying papers.

The SPEAKER: The gentleman from Wales, Mr. Scott, moves that the bill be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker, before I make my remarks I would like to direct a question through the Chair to the gentleman from Wales, Mr. Scott. The question is: How many county officials from Androscoggin County appeared and spoke against this bill at the hearing that he was at and that I was at?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, directs a question through the Chair to the gentleman from Wales, Mr. Scott. The gentleman from Wales, Mr. Scott, may answer the question if he so desires.

Mr. SCOTT: Mr. Speaker, the Register of Deeds spoke to me, not direct at the hearing, the Chairman of the County Commissioners and the High Sheriff, Sheriff McGraw of Androscoggin County.

Mr. JALBERT: Mr. Speaker and Members of the House: Obviously the question has not been answered. I shall answer it. Number 1, the first time this bill was brought before this body the remark was made that it was not feasible. It certainly proved not to be an exact remark because of the fact that we had already put it into effect unofficially in Androscoggin County.

Second, the remark made, in attempting to kill the bill, was that it had already gone through this House. I questioned that one and the gentleman from Wales, Mr. Scott, agreed that I was right. The third question I directed, I got no answer to. I answered my own question.

Now, I recall eight years ago, when we had the famous home rule on the Lewiston Police Commission, that the House passed that bill 121-2. It became law and I stated that if ever things went wrong at home I would be the first one to appear either as a member

or ask someone to put in a bill to bring back the control of the police commissioner under the Governor and Council. I am proud to say that in Lewiston we enjoy one of the finest police departments today in New England with home rule. It has not disrupted the operations in the least.

Now, this bill is opposed by a few, petty, five-cent politicians. I have run for office with their backing. I am not running for office any more with their backing. I move that we get to an end on this thing and that you show the gentleman from Wales, Mr. Scott, that he is not a mind-reader when he makes the remark "if, if, if this would be indefinitely postponed by a larger vote". I very definitely hope that we have seen the last of this and that his motion does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Wales, Mr. Scott, that Bill "An Act relating to Line Budget for County Estimates", Senate Paper 335, Legislative Document 840, be indefinitely postponed. Is the House ready for the question?

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

Fifteen having voted in the affirmative and forty-five having voted in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed and having had its two several readings in the Senate and having been passed to be engrossed and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

Thereupon the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

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

The Chair lays before the House the first item of Unfinished Business, House Report "Ought to pass" in New Draft (H. P. 1284) (L. D. 1530) of the Committee on Agriculture on Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes" (H. P. 1032) (L. D. 1168) tabled on April 28 by the gentleman from Guilford, Mr. Campbell, pending acceptance of the report.

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

Mr. ROBERTS: Mr. Speaker and Members of the House: I move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves the indefinite postponement of the report and bill.

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: This bill is a bill which came from the producer organizations of the State who are backed by around three thousand producers as members of those organizations, and it is asked for a tax to be permitted to be placed upon the producers for the purpose of advertising the industry and for the promotional purposes of the same.

The matter came before the committee; there it had very little opposition, and there was strong evidence in favor of the bill. Since it has been on the table I have received considerable favorable comment on the bill, and therefore I hope the motion to postpone will not prevail.

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

Mr. CURTIS: Mr. Speaker and Members of the House: In opposing this measure you can see just about how I feel. My seatmate here and I are called the "Gold Dust Twins" by some of our friends because we are always together, but this time we are not together so we won't be "Gold Dust Twins" any more but still we can be good friends.

I am opposed to this bill because I do not think we should legislate and tell the individual man how to run his business. Now we do pay, and have for several years, been paying one cent by the producer and one cent by the dealer for advertising purposes, and I think we have gotten some results. I surely believe in advertising, but I am a producer-dealer and I spend three hundred dollars of my own money in advertising, and I surely wouldn't do it if I didn't think it paid. But every producer that I have consulted is against this thing because it asks the producer to pay it all, and, of course, the dealer gets his share out of it and he is not paying anything for this extra advertising, if it does any good.

Now it is questionable to my mind if it will do the producers in the State of Maine any good because a great deal of this advertising is done in Boston, New York and what have you, periodically, in places where we do not sell a great deal of milk; in fact we do not sell any out of Massachusetts.

I appeared at the hearing against the bill, and I will admit that there were not many because there were not many farmers here, but there were a great many of the men who pretended to represent the farm organizations which, to my knowledge, they were not representing them by any means when they sponsored this bill.

Now, any time that the dealer wishes to go halves, I am sure the producer will go halves with him, and as a producer-dealer I do spend a lot of my own money, and I am very sure that if this bill has the merit of the advertising, it could be sold to the producer and he would do it himself, and I think he will do it as soon as he understands that advertising pays. I hope that it does not receive passage.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: This is a bill that the Committee on Agriculture gave a great deal of time and thought to.

When the hearing was held on this bill it was extremely well at-

tended and more than ninety per cent of the people in attendance at that hearing were in favor of this bill. Following that, your committee was particularly anxious that they should try to find out what the feeling of the producers in the various parts of the State who were not represented at the hearing was on this matter.

I was one who attended Farm and Home Week for a day, and there I attended a meeting of the Purebred Livestock Breeders' Association and we held a forum on this and other bills before the Legislature, and at that time the question was asked, and a straw vote was taken, as to how that group felt about this matter, and they were unanimously in favor of the passage of this bill.

Following that, your committee, in executive session, was visited by a group of the leaders in the dairy industry, and again they emphasized to us the importance, in their opinion, of the passage of this particular piece of legislation.

I might point out that there are before the legislatures of some of the other New England states, at least two, the same type of legislation, and it is hoped that they also, and if they do pass similar legislation, the funds will be combined into a fund which would be large enough to really do something about advertising the milk products, which, it seems to the industry, is essential today with the surplus milk that we have, with the competition that we are getting from synthetic products and so forth, the feeling of the industry is that we have got to advertise it more. This bill will enable them to do it and I am satisfied, after surveying as much as I could, myself, and the other groups, I am satisfied that the great, great majority of the producers in the State of Maine want this bill and I hope you will go along with the unanimous "Ought to pass" report of the Agricultural Committee.

The SPEAKER: The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: Mr. Speaker and Members of the House: I represent an area which are largely milk pro-

ducers and I see no good that this bill will do and I certainly go along with the motion for indefinite postponement.

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

Mr. **CAMPBELL**: Mr. Speaker and Members of the House: I am opposed to this bill for what I believe to be a very good reason. This bill places a tax of 2 cents on 100 pounds of milk produced in the State of Maine. We already have a tax of 2 cents that is paid 1 cent by the producer and 1 cent by the distributor. If this bill passes in its present form, the producer will pay the entire amount of the increase and there is another bill, following this one, that would add 1 more cent, which, if passed, together with the taxes that we already have and as provided in this, if passed, would place a tax of 5 cents on every 100 weight of milk sold in the State of Maine. It will mean that a farmer who produces 1,000 pounds of milk a day, and we have many of them who do, he will pay \$182.50 a year tax on his product and I am of the opinion that the cost of this will be passed back to the consumer eventually as we all know that the producer of milk is not getting enough for his product already.

Yesterday, while I was home, I contacted as many producers in the area where I live as possible. I talked with 24 different men and not one of them was in favor of this tax and I also talked with 3 dealers in my section, men who distribute some 600 to 1,000 quarts of milk a day, and they were not in favor of it. I fully appreciate the value of advertising but feel that the milk producers are paying all that they can afford to do at the present time. If the dealers would pay their share, they would profit by it, of course, if there is more milk sold. If they want to pay one-half of this tax, why I might go along with it.

I hope that the motion to indefinitely postpone prevails.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Dexter, Mr. Roberts, that Report and Bill "An Act Imposing a Tax on Milk Pro-

ducers for Promotional Purposes", House Paper 1032, Legislative Document 1168, be indefinitely postponed.

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

Mr. **ROBERTS**: Mr. Speaker, if we put this tax onto the producer, the larger part of this money will be going out of the State and, as the gentleman from Guilford, Mr. Campbell, has already told you, we have a bill in here which calls for one more cent per hundred for the purpose of advertising just in this State and I feel that we should wait until that bill has been passed and, if we do get this one cent, I think that will be sufficient for us to get an idea as to how this promotional program is going to work out.

I was talking with a M.P.A. supervisor just the other day and we were speaking about getting fertilizer enough to fertilize our land and he said that it had all been taken up but he was very sure that many of these orders were going to be cancelled for the reason that the dairymen haven't the money to pay. I feel the same thing applies to this bill that the dairymen, the producers, are not able to carry this extra expense with the 2 cents we are already paying and the 1 cent that probably we will add to what we already have and the tax they are paying the New England Milk Producers Association like that will probably amount to 6 cents per 100.

This bill, in itself, will approach \$100,000 per year and these other items will be \$100,000, which will total around \$200,000 a year and I still feel that the milk producers are not able to pay this amount.

The **SPEAKER**: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. **BAILEY**: Mr. Speaker, I simply arise to make a little clarification on some of the statements. We have heard anywhere from 5 to 6 to 6½ cents on 100 weight for the producer. At the present time, under the present law, there is a 2 cent tax upon the industry; 1 cent of that is to pay for the expenses of the Maine Milk Commission, the other cent is to pay for the education and promotional pur-

poses of the industry and that is divided equally between the dealer and the producer. We also have another bill here asking for 1 cent additional and that program would be divided equally between the dealer and producer for the purpose of advancing the promotional purposes of the industry. That would make 3 cents per 100 weight but the dealer pays one-half of that 3 cents which leaves 1½ cents per 100 weight for the producer. 1½ cents which the producer would pay under that setup, added to this 2 cents per 100 weight, as I understand, would make 3½ cents per 100 weight, providing this bill went through, instead of 5 or 6 cents.

And another statement was made that a larger portion of this would go out of the State. That would be determined by the committee which would be appointed under this bill, which bill provides for a committee, of five, four of them to be appointed by the Governor and Council on recommendation of the Commissioner and the Commissioner himself, and they would set up the program what would be used. But I know that it is the intention, if this bill did get through, that the tax which was paid by those producers shipping out of the State to be used to a large extent out of the State for advertising Maine produced milk and that the milk that was produced by the producers and sold within the State to be used for within the State for that purpose.

Now, this bill is very similar to the taxes upon potatoes, sardines, and one or two others, which I do not recall just at this time, blueberries is one, which tax themselves for the purpose of improving the industry.

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

Mr. CURTIS: Mr. Speaker, I am very happy to go along as explained by the gentleman from Woolwich, Mr. Bailey, in the taxation that we already have and even this new bill that is coming along for another cent. Because of his eloquence, I didn't know the plight that the producers were in, I would almost be persuaded to go along with this one. But, realizing the condition

that the producers are in, and I might tell you I went over my accounts last night for the month of April and because of the consumer price having dropped 2½ cents in the last month or two months, I find that the loss to the producer was a little over \$500 on the milk that I sold. Now, the producer took the whole of this loss. As a producer-dealer, as a producer, which I am, a producer-dealer, my loss was \$134.70 but on the others, take the \$134 away from the \$505, it will tell you what the producer lost and I didn't lose any of that; he lost the whole of it. I think he is losing enough, and, as a producer-dealer, I would be happy indeed to pay another cent or two cents as a dealer if the producer wanted to do it. I think it is just unfair to ask the producer to do the whole of it.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: It has been mentioned by someone a few moments ago that this tax would probably be passed on to the consumer. I would like to point out that this tax would amount to less than 1/20 of a cent per quart. I see very little chance of that changing the consumer price of milk.

Now, reference has been made to another bill which is before this Legislature, which is the twentieth item of unfinished business. I would like to point out there that the revenue raised under that act which is in operation at the present time in this proposal under Legislative Document 647 simply plans to raise it a little. The expenditure of that money is limited to be spent through the milk council, and it is limited to educational purposes. In other words, the work is done through the schools and through dentists' offices and things of that nature but they are not allowed to use that money for general advertising. This particular item, which we are now considering, is one for the general advertising of milk products, which, as I said before, the industry believes is necessary in order to compete with synthetic products at the present time.

I still hope that the unanimous report of the committee is accepted.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I stand corrected as to the amount that the producer would pay. The gentleman from Woolwich (Mr. Bailey) has stated that it would be 3½ cents from the producer. I still think that is too much and he has mentioned also the fact that the blueberry industry taxes themselves and that the potato industry taxes themselves. If I am correct, the potato industry taxes themselves 1 cent per barrel for advertising and promotional purposes. A barrel of potatoes for the last ten or twelve years would sell for perhaps an average of \$3.00 or \$3.50 a barrel and 100 pounds of milk might sell during the same period for around \$4.00 or \$4.50 and I think the tax of 1 cent on a barrel of potatoes does not compare favorably with the tax which they propose to place on milk, which would be much higher in proportion.

Now, I have no objection to these men who sell out of the State if they want to tax themselves and send the money out of the State, which there is no doubt they propose to do, as has been mentioned. There is legislation before the Vermont and New Hampshire Legislatures at this time to approve similar acts. I am willing that the men who sell out of the State should advertise out of the State if they want to but I do not think on the milk that is produced in Maine and sold in Maine markets, that we should pay the tax on that milk and send it out of the State to advertise their products. Thank you.

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

Mr. CASWELL: Mr. Speaker, it is very evident that we dairy farmers stir up quite a mess in disagreement among ourselves about some matters. I just want to say that this extra 2 cents is a sum which is felt to be very small for advertising purposes in comparison with products that are now in actual competition with milk, adulterated milk products. I would agree that it would be very nice if the dealers could be made to go along and pay part of

this. The objection to this bill seems to be from the fact that the dealers are not compelled to do that.

It is true and probably it would be pretty difficult to make them do that, particularly the larger dealers for the reason that they, themselves, are also interested and will become more so, in the production and sale of many of these adulterated milk products, which they are in a position to promote and naturally they are in business for what profit they can make on it and if they can make more profit in selling filled ice cream and filled cheese and all those adulterated products, which enter into this situation, they will spend their money in advertising those products rather than pure milk. It would be very nice if you could make them pay their fair share but we are only in a position to sell milk and nothing else.

The SPEAKER: The Chair recognizes the gentlewoman from North Kennebunkport, Mrs. Downing.

Mrs. DOWNING: Mr. Speaker, I understand that this is a 2 per cent tax on every 100 weight of milk to be put on the producer. I understand that it is entirely for advertising purposes. If I am not correct, I would like to have someone correct me. I have always said that if a producer would produce a better quality of milk, a tax for advertising would not be necessary.

The SPEAKER: The Chair recognizes the gentleman from Leeds, Mr. Buckley.

Mr. BUCKLEY: Mr. Speaker and Members of the House: I represent the Lewiston-Auburn Milk Producers Association and they wish to go on record as favoring this measure.

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

Mr. SMALL: Mr. Speaker, I have no personal feeling on this matter. I want to agree with the gentlewoman from North Kennebunkport, Mrs. Downing, on her attitude toward milk. In my neighborhood, they collect milk, they haul it around that night or the next day, 75 or so miles away, they process it and a day later they bring it back. I get it three or four days

later. I pay a premium to buy baby milk, trying to get good milk. I did go to the producers in my area. I felt it was my duty to do that after I was contacted by the department man, Mr. Jackson, from Oxford, Maine. I asked the producers in my area, as I went around assessing taxes, how they felt upon this bill. Each one of them had this attitude: They didn't like the bill; they thought it was a tax upon which the producers were not agreed. They felt that, at the present time, taxes were a heavy enough burden upon them and they didn't care for this tax. Voting only according to the way I got the sentiment from them, I wish to support the position taken by the gentleman from Bowdoinham, Mr. Curtis.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Dexter, Mr. Roberts, that Report and Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes," House Paper 1032, Legislative Document 1168, be indefinitely postponed.

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

A viva voce vote being doubted, a division of the House was had.

Fifty having voted in the affirmative and thirty-four having voted in the negative, the motion prevailed and the Report and Bill were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second item of Unfinished Business, Resolve in favor of State School for Girls, Senate Paper 561, Legislative Document 1493, tabled on April 28 by the gentleman from Auburn, Mr. Trafton, pending second reading; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Trafton of Auburn, the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the third item of Unfinished Business, Bill "An Act relating to Stock in Trade of Liquor Licensees", House Paper 940, Legis-

lative Document 1000, tabled on April 29 by the gentleman from Greenville, Mr. Anderson, on which the House has receded from the engrossment as of April 29, has reconsidered adoption of Committee Amendment "A", and the pending question before the House is the adoption of Senate Amendment "A" to Committee Amendment "A" as moved by the gentleman from Greenville, Mr. Anderson; and the Chair recognizes that gentleman.

Mr. ANDERSON: Mr. Speaker and Members of the House: I am going to make a motion on this but before I do I would like to say a few words. It is quite evident that the malt beverage industry and their associates are going to have their own way and, to my thinking, it is too bad that we have to continue for another two years allowing some joints, and I call them joints with that reservation, to sell malt beverages without having the required stock in trade on the premises or for sale if it is on the premises. It is my understanding that there are places throughout the State where the enforcement division goes to them and asks for the stock in trade and they are shown the cartons and asked if they want to look in them, and they open them. Not only that, there are places throughout the State in which the dealer has his goods located in warehouses other than on the premises. That is something that I don't like. That is something that the Liquor Enforcement Division does not like but, in view of the fact that this bill has a lot of merits and this isn't necessarily the most important feature of it, I am going along and ask that the House recede and concur with the Senate.

The SPEAKER: The Chair interprets the motion of the gentleman from Greenville, Mr. Anderson, that the pending question on adoption of Senate Amendment "A" on his motion is still before the House.

Is it the pleasure of the House to adopt Senate Amendment "A" to Committee Amendment "A"?

The motion prevailed and Senate Amendment "A" to Committee Amendment "A" was adopted in concurrence.

Thereupon, Committee Amendment "A" as amended by Senate

Amendment "A" thereto was adopted.

The Bill was then passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in concurrence and was sent to the Senate.

The SPEAKER: The Chair lays before the House the fourth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax, House Paper 944, Legislative Document 986, tabled on March 18 by the gentleman from Bangor, Mr. Fuller, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: I move to substitute the bill for the report and I would like to speak on my motion.

The SPEAKER: The gentleman from Bangor, Mr. Fuller, moves that the bill be substituted for the "Ought not to pass" report of the committee.

The gentleman may proceed.

Mr. FULLER: Mr. Speaker and Members of the House: This bill is another which involves a matter of policy and we certainly will never determine anything on policy without being at least willing to discuss the matter.

I think most of you have heard the arguments pro and con. The argument against the taxation of water, of course, is that it is a necessity of life just like groceries and we exempted groceries in the enactment of the law and there are also a few items which were considered equally necessary. The point is that in the case of a municipal water supply or a district, it is debatable whether it is actually a sale because, of course, the people who own the water supply are distributing the water to themselves. By taking the tax off of domestic water, as is contemplated in this bill, it would benefit everybody and would be an equitable measure of tax relief.

The last point is what has been done in other places, in other states rather, and I am told that

domestic water supplies are exempt in California, Connecticut, Florida, Georgia, Louisiana, Maryland, Michigan, New Mexico, Ohio, South Carolina, Tennessee, Washington, West Virginia and New York City. To be absolutely frank with you, of course, this bill has a price tag. I am told that the loss of revenue would be \$50,000. That is the argument for the proponents.

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

Mr. LOW: Mr. Speaker, I think that this bill really has the wrong label on it. It should be a bill to relieve the water companies of the trouble of making out the sales tax report. My own bill is eight cents every quarter; I think I run just about an average house. The water company officials, if you press them into a corner, will admit to you that their heart doesn't bleed for their customers because none of them are really stuck with anything but they do say it is a lot of nuisance to make out the reports which give the State of Maine \$50,000 or \$60,000 a year. Regardless of whether the tax is just or unjust, I just don't think we have \$50,000 or \$60,000 to play with at the present time. We haven't got enough in our appropriations to make this reduction. I hope the motion of the gentleman from Bangor, Mr. Fuller, does not prevail.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: Being a favorer of the sales tax for the last three sessions, I am in hope that this bill will pass because I personally believe that some Legislature is coming up here in the not too far distant future and they are going to have to boost that sales tax to 3 per cent or 3 1-2 per cent or maybe put it on again across the board and I feel that at this session if we could do just a little something that would make our constituents feel a little more kindly to us when we go home this week, we would all be better off, so I hope the motion of the gentleman from Bangor, Mr. Fuller, prevails.

The SPEAKER: The question before the House is on the motion

of the gentleman from Bangor, Mr. Fuller, that Bill "An Act relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax," House Paper 944, Legislative Document 986, be substituted for the "Ought not to pass" report of the committee.

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

Mr. ALBEE: Mr. Speaker and Members of the House: I hear on this bill all the time, I heard it before and before the committee, that water is free, that God gave it to us. I would like to call the attention of the members to the fact that in Portland they don't give it to us free; we have meters down there and they charge us for the water that is used. Now, I went to the water company in the Portland water district and I asked them down there what they charged for the water service and they said: "We charge you for the water." Therefore, I don't know as it is free and the only place I know it is free is up in Casco where my son has a place and they have a well up there and the water is free. We get it in a pail up there.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Fuller, that Bill "An Act relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax," House Paper 944, Legislative Document 986, be substituted for the "Ought not to pass" report.

All those in favor of the motion will please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

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

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Transportation on Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth," House Paper 878, Legislative

Document 870, tabled on March 18 by the gentleman from Greenville, Mr. Anderson, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. ANDERSON: Mr. Speaker and Members of the House: As you may have noted earlier in the session, I introduced two measures, and I introduced them to attempt to alleviate the log jam that appears early in December and continues on through to March, and I also wanted to see if we couldn't be a bit more economical in the Operators' License Division.

The other measure, which I personally did not favor myself, but which was the one that was being accepted by most of the states, I thought I would introduce so that the Transportation Committee could accept one or the other. I was certain that they would at least accept one. The other, of course, had quite a price tag on it.

A few days ago, when I had hoped to be able to take this measure off the table, the Deputy Secretary of State came along and asked if there wasn't something that could possibly be done in this session of the Legislature to correct an existing situation throughout all Registration offices in the State. I told him that when I was ready to discuss the matter I couldn't get it off the table, and when I wasn't ready, I could. So now we are in the dying days of the Legislature and probably there isn't a great deal that can be done on it.

However, because I strongly feel that something should be done on this, I am going to make a motion, and there is one other thing that I might say with reference to this particular measure: When I originally went to the Revisor's office, for the purpose of having this and the accompanying measure prepared, I was informed that probably I wouldn't get very far, and I inquired the reason and I was told that this was a Democratic measure that had been introduced by Democrats and it therefore had two strikes against it. Now that line of reasoning does not make much sense to me. I do, however, feel that it is more or less true, that a radical change, if it is proposed by the Democrats, has to be proposed by

Republicans several sessions before it ever gets anywhere, but at this time I am going to make the motion that the bill be substituted for the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, moves that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: In the absence of Mr. Travis I will try to explain why this matter was brought out of the Committee on Transportation "Ought not to pass."

The big argument on this, in fact the only argument on this, was the fact that people do not care to go to the place where the licenses are issued on January 1st, or I should say during the last few days of December, to get their drivers' licenses. And someone has mentioned the cost of putting on extra help. Well, this extra help would have to be there anyway and it wouldn't change it a bit, and the extra help to issue these licenses is only \$2800 as reported by the Secretary of State. If this was introduced in any form at all, even by notification or as this reads, it would be an exceedingly greater cost to the State, way in excess of the amount of money it is costing them now; in other words, we are trying to present a piece of legislation that would just help a few people who are late in applying for their drivers' licenses, and most of them are able to send some member of the family to obtain their license, and therefore it isn't putting them out too much. They have from October anyway—I believe earlier than that some years, but most years in our town offices our forms for our drivers' licenses, or registration, I should say, are in the hands of the Town Clerks or the Tax Collector on or before October 1st, and we have from October 1st to mail our application, if we wish to mail it, or to go to our nearest registration office; therefore I do not believe this bill has any merit whatsoever.

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. Cates.

Mr. CATES: Mr. Speaker, I would like permission to ask a question through the Chair of the gentleman from Greenville, Mr. Anderson.

The SPEAKER: The gentleman may proceed.

Mr. CATES: Mr. Speaker, our sister state of New Hampshire has this law in effect, and I wondered if perhaps he had checked up there to see how it was working. I would like to know if New Hampshire approves of it.

The SPEAKER: The gentleman from East Machias, Mr. Cates, requests information through the Chair from the gentleman from Greenville, Mr. Anderson. The gentleman from Greenville, Mr. Anderson, may answer if he so desires.

Mr. ANDERSON: Mr. Speaker, I can say, in answer to the question of the gentleman from Machias (Mr. Cates) that our sister state of New Hampshire certainly does approve of it; in fact they approve of it so much that they are going to the great expense of putting in the provision that was in my other document, with modification, in this year's Legislature.

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

Mr. CURTIS: Mr. Speaker, as a member of the Transportation Committee, I was not in favor of this bill, simply because of the cost; I thought it was too great for what it would do. I sympathize with anyone who waits until the last minute to get their license, because I sometimes do it myself, and I hate myself for doing it, but I have to spend half a day and run out and stand in line when there isn't any need of it, and I just wonder, if we were notified, would we send the thing back and not have to run anyway. But the excessive cost, which I will not go into at this time, is so much greater, that I do not think the good arising from it would pay for the extra cost.

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

Mr. ROBINSON: Mr. Speaker and Members of the House: I

would like to know what this extra cost is going to be. I don't see where there is going to be any extra cost in there, due to the fact that those girls are very busy in the office during the month of December, and then after that the summer months are very quiet; they just sit there; and I feel that this is a very good bill and it will space out over the year's period, to keep the girls in the office busy, and I would like to know where that extra cost comes in. I would like to ask that question of any member of the Committee on Transportation.

The SPEAKER: The gentleman from St. George, Mr. Robinson, requests information from any member of the Committee on Transportation.

The Chair recognizes the gentleman from Bucksport, Mr. Jewett.

Mr. JEWETT: Mr. Speaker and Members of the House: It seems that this was strictly a cost proposition and that was the reason it was turned down. One of the reasons for the additional cost under Mr. Anderson's present set-up is the fact that the licenses that are now issued come in January, and they have added help on at the same time that they would normally have the additional help on for the issuance of the motor vehicle licenses, and if they had it all on his set-up, it would have to be year-round; it would be added help for the year-round, because the way it is now the bulk doesn't come within a few months. I don't know whether that answers the question or not.

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

Mr. FOGG: Mr. Speaker and Members of the House: I am having quite a job to find out just who knows what he is talking about on this thing.

Last fall I forgot to get my operator's license. It was rather late, so I called up the Licensing Bureau and asked them if I could come down and pick it up. They told me to come, and while I was in there I casually asked them what they thought of this idea—I asked this gentleman with whom I was talking—about staggering the days in

which people took out their operators' licenses. He said "I think it would be a good idea." He said, "For one thing, the way it is now it adds to our load at the end of the year and every year we have to put on a lot of extra help." And he told me that sometimes a lot of that help has to be new, and they have to train them all over again. He said "It would level off a peak of our load considerably so that we could spread it over the rest of the year and I hope that something like that is put into effect on operators' licenses."

Now that was straight from the horse's mouth.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I certainly am going to take issue with the statement of Mr. Jewett. If I remember correctly, and I think I do, I had heard this explained to me several times before going to the committee. As I recall, Mr. Weed stated that they put these extra help on in the several offices throughout the State in November, and that they continued on as assistants up to and shortly after the issuance of the registrations of the motor vehicles.

Now, Mr. Jewett has stated that these employees will have to remain on as additional employees for the ensuing year, and that is not true; that is not what Mr. Weed said; further than that, he informed the committee that he could see no reason why there could not be a reduction in staff in the branch offices throughout the State if this measure were enacted.

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

Mr. POTTER: Mr. Speaker, I would like through the Chair to ask a question of some member of the Transportation Committee. What would be the postage cost of mailing out these notices?

The SPEAKER: The gentleman from Medway, Mr. Potter, requests information from some member of the Committee on Transportation, through the Chair.

The Chair recognizes the gentleman from Bridgewater, Mr. Fine-more.

Mr. FINEMORE: Mr. Speaker and Members of the House: I will answer that question, and I would like to say a few words afterwards, if I may.

In answer to this question, we are mixed up on these two bills, very much mixed up. This bill here doesn't really cost the State any more money as far as money is concerned. You will think I am just saying that, being a member of the Transportation Committee, but what we are afraid of more than anything else is if this bill is passed, later on the other bill will be passed, and if that bill is passed it will cost the State the first year a sum of \$75,000 or \$80,000. It will cost \$50,000 for machine alone, and after that it will cost some \$22,500 for postage alone. That answers the question on the other bill but does not have any bearing on this. But I do want people to know right here and the members of this House to know, and to stop and think whether they would like to have the purchase of their operator's license on themselves alone, to remember when their birthday comes and be sure and have that application in time, and all members of the family the same way. If this bill passed today, in my case, my birthday coming in August, my present license of 1953 that I have now will go through until August 16th, 1954, but I must remember, because this bill doesn't call for notification, I must remember, before that date, to get my operator's license, and how many people are here who want that to think of next year all through the year? If their birthday happens to come in January, they will have to buy it in January, but if with this 1953 license, if someone's birthday doesn't come, and we will say Christmas, 1954, this 1953 operator's license is good until Christmas, 1954.

This bill, as it is written, has a very good chance of mixing up the people because they have to remember their birthday, and also this bill is a follow-up of the bill that will have it by notification, which I do not believe the State of Maine wants at this time.

Mr. Anderson has said that he thinks New Hampshire likes it. That

is a question still to be proven, whether New Hampshire likes it or not, because we in the committee understood that New Hampshire hadn't gotten fully organized to the bill as this one is written, let alone speaking of the notification. I will say that Mr. Weed and some more were a little in favor of this bill - the sister bill of this I should say, where notification would be used as that would spread it out over a period of time rather than have it all come in one group, but I do think we are putting too much in this one bill at this time, when we are just simply worrying about a few people who are late getting their registrations the last of December.

If it is possible to make a motion at this time, I move indefinite postponement of this bill.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the report and bill be indefinitely postponed.

For the purposes of clarification, the Chair will inquire as to birthdays falling on February 29. (Laughter)

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

Mr. DICKEY: Mr. Speaker, it seems that the gentleman from Bridgewater, Mr. Finemore, was talking about bills. I don't know whether it was to confuse the issue or not, but he said in reference to some other bill that if this one passed then another bill would come in that would cost the State somewhere in the neighborhood of fifty or sixty thousand dollars for a change-over on equipment for making the registration plates. I would like to call his attention to L. D. 1536 on Page 3 and the appropriation of the Highway Committee. It states there "for the purpose and installation of equipment and materials for the production of registration plates \$60,000," so it seems that it is already in there.

The SPEAKER: For what purpose does the gentleman from Bridgewater, Mr. Finemore rise?

Mr. FINEMORE: To answer that question, Mr. Speaker.

The SPEAKER: The gentleman may proceed, for the purpose of answering that question only.

Mr. FINEMORE: That is all I wanted to do, Mr. Speaker. If I

said "registration plates" I am sorry, I am wrong, because registration plates have nothing to do with this. If I said that I was entirely wrong. This machine would be a machine that would be similar to a duplicator: it would simply bring out the days of the year that people's birthdays came on and each birthday would come separately. That would cost the State \$50,000 for that machine alone, it has nothing to do with registration alone. I am sorry if I said it wrong.

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

Mr. SENTER: Mr. Speaker and Members of the House: I also understand that that has nothing to do with this bill. Is that correct?

The SPEAKER: The Chair understands that the gentleman from Brunswick, Mr. Senter, requests information through the Chair.

The Chair recognizes the gentleman from Bridgewater, Mr. Finemore, for the purpose of answering the question only.

Mr. FINEMORE: Mr. Speaker and Members of the House: I am sorry if I am getting people mixed up. We won't need that machine with this bill, that is right. I am sorry if I intimated we would because we won't.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the report and Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth" (H. P. 878) (L. D. 870) be indefinitely postponed.

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

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

The SPEAKER: The question before the House at this time is on the motion of the gentleman from Greenville, Mr. Anderson, that the bill be substituted for the report. Is this the pleasure of the House?

The motion prevailed and the Bill was substituted for the "Ought not to pass" report of the committee.

The Bill was thereupon given its two several readings and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the sixth item of Unfinished Business, Senate Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Tuition at State Normal Schools and Teachers' Colleges" (S. P. 200) (L. D. 537) tabled on March 24 by the gentleman from Brooks, Mr. Dickey, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. DICKEY: Mr. Speaker and Members of the House: I believe this item has been taken care of.

It is my hope that it will not be revived at three o'clock some morning in the dying days of our session.

I now move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the "Ought not to pass" report of the committee be accepted in concurrence. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report of the committee was accepted in concurrence.

The SPEAKER: The Chair lays before the House the seventh item of Unfinished Business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Maine Soldiers and Sailors in the War with Spain" (H. P. 398) (L. D. 452) tabled on March 25 by the gentleman from South Portland, Mr. Berry, pending acceptance of report.

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

Mr. FULLER: Mr. Speaker, in the absence of the gentleman from South Portland, Mr. Berry, who is not here today, I move that this be tabled until tomorrow.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that this matter be retabled. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were retabled.

pending acceptance of the report of the committee.

The SPEAKER: The Chair lays before the House the eighth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Highways on Resolve in Favor of the Town of South Thomaston (H. P. 726) (L. D. 746), tabled on March 25 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I would like to speak on this bill for just a minute before I make a motion.

It seems that a legislator's duty is to look out for all of his towns, a little bit. Well, it just seems that we cannot even spin a thread for South Thomaston. Everything that South Thomaston asks for gets thrown out of the window. They came up here and asked for a little piece of St. George. That was thrown out of the window. My road resolve that I had in for them was thrown out of the window. If you will check on the Town Road Improvement Fund you will find that after two or three more years they are going to catch up on that road resolve, they will get enough extra out of the Town Road Improvement Fund in that time so that they won't miss that resolve, but at the moment they are going to be a little bit behind. On the accelerated highway program here, last session after we went home quite a few of my constituents said, "Why did you vote for that thing? That didn't favor Knox County any." So I studied it over quite carefully and I find that South Thomaston was not even mentioned in that, but St. George got a pretty good piece of the road.

I want to give you just a little bit more of the history here before I make a motion. It seems that in the beginning there was a huge tract of land down there that was Thomaston and South Thomaston and St. George. In 1848 a piece was separated off from Thomaston and South Thomaston to make East Thomaston, and then in 1850 East Thomaston became the City of Rockland, and in 1921 another

group of people came up here and they said, "We do not want anything to do with South Thomaston," so then they took off another piece and made Owl's Head out of it. So all the time South Thomaston is getting the wrong end of the deal.

Mr. Speaker, I move that the resolve be substituted for the report for the purpose of offering an amendment.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the resolve be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from St. George, Mr. Robinson.

Mr. ROBINSON: Mr. Speaker, I do not know as I should speak now. Probably I had better wait until the amendment comes up. I got kind of interested in that after they tried to steal a little piece of land off from me. But that bridge which this resolve was in for for the town, due to misunderstanding on the part of the officials or something there, they should have made an estimate to the county for their proportional part of that bridge, which they did not and the county did not get in their county estimates. It will be two years before they are able to enter that in their county estimates. The bridge is so bad that it is really hazardous and the school bus stops on this side of it now and the children have to come to this side. I felt that maybe if we could transfer the resolve to the county that would give them the chance to get the bridge built this year. That is why I would like to see this amendment approved.

The SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the resolve be substituted for the "Ought not to pass" report of the Committee on Highways.

The Chair recognizes the gentleman from Oakland, Mr. Pullen.

Mr. PULLEN: Mr. Speaker, this resolve came before the Highway Committee, and it boils down to just this: The town of South Thomaston was asking the State to pay their proportional part of this bridge which should come under the Bridge Act, where the town and

the county and the State would cooperate together and build the bridge. We had probably fifteen or twenty of those resolves, and, for the reason we did not think that we should establish a precedent of the State paying the town's part for any bridge resolve, we turned them out "Ought not to pass" by a majority report.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker and ladies and gentlemen of the House; I was going to wait and let this come along until the amendment was offered and then kill the whole business at once, but I thought it would be easier to do it now.

As the gentleman from Oakland, Mr. Pullen, has said, the committee turned down all of these resolves asking for the town's share under the Bridge Act. I think this Bridge Act is very fair. The town has the smallest part, and at the most they cannot be assessed over one per cent of their valuation. Under this set-up now, with this amendment which I understand is coming along, the town has decided that they can pay their part all right, but the county has not got it, so they want to change it and bring it in for the State to pay the county's part. Well, that is a little worse than the original thing, I think, so I certainly hope that the motion does not prevail.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to say just one more word on this: There seems to be a general misunderstanding. I was given my information from the selectmen and I thought they had everything all set up so that it would go through, and I was just trying to help them a little bit. But after we began digging into the matter we found that the County Commissioners knew nothing about it. The bridge is about to be condemned, I understand, and the county estimates have already gone by and have been signed by the Governor. I feel rather sorry this happened, but it seems as though we should have the privilege

of putting on the amendment anyway.

The SPEAKER: Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Friendship, Mr. Winchenpaw, that Resolve in Favor of the Town of South Thomaston, House Paper 726, Legislative Document 746, be substituted for the "Ought not to pass" report of the committee will please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

The SPEAKER: Thirty-four having voted in the affirmative and thirty-three having voted in the negative, the motion to substitute the resolve for the "Ought not to pass" report of the committee prevails.

Thereupon, the resolve had its first reading.

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

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

HOUSE AMENDMENT "A" to H. P. 726, L. D. 746, Resolve in Favor of the Town of South Thomaston

Amend said Resolve by striking out in the Title "Town of South Thomaston" and inserting in place thereof the words 'County of Knox'

Further amend said resolve by striking out wherever, in the head-note and in the 1st paragraph the words "Town of South Thomaston" appear, and inserting in place thereof the words 'County of Knox'

Further amend said resolve by striking out in the last line thereof the word "town's" and inserting in place thereof the word 'county's'

The SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, for the adoption of House Amendment "A".

The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker and Ladies and Gentlemen; I did have a little sympathy for the town of South Thomaston but I haven't got too much sympathy for the county of Knox although it is my own county, and I believe that in some way, if this bridge has got to be built, the county of Knox should provide their share. I therefore

move indefinite postponement of the amendment and the resolve.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves the indefinite postponement of House Amendment "A". Is the House ready for the question? As many as are in favor of the motion for indefinite postponement of House Amendment "A" will please say aye; those opposed no.

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

The SPEAKER: The gentleman from Hope, Mr. Ludwig, now moves that Resolve in Favor of the Town of South Thomaston (H. P. 726) (L. D. 746) be indefinitely postponed. Is the House ready for the question? As many as are in favor of the indefinite postponement of this resolve will please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

Forty-nine having voted in the affirmative and thirty having voted in the negative, the Resolve was indefinitely postponed and was sent up for concurrence.

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

Mr. FULLER: Mr. Speaker, I ask unanimous consent that unless previous notice is given to the Clerk of the House of intention to move reconsideration that the Clerk be authorized to send to the Senate two hours after the House recesses all matters acted upon this morning that were passed to be engrossed or that require Senate concurrence, and after that time no motion to reconsider any such matters shall be entertained.

The SPEAKER: Does the Chair hear objection to the unanimous consent request of the gentleman from South Portland, Mr. Fuller? The Chair hears none and it is so ordered.

On motion of Mr. Fuller of South Portland,

Recessed until 1:30 P.M. this afternoon, E.S.T.

After Recess—1:30 P.M., E.S.T.

The House was called to order by the Speaker.

The SPEAKER: On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 422, Legislative Document 469, Bill "An Act Relating to Evidence of Intoxication," the Chair will appoint the following members on the part of the House: The gentleman from Auburn, Mr. Trafton, the gentleman from Bangor, Mr. Fuller, and the gentleman from Portland, Mr. Stewart.

The SPEAKER: The House is continuing under Orders of the Day as the Chair lays before the House the ninth item of Unfinished Business, Bill "An Act relating to Police Officers in Uniform Stopping Motor Vehicles for Examination," House Paper 270, Legislative Document 298, tabled on March 31 by the gentleman from Westbrook, Mr. Travis, pending further consideration.

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

Mr. SANFORD: Mr. Speaker, Mr. Travis isn't here today and won't be here and he asked me if I would table this bill until later, and I so move.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that the ninth item of Unfinished Business be retabled pending further consideration. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled.

The SPEAKER: The Chair lays before the House the tenth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Agriculture on Bill "An Act Limiting Milk Control to Producers," House Paper 1033, Legislative Document 1169, tabled by the gentleman from Livermore Falls, Mr. Riley, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. RILEY: Mr. Speaker, I move that the bill be substituted for the report and I would like to talk on the motion.

The SPEAKER: The gentleman from Livermore Falls, Mr. Riley, moves that the bill be substituted

for the "Ought not to pass" report of the committee.

The Chair recognizes the same gentleman.

Mr. RILEY: Mr. Speaker and Members of the House: Briefly, L. D. 1169 is an act to limit the Milk Commission to price-fixing at producer level only for fluid milk and cream, thus leaving the distributor to sell dairy products in the traditional American way of free and open competition.

As Dr. Metzger at the University of Maine, Research Economist, stated in Auburn recently, and I quote: "The control of the resale price to consumers outlaws competition, freezes a given situation, preventing industry improvements which might result in lower prices."

He also stated that the Federal government has found it cannot enforce resale price control and does not try to do so. Dr. Metzger also stated, "That Maine no longer has the same excuse for stabilizing the milk industry it had back in the depression years of 1935 when the first control legislation was enacted."

The Milk Commission, by fixing prices at retail level, has brought about a wide spread between the producer and retail price level. The effect of this has been to unjustly enrich distributors, destroy competition and therefore incentive, and discourage increased milk consumption by the public.

Under the present situation the dealer works on a cost plus basis. How many other industries enjoy this privilege?

I have here a letter written to me by a milk producer who formerly lived in Maine but who is now located in Michigan. I would like to read a few paragraphs from it:

"We in Michigan have such a law" — he is referring to L. D. 1169 which he read — "and it met strong opposition from the dealer organizations but in spite of that, went into effect. In its first year, 1952, the sales of fluid milk increased about 4 per cent and the price to the consumer was reduced to 21c a quart for regular milk and 22c for homogenized, and to the best of my knowledge no dealer was forced out of business but the pro-

ducer received a better price for his product.

"As a Michigan producer I am deeply interested in the welfare of the producer everywhere but each state must protect its own. I have been fighting the dealer organizations ever since I overheard three dealers several years ago discussing the milk situation. All were prosperous and all laughed at the farmer who worked so hard for such little financial return and the consumer who was willing to pay an exorbitant profit to these same dealers."

The following is from a letter written by a Maine producer, clarifying the picture on milk pricing as used in Maine. He says:

"From our check stubs this farmer receives not 13.1 cents" — now these figures have been changed some since this was written; I will correct these a little later on; "it is not 13.1 cents a quart but rather 9.40 cents per quart at the farm and I have the proof. The dealers will receive 23 cents; now who gets the lion's share?"

"The public has been fooled so long by this method of publishing prices that they don't realize what's going on in our dairy industry. They don't realize that when these prices have gone up during the last five years with the exception of once, the dealer in each rise got half of it. Now while the price is dropping, the farmer absorbs the decrease. The dealer spread in the above figures is 14.60 cents per quart. Is it any wonder many people are turning to milk substitutes forcing a surplus back on the farmer? A farmer's take-home pay is the important thing and these figures do not show that. What they do show is the Class I price the farmer would receive if he had no surplus.

"Our new Commissioner of Agriculture in Washington, Mr. Benson, is a promoter of the 'free market' ideas. . . . He is a great American who realizes that price controls and fixing at the retail level are not the American way and are poor substitutes for competition and discourages incentive."

Since we have a Republican administration opposed to regimen-

tation of every kind, as a matter of principle there might be an inconsistency in having Maine adhere to regimentation in the milk industry.

I have a letter from one of the forgotten people in this question, the consumer. He doesn't say much but what he does say goes right to the heart of the matter, and I quote:

"It is up to the legislature to protect us down-trodden consumers, and I hope you will succeed in doing so."

Now this statement brought to mind the fact that I haven't seen too many consumer lobbyists since I have been here, the reason probably being that we as Representatives are the direct representatives of the consumer and should have his welfare uppermost in our minds.

The following statement by Professor Metzger, from our university to me completely demolishes the whole argument against this bill:

"Twenty-five states have enacted legislation to fix consumer prices. Delaware, Maryland, Michigan, Ohio, South Dakota, Texas, Utah and Washington discontinued price fixing by the end of 1940. Between 1941 and 1951 price fixing was discontinued in Connecticut, Indiana, Massachusetts, New Jersey, Wisconsin and Georgia. Therefore"—this is a clincher—"14 out of 25 states which once had consumer price fixing have discontinued this type of control."

I have here a report which comes from a group of small producers and it will bring the pricing picture up and will give a pretty good picture of the situation as it stands right now.

"I received my check this week and after figuring it out this is the situation: the dairyman is now in this state making milk under present conditions such as: we had a 40.16% surplus, 25.16% of this milk is Class 2A milk, that is, milk selling for .35 per hundredweight less than the Class 2 price. The farmer is taking this terrific surplus which reflects on his blend price, his actual take home pay. The farmer receives a price 4.436 at the milk plant or 8½ cents per quart at the farm. This milk retails in Portland on a 21 cent market. This surplus

milk will in due time ruin the market as it represents buyer resistance to the present milk pricing setup and from the lack of competition in distribution which makes for high consumer prices. We have those among us, 'the same group who priced butter off the market', who are now pricing fluid milk at a point that the consuming public are turning to substitutes of milk and cream. The legislature should be smart enough to see what happens to the pound of butter, take a lesson from the same and vote for the Riley Bill which will increase sales, reflect better prices to the farmer and give the consumer of the lower income bracket a chance to use more of Maine's fine product. It might be well to remind the legislature that 14 of the 25 states which once had consumer milk pricing has discontinued this type of control. Only 11 of the 48 states now establish resale milk prices.

"It also might be well to remind the legislature that the figures I gave are from my own case and I have good evidence that at least 2 other creameries had more surplus than that, which reduces the farmers' income even more. We have not as yet hit full springtime production, but all signs point to surplus conditions in Maine that we haven't known in many a year and these same Dairy leaders, so-called, who oppose this bill are now talking subsidies and I say 'God forbid.' It is a question of putting the dealer in a position where he has got to get out and sell milk which he hasn't had to do under the setup and a price incentive to help him do it. If the time ever comes when I have to take a subsidy payment for anything I raise on the farm, I'll quit; that goes for Soil Conservation, P.M.A., price supports and all the socialization of a once free and respected agriculture. I do not believe in guaranteeing anyone a living but one should have at least an opportunity. Under this present setup, in Maine's 4 largest markets, 345 producer-dealers have been forced out of business for one reason or another because they had no price advantage over larger dairies. These figures are from the Maine Milk Commission between 1937 and 1951.

"In closing, if anyone here thinks this thing we are saddle with is the right policy for a prosperous agriculture, the best evidence I know of is for them to ride through rural Maine and see the once prosperous farms now lying idle, the family farm which had its share in building the best state in the union, a relic of the past. Put a little honest thought on the problem and you have but one answer, it surely isn't overproduction so it must be marketing. Marketing is the problem and this legislature can do something about it."

The **SPEAKER**: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. **BAILEY**: Mr. Speaker and Ladies and Gentleman: First, I will mention the fact which the previous speaker just spoke about, the legality of enforcement of the Maine Milk Control for which he tried to tell us that we had no authority. The Maine Milk Commission has been in operation around eighteen years, and up to this time it has never been challenged, so I don't know whether he or I or who can tell whether it could be enforced, but I can say that in California they have a law very similar to ours. That law was challenged and was carried to High Court and sustained. Florida had a similar law and that was challenged but still it was sustained.

And I have here a little note which came some little time ago from the Attorney General's office in regard to American law reports. It says: "Price fixing in a number of recent cases, the constitutionality of provisions of Federal or State statutes and orders issued thereunder relating to the prices for milk has been held not to be in violation of the Federal or State constitution." And then he spoke about Doctor Metzger from the University of Maine. He is a successor of Doctor Dow. I had the pleasure of working with those two men for seven years. While I was working with them I never heard any intimation that they felt that our law ought to be changed to release the support of the dealer as well as that of the producer. So they surely must have changed their minds

very drastically if that statement is held up.

Now here in Maine, as I say, we have been in operation about eighteen years. It was started from the eruption which arose during the latter period of the 1920's and the early part of the 1930's.

In the early part of the 1930's the conditions were so bad in the milk situation that many of the producers had been selling their milk to dealers and the dealers were in eruption, what we commonly call "cutthroat business," trying to reduce, sell milk cheaply and buy it cheaply, and under those conditions the producer, as usual, is always the one who has to bear the burden. At that time we found that many of the producers had suffered on account of the dealers holding their spread so low that they could not pay their bills.

And in the 1933 Legislature we passed a law here that was known as the "Bonding Law," thus trying to protect the producer by requiring that a dealer should give a bond for the protection of the producer in his buying the milk. That was found, during the first part of operation, to be unconstitutional, so therefore, in 1935, we formed a law known as the Milk Control Board and since that time this law, with slight revisions which were required from time to time, has been in operation and is in operation now.

We find at the present time there are seventeen states in the United States that are under State Milk Control. Thirty-one states are under Federal control, and the prices which I wish to give you in a few of the northeastern sections are taken from the Department of Agriculture, Bureau of Economics, under February 17th, 1953. In that it states that "In all of the country except in the Rocky Mountain area shows a marked reduction of prices in the coming spring, this being quite different from one year ago when the general trend was for an increase." And I will give you the price at this time of some of the northeastern part of the country. First we begin with Rhode Island; that is under both State Producer and Dealer; that is twenty-four and twenty-five cents. Massachusetts is Producer

price only. On February 17th, that was twenty-three and twenty-four cents, but that dropped one cent on the first of February, so that showed it was twenty-four and twenty-five previous to that. New Hampshire, both Producer and Dealer, is twenty-three and a half and twenty-four and a half. Vermont is Producer and Dealer, twenty-two. Maine is Producer and Dealer, twenty-four. New York is Federal State Producer only, twenty-four and twenty-four and a half. New Jersey, at that time was Producer-Dealer only, or produced at a level only, of twenty-five and a half and twenty-six and a half. But I will say at that time, in New Jersey since that New Jersey passed a law at their last Legislature whereby they have replaced the Dealer level, so now they are on the same position as we are; they had been up until two or three years in that level; they thought that they could get along without the law protecting the Dealer so it was repealed, but it was placed back during this last Legislature.

Pennsylvania is both State and Federal, twenty-four and twenty-five, and in the rest of the country the price ran very similar, slightly lower in the central west, but it is much higher in the southern states.

In Maine we have heard some talk about the institutions and colleges which some have felt should purchase their milk cheaper, and this is the plan which they have in operation now: Any institution or college which can purchase a sum up to two hundred quarts per day can get that at a reduction of four and one-half cents per quart, below the regular retail price.

Now speaking of Massachusetts, this is a state with which we are most closely related in the dairy business, even though they are trying to operate under both State and Federal control. At the present they are having eight changes a year, while in Maine we have been operating under a much more even set-up, with generally about two price changes a year. Therefore in some times of the year there is a slight difference in price, but on the whole they are very similar.

Another thing which we have been listening to and that is about

the Dealer spread. Now I have here an audit which was taken off by our auditor of the State Milk Control. I say that the duty of the Auditing Department is to visit all of the dealers at certain intervals; the very small dealers sometimes they do not get for about three months; but the large dealers they plan to visit once a month and take off their accounts, their purchases and sales for whatever they are, and this is one of the larger dealers which was figured out for the year. It gives his purchase price and his retail prices and his spread. They found last year, with this one dealer, with what we call Class 1 sale that he sold 35 per cent of his milk for 22.9, 31 per cent for 20.4 per cent, 15 per cent went on a dealer to dealer sale at 17.4 cents, and the remaining 19 per cent went under Class 2 at 8.9 cents, therefore his average sale was 18.64 cents per quart which he received, and the net price that he paid his producers was 12.6 cents, thus leaving a spread of 6.58 cents. So that shows you very clearly that when the gentleman was just giving you the Class 1 price, you can see that it is only a small proportion of that Class 1 price that the dealer actually gets where he sells the other at wholesale and in other ways.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: This is another bill which was heard before your Agricultural Committee. There was a great deal of interest in it; in fact this particular room was pretty well filled up. Only six people, including the sponsor, spoke on behalf of this bill, and eighteen people spoke in opposition to it.

There evidently seems to be still quite a little misunderstanding of the Maine Milk Commission. It is not a plan for establishing maximum prices. Instead it is a means of establishing minimum prices, and I submit to you that there is a great deal of difference.

Now neither the producers nor the distributors have ever exceeded the minimum price, even though they could have done so and have been entirely within this law.

I would like to point out that the large dealers supply the bulk of the milk in the State of Maine. Now the dealers must have margin enough to pay their bills and maintain quality, and as the gentleman from Woolwich, Mr. Bailey, has just pointed out, in the figures that he had from one of the larger distributors in the State, six and a fraction cents per quart, is not too large a spread when you take into consideration the fact that for that he has to have the interest on his investment, he has to take this milk, process it, pasteurize it, deliver it and so forth.

I don't believe that the medium to small dealers could stand up under the kind of competition that we would get for a time if retail price control was removed and therefore they could not pay their producers. To say that to control at the producer level only is enough is an untruth, because there is no financial responsibility law in the State of Maine and dealers would go out of business owing the producers.

If retail controls are removed, in my opinion the quality of milk will go down, services will be curtailed, and many dealers will be forced out of business. There might be less surplus milk for a time, but there also will be less producers, and Ladies and Gentlemen, I am speaking as a producer of milk. I think we had better remember that in the case of milk the dealers take all of the producers' milk, yet often they have great difficulty in getting rid of it at any price. You cannot control milk production by law. The farmers try to control the production by breeding programs, but it is just as natural for cows to freshen in the spring as it is for the grass to come up green in the spring. Every attempt to have them freshen in the fall is an attempt to work against nature and fails fifty per cent of the time, so I repeat, farmers try to control by their breeding program. Controls have to do the rest.

Again, milk is so perishable that you have to take care of it when you get it, and it requires special laws to do it. Resale pricing is one of these laws.

Another point to remember in the milk industry is the length of time it takes to develop a dairy herd. Farmers take years developing a good producing herd by constructive breeding and intelligent culling. Unlike other industries, if dispersal or marked reduction of the herd is necessary to cope with the laws of supply and demand, years would again be necessary to build up a herd of high producing cows.

As has been pointed out, our sister states of New Hampshire and Vermont have laws very similar to our own and also Rhode Island has similar legislation. Massachusetts, I admit, has no resale price control but I would point out that there are plenty of facilities in Boston and in other large centers in Massachusetts to take care of Class 2 milk; Maine has practically no such facilities. As Mr. Bailey pointed out, New Jersey, which did away with resale controls some time ago, have just put them back into effect because they found they were essential.

I submit that if there is justification for a minimum wage law, then surely this Milk Commission plan is justifiable because it is simply a mild application of that same principle. Milk income is the dairyman's sole source of labor income.

Now what advantage would there be to the consumer if resale pricing is removed? The answer is absolutely none. Milk is no cheaper in areas where there is no resale control, and the gentleman from Woolwich, Mr. Bailey, has given you the figures to back that up.

I believe that the present law protects the producer, the dealer and the consumer, and it assures the consumer of a steady supply of high quality milk at a reasonable price, and I firmly believe that in the best interests of everybody concerned, the present setup should be left unchanged.

I hope the bill will not be substituted for the unanimous "Ought not to pass" report of the committee.

THE SPEAKER: The Chair recognizes the gentleman from Norridgewood, Mr. Taylor.

Mr. TAYLOR: This is one of the nicest bills that came before the Agricultural Committee; it was one reason why that we had almost no opposition in that committee. We all felt that this bill ought not to pass and it came out of the committee that way.

We had before our committee that afternoon, I have registered here, nineteen persons who spoke against this bill, and they were very prominent dealers in the State of Maine, and one was Charlie White, whom we all know, and he gave a very wonderful talk on that bill and against it. I have in my desk here twenty letters from producers that are very anxious that this bill does not pass.

I think that Mr. Bailey and Mr. Center have covered the other parts of this bill and I surely hope the bill will go along "Ought not to pass" from our committee.

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

Mr. CURTIS: Mr. Speaker and Members of the House: You see I had a nice little speech written but I am not going to use it, since it has been so well covered. I am just going to try, for the benefit of the members who are not farmers, to clarify just a few things.

Now this bill is not against price control; it is against price stabilization. We do need price stabilization in the milk business. As has been pointed out, it is a very highly perishable article and something you cannot fool around with and wait until something happens. You can shut off some supplies but you can't quit milking a cow twice a day. If you do it for just twenty-four hours you will ruin your cow. So this milk has to be handled.

Now because of this price stabilization bill, the law which has been in effect for the past eighteen years, I am sure—I could easily prove it, but I think you know without having any further proof, that the best quart of milk the consumer has been buying in his life is being bought now.

This Control Board, I don't know as it has been explained just how it is set up, but after the terrible time we had in the early thirties when I sold milk for 42 cents a

hundred pounds, and there are 46 quarts and a half in a hundred pounds, you can just imagine where I was getting off. What really happened, if it had not been for rehabilitation I would have got off my farm promptly. They did come along and picked me up and paid my taxes and paid the interest on the mortgage and gave me some money and I got started over again when they got this control or stabilizing bill into effect.

Now this Control Board is made up of five members. Two are producers and one is a dealer and one is a producer dealer and one is a consumer and the other the head of your Agricultural Department, and, after proper hearings, at which everyone can come in and be heard, they take this evidence that is offered and evaluate it from what they know and establish this price.

This Class I milk is the milk that is sold as fluid milk. Now all the other milk that is sold is called Class II. We used to call it in the olden days, before we had this board, surplus milk. I might say that this Class II milk, which is running a little better than 40 per cent and which undoubtedly will run as high as 60 per cent before the first day of July or the middle of June, when the summer people start to come, is sold in the open market, dog eat dog. And just to give you an idea how dog is eating dog now, we are selling 1500 quarts a day at the same price we are paying the farmer for it. The Department of Agriculture does allow us about three per cent for spillage and for what sticks to can and losses through breakage and handling, but, mind you, the dairy that I am associated with is taking that spillage and charging it against profit and loss, which is entirely a loss, and paying the farmer exactly what they are getting and selling it in Portland to make canned milk and evaporated milk and other products. I am quite sure that they would not be able to take this loss of three per cent were it not true that some of the milk they are selling is sold at a stabilized price.

Now it has been said: why does such a tremendous amount of our money have to go to income tax? It is because the federal govern-

ment does not believe that we have brains enough to run our own business and they have to run it for us. If this bill is passed and it is repealed, I can tell you what will happen. Inside of six months you would have Federal control in here, because it is the only thing in the world under present conditions that could possibly save the milk people in Maine, and there will be plenty of chaos before that and plenty afterwards.

We are in a terrific predicament right now. Over the war years there was a great shortage of milk. I myself have bought milk during the war years at three different times in Wisconsin. Some of us would club together and get a carload and bring it here to keep our customers going. I might say we lost money in doing it, but we felt that we owed it to our customers to keep them in milk and ourselves in the business.

I would like to say that we probably are in as serious a condition now as we were in the early thirties, because, as there was such a shortage of milk the farmers started raising more heifers and bringing them into adulthood and thereby produced more milk. They have just simply overdone it a little.

Now I do not think the consumer is crying for a reduction in milk. I have never heard it. In fact, I do not think he demanded this last reduction he got which cost me alone, just the little end of it that I am handling, five hundred dollars last month. But probably if you were terribly ill today and someone told you the only chance for your life was to consult the greatest medical authority, Charles Mayo, you probably would sell practically all you had and go and see Charles Mayo. So let's see what Charles Mayo says about a quart of milk.

Charles Mayo says that if you buy a quart of milk for 23 cents that the calcium alone in that quart of milk, if bought in any other product of food would cost you 23 cents, and all the other nutrients are free. He also says that a quart of milk at 25 cents and beefsteak at 75 cents, that the protein in that quart of milk is worth 73 cents and the rest of it is free.

So this great to do about the lower price of milk and what it will do is mostly hogwash. The fact of the matter is this: that it will not help anybody out but it will ruin the whole milk industry all the way down. I don't hold any brief for how badly it will hurt the big dealer; he will look after himself, he has got plenty of money and I am not worried about him, because they will club themselves together; but the little dealer, the little fellow that is handling two or three hundred, or three, four or five hundred quarts of milk, as I am handling, it will take just about one month to put us all out of business, and then the big dealers will put the price anywhere they have a mind to.

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

Mr. SENTER: Mr. Speaker and Ladies and Gentlemen of the House: I hope that there will be no confusion between the stand "Brother Doctor" Center and the stand of Alfred Senter from Brunswick on this issue. I hope the motion to substitute the resolve for the report passes. It is my understanding that the gentleman from Standish, Mr. Center, hopes that it does not pass.

Mr. Turner, the gentleman from Auburn, told me that if I got up and spoke on this issue that he would get up and say that the gentleman from Brunswick should go back to Brunswick and sell a certain item of ladies' apparel which is something that he knows about (Laughter). He may have another speech prepared now. But there are a great many of us in this room, Ladies and Gentlemen, who are business people, and I want to talk about the principle of price fixing. I am opposed to price fixing as a business man. Now if the dairymen, if the men and women interested in the farms in this House can convince me that there is something different about the dairy industry that should convince me that my principles do not apply in handling milk, then I will be glad to listen to their arguments, but as I understand it in the principles that have made America

great were free enterprise, not price fixing.

Now I have had some experience with price fixing, not with milk to be sure, but with other articles which we happen to deal in, including that item of women's apparel, Mr. Turner. (Laughter) It is my belief, and I think many of you who are in business will agree with me, that if, by hard work and by using my initiative, if I have any, that I can run my place of business more economically, more efficiently than some of my competitors, and that is the cause of hard and the cause of careful figuring. I am able to reduce my cost of operation and thereby decrease the price that I have to ask for the goods that I have to sell. I think that is competition working. I think that I ought to be free to offer the customer a lower price if I can give that customer good quality, if I can give that customer the merchandise that he or she wants when they want it. That is, if I can keep my costs down and offer the public the commodity they want, when they want it, at a lower price, I think then that I should be entitled to the patronage which always comes to anyone who is able to do that.

Now I think that is what made American business great and not price fixing, either at the state level or the national level. I think, with free competition acting, there is more incentive for me to do a better job than the man next door who is in the same type of business. It is up to me to offer better merchandise at a lower price to attract the customer's business.

Now I submit that that is a principle of American business which I, as a business man, believe in. Now, then if the dairymen can tell me why the dairy industry should not come under that principle, if there is anything peculiar about the dairy industry, then I would like to know that. Thank you.

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I am not going to attempt to try to convince my friend, the gentleman from Brunswick (Mr. Senter) because

that might be difficult but I think I can convince the members of this House the difference between handling ladies apparel and handling milk. (Laughter) I have been in these stores at different times. As you go along, you will see up on the shelves and also down in the basement, you will see down there, stores of materials of different types stored away. Some of them have been in there months, some six months, possibly a year. Supposing we produced milk this spring when there is a surplus, stored it somewhere in drums; well we can use that next fall and in selling it that way we can sell it cheaper but milk is altogether a different thing. As you know milk has got to be produced, delivered to the customer, the customer expects a certain number of quarts each day. In the dry season in the summer, we have more of an effort to produce milk but at the same time the demand is there just the same, that is where it is. If you try to store it up or try in any way to handle it the same as you do dry goods, you will be in a very much different and more unfavorable circumstance than you are now. As has already been explained, why should it not be under any control? We have found out in the past in the spring when milk is a surplus there will be some that will have half of their cows freshen and they will run around and sell so much to this neighbor and so much to the other neighbor. When the man who has been carrying on through the winter, through thick and thin, to supply that customer at that time comes to these houses: "Well, I got my milk a couple of cents cheaper today so I'll get it." And that would go on through the flash period. Well, do you suppose that man who has been going to the effort to prepare himself for an even delivery of milk each day right along can stand that cutthroat business? We tried that previous to 1935 and those who have gone through that period realize the difficulties that they are in and that is why the milk control was constructed and that is why it has been working that way now. The idea, that a man can compare the milk situation with the dry goods situation sure-

ly shows that he is out of place. (Applause.)

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

Mr. TURNER: Mr. Speaker and Members of the House: I would like to ask you members if Mr. Bailey and Mr. Center from Standish, here, didn't sound as if they knew more about the milk business than a petticoat salesman down here from Brunswick? (Laughter)

Now, down in my section of the State we have got a lot of milk producers, and producer-dealers and milk dealers and there is not one of them who is in favor of this bill. I have talked with a lot of them and they would like to have the law stand as it is. In fact, a lot of them have told me that if I couldn't stop this bill from being passed that when I come down and cross the bridge they would meet me there and give me a reception and it might not be a too happy one. So, I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves the indefinite postponement of the report and bill.

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

Mr. FOGG: Mr. Speaker and Members of the House: Now, I am not an authority on this milk control proposition but I would like to tell you my experience in this thing. My father used to be a milk producer years ago back in the early thirties. I can remember we were working hard to produce the milk, with the Boston dealers coming around picking it up and a few weeks later or a few days later we would get a check for it. There was nothing argumentative about it; we just got the check. It wasn't very much that we got for it; we just got the check. My father wanted me to stay on the farm. After considering the price he was getting for milk and the amount of work that had to go into it, I said: "No dad, this is a sucker's game. I am going back to the shop." So I went back and I think that this Milk Control Commission has done an awful lot to get the farmer back upon a paying basis.

I have talked with some farmers in my neighborhood, big milk producers, and they told me that they hoped this bill would not pass because it would open the door to something that would be liable to damage them very severely. They feel that it isn't going to drop the price to the consumer although possibly it might for the time being but the price of grain is high, the price of machinery is high, the price of everything a farmer has to get is high. If he suffers a drop in the price of milk he is going to be put in a very critical situation and the way I look at it, it is apt to drive a lot of farmers out of business and then it will boomerang right back up and milk will possibly be higher than it is now.

The SPEAKER: The Chair recognizes the gentleman from Leeds, Mr. Buckley.

Mr. BUCKLEY: Mr. Speaker and Members of the House: This is something I feel I am qualified, maybe, to talk on a little. We milk from 50 to 70 cows for the year and I was asked to present this bill, this so-called Riley bill, which is a "Bowie" bill instead of Riley, and I told him I would by request but I didn't believe in it and should vote against it. Therefore, he got Mr. Riley to present it. And as far as the consumer is concerned, I think he is well taken care of. The economists claim that buttermilk is worth 40 cents compared to any other food and I am against the Riley bill.

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

Mr. TONDREAU: Mr. Speaker and Members of the House: I hate to take issue with my colleague from Brunswick, Mr. Senter. However, I do feel that there is a vast difference between milk and other products such as clothes and so forth. I think that milk is certainly one thing that we can't afford to kick around. I think that people want to expect in every quart of milk that they purchase the same uniform quality, no matter where they buy the milk. I think in this matter of price fixing that that is where we must make an exception in the case of milk.

The SPEAKER: The Chair recognizes the gentlewoman from North Kennebunkport, Mrs. Downing.

Mrs. DOWNING: Mr. Speaker and Members of the House: I would like to go on record as favoring the "Ought not to pass" report of the committee. I move the previous question.

The SPEAKER: The gentlewoman from North Kennebunkport, Mrs. Downing, 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 stand in their places until the monitors have made and returned the count.

A sufficient number arose.

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 Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker, I would ask for a division when the vote is taken.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Turner, for indefinite postponement of the "Ought not to pass" report and Bill "An Act Limiting Milk Control to Producers", House Paper 1033, Legislative Document 1169. The gentleman from Standish, Mr. Center, has requested a division.

As many as are in favor of the indefinite postponement of the report and 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.

One hundred and seven having voted in the affirmative and five in the negative, the motion prevailed and the Report and Bill were

indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the eleventh item of Unfinished Business, Resolve Closing Island Pond, T. 15, R. 9, to Fly Fishing Only, House Paper 172, Legislative Document 181, tabled on April 7 by the gentleman from Eagle Lake, Mr. Martin, pending assignment for second reading.

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

Mr. FOGG: Mr. Speaker and Members of the House: Now, inasmuch as we are getting to the closing days of the session and we won't be here much longer anyway, and these two bills, if they are passed, will both have to go through the second reading and the third reading and engrossment, and although Mr. Martin is not here today I think it would expedite matters if we just let these bills, this item and the next item, go through the second reading and he told me the other day that he would be here tomorrow and would probably be here later today. So, I move that they go through their second reading.

The SPEAKER: The Chair understands that the gentleman from Madison, Mr. Fogg, moves that Legislative Document 181 be assigned for second reading tomorrow. Is this the pleasure of the House?

The motion prevailed and the Resolve was so assigned.

The SPEAKER: The Chair also understands in regard to the twelfth item of Unfinished Business, Resolve Prohibiting the Use of Live Bait in Lakes and Ponds of T. 15, R. 9, Aroostook County, House Paper 171, Legislative Document 167, tabled on April 7 by the gentleman from Eagle Lake, Mr. Martin, pending assignment for second reading, that the gentleman from Madison, Mr. Fogg, moves that this Resolve be assigned for second reading tomorrow. Is this the pleasure of the House?

The motion prevailed and the Resolve was so assigned.

The SPEAKER: The Chair lays before the House the thirteenth item of Unfinished Business, House Report "Ought to pass" of the Com-

mittee on Taxation on Bill "An Act to Repeal the Tax on Cigars and Tobacco Products", House Paper 1144, Legislative Document 1292, tabled on April 7 by the gentleman from Rockland, Mr. Low, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. LOW: Mr. Speaker and Members of the House: The tobacco tax was conceived in a smoke-filled room in the Augusta House at the very end of the session in 1947. Our Legislature was trying frantically to balance its budget and didn't have the courage to enact a real tax. It was obviously a stop-gap measure. It was supposed to be repealed the next time the Legislature met and every governor since that time has recommended its repeal or campaigned on that issue. It is really a 20 per cent sales tax and over the Mason-Dixon Line there are only two other states that have it, one is our neighbor, New Hampshire, and the other is Delaware where a repeal measure has gone through the House and will probably go through altogether this year. Massachusetts and Rhode Island both had this tax and both gave it up for a simple reason and that was that it couldn't be enforced.

Not only the customers but also the dealers went to a tax-free state to get their supplies. This is unlike cigarettes, which are being taxed in almost every state anywhere near here and in fact in almost all the states in this country so the question of evasion is very difficult.

No tax is a good tax that hurts an industry. The tobacco and cigar business in the State of Maine has been hurt by this tax. We formerly had some factories which gave employment, the distributors did more business and they gave employment, and the profits which ordinarily would be made by the dealers in Maine were made by dealers and retailers outside of Maine. This is shown by the fact that the tax in the first year brought in \$900,000 and that went down almost immediately to \$650,000 where it has stayed since. If the tax were repealed, the sales tax, of course, would be on the products and the

net loss to the State would be around \$550,000.

The original bill was brought in to the Legislature and passed without reference to a committee and without a hearing. That hardly seems fair so with the purpose of giving a chance to the people who are concerned to be heard, if the House will accept the committee report, which was unanimous, I will offer an amendment which will make the repeal take effect on July 1, 1955, so that no revenue will be lost in the next biennium. The next Legislature, if they so choose, can re-enact the tax but at least before they do it will go to a committee and be heard.

Mr. Speaker, I move the acceptance of the committee's report.

The SPEAKER: The gentleman from Rockland, Mr. Low, moves that the "Ought to pass" report of the committee be accepted. 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, that the "Ought to pass" report of the committee on Bill "An Act to Repeal the Tax on Cigars and Tobacco Products," House Paper 1144, Legislative Document 1292, be accepted will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the "Ought to pass" Report of the Committee on Taxation was accepted, and the Bill was given its two several readings.

Mr. Low of Rockland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1144, L. D. 1292, Bill, "An Act to Repeal the Tax on Cigars and Tobacco Products."

Amend said Bill by adding at the end thereof the following:

'Sec. 16. R. S., c. 14-A, § 10, sub-§ VIII, amended. Subsection VIII of section 10 of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951, is hereby amended to read as follows:

‘VIII. Cigarettes. Sales of cigars, tobacco and cigarettes, subject to other taxes imposed by chapter 14.’

Sec 17. Effective date. The provisions of this act shall become effective on July 1, 1955.’

House Amendment “A” was adopted and the Bill as amended was assigned for third reading tomorrow.

The SPEAKER: For what purpose does the gentleman from Bowdoinham, Mr. Curtis, desire recognition?

Mr. CURTIS: Mr. Speaker, out of order and under suspension of the rules, I would like unanimous consent to address the House.

Thereupon, Mr. Curtis was granted unanimous consent to address the House.

Mr. CURTIS: Mr. Speaker and Members of the House: The time is late and we are all anxious to return to our personal affairs and I sincerely assure you that I would not at this time attempt to prolong our stay here were it not that many of the citizens of our State are being confronted by a serious problem. As you will perhaps recall, about two years ago after a great fanfare of publicity by foreign papers a number of Russian displaced persons descended upon several of the towns in Lincoln, Kennebec, and Sagadahoc Counties. They were, it was so stated, to buy abandoned farms and to rehabilitate these farms as well as themselves. This they proceeded to do for one year. Last September, the 19th, these persons of foreign origin who were managing this scheme procured from the proper department a charter under Statute 50 which provides that they are exempted from taxation to the extent of \$500,000.

Last month, the promoters of this scheme began to purchase in some of the towns and the counties above-mentioned not only farms but good farms, suburban homes, business blocks and so forth and a few days ago they notified the municipal officers of these towns, who had not known about this charter, that they had secured this charter and demanded that their property so secured be exempt from taxation.

The town of Richmond in Sagadahoc County seems to be the town where they are most active although they are buying in other towns. Now, the town of Richmond has a little over one million dollars of taxable property by the State valuation and I am sure you can visualize what will happen to this town if this Russian foundation secures one-half of this property to be exempt from taxation. Now, it would just cease to be an organized town and it will be on the State as an unorganized town.

Now, the correction I wish to make will in no wise harm anyone. It will simply protect our citizens from being victimized by these unscrupulous people. Chapter 50 does not affect our schools, colleges or hospitals as they are wholly exempt from taxation by another statute. I have consulted with the Governor and the Attorney General’s office and a large number of the members of the House and they, too, are deeply concerned by this problem.

Ladies and gentlemen, the very life of many of our citizens are waiting upon us to see what we will do. Mr. Speaker, I ask unanimous consent to present this resolve.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, presents a resolve under the unanimous consent rule. The Clerk will read the title. The Chair understands it is a bill.

The CLERK: Bill “An Act relating to Power to Hold Property by Corporations without Capital Stock.”

The SPEAKER: Is it the pleasure of the House under the unanimous consent rule that this bill be received? Does the Chair hear objection? The Chair hears objection and the bill is not received.

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

The Chair lays before the House the fourteenth item of Unfinished Business, Resolve Providing for Liberalization of Eligibility Requirements for Old Age Assistance, Senate Paper 365, Legislative Document 975, tabled on April 7 by the gentleman from Liberty, Mr. Cole, pending second reading; and the Chair recognizes that gentleman.

Mr. COLE: Mr. Speaker and Members of the House: This is a liberalization bill which would cost \$235,500 for the next biennium. It is much beyond, as you members know, the scope of our budget and, of course, we are unable to support any such legislation as this. Therefore, it is with regret that I move for indefinite postponement.

The SPEAKER: The gentleman from Liberty, Mr. Cole, moves that the resolve be indefinitely postponed. Is this the pleasure of the House?

(Calls of "Yes" and "No")

All those in favor of the indefinite postponement of the resolve will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Resolve was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifteenth item of Unfinished Business, Bill "An Act relating to Powers of Attorney General," Senate Paper 172, Legislative Document 438, tabled on April 7 by the gentleman from Mexico, Mr. Small, pending third reading; and the Chair recognizes that gentleman.

Mr. SMALL: Mr. Speaker and Members of the House: Last Saturday, I compared myself to the man who had lost his party; I only realized after the vote was taken that I had been lost by both parties.

This morning, I noticed the absence of a calendar upon the wall and since I have only a clock to time myself by for the first time in my life I have prepared a few notes in order that I shouldn't bore you too long.

This bill which is before you, Legislative Document number 15, 14, Senate Paper 26, L. D. 14—I have got the wrong one in my hand.

The SPEAKER: The Chair will inform the gentleman we are on Senate Paper 172, Legislative Document 438.

Mr. SMALL: I have it now, Mr. Speaker. In this bill, only four words, four very small words, if you read them, are given to you to be changed. To my surprise many

have not referred to this bill and read even those four words. Eleven pages, I wouldn't be surprised if they hadn't been read but four words, I was much surprised especially since February 4 or 5, I forget which, in this Hall I expressed myself on this bill which came to you at a later date. When I said to you that I hoped that the powers of the State Attorney General's office would not be clipped by the 96th Legislature. At that time, I had reason to expect that something of this nature would be attempted by a certain group, a certain privileged group within our State. At a later date and because I was not present at the hearing upon this bill, at a later date it so happened that I expressed myself to the ten members of the Judiciary Committee and also stated my position. I have conferred with the author of this bill and he gave me a little book to read, or advised me to get it, which I did, to read, called the Key of Peace and I would recommend it to all of you. It is downstairs in the library and a very, very fine book and after I had read the book which he gave me, I was all the more concerned about this bill because it only re-emphasized to me that our Constitution must be upheld and that we should demand from our officials, integrity and honesty of the highest type.

Now, this bill was presented to you members of the 96th Legislature because two years ago the 95th Legislature spelled out what up to that time had been the common law. This bill is an attempt to take away from the office of the Attorney General powers that are a part of his office and duties which I believe he should be under obligation to fulfill. The common law gave him certain privileges, those privileges which were spelled out. Legal decision upheld the common law. I have two references here, if you care to look them up, State versus Fisheries Company, 120 Maine 121 and Commonwealth versus Kozlowsky, 238 Mass. 379.

I especially call the attention of my friend of the legal profession to those two references. I would also like to state that I inadvertently said something for which I

now apologize when I made the statement that I thought all lawyers would be in favor of the bill and against the motion which I expect to make to indefinitely postpone it, because two of them took me to task. They said: "We are lawyers and we are with you, Small, in doing what you want to do with this bill." That made me feel a little happier. To me, this bill isn't any problem between me and the Maine County Attorneys Association or any other group of that profession or any group of citizens. I purposely delayed taking this bill from the table for reasons which I talked over with certain of those members and which I think makes them realize that I have tried to be honest and square and not have you people influenced by any bias from newspapers or any other source in your voting.

I had hoped that this bill would be taken from the table only after we had considered the bill presented by Senator Chapman concerning a crime commission because I would have liked to refer to the arguments which I am sure certain members would have given you why we should have killed that bill as the very reasons why you should kill this bill. I don't know what they are saying now but I am quite certain that had this bill not come off the table first, that part of their argument to you would have been this: We do not need a crime commission in this State, the State's attorney general's office has been doing a good job. To my way of mind, I think they have been doing a pretty fair job. I would not say they were perfect. I don't look for perfection. Within the last few days, the legal processes of the law have been enforced somewhere within the State perhaps because your State Attorney General has the power to say "if you do not give the men their legal right they have under their laws I will step in." Without mentioning the profession but in a case which went from one county into another, and wherein the State's Attorney General's office was asked to send investigators and to investigate, asked by your State Department of Education, a man is now serving

time in Thomaston. It might have been accomplished through the county attorney. I do not want to be too long so I will just say that if this law is passed, here is what would happen. If your county attorney should happen to refuse to ask the State Attorney General to step into this county, the State Attorney General would have no right after we have repealed these spelled out words to go in before a grand jury for some other action. In the event the county attorney is ill, the State Attorney General would not have that right to step in. In the event the county attorney refuses his cooperation, the State Attorney General would not have the right to step in.

Now, let us suppose that for some reason the county attorney refuses to prosecute some friend of his or some county officer or he, himself, is charged with something, a violation of the law, if we repeal this measure, again your State Attorney General does not have the right to step in. In theory, I believe that the State's Attorney General should supervise your county attorneys. He pays them and when they do their work, the law provided that they shall report, that they must make reports, to your State Attorney General's office.

It has been slapped in my face that I should be the last man to propose indefinite postponement of this bill, after the remarks that I have made and after presenting the bill in favor of Francis Carroll. I presented that resolve I admit but even if in that case justice had not been administered fairly, as I told you before, we cannot always have perfection. I believe that the State Attorney General and Assistant in that case no doubt were trying to administer the laws and prosecute them as they saw fit. Still, I am not for indefinite postponement of this bill.

A second case was thrown at me that the State Attorney General had gone in on that case. Only a year ago, a man served his sentence for 30 days in our county jail, and what happened? Unlawfully he was detained for approximately another day. The State Attorney General, before the Grand Jury,

told them that the man had the right to even use force to try to get away after he was being held unlawfully and yet when he tried to run away he was shot in the back. Do you mean to tell me that that is not a case where the State Attorney General should have the right to go in and investigate? I certainly believe it is and I hope the law stays that way.

The State Attorney General, as I told you, is the chief enforcement officer of our State; you also know well that he is but would it work any advantage to our State or to our counties if we changed the law back to what it used to be? I do not believe it will. Nor will it work any hardship if we leave it as it now is. I believe that the gambling probe was quite well conducted. No one has attempted to say the mean things about it that they did about the Research Committee's hearing and I do not believe that the gambling probe resulted in any bad publicity to this State. The State Attorney General is the elected officer of your Legislature. I believe that it is our responsibility to continue to keep him in his office. I concur with the remarks of the gentleman from Limestone (Mr. Burgess) the other day when he was seeking \$1000 more pay for that office. I believe that that office, like many others do, is one of the most important in our State. Every department looks to that office for its precedent. Your Governor and Council go to him for advice. Each one of us has the privilege of writing in and asking a precedent and it is sent to us.

Ladies and gentlemen of the 96th Legislature, I hope that you will see fit to consider this matter carefully, that you will vote upon it, looking forward and looking to the best ends of justice and that the best good of our State shall be served and so, Mr. Speaker, I move now the indefinite postponement of this bill.

The SPEAKER: The gentleman from Mexico, Mr. Small, moves that the bill be indefinitely postponed.

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

Mr. McGLAUFLIN: Mr. Speaker, Members of the Legislature: I, too, go along with that motion. I was

the man who introduced this bill for the law as it is now at the request of the Attorney General in order that he might be able to make his investigations that he has made effective. When this matter came before the Judiciary Committee, I don't now recall how it was reported out, but I do know this: I objected strenuously to this change. There was considerable county influence if you try to change that bill and I think some of us know the reasons why at this time because a certain officer was set aside when the Attorney General made his investigation in this county.

I think it is very important that the Attorney General should have the authority to go into a county and conduct his investigations without being impeded by the county attorney. I have had a letter from former Attorney General Clement Robinson and he informs me that this, from his experience, was very necessary because he had found county attorneys who had been dishonest and who were not trying to enforce the law. So I am pleased that for once Mr. Small and I agree.

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

Mr. SMALL: Mr. Speaker, I want to rise at this time in appreciation of the remark of the gentleman from Portland (Mr. McGlaufflin). We have not seen eye to eye upon many things. He signed a report on this bill contrary to my opinion and I certainly, Mr. Speaker and Members of the House, appreciate the fact that he has seen fit to get up and make these remarks to you. This will be my valedictory speech here. I think it is the first I ever made in my life. I am sorry I won't be with you in two years. I have been glad to know you all. Thank you.

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

Mr. MARTIN: Mr. Speaker and Members of the House: In support of the majority view of the Judiciary Committee, I would like to point out a few facts. First of all,

the only issue involved here is do you want the Attorney General to supersede the duties and the acts of the various county attorneys throughout the State who are elected at the county level. Those are the only words that the Judiciary Committee struck in the law that was passed in 1951, which law was passed to deal with one problem, the anti-gambling problem. The committee felt that the Attorney General had dealt fairly well with that problem but there was no longer any need to go above the common law and continue this law in effect.

Now, the gentleman from Mexico, Mr. Small, stated that the common law might have given the Attorney General this right. If it did, I refer you to the bill and the bill says that the Attorney General shall still have the right given to him under the common law.

Now, the reason that I think this bill should be repealed is particularly in the case of Kennebec County. Our county attorney was told politely that he was to keep out of the grand jury room, and I say to you that this is a dangerous practice, when your own county attorney for the people of Kennebec whom they trust in is told to keep himself out of the hearings of the grand jury of that county. I think there would be no harm done if the whole bill was repealed because I think it has served its purpose. However, the Judiciary Committee felt that perhaps it would be the best practice to repeal just those four words.

I would like further to point out to the gentleman from Mexico (Mr. Small) and to the members of the House that the Attorney General of this State can remove from office at any time any county attorney within the State if he can show that he is not living up to the oath of his office. The Attorney General can further investigate and conduct investigations and go into the grand jury room at any time and we have not changed that law.

I therefore urge the members of this House to go along with the majority report of the Committee

on Judiciary and not to vote indefinite postponement.

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

Mr. FULLER: Mr. Speaker and Members of the House: As the gentleman from Augusta, Mr. Martin, has said, the majority of the Judiciary Committee considered carefully what the duties of the Attorney General of the State should be under the Constitution and under the statutory authority granted to him and under his so-called common law powers. We believed that this proposed change would still leave him with the powers to do what he should do but would not allow him to push the county attorneys entirely aside in case of criminal prosecution of any kind.

I would like to call your attention to the fact that if one county attorney is unworthy or neglects to enforce the law or vigorously prosecutes wrong-doers that affects only one county in the State and that is his own county; but if an Attorney General can supersede all of the county attorneys, one at a time, then the law enforcement question throughout the State is affected. I repeat, in answer to what the gentleman from Portland said, that if the Attorney General whom he mentioned found these county attorneys unworthy and not performing their duties he should have been the one to start to remove them from office.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Mexico, Mr. Small, that the bill be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I feel that maybe as a layman I should say a few words on this thing to help Mr. Small out a little, as the law seems to be lined up against him.

I do not believe we should clip the Attorney General's wings; I believe there has been a good job done in all this investigation, and

I hope the motion to indefinitely postpone prevails.

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

Mr. **CIANCHETTE**: Mr. Speaker, I think it has been pointed out here before, but I would like to point out again that this bill does not clip the wings of the Attorney General; it gives him exactly the same powers and even spells out the powers to a greater extent than it did up to 1951, and the people who sponsored this legislation in 1951 are now in favor of repealing that section of it that is repealed by this bill. It does not take away any of the powers of the Attorney General.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Mexico, Mr. Small, that Bill "An Act relating to Powers of Attorney General," Senate Paper 172, Legislative Document, 438, be indefinitely postponed. All those in favor of the motion will kindly say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

Fifty-three having voted in the affirmative and thirty-eight in the negative, the motion prevailed and the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The **SPEAKER**: The Chair lays before the House the sixteenth matter of Unfinished Business, House Report "Ought not to pass" of the Committee on Liquor Control on Bill "An Act relating to Entertainment in Licensed Premises" (H. P. 539) (L. D. 571) tabled on April 8th by the gentleman from Robbinston, Mr. Brown, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. **BROWN**: Mr. Speaker and Members of the House: I move, on Bill "An Act relating to Entertainment in Licensed Premises", L. D. 571, to substitute the bill for the report.

In the interests of carrying out the Speaker's suggestion a while ago for limiting debate, I would like to say that the report that this bill "Ought not to pass because it was covered by other legislation" does not apply at this date. It does not

apply because the other legislation referred to has been indefinitely postponed in both branches.

It was the judgment of the committee at the time the bill came up that it was a good bill, approved by nearly all, both wets and dries, and that legislation in regard to entertainment should be put on the statute books instead of being merely left to regulation.

With these few remarks, I move to substitute the bill for the report.

The **SPEAKER**: The gentleman from Robbinston, Mr. Brown, moves that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. **FULLER**: Mr. Speaker and Members of the House; I believe we took up this bill or some of the provisions of it once before, and my argument on it now is the same as it was on that occasion.

The Revised Statutes prohibit "obscene, indecent, immoral and impure shows or entertainments, or any show or entertainment manifestly tending to corrupt the morals of youth." That was enacted by the Legislature under the police power of the State.

Now the Liquor Commission undertook to establish a different regulation to cover licensees, and their regulation was the same as the wording of this bill; "No dancing, amusement or entertainment in licensed premises shall be of an improper or objectionable nature," and then they prohibited entertainment consisting of persons of one sex portraying the opposite sex.

The question before the House is whether we wish to establish a different standard of conduct for liquor licensees that the Legislature has already established for other forms of entertainment and which is theaters and moving pictures. It seems to me that one standard of conduct is sufficient for all types of entertainment within the State so there will be no additional burden thrown on the Court to interpret what the words "improper and objectionable" mean, and they will be able to go along with the law as it already exists.

So I hope that the "Ought not to pass" report will be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Robbinston, Mr. Brown, that Bill "An Act relating to Entertainment in Licensed Premises," House Paper 539, Legislative Document 571, be substituted for the "Ought not to pass" report of the committee.

All those in favor of the motion will please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

Thirty-nine having voted in the affirmative and forty-nine in the negative, the motion to indefinitely postpone did not prevail.

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

The SPEAKER: The Chair lays before the House the seventeenth matter of Unfinished Business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve Providing for Salary Increase for State Employees (H. P. 1164) (L. D. 1319) tabled on April 8 by the gentleman from Lewiston, Mr. Cote, pending acceptance of the report.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Mr. Cote is unable to be here today and he has asked me to take care of this matter for him, which was put in as a protest against the step by step manner of increasing our salaries, the employees' salaries. It means a straight across the board increase and that is the reason the measure was put in. However, in view of the price tag on it and the money that is left, I move the acceptance of the report.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the "Ought not to pass" report of the committee be accepted and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the eighteenth item of Unfinished Business, An Act relating to Expenditures of Town Road Improvement Fund, House Paper 642, Legislative Document 657, tabled on April 8 by the gentleman from Hope, Mr. Ludwig, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. LUDWIG: Mr. Speaker, I move that this bill now be enacted.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that the Bill now be passed to be enacted.

This bill having had its three several readings in the House and having been passed to be engrossed and having had its two several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the nineteenth item of Unfinished Business, Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County, Senate Paper 480, Legislative Document 1334, tabled on April 9 by the gentleman from Hodgdon, Mr. Williams, pending first reading; and the Chair recognizes that gentleman.

Mr. WILLIAMS: Mr. Speaker and Members: My only interest in tabling this resolve was because I believed that the State of Maine should not sell what little public land they have left. As I understand it, they have about 20,000 acres left and there are 10,000 left that haven't even been surveyed, that is in the big woods. They have about 10,000 there. My idea is that we should save that for future generations and we passed this particular resolve out of committee with a unanimous "Ought to pass" report because there wasn't much opposition. However, we soon found out that there was violent opposition from the inhabitants of 33. The Forest Commissioner sent notice to

the selectmen, but for some reason they did not receive it, so didn't attend the hearing.

The original resolve said to sell the lot to Mr. John Norris for not less than \$800. The committee amended it to read "to sell to the highest bidder" for not less than \$800. Now, I have a letter here from one of the inhabitants of Plantation 33 and I would like to read part of it to you—it is too long to read the whole of it. "I understand that a Mr. J. M. Norris"—this is a quotation from the letter—"is buying the Great Pond Public lot, school land, through Augusta. This would be against the wishes of the best of the townspeople and the selectmen with the exception, of course, of any who may have been brought over by Fred Norris, who has bullied and bamboozled this town beyond endurance. At the present moment, he is trying to take over as his private way the county road to the pond built 15 years ago by the taxpayers, a most astonishing thing. I served as first selectman of Great Pond five years and saved the public lots of the town against all comers, even to the extent that I had a surprise visit from your some-time predecessor, Mr. Seavey, who said that he wanted to see what manner of man it was who protected the school lands, some of the last few remaining, instead of swindling the town out of it, as many others have done.

The people in this town if it were made into a town, they could handle it to suit themselves, and they wouldn't be asking us to do it. So, therefore, I now move the indefinite postponement of this resolve and when the vote comes I would ask for a division.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves that the resolve be indefinitely postponed in non-concurrence and requests that the vote be taken by division.

The Chair recognizes the gentleman from Franklin, Mr. Butler.

Mr. BUTLER: Mr. Speaker and Members of the House: I go along with the idea of the gentleman from Hodgdon, Mr. Williams, of conserving the state lands up north where he has said we have 20,000 acres, but this is a very small piece

of not too valuable land, and I would like to read to you from the statement of facts in the original bill.

"On or about 1915 the Maine legislature authorized the then forest commissioner to convey certain interests of the public lots, situated in Plantation No. 33, M.D. Hancock county, to certain persons who had occupied farms on the public lots over a period of many years without title; that the greater part of the public lot above described was sold to certain settlers to the end that the title of the settlers would be perfected; that on or about 1932 Plantation No. 33 was purchased by John M. Norris and his partner, McLean, with the public lots reserved; on or about 1935 John M. Norris constructed at the expense of many thousand dollars, a summer home approximately 100 feet northerly of the north line of the lot above described, it being the only place suitable for construction and accessible; that all of said school lot that bounds on the shore of Great Pond has been sold; that the growth on said land John M. Norris desires to purchase is nearly all hardwood and of very little value; that he is willing to pay a great deal more than the land is worth to the end that he may protect the forest near his summer home which is so important to the beauty and value of the property and further that he contemplates, at his decease, to devise the home to some charitable organization. The above described lot does not have any particular value to the state of Maine."

To review a bit, the question of the public lands, they were given to the plantations some time ago, several hundred acres to each plantation, the income of some of the lands to be used for schools. As the gentleman from Hodgdon, Mr. Williams, has told you, this received a unanimous report "Ought to pass" from the committee and has received favorable action from the body at the end of the corridor. Subsequent to that, the selectmen did take issue with the thing and at Mr. Williams' request, I talked with some of the selectmen out here last Friday morning. I didn't go along with some of their figures

that they gave me and it seemed to me that possibly it was a question of spite and hatred on their part in this matter. I know Mr. John Norris personally and he is pretty aggressive, pretty outspoken and a man who usually gets his own way.

In the original bill, the bill was put in to sell the land to John Norris. Since that time, the committee amendment was put in to sell it to the highest bidder at a price of not less than \$800 and it is my conviction that Norris would pay probably up to \$2,000, which I consider a very big price for approximately 50 acres of that kind of land. The interest on this money, if this money was deposited to the credit of Plantation 33, it seems to me that the interest derived therefrom would mean more to that plantation than the wood in the years to come on that piece of land.

Mr. Williams spoke about the question of a road but the selectmen, themselves, told me in the corridor that any question of road did not enter into it, that Norris was ready to give a written permission to go across his land about 500 feet to the shore of the pond.

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

Mr. FERGUSON: Mr. Speaker and Members of the House: I happen to be on the committee with Mr. Williams and I think the reason that report came out unanimously "Ought to pass" was that we didn't have very much information at first. In fact, we had an executive meeting and we had some further information that made us change our minds on it. I won't go along with the gentleman from Franklin, Mr. Butler. It seems to me that there has been a lot of private work, whether it would be better for Mr. Norris to have the land or for the people living around that section of the plantation. I want to go along with the gentleman from Hodgdon, Mr. Williams, from the committee, for the indefinite postponement of it.

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

Mr. LOW: Mr. Speaker and Members of the House: I do not know very much about this transaction but I do know very well the gentleman from Hancock County, who was speaking in this House two years ago. He told you that this transaction is in the interest, the best interest, of everyone concerned, and for that reason I shall go along with the resolve.

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

Mr. MOULTON: Mr. Speaker and Members of the House: On the face of this bill it is perfectly harmless, and would do nobody any harm. But looking into it from the town standpoint it is just the same as your own bank account. If you don't increase your bank account, you don't increase your interest or dividends from it. If this piece of land is sold, or any other piece of land, any public lot sold, the prospect of any additional revenue from it as far as the town is concerned, is exhausted. The argument has been brought in that the town would get an increase in taxation. The town can tax that land for only \$2.00 an acre, regardless of what is on it, by statute. If the public lot remains a public lot, every time anything of value on it can be cut off. The interest that can be expended in that town, that plantation, is increased. Mr. Norris adds in addition as his reason for buying this lot was to keep huts from being built on it. We are positively assured from the Commissioner of Forestry that no hut will be built on it. If this is so, it would make a precedent for the State to keep all public-owned land. Also, there is a question in the mind of the Forest Commissioner if authorized by the Legislature to sell that he can give an air-tight title.

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

Mr. FULLER: Mr. Speaker and Members of the House: It is a little late to worry about giving an air-tight title to this part of the public lot in Plantation 33 because almost all of it has already been sold. What remains is a remnant, and it is merely a question of whether to get rid of that to the same one

who bought most of the other land or whether it is better for this small piece to be held for the benefit of the plantation. I doubt myself if it is of much benefit, fifty acres of land with no valuable growth on it to be held for the benefit of the plantation. I hope the resolve is approved.

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

Mr. **SANFORD**: Mr. Speaker and Members of the House: I was told about this too by Mr. Silsby. You have heard the story and there is no need of my repeating it. Personally, I do not see any use in keeping this piece of land.

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

Mr. **FINEMORE**: Mr. Speaker and Members of the House: Just one word I would like to give you as a warning. I know there were 143 acres of ground that was sold two years ago for \$300, and so far the stumpage taken off of this piece of ground has been sold for \$6490, and there is still some on it, so I say beware of selling State land.

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

Mr. **WINCHENPAW**: Mr. Speaker and Members of the House: There is a little point I would like to clear up here. In regard to the statement that Mr. Moulton made about the law being \$2.00 an acre, I got a member of the Taxation Department out of bed quite early on Saturday morning to check with that law and he told me that some time ago there was a State Tax Assessor that had sort of a personal joke, and when they said, "Mr. State Tax Assessor, how much is an acre of land worth?" he said, "It is worth two dollars to hold the world together." That seems to be an idea; it is not a law. They can tax Mr. Norris anything they want to for that land, and I will argue that they sell the land to Mr. Norris and let the assessors put a fair and just value on it. He would be willing to pay the taxes on it. In that way the town would be assured of an adequate income. As it is now,

I believe that land is not worth too much, because about all there is on it is some dead birch and beech, according to the letters we have.

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

Mr. **WILLIAMS**: Mr. Speaker and Members of the House: Mr. Fuller has told you that the rest of it was sold. That is perfectly true, but people came in there and squatted on the land years ago, the adjoining lots to this and they cleared up farms and built buildings on them, and they sold them the land to clear up their title. This lot is altogether wild land.

The assessors told me that the reason for the two-dollar valuation was on the land that Mr. Norris formerly held, and since that time he has sold it to the St. Regis Paper Company and at the present time he only holds a strip five hundred feet wide around this lake. They were assessing the rest of the land in the town for two dollars and they did not feel they could tax Mr. Norris, in case he did purchase the land, for any more than they were taxing the St. Regis Company.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Hodgdon, Mr. Williams, that 'Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County (S. P. 480) (L. D. 1334) be indefinitely postponed. The same gentleman has requested a division.

As many as are in favor of the indefinite postponement of this resolve will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Thirty-three having voted in the affirmative and forty-seven in the negative, the motion for indefinite postponement does not prevail.

Thereupon the Resolve was given its first reading.

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

COMMITTEE AMENDMENT "A"
to S. P. 480, L. D. 1334, Resolve Authorizing Forest Commissioner

to Convey Certain Land in Hancock County.

Amend said Bill by striking out in the third line thereof the words "John M. Norris of Bangor" and inserting in place thereof the words "the highest bidder."

Committee Amendment "A" was adopted in concurrence, and the Resolve as amended was assigned for second reading at the hour of convening on the next legislative day.

Mr. CHASE of Whitefield: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman from Whitefield, Mr. Chase, desire recognition?

Mr. CHASE: Mr. Speaker, out of order and under suspension of the rules, I ask for unanimous consent to introduce an order.

The SPEAKER: The gentleman from Whitefield, Mr. Chase, presents an order out of order and under suspension of the rules. Does the Chair hear objection? The Chair hears none, and the Clerk will read the order.

Order Out Of Order

ORDERED, the Senate concurring, that the Joint Standing Committee on Sea and Shore Fisheries be directed to report out a Bill repealing all restrictive laws relating to the digging, taking and selling of marine worms. (H. P. 1302)

The SPEAKER: Is it the pleasure of the House that the order receive passage and be sent up for concurrence?

As many as are in favor of the passage of this order will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative, and twenty-three in the negative, the order received passage and was sent up for concurrence.

The SPEAKER: The Chair lays before the House the twentieth item of Unfinished Business. Bill "An Act relating to Assessments on Milk Dealers and Producers for Promotional Purposes" (H. P. 624) (L. D. 647) tabled on April 9th by the gentleman from Gardiner, Mr. Gosline, pending third reading.

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

Mr. GOSLINE: Mr. Speaker, I will be brief. I move that L. D. 647 receive its third reading at this time.

The SPEAKER: The gentleman from Gardiner, Mr. Gosline, moves that this bill receive its third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the twenty-first item of Unfinished Business, Bill "An Act Permitting Parole for Lifers After Thirty Years Imprisonment" (H. P. 1168) (L. D. 1323) tabled on April 10th by the gentleman from Bremen, Mr. Hilton, pending passage to be engrossed.

The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker and Members of the House: I want to apologize to the Judiciary Committee for not appearing before them in opposition to this measure, but at that time I had another committee that I was attending and could not get in there.

I find that the people from my district are very much opposed to this bill as it will enable a person in State's Prison at the present time to come up before the Parole Board to get his freedom, a person whom we definitely do not want out. I believe that the Governor and his Council whom the people have elected, and the members of this Legislature have elected to those offices have final jurisdiction on this and I believe they are capable of handling it. I move for the indefinite postponement of this bill.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that this bill, L. D. 1323, be indefinitely postponed.

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

Mr. MCGLAUFLIN: Mr. Speaker, we had a hearing on this measure and I do not recall that there was any opposition to it at all. The warden of the State Prison at Thomaston stated that there were very few that would come under

this but they had some very model prisoners who had been there a long time. Some of them would not leave if they could. This will not be abused. It merely permits a man who is not vicious, after serving that period of time, thirty years, to be allowed to be considered. The Judiciary Committee felt that it was a wise bill. I therefore am in favor of it.

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

Mr. FULLER: Mr. Speaker and Members of the House: In my opinion this bill did two things: a man, even though he was imprisoned for life, it gave him some incentive to behave well so that he might later become eligible for parole. In the second place, this is a parole rather than a commutation of sentence. If he was released on parole he still would be subject to some restraint and that possibly might be better than a pardon or commutation of sentence.

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

Mr. CIANCHETTE: Mr. Speaker, this bill was reported unanimously by the Judiciary Committee. I would like to point out just a couple of reasons why this bill should be passed. It is certainly nothing novel, nothing new, and most if not all of the states have similar provisions. In some states the time required before a person is eligible for parole is only fifteen years. This bill provides for thirty years. I believe that no other state has a higher time than that.

This bill, as was pointed out, was favored by the warden of the Maine State Prison. I happen to know that the warden who preceded him in that office was in favor of this type of legislation, and I also know that the wardens of nearly all the prisons in the country favor this type of legislation, and not only the wardens, but all persons, criminologists and others who spend their lives dealing with criminals, all favor this type of legislation.

I certainly hope that the motion to indefinitely postpone will not prevail.

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

Mr. ROUNDY: Mr. Speaker, during my life from time to time I have given some little attention to the treatment of prisoners and the procedure for an up-to-date prison policy. I think this is entirely in line with that and I am quite heartily in favor of the bill.

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

Mr. ROBINSON: Mr. Speaker, that was the bill which I presented. I felt, as the wardens did, that was a very fine bill. It simply gives a lifer an opportunity, provided he has never been convicted of an offense having the penalty of capital punishment before, to appear after thirty years of time for parole. In that way, if he is paroled the Parole Board has jurisdiction over him for a certain period, and at any time that he commits any minor crime he can be put back in prison and that is held against his record, whereas on a pardon his crimes cannot be held against him. Out of all the states there are forty-one states which have done this and it has proven out very successfully. I believe the average percentage would be about eight per cent that have been committed back because of misdemeanor and violation of parole. It has worked out successfully, the remaining states are seriously thinking of it and it has been presented to their legislatures in this last year.

I certainly hope that the motion for indefinite postponement of this bill does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Macomber.

Mr. MACOMBER: Mr. Speaker and Members of the House: I am very much in favor of this bill. I do not think it is a dangerous bill, and I think Maine is way behind the other states in not having it before. With the exception, I understood, of four or five states, every other state in the union has a similar bill. I hope that the motion of the gentleman from Bremen, Mr. Hilton, does not prevail.

The SPEAKER: The question before the House is on the motion of

the gentleman from Bremen, Mr. Hilton, that Bill "An Act Permitting Parole for Lifers After Thirty Years' Imprisonment" (H. P. 1168) (L. D. 1323) be indefinitely postponed.

The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker and Members of the House: Here are a few of the states that have this law and the number of parolees that are turned back to prison. For instance, Ohio, 58 lifers paroled and 3.5 per cent of them were back in prison inside of two years. Arkansas, 55 lifers paroled, and 7 per cent of those were back in prison after four years, Missouri, 39 lifers paroled and 5 per cent of those were back in prison after two years. Michigan, 40 lifers paroled, two violations, and 5 per cent of those were back in prison after two years. California, 57 lifers were paroled and 40 per cent of those were back in prison after two years. Of course California has a seven-year limit, I believe, instead of fifteen. New Hampshire, New York, South Dakota, Washington and Massachusetts have a law like the State of Maine.

According to Chapter 136, Section 51, the Governor and Council alone now have the power to pardon a lifer who submits an application for executive clemency. Upon granting clemency they can commute the life sentence to a lesser sentence bearing a minimum and a maximum, thus making the man eligible for parole.

I was over and talked with the warden of the prison on this matter, and as near as I can find out there is one old man over there, he has no relatives, he has been there fifty-two years, he has no home to go to, and he would come under this. If he got out, he is seventy-six years old, and probably the town would have to take care of him, and the chances are he does not want to go. There are only three at this time that would come up under this law.

As I say, there is a man in our community we definitely do not want at large. He shot a man at night through a window and robbed him. He also was in my father's store half an hour before he did

that, and it could have been my father that this man would have shot.

I do not believe that these two hitch-hikers over here at Wiscasset that bummed a ride from a man by the name of Mr. Brown and robbed him and shot him and threw his body behind a stone wall, took his car and went to New Jersey and back to Bangor, I do not believe that those fellows should be paroled. They knew what they were doing, they had it all planned. It could have been you or I that picked them up and they could have shot us. I believe they have forfeited their right to mingle with society.

This is a matter, as I see it, of opening the door just a little bit, another legislature at some future time may lower this thirty years to twenty or even fifteen as at least thirty of the states have done in the past. I do not believe the State of Maine wants this. I believe we should leave it as it is rather than open the door so that the young people of this generation, knowing that they can be paroled out, it may induce them to commit crimes.

I sincerely hope that my motion will prevail.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: The principal argument against this bill seems to be that some particular man should not be released. I believe we should think in generalities when we are passing such a law as this, and if, as the warden told the committee, there are numerous individuals it would be very desirable to release, and because there was one man who should not be released, permissive legislation should not be denied.

I hope that the motion of the gentleman from Bremen, Mr. Hilton, fails.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from St. George, Mr. Robinson.

Mr. ROBINSON: Mr. Speaker, I do not feel that this bill is going to prevent anyone from getting shot. All these things that my good friend, the gentleman from Bremen, Mr. Hilton, has spoken of are

things that happened before. This is no more than giving the privilege to those who are eligible. They will come before the parole board, and if they do not want a man out all they have to do is put in a letter protesting against his parole and make a statement and he certainly will not be paroled. This is just giving them the opportunity to ask for parole, and very few of them are granted that unless they are exceptionally good while in prison.

The SPEAKER: The question before the House is on the motion of the gentleman from Bremen, Mr. Hilton, for the indefinite postponement of H. P. 1168, L. D. 1323, Bill "An Act Permitting Parole for Lifers After Thirty Years' Imprisonment."

All those in favor of the motion for indefinite postponement will say aye; those opposed, no.

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

Thereupon the Bill as amended was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the twenty-second item of Unfinished Business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of Addition to Chemical Engineering Building at University of Maine (H. P. 88) (L. D. 92) tabled on April 15th by the gentleman from Westbrook, Mr. Travis, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. TRAVIS: Mr. Speaker and Ladies and Gentlemen of the House: We have been told that it is later than we think, but I think it is not too late to seriously consider this bill before we definitely reject it.

One day last week I heard my good friend from Portland, Mr. McGlauffin, admonish you to pay no attention to me because I represented one of the great industries of the State. A motion for the previous question prevented me from replying in rebuttal that I represented over thirteen thousand peo-

ple in Westbrook and that this segment of the paper industry located in Westbrook paid approximately fifty per cent of the taxes of the City of Westbrook. Further, a large majority of the three thousand employees of that concern resided in Westbrook and paid a considerable portion of the remaining percentage of the taxation of the City of Westbrook, and furthermore, that this particular branch of the paper industry was probably a very important segment of the prosperity of the City of Portland, of which my good friend, Mr. McGlauffin, is an esteemed inhabitant.

This bill, as most of you know, asks for \$370,000 for a pulp and paper wing to be added to the Chemical Engineering Building. It would be the second of three units of the chemical engineering building, the central portion of which was constructed in 1940. The trustees of the University of Maine feel very strongly that this addition to the chemical engineering building is needed now if the University is to maintain its high standing in pulp and paper instruction and research and effectively serve Maine's largest industry.

It is interesting to note that between 1946 and 1953 eight of Maine's largest paper mills spent one hundred and ten million dollars to modernize and expand their mills. I mention that simply to show you the opportunity there is in the paper industry for young men today. Now there are four of our large mills in the State of Maine that have branches in other states, one in the south, three in the midwest. There are two other mills, paper mills, here in Maine which are branches of larger units. As you know, the paper industry of Maine is in direct and severe competition with paper mills in the south and in the mid-west, and whereas during these last years of post-war prosperity all of them have done very well, yet it is alarming to those of us who are in this business to realize that many of these paper companies are not making the margin of profit that some of their competitors in other sections of the country are, which means that it will be tough sledding for them when the present day of pros-

perity is no longer with us. However, I am not alarmed, I feel that the paper industry is here to stay, but I simply want to leave this thought with you.

I realize that the Appropriations Committee has given a great deal of study to this and other legislative documents involving money which appeared before them. I feel that Mr. Jacobs and his committee did a marvelous job on the appropriations bill which was finally passed last week and which was signed by the Governor. I want to commend each member of the committee for the painstaking long hours of research that they have put in on appropriations and on these legislative documents; but I say to you that I think each of you should think this over very seriously in your own minds before you decide that there is not now money to proceed with the building of this wing and say let's wait two years or four years. Just think of the opportunity it is for the youth of Maine before you vote. Thank you.

Mr. Speaker, I move that the resolve be substituted for the report.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, moves that the resolve be substituted for the report of the committee.

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

Mr. JACOBS: Mr. Speaker and Members of the House: The Appropriations Committee felt that we have done a mighty good job for this University of Maine in giving them increased amounts to run the University of Maine, also \$400,000 for a dormitory, and we felt that was as far as we could go. Of course this House can do as they see fit. If you can provide the money, \$370,000, all right, but the Appropriations Committee unanimously felt that we have done all we can for the University of Maine for the next two years.

The SPEAKER: The question before the House is on the motion of the gentleman from Westbrook, Mr. Travis, that the resolve be substituted for the "Ought not to pass" report of the committee.

Mr. TRAVIS: Mr. Speaker, I request a division.

The SPEAKER: The same gentleman requests a division.

As many as are in favor of the motion of the gentleman from Westbrook, Mr. Travis, that Resolve in favor of Addition to Chemical Engineering Building at University of Maine (H. P. 88) (L. D. 92) be substituted for the "Ought not to pass" report of the committee 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.

Eleven having voted in the affirmative and sixty-two in the negative, the motion to substitute the resolve for the report did not prevail.

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

The SPEAKER: The Chair lays before the House the twenty-third item of Unfinished Business, House Report, "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of Hampden Academy (H. P. 137) (L. D. 137), tabled on April 15 by the gentleman from Hampden, Mr. Stanley, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. STANLEY: Mr. Speaker, I move to substitute the resolve for the report. This resolve is to help Hampden Academy with a building for a complete physical education program, not only for the academy but for all the grade schools in Hampden.

The cost of this construction is approximately \$80,000. Work has been done by volunteer labor and by contractors who furnished material and equipment without cost, and sometimes just a direct cost without profit, which probably has saved in the neighborhood of \$20,000.

The building is probably two-thirds completed. In January of this year work was stopped because there was no more money. There is no enabling act under which they can come to the State and borrow money. However, some bank, out of the goodness of their heart, did loan them \$25,000. That has been spent. The building, as I say, is now uncompleted and unusable, and probably will remain that way

for at least two years unless we can receive this amount of aid.

The town itself I feel has done a great deal for its schools. Our common school at present has cost in the neighborhood of \$400,000, and this year, here at this Legislature, we just passed another loan of \$50,000 to the School District to complete more of the building.

We also have a Sewer District and a Water District. A group of us in town formed what we called a Booster Club and built an athletic field which would cost in the neighborhood of \$10,000. That is as fine an athletic field as there is in the State when it is finished completely.

I feel that the town and the people themselves have done all they can and everything that is possible for the schools.

This school is one of the oldest in the State, incorporated long before the State of Maine was incorporated. It furnishes education to all classes of people, regardless of race or religion, and we feel that the people of that area have contributed through the sales tax as well as have the tourists. The money in the State treasury, which was over \$10,000,000 in surplus this year, and I understand there is still \$1,000,000 left that has not been appropriated, I feel that some of that money should go back to the towns to help programs such as this. Thank you.

The SPEAKER: The gentleman from Hampden, Mr. Stanley, moves that Resolve in favor of Hampden Academy, House Paper 137, Legislative Document 137, be substituted for the "Ought not to pass" report of the committee.

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

Mr. JACOBS: Mr. Speaker and Members of the House: It resolves upon me, as Chairman of the Appropriations Committee, to make these observations: You have on the calendar, with this one, amounts of \$154,000. Now it was the intention of the Appropriations Committee that this is capital investment, and we did not feel that capital investment on these towns should go from the State Treasury. They are all worthy and have their place, but we felt that it wasn't the purpose of the Legislature to

give these towns money to build buildings or finish buildings which the towns have built, feeling that that was their responsibility. I don't know where the money is coming from to take care of these resolves or bills that are coming in this calendar; I just simply point out to you that we felt we should not recognize capital investment for towns to build buildings for school purposes.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Stanley, that the resolve be substituted for the "Ought not to pass" report of the committee. All those in favor will please say aye; those opposed, no.

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

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

The SPEAKER: The Chair lays before the House the twenty-fourth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of the town of Hermon, House Paper 484, Legislative Document 503, tabled on April 15 by the gentleman from Hampden, Mr. Stanley, pending acceptance of report; and the Chair recognizes that gentleman.

On motion of Mr. Stanley, the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the twenty-fifth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in Favor of the Town of Garland, House Paper 1038, Legislative Document 1182, tabled by the gentleman from Dexter, Mr. Roberts, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. ROBERTS: Mr. Speaker, I feel that this resolve is a little different than some of these other school bills, and I think it should receive a passage. This Resolve in favor of the town of Garland,

which town I have the honor to represent is in regard to damages caused by the heavy wind we had the first part of the winter — I don't remember what date it was — in which a large part of the buildings was damaged to quite an extent.

On examination of these buildings by the Insurance and the Educational Departments, they were declared unsafe to hold schools, leaving the children without any school building.

An attempt was made to hold the school in a couple of older buildings there which were very unsuitable for the purpose and they were soon obliged to abandon this arrangement. At the present time they are holding school in two little old buildings which are also very inadequate both from the standpoint of health and sanitation. Half of the pupils in this school attend school in the forenoon and the other half in the afternoon, which is not a very satisfactory arrangement.

This town is a small town of four hundred or more people, and just a little over \$200,000 valuation. The debt is now way beyond the debt limit, even the 7½ per cent limit which was enacted by this Legislature, and the tax rate is 134 mills.

It can readily be seen that this town is not in a position to build a new school, neither do they have money enough to make the necessary repairs. It seems an easy matter to raise money for State parks and for bettering roads and other things like that but none to help our poorer towns solve their problems. I feel that it is one of the solemn obligations of the members of this Legislature to help our unfortunate and needy communities and people, that they may have an even chance with the rest of us, and that is one of the prime reasons why we are here in this Legislature. If misfortune befalls one of our children, we do not hesitate to put our hands deep down into our pocket and give them all the assistance that is possible, and perhaps a little more than we really can afford to, and for that reason I am asking that we substitute the resolve for the report, and I so move.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that Resolve in Favor of the Town of Garland, House Paper 1038, Legislative Document 1182, be substituted for the "Ought not to pass" report of the committee.

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

Mr. SMALL: Mr. Speaker and Members of the House: When the vote is taken upon this bill I ask a division of the House. I would remind you that when we were bringing in these special resolves, and I have none of them myself, it was suggested to us that we have an omnibus bill. Then when the academies brought in an omnibus bill, it was said: "You should have brought in special resolves so that we may consider the merits of each one individually."

I believe here is a case that we should consider upon its merits, and to be consistent with my record. I hope that the motion of the gentleman from Dexter (Mr. Roberts) prevails. I believe this case is worthy of consideration. The previous Legislature saw fit to grant such grants as these to worthy towns and municipalities, and I hope that we will not be odd sticks and change that custom.

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

Mr. CHASE: Mr. Speaker and Members of the House: The town of Garland is in distress in regard to their school building. Where are they going to turn? They have a tax rate of 134 mills. They have a valuation of \$200,000 and a population of 400. As the gentleman who spoke previously has said, their buildings were partially destroyed by the wind storm.

They have no industry. The School Building Authority will not help them because if their tax rate is 134 mills, how much more can they stand? Now where are they going to turn? It is a serious situation when children have to go to school half a day. I say that we should consider these cases in regard to school buildings in these towns on their merit. If we cannot consider them that way, what are we going to do? Who are the towns going to turn to?

I cannot see where Garland is going to turn to for help unless this Legislature gives them a little bit of assistance. Just stop and consider for a moment if these children were your children, going to school a half a day because they don't have room for them to go the whole of the day, and a tax rate, again I say, of 134 mills. No industry, no way to turn. I say this is the only place for them to turn; it is our responsibility. I feel deeply for them and I certainly hope that we will give this bill some consideration. Thank you.

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

Mr. ROUNDY: Mr. Speaker and Members of the House: In connection with my former duties, I visited the town of Garland a good many times, and I think this is worthy of our consideration, and I think this is a place where it is well brought out in fact that the exception proves the rule, and I definitely feel that we ought to consider favorably this modest request for a very real need.

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

Mr. SANFORD: Mr. Speaker and Members of the House: I am very much surprised at the remarks that my good friend, the gentleman from Whitefield, Mr. Chase, has made, and am very much surprised at the friends that the town of Garland has. I am also a friend of the town of Garland, and I also know their condition, and if there is any case that is worthy of any consideration whatever this year, in this House, it is the consideration that we are on right now, and I certainly do hope that Mr. Roberts' motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker and Members of the House: I can only go along with what has previously been said. Garland is not in my legislative class but the town of Garland borders my town and I live only ten miles from this school, and I know many of the citizens of Garland and I know they are

hard pressed; they don't know where to turn; and if there is a little money that we can spend judiciously, I don't think it will be wasted; I think it will be appreciated by the people of the town of Garland, and I am in favor of substituting the resolve for the report.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I want to point out that the town of Garland has a valuation of only two hundred thousand dollars and that its debt is between eighteen and twenty thousand; how it ever got in debt that far I wouldn't be knowing, and I wouldn't know of any way that they could raise any money for a school unless this Legislature sees fit to have one.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I didn't get too aroused over this bill until it got the price tag, and if a town is in such dire straits as Garland is, and since I do some business in the area of Garland, I am aware of the fact that it is a very, well I don't know what the word is to use, but it is almost a semi-abandoned town because of the lack of industry.

The price tag is \$10,000. If we can't dig up \$10,000 when a town doesn't have any way to turn; I'll admit that the Appropriations Committee set a policy, but I certainly believe that each case should stand on its merits, and I think this case is worth ten thousand dollars.

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

Mr. MCGLAUFLIN: Mr. Speaker, this case seems somewhat like one which we considered before the one that is now being considered was passed, but this seems to me to be a worthy case. I am willing to vote for it.

The SPEAKER: The question before the House is on the motion of the gentleman from Dexter, Mr. Roberts, that the resolve be substituted for the "Ought not to pass" report of the committee.

The gentleman from Mexico, Mr. Small, requests a division.

As many as are in favor of substituting Resolve in Favor of the Town of Garland, House Paper 1038, Legislative Document 1182, for the "Ought not to pass" report of the committee will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Seventy-seven having voted in the affirmative and three having voted in the negative, the motion prevailed and the resolve was substituted for the "Ought not to pass" report of the committee.

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

The SPEAKER: The Chair lays before the House the twenty-sixth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Highways on Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns," House Paper 1129, Legislative Document 1280, tabled on April 15 by the gentleman from Millinocket, Mr. Gates, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. GATES: Mr. Speaker and Members of the House: I wish to make a motion on this measure, and before doing so I would like your permission to address the House for just about thirty seconds.

The SPEAKER: The gentleman may proceed.

Mr. GATES: Mr. Speaker, I told you, at the time I requested this bill to be tabled, that I believed that the "Ought not to pass" report was brought in for the reason of the question of constitutionality.

I have prepared an amendment which I believe will make it constitutional, and I would like to ask the House and request the House to accept my motion to substitute the bill for the report, for the purpose of giving the bill its first and second reading and submitting this amendment. If the House wishes to defeat the bill at that time, that is their opportunity, but I don't want them to defeat the bill unfairly, in other words, I don't want them to defeat the bill, believing it

is unconstitutional. If they want to defeat it on its merits, that is up to them.

I move now that we substitute the bill for the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Millinocket, Mr. Gates, moves that the bill be substituted for the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the Bill was substituted for the "Ought not to pass" report of the committee.

Thereupon, the bill was given its two several readings.

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

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

HOUSE AMENDMENT "A" to H. P. 1129, L. D. 1280, Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns."

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

"The expenditure of such money under the provisions of this subsection shall be under the general supervision and approval of the state highway commission."

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker, I didn't object to this report being accepted in order for an amendment to be presented, but I do object now to the amendment and the bill. The State Highway Department just does not have the money to give out under this. We have already allotted the money, all the money that the department receives; you know all the money that the Highway Department has comes from licenses and the gasoline tax.

Now under the program that we have set up in the allotment bill we are now giving the towns and cities in round figures a million dollars more than they have been receiving, \$500,000 more on the Unimproved Road fund, \$487,000 more under the State Aid program, \$250,000 for flood damage, and \$162,000 for snow removal. That is in addition to what we have been giving in the past years.

Now if we should adopt this amendment, and this bill, we would have to take the money out of some of these allotments, because in my estimation it would mean that the Town Road Improvement fund would have to be cut back to the amount that this costs. I move that the amendment be indefinitely postponed.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that House Amendment "A" to (H. P. 1129) (L. D. 1280), Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns," be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to make just a short speech in favor of this amendment. I see a faint ray of hope in here for South Thomaston, so I want to go along with the amendment.

The SPEAKER: The question before the House is on the motion of the gentleman from Hope, Mr. Ludwig, that House Amendment "A" be indefinitely postponed. All those in favor will kindly say aye; those opposed will say no.

A viva voce vote being taken, House Amendment "A" was indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker, I now move that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that House Paper 1129, Legislative Document 1280, Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns," be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was indefinitely postponed and was sent up for concurrence.

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

Mr. JALBERT: Mr. Speaker, out of order and under suspension of the rules, I present an order and move its passage.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, out of order and under suspension of the rules, presents an order and moves its passage. Does the Chair hear objection to the reception of the order? The Chair hears none.

The Clerk will read the order.

WHEREAS, the Sherwood Eddy Seminar, consisting of a carefully chosen party of some fifty invited members, expects to sail from New York on or about June 24 of this year on a big liner to visit England, France, Western Germany, Berlin, Yugoslavia, Italy, and Switzerland, returning to New York on or about August 11, with the members having the opportunity to visit with political leaders in these foreign countries and having an opportunity to study the conditions existing therein, and

WHEREAS, the members of this House have learned with pleasure that its presiding officer, Honorable Roswell P. Bates, Speaker of the House, has been chosen to make this tour,

BE IT ORDERED, that the members of the House extend their heartiest congratulations and it is their hope that he will have a pleasant, profitable and memorable trip.

BE IT FURTHER ORDERED, that the Clerk of the House be directed to present to him an attested copy of this Order.

The order received passage, amid the applause of the House.

On motion of Mr. Fuller of South Portland,

Adjourned until 8:30 A. M. tomorrow, E. S. T.