

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Wednesday, May 6, 1953

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

Prayer by the Rev. Mr. David Flowers of Augusta.

The journal of the previous session was read and approved.

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

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Apple Storage and Packing Room at Highmoor Farm (S. P. 93) (L. D. 230)

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

Non-Concurrent Matter

An Act relating to Certain Tax Exemptions for Amputee Veterans (S. P. 55) (L. D. 83) which was passed to be enacted in the House on March 11, and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in concurrence on February 25.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendments "A" and "B" in non-concurrence.

In the House:

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

Mr. GILMAN: Mr. Speaker, I move to recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mr. Gilman, moves that the House recede and concur with the Senate.

The Clerk will read Senate Amendment "B".

SENATE AMENDMENT "B" to S. P. 55, L. D. 83, Bill "An Act Relating to Certain Tax Exemptions for Amputee Veterans."

Amend said bill by striking out the 3rd and 4th lines in Section 3 and inserting in place thereof the following: 'ted disability who shall have specially designed motor ve-

hicle, and who is otherwise qualified to operate a motor vehicle in this state, such veteran.'

Thereupon, on motion of Mr. Gilman, the House voted to recede from its former action whereby it passed this Bill to be enacted on March 11; and further voted to recede from its former action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" on February 25.

Committee Amendment "A" was then indefinitely postponed in concurrence.

Senate Amendment "B" was then adopted in concurrence and the Bill was passed to be engrossed as amended by Senate Amendment "A" and Senate Amendment "B" in concurrence.

Non-Concurrent Matter

An Act Requiring Children to Care for Parents According to Ability (S. P. 401) (L. D. 1118) which was passed to be enacted in the House on May 2, and passed to be engrossed as amended by Committee Amendment "A" in concurrence on April 30.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed without amendment in non-concurrence.

In the House:

On motion of Mr. Trafton of Auburn, the House voted to recede from its former action whereby it passed the bill to be enacted on May 2; and further voted to recede from its former action whereby it passed the bill to be engrossed as amended by Committee Amendment "A" on April 30.

On further motion of Mr. Trafton, Committee Amendment "A" was indefinitely postponed and the Bill was passed to be engrossed without amendment in concurrence.

Non-Concurrent Matter

An Act relating to the State Personnel Board (H. P. 654) (L. D. 697) which was passed to be enacted in the House on April 28, and passed to be engrossed on April 21.

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

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Lincoln, Miss Steeves.

Miss STEEVES: Mr. Speaker, I move that we recede and concur and adopt the amendment.

The SPEAKER: The gentlewoman from Lincoln, Miss Steeves, moves that the House recede and concur.

The Clerk will read Senate Amendment "A".

SENATE AMENDMENT "A" to H. P. 654, L. D. 697, Bill "An Act Relating to the State Personnel Board."

Amend said bill by adding at the beginning of the 1st line the underlined abbreviation and figure 'Sec. 1.'

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

'Sec. 2. Appropriation. There is hereby appropriated from the general fund for the purposes of this act the sum of \$660 for the fiscal year ending June 30, 1954, and \$660 for the fiscal year ending June 30, 1955.'

Thereupon, on motion of Miss Steeves, the House voted to recede from its former action whereby it passed this Bill to be enacted on April 28; and further voted to recede from its former action whereby it passed this Bill to be engrossed on April 21.

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

Non-Concurrent Matter

Bill "An Act relating to Organization of Police Department of City of Lewiston" (H. P. 1052) (L. D. 1193) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 24.

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

In the House:

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

SENATE AMENDMENT "A" to H. P. 1052, L. D. 1193, Bill "An Act

Relating to Organization of Police Department of City of Lewiston."

Amend said Bill by striking out the last paragraph thereof and inserting in place thereof the following paragraph:

"The police department shall consist of a police commission of 5 members, hereinafter in this article referred to as the commission, to be appointed by the mayor. The commission shall appoint a chief of police, and it may appoint 2 3 captains of police, 1 captain of detectives, 2 3 lieutenants of police, 4 sergeants of police, 1 police matron, 1 police clerk and such number of patrolmen, not to exceed 1 for each 900 of the population of the city, as the commission shall deem necessary, the entire personnel of which, as existing when this charter takes effect, shall continue subject to the provisions hereinafter contained."

Thereupon, the House voted to recede from its former action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" on April 24.

Committee Amendment "A" was then indefinitely postponed in concurrence.

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

Non-Concurrent Matter

Resolve in favor of the Town of Garland (H. P. 1038) (L. D. 1182) on which the House substituted the Resolve for the "Ought not to pass" Report of the Committee and passed the Resolve to be engrossed on May 5.

Came from the Senate with the Report and Resolve indefinitely postponed in non-concurrence.

In the House:

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would like to move that we insist on our former action and request a Committee of Conference, and I would like to speak briefly to that motion, if I may.

I realize at this time that Committees of Conference are more or less doomed to produce probably no agreeing action. However, I cer-

tainly feel, as you members of the House heard here the other day in the discussion of Garland, that their plight is so desperate that they certainly need to find out in which direction they may turn for assistance.

Evidently the members of the other branch feel that there is a direction, and I quite frankly state that I believe that the least this Committee of Conference could accomplish would be to discover what is the avenue of help that the town of Garland may follow in this very unusual situation.

I know that there will be others who will say that the other branch has decided that we must not establish a policy. However, I repeat that I honestly request this Committee of Conference for the purpose of discovering what we can do to help the town of Garland.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the House insist on its former action and request a committee of conference.

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

Mr. JALBERT: Mr. Speaker and Members of the House: We heard the plight of the town of Garland before the committee. The committee realizes the plight that they are in. The answer, very obviously, is the possibility of the changing of rules within the Educational Department—a different setup that would take care of the Garland situation. I don't think the answer would be in a Committee of Conference.

I move that we recede and concur.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House recede and concur.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: It may be that the change is needed in the Department of Education for their rules, but believe me, the time for action is now and the need is now. Unless I am sadly mistaken, it will take quite a lot of time—at least until the next session, to change the rules. A Committee of Conference can be accomplished in the next day.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I think the gentleman from Bangor, Mr. Totman, is right on this matter. This is a peculiar and particular situation. We ought to try to grant some relief. Now it isn't impossible that the Senate, after we have talked it over with some of their committee, may agree with us. I hope the motion of the gentleman from Lewiston, Mr. Jalbert, does not prevail and that the motion of the gentleman from Bangor, Mr. Totman, does prevail.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede and concur with the Senate in the indefinite postponement of the report and the resolve.

As many as are in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede and concur will please say aye: those opposed, no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that the House insist on its former action and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on House Paper 1038, Legislative Document 1182, Resolve in favor of the Town of Garland, the Chair appoints the following Conferees on the part of the House: The gentleman from Dexter, Mr. Roberts, the gentleman from Islands Falls, Mr. Crabtree, and the gentleman from Portland, Mr. McGlauffin.

Non-Concurrent Matter Tabled Until Later Today

Joint Order (H. P. 1300) relative to recalling "An Act relating to Application of Plumbing Laws" (H. P. 1276) (L. D. 1512) from the office of the Governor which was passed in the House on May 4.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. OSBORNE: Mr. Speaker, in the absence of the gentleman from Medway, Mr. Potter, who is unable to be here today, I wish to state that it is unfortunate that the other branch did not see fit to concur with us in this matter, in my opinion. If you have any towns in your district which are under 3,000 or if you know anyone who owns a camp at the lake and you desire to pay a master plumber to come from some one town which may be 30 miles distant, why, this is just the law for it because it is just what it says.

You may have a competent plumber living next door but you have got to hire a master plumber, a registered plumber, to come from the nearest community wherever he may live.

I don't know what can be done at this late date. The resolve was put in in plenty of time. It has been tabled over in the Senate very thoughtfully. If anyone has any suggestions as to anything they wish to do, I would be glad to hear about them.

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

Mr. BAILEY: Mr. Speaker, when this was in the House, I didn't pay very much attention to the bill. It went before the committee. Two or three days ago, my attention was called to it about how it had passed the House and Senate and at that time was on the Governor's desk. In reading the bill, I really couldn't believe that it was such a vicious bill as had been represented to me. Therefore, I took the bill and went into the attorney general's office and asked him to interpret it. He says the bill means just what it says, that is that a farmer, a garage-man, or any small businessman or even a large businessman, just the same, if he wants to do a little alteration, put on a faucet, put on a connection on a pipe, in order to do that he has got to go and employ a licensed plumber to do it and you can see very plainly how that would be tied up. It would be tied up right with the hardware men. If you went

to buy a piece of pipe to put on your pipe line, why, no, we can't until we get a certificate from your plumber.

I know as far as I am concerned, I don't usually take my personal affairs in before the House but I know the way I am situated with the livestock and barns and things that we have, there is scarcely a day through the winter time but what there are some alterations that have to be done in pipe work. I have the material to do with and when I want a piece of pipe I go to the hardware store and get it and place it. But under this law we are going to be forbidden to do that. I think it is a very rash law. I move that we concur with the other branch in the indefinite postponement of this bill.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the House recede and concur.

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

Mr. HAND: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may.

The House may be at ease.

House at Ease

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

Mr. BAILEY: Mr. Speaker, I wish to rescind the motion which I made on account of certain re-clarification which I needed.

The SPEAKER: The Chair understands that the gentleman from Woolwich, Mr. Bailey, withdraws his motion.

Mr. BAILEY: And, Mr. Speaker, at this time I wish to table this matter until later in the day.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the Joint Order be tabled until later in today's session. Is this the pleasure of the House?

Thereupon, the motion prevailed on a viva voce vote and the matter was tabled until later in the day's session, pending further consideration.

From the Senate: The following Communication:

STATE OF MAINE
SENATE CHAMBER

May 5, 1953

Hon. Harvey R. Pease
Clerk of the House
96th Legislature
Sir:

The President of the Senate has today appointed the following conferees on the part of the Senate on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Evidence of Intoxication." (H. P. 422) (L. D. 469):

Senators:

WARD of Penobscot
HARDING of Knox
BROGGI of York
Respectfully,

(Signed)

Chester T. Winslow
Secretary of the Senate

The communication was read and ordered placed on file.

On motion of Mrs. Christie of Presque Isle, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Orders

On motion of Mr. DeBeck of Holden, it was

ORDERED, that Mr. FULLER of Bangor be excused from attendance today because of a death.

AND BE IT FURTHER ORDERED, that Mr. ABBOTT of Mechanic Falls be excused from attendance because of illness.

**House Reports of Committees
Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs under authority of Joint Order (H. P. 1299) reporting a Bill (H. P. 1303) (L. D. 1552) under title of "An Act to Appropriate Moneys for the Merit Award Board" and that it "Ought to pass"

Report was signed by the following members:

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

Messrs. COLE of Liberty
JACOBS of Auburn
BURGESS of Limestone
—of the House

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

Report was signed by the following members:

Messrs. CAMPBELL of Guilford
JALBERT of Lewiston
DAVIS of Harrison
—of the House

Report was read.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I wish to make my position clear. This item has been killed in the House three times. The last time it appeared was when we had the big money bill thirty odd million dollars. At that time, the other branch put in an amendment which restored the money and for the third time the House killed it. However, I realize that at that time the other branch could have held up the money bill over this \$10,000 item, and if you will remember we had an order in the other day which we passed and I think it was courteous to the other branch to do that, which gave the father of this bill an opportunity to fight this alone as a \$10,000 item rather than tie up the \$30,000,000 money bill.

I do not think any more of the Merit Award Board today than I did the three previous occasions when I stood up. I realize that one of the minor little scraps tied up in this is now tied up in the other branch and that any move I might make at this time may reflect on a simple little resolve I have. I have never laid down in a fight yet but I never figured I had to hit somebody over the head with a barrel and try to beat the head in and that is why I presented the order the other day.

One of the things that is very surprising to me, however, is that the majority of the Appropriations Committee can say to us now: "We have \$20,000," when we have heard for the past several days that they have reached the bottom of the barrel.

Ladies and gentlemen, I move that we accept the minority report.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the minority report "Ought not to pass" be accepted and sent up for concurrence.

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

Mr. BURGESS: Mr. Speaker, I want to first compliment the gentleman from Brooks, Mr. Dickey, on always being absolutely fair and above-board in his attacks or arguments for or against whatever subject may be before the House. I have known him for two or three sessions and he has always been outstanding in his fairness and I know that he will be fair this morning, as fair as ever before.

May I point out to the House, briefly, that as the matter stands now the House voted to repeal the Personnel law and voted against funds. The other branch has voted exactly opposite so as we stand now we have the same law on the books, which provides for the Merit Award Board but we do not have any money for them to operate with. The order which Mr. Dickey presented was a very fine gesture to give the House another opportunity to vote if they wish to provide the money so that the Merit Award Board could operate so long as the law was on the statutes, which sets them up and gives them certain things to do.

It would seem to me, out of fairness and justice to the Merit Award Board if the law for the authorization of the board is to remain on our statutes that we should provide these funds in order for them to operate. There is a difference of opinion as the merits, the good that comes to this State. But the information which I have received leads me to believe it is beyond a question of doubt; it has done good, it will continue to do good and the best argument that I could give you in favor of it is to say that the department heads don't like it, and to me that is recommendation enough. I do know that some of the suggestions certain department heads have refused to put into effect and I am sure that they will hear from the Executive Office and the suggestions will run into over

\$200,000 a year saving to a certain department.

Be that as it may, may I say for the benefit of the House and particularly for the benefit of the gentleman from Brooks, Mr. Dickey, that as of last night there was still \$138,000 of cushion money left to apply to your L.D.'s for each of the next two years. That does not include the elderly teachers \$72,000, which has not yet been enacted so that those of you who wish to be brought up to date, that is the up-to-date figure as it stood last night.

Mr. Speaker and Members of the House, I hope the motion of the gentleman from Brooks, Mr. Dickey, will not prevail and that the House will see this in its true light and will provide the money with which this Merit Award Board can operate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to inform the gentleman from Limestone, Mr. Burgess, that his remarks so far as of last night are concerned, so far as the money is concerned, is a true statement but I would like to inform him that in his absence, which was justified, the meeting this morning of the Appropriations Committee, there is no more bottom to the barrel.

I hope the minority "Ought not to pass" report is accepted and believe me, I repeat, there is no bottom left to the barrel.

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

Mr. McGLAUFFIN: Mr. Speaker, I shall go along with the motion of the gentleman from Brooks, Mr. Dickey. The Merit Award Board isn't necessary. I opposed the bill when it was introduced. I don't think that it ever accomplished anything worthwhile but, note this: They turned down an absolutely necessary appropriation for Garland but they are willing to appropriate a bigger amount for something that is entirely unnecessary. This House has killed this measure as Mr. Dickey says two or three times. I see the Clerk shakes his head; perhaps I am mistaken. Be that

as it may, I stand by Mr. Dickey's motion.

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

Mr. CIANCHETTE: Mr. Speaker, I think that in some ways we take a very narrow view of this Merit Award Board. One of the reasons, I think, that there is opposition to this Merit Award Board is the fact that the money that it saves is actually the money that it earns for the State of Maine which isn't apparent in the Merit Award Board because, of course, that money does not come back to the Merit Award Board, so it appears on the surface that this Merit Award Board is simply an expense.

It is said that it is foolish and unnecessary. I cannot feel that any measure which saves upwards of \$200,000 for the State is foolish and unnecessary.

I heard it said, when this matter was debated the other day, that people had claimed it had saved money, but nobody gave any evidences of it, nobody gave any examples of where it had saved money. I was anxious to hear some of these suggestions that had been made, that saved money, therefore I took the time to find some of them, and I am going to list some of them now.

Here is one suggestion: That responsible parents and relatives who are financially able should contribute to the board of children attending the Maine School for the Deaf, it being understood that there was no charge for education at that school.

The first year after its adoption this suggestion brought in \$6,000, and the revenue has now increased to \$11,331 annually. It is expected that it will be at least \$13,000 for each of the next two years.

Now there is something that will continue, that suggestion saving \$13,000 now each year will continue; it isn't something that will save simply \$13,000, but it will save \$13,000 this year and next year and the year after, and indefinitely. There, in that suggestion alone, is more than enough to pay for the appropriation for this Merit Award Board.

Here is another suggestion for reclaiming surplus materials, supplies, office furniture and equipment from the various State departments and institutions and distributing them to other departments and institutions which have need for them. When the Surplus Property Committee was first established it redistributed approximately \$14,000 worth in the first three months of its activity, thus saving the State that amount.

Another suggestion was the adoption of the policy of having insurance companies pay a fee for making out reports requested by the insurance companies concerning in-patients and ex-patients of State institutions. The income from this service has resulted in more than \$500 annually.

Another suggestion was that the Department of Institutions be given a legal right to obtain information from banks relative to the deposits of clients of the institutions resulted in annual savings of approximately \$1,000.

Suggestions recommended that surplus property needing reconditioning or minor repairs be shipped to the State's Prison where facilities are available for this type of work. This has resulted in a considerable saving to the State. The chairman of the prison committee handling the work has estimated an annual saving of \$2100.

There is another suggestion to the Fish and Game saving \$900.

Another suggestion was offered in changing the method of filing information concerning veterans saving several hundred dollars of material costs of cards and considerable time in the filing of the information so that the Employment Security Commission estimated an annual saving of \$1,000.

Another suggestion to the Motor Vehicle Division relative to notifying registrants concerning lack of evidence of insurance coverage resulted in an annual saving of \$550.

There are more here that I won't bother to mention, but I think if anybody is interested in this thing and if they want to see that the savings have been made, they certainly can find them and I certainly don't see how anybody can have any objection to an organization in

this State which is more than paying its way. It is saving money for the State. This isn't a matter of expense. This is a matter of investment. I certainly hope that the motion will not prevail.

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

Mr. McGLAUFFLIN: Mr. Speaker, I merely want to state that every one of the suggestions which have been mentioned ought to have been made without any compensation for anyone.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: This Merit Award Board seems to keep coming up like a bride's first home-cooked meal. (Laughter) However, I have somewhat changed my opinion about it. I still believe that their overhead is too high. I believe that they could make some effort to cut that down and I received information this morning that they would consider that.

Under those circumstances, I have changed my opinion about the Merit Award Board. I have seen merit award boards work in industry and they are very useful. Human nature being such as it is, it is unfortunate but it seems necessary to give someone an added monetary incentive for them to feel that they can come forward with suggestions. I therefore am in favor of the Merit Award Board at this time.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: The distinction between economy and false economy is not too hard to make. It has been said that we should come forward if we are State employees with good suggestions. Generally, in business, incentive has been found necessary and in government it has been found especially so because your boss may not like you if you suggest how he could do it better. I hope the Merit Award Board gets its money.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I think you can understand now why the order was put in rather than tie up the \$30,000,000 money bill because we would be in session for two more weeks in order to straighten that out because this would be tied into it.

I am very happy to hear the great deeds of the Merit Award Board repeated again. I say to you that was under the administration of Mr. Maurice Williams when the appropriation was \$5,000. I say to you, as I said before, we have had our appropriations, we have heard about the budget requirements and I haven't been able to find in any instance whereby the budget requirements were reduced or showed the reflection of any gain by the Merit Award Board. I also say to you again as I said just a few moments ago, isn't it strange that we can find \$20,000 at this time when the barrel was dry yesterday?

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

Mr. BURGESS: Mr. Speaker and Members of the House: I want to apologize to each and every one of you for popping up here. I assure you that I do not particularly enjoy it. I do feel it is part of my duty as a member of this House to voice my opinion for or against the things which I am firmly convinced in.

I am going to ask this House this morning if they will vote for or against this measure and forget the statement that has been made that there is no money with the promise from me that by the time the bill gets its third reading, if we accept the "Ought to pass" report, that there will be some way to take care of it and if there is not, I promise you that I personally will move indefinite postponement of the bill at that time. I do not like to have it held over your head in making a decision of this kind under the conditions that the money cannot be found. I do not promise you that it can be found. I am only stating that I hope you will vote on it on its merits only, whether you wish the board to continue functioning or not, and by the time it has its third reading, which I assume will be the next legislative

day, I assure you that there will be an answer of some kind and I repeat I will be only too glad at that time to move its indefinite postponement if the money cannot be found.

The SPEAKER: The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the minority report of the committee, "Ought not to pass" on Bill "An Act to Appropriate Moneys for the Merit Award Board," House Paper 1303, Legislative Document 1552, be accepted and sent up for concurrence.

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.

Sixty-three having voted in the affirmative and forty-nine having voted in the negative, the motion prevailed and the minority "Ought not to pass" report was accepted and sent up for concurrence.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I move for reconsideration and I hope you will vote against me.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves reconsideration of this matter.

As many as are in favor of the motion of the gentleman from Brooks, Mr. Dickey, that the House reconsider its action just taken will please say aye; those opposed, no.

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

Passed to Be Engrossed

Bill "An Act to Amend and Clarify the Exemption of Fuel from the Sales and Use Tax" (H. P. 1271) (L. D. 1467)

Resolve Providing Funds for Nursing Attendant Education (H. P. 480) (L. D. 499)

Resolve relating to Navigation on Part of Sebago Lake, Cumberland County (H. P. 1281) (L. D. 1517)

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

Amended Bills

Bill "An Act relating to Certain Policies of Insurance by Companies Organized Under General Law" (S. P. 433) (L. D. 1219)

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

Indefinitely Postponed

Bill "An Act relating to Inflammable Oils and Liquids" (H. P. 673) (L. D. 716)

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

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

Mr. HAND: Mr. Speaker, I move that this item be indefinitely postponed, the reason for it being that yesterday we indefinitely postponed "An Act relating to Explosives." On the assumption that the Explosive bill would pass, the old law relative to explosives was repealed under the inflammable oils, liquid bills, so now, if we indefinitely postpone this one, the law will remain exactly as it has been in both instances.

The SPEAKER: The gentleman from New Limerick, Mr. Hand, moves that Legislative Document 716 be indefinitely postponed. Is this the pleasure of the House?

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

Resolve in favor of E. Stanley Kitchin of Rumford (H. P. 184) (L. D. 179)

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

Bill "An Act relating to Issuance of Harness Horse Racing Licenses" (H. P. 931) (L. D. 996)

Resolve Granting a Retirement Pension to Hugh A. Smith of Charleston (H. P. 342) (L. D. 359)

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

Amendment "B" and sent to the Senate.

**Passed to Be Enacted
Emergency Measure**

An Act relating to Compensation of State Police and Wardens of Inland Fisheries and Game and Sea and Shore Fisheries Department (S. P. 603) (L. D. 1546)

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. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Newport School District (H. P. 1209) (L. D. 1380)

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. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Finally Passed
Emergency Measure**

Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 400) (L. D. 453)

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. 127 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: At this time the Chair calls to the attention of the House the note on the calendar to the effect that it would assist in the orderly handling of the following enactors if members who had amendments to offer or had motions to make would advise the Speaker or Clerk.

The Chair recognizes the gentleman from Woolwich, Mr. Bailey. Mr. BAILEY: Mr. Speaker, I would ask that the 24th item be temporarily passed over.

The SPEAKER: The twenty-fourth item will be temporarily passed over.

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

Mr. TOTMAN: Mr. Speaker, on Item 26 I do not wish to make a motion. I just simply want to go on record that I am still firmly against the bill.

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

Mr. STEWART: I would ask that Item 25 be passed over.

The SPEAKER: Item 25 will be passed over.

The Chair has been notified that Items, 24 and 25, be temporarily passed over.

Passed to Be Enacted

An Act Amending the Election Laws (S. P. 309) (L. D. 926)

An Act Amending the Water Improvement Commission and Creating Standards of Classification (S. P. 538) (L. D. 1451)

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

An Act relating to Bookmobile Service (H. P. 2) (L. D. 2)

An Act relating to Compensation for Death Under Workmen's Compensation Act (H. P. 427) (L. D. 474)

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

An Act Designating Fluoride Poisoning as an Occupational Disease (H. P. 749) (L. D. 788)

An Act relating to Compensation for Loss of Hearing under Workmen's Compensation Act (H. P. 829) (L. D. 860)

An Act relating to Stock in Trade of Liquor Licensees (H. P. 940) (L. D. 1000)

An Act Repealing Law on Canning of Clams and Mussels (H. P. 1112) (L. D. 1247)

Finally Passed

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

Resolve in favor of State School for Girls (S. P. 561) (L. D. 1493)

Resolve in favor of a Retirement Allowance for Doris D. Ladd of Hallowell (H. P. 598) (L. D. 638)

Resolve to Reimburse Calais Regional Hospital for Aid to Edmund Lee (H. P. 1079) (L. D. 1217)

Passed to Be Enacted

An Act relating to Education in Unorganized Territory (S. P. 448) (L. D. 1262)

An Act Permitting Reassignment of Justice in Equity Matters (S. P. 484) (L. D. 1342)

An Act relating to Funeral Expenses of Deceased Recipients of Old Age Assistance and Aid to the Blind (H. P. 198) (L. D. 208)

An Act relating to Minimum Salaries for Teachers (H. P. 324) (L. D. 392)

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

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

An Act relating to Duties of Parole Board (H. P. 824) (L. D. 855)

An Act relating to Weight of Commercial Vehicles (H. P. 1065) (L. D. 1164)

An Act relating to Appropriation for Unorganized Territory Capital Working Fund (H. P. 1073) (L. D. 1213)

An Act to Repeal the Tax on Cigars and Tobacco Products (H. P. 1144) (L. D. 1292)

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

An Act to Establish a State Committee on Aging (H. P. 1197) (L. D. 1349)

An Act relating to Salaries of Public Utilities Commission (H. P. 1211) (L. D. 1382)

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

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

Finally Passed

Resolve Authorizing Forest Commissioner to Convey Certain Land in Hancock County (S. P. 480) (L. D. 1334)

Resolve in favor of School for the Deaf (S. P. 571) (L. D. 1503)

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

Resolve for Repairs of Church and Convent at Peter Dana Point and Old Schoolhouse Used for Religious Purposes at Princeton (H. P. 483) (L. D. 502)

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

Enactor

Indefinitely Postponed

The SPEAKER: The House is continuing under Item 24 of Enactors.

An Act relating to the Issuance of Operators' Licenses from Date of Birth (H. P. 878) (L. D. 870)

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

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I do not know that I can say that this is a very serious bill but still it is a bill that sometime might cause us more or less difficulty.

Now under the present setup, we look forward to being obliged to get our licenses on January 1st, and everyone in the State knows that requirement, and therefore we look forward sometime during the month of December, to sending or bringing in an application for that license. I know in many instances there are families that have three or four licenses or they have employees with a certain number of licenses, that when one comes to the State Department, they bring a whole bunch of them in. If it were on the date of the birth, that would drag along all the year and with each one, the first thing they knew they would have a birthday and they wouldn't have any license.

When this passed along I didn't think very much of it, but I happened to be in the department this morning for the purpose of getting licenses for some of my neighbors, and attention was called to this

bill, and they mentioned the fact that it would cause quite a lot more work in the office, and they couldn't see where there would be any financial saving because it would have to be set up, they would have to check up and find the birth of each person in the State so as to have a record of it, and it seems to me as though this bill is something that is unnecessary.

The SPEAKER: Did the Chair understand the gentleman to make a motion?

Mr. BAILEY: No, Mr. Speaker, I did not.

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

Mr. TRAVIS: Mr. Speaker, if no motion is made, there is not much point in my speaking, Mr. Speaker and Members of the House, but I do want to say, as House Chairman of Transportation, that the only reason that the Transportation Committee voted against this bill was that they were afraid of the temporary loss of revenue to the Highway Department, but I understand that the Highway Department is willing to go along.

I think it is an excellent bill. Last year I wrote, on December 7th, for my driver's license, and my wife's driver's license, December 31st I called Augusta at my own expense and was assured that my license was probably in the mail. As there were no mail deliveries on January 1st, on January 1st I drove without a license, with my check-book in my pocket. The license arrived on January 2nd.

On other occasions I have waited in long lines for hours on the last day of December, and I think that this bill is certainly worth a try. If it doesn't work out we can go back to our present system and we are no worse off. I think that the gentleman from Greenville, Mr. Anderson, has put in an excellent bill and I hope that the House will go along and give it a try.

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

Mr. CURTIS: Mr. Speaker and Members of the House: As a member of the Transportation Committee I somehow didn't think as

the gentleman from Westbrook (Mr. Travis) seems to think. It seems to me that this is a bill which was just put in to take the place of the one they really did want. Now the one they really did want is the one that was mentioned by the gentleman from Bridgewater (Mr. Finemore) yesterday, when it was brought up. In order to do this you would have to have this bill or something like it in the bill that they wanted. The bill they wanted required a machine that would cost \$50,000 and to send out notices would cost another \$75,000, and to keep this machine in repair would need a lot of money. And the greatest amount, as I understood it, that the Department said that could be saved, would be \$3,400, and when you lay out \$50,000 and \$75,000 in postage, to save \$3,400, it didn't look to me like a very good idea. So that thing was killed there, and this bill seemed to come from that, and I feel very strongly that if we adopt this measure that the next Legislature will have this other bill back in front of them again. And I feel that perhaps the gentleman from Westbrook (Mr. Travis) does not know that, he can — because I didn't know until it was brought up in the committee, and I don't think he was there at that particular moment — but usually in all the localities of the State they have the records and the cards so that you can apply for your license as early as October, but if you want to wait until the first day of January before you send in your application, why that is just too bad for everybody. But in going over it with the department I cannot see that there would be a cent saved and this bill would be just another nuisance, and I move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves the indefinite postponement of Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth," House Paper 878, Legislative Document 870.

The Chair recognizes the gentleman from Lisbon, Mr. Beal.

Mr. BEAL: Mr. Speaker and Members of the House: I oppose this bill for purely personal reasons.

It laid entirely too much emphasis on a day that we old fellows are trying to ignore. (Applause)

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

Mr. FERGUSON: Mr. Speaker and Members of the House: I think that this bill definitely is a step in the right direction. The trouble is that in the State of Maine at the beginning of issuing licenses we got off on the wrong track. I have held a license in Massachusetts for a good many years. They are not using a person's birthday for a basis to issue a license, but they do use a year from the date the license was originally issued. One trouble is that they didn't go far enough with it I don't think; we should have had the other bill that we had here, with the notification.

The original cost is going to be a little higher. We have got to have a different filing system, I understand. After that is established, the cost is going to be three cents postage, which, with the number of licenses that are issued in the State of Maine now, it will cost \$10,000. The savings spread over the twelve-month period are going to make it so that the cost will be lower after the first or second year.

So I hope the motion of the gentleman from Bowdoinham, Mr. Curtis, does not prevail, for indefinite postponement of this matter.

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

Mr. CURRIER: Mr. Speaker and Ladies and Gentlemen of the House: This remark does not pertain very much to the bachelors that we have here, but to you married men, just think how much this would mean to you, this bill if it goes by. Your wife could go to your registration office, pick up your license, and give it to you for a birthday present. (Laughter)

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

Mr. ANDERSON: Mr. Speaker and Members of the House: There is only one thing that I want to clear up. There seems to be an impression that this is not my own

bill. There is only one thing that isn't on it that isn't my own bill, and that is the same provision that is on the operator's license in New York State, and when I first went to the Revisor and also to the Secretary of State about the possibility of introducing it, I had firmly, in my mind, the provision of the New York operator's license in that you apply before the expiration date or you pay an additional dollar, and no one seems to want to go along with that, but that certainly is what I had in mind, and I can assure you that there is no great confusion in a State as large as New York, and I don't see how there is going to be any great confusion in the State of Maine.

The other one was one that I personally did not approve. I don't think that the people of the State of Maine are so dumb that they have to be notified, and that is the reason that I myself did not approve it. However, I did introduce it, so that the committee could decide which, if either, of the bills they wanted to accept.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: The gentleman from Westbrook, Mr. Travis, has said that the committee all went along with the first part of this bill. That was a misstatement, I would say, because I never favored this bill. It seems rather odd, if they all went along with it, that it came out of the committee "Ought not to pass." Day before yesterday I said I was not in favor of this bill, and I am not, for the simple reason that I think the people don't want it because it is going to cause a lot of trouble; a lot more trouble than it is now to get your operator's license.

As I have told you, this bill carries no price tag with it, only I would like to say that the gentleman from Greenville, Mr. Anderson, stated here the other day that New Hampshire had this and they liked it. That is not a true statement. New Hampshire has this, as it is now, and they do not like it, but they are going to put in the system of notification, which we of the committee didn't want, and that is what will happen in this bill

here. If we pass this bill as it is, we are going to come back here in the near future and pass a notification bill because, as he has said, or either put on this extra cost of one dollar if we do not apply on or before the time our license expires, which some people are bound to do, because they are going to forget their birthday, therefore it is going to cost them an extra dollar. That isn't on this bill at the present time, but it will be if we allow it to pass now.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bowdoinham, Mr. Curtis, that 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, no.

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

Seventy-three having voted in the affirmative and forty having voted in the negative, the motion prevailed, and the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER: At this time the Chair notes the presence, in the balcony of the Hall of the House, of a group of forty pupils from the Emerson School in Richmond, with Mr. Clifton Burton in charge.

In behalf of the House, the Chair extends to you a cordial and hearty welcome. (Applause)

Passed to Be Enacted

The SPEAKER: The House is continuing under Item 25 under Enactors.

The CLERK: Item 25, H. P. 976, L. D. 1064, An Act relating to Pari Mutuel Pool Contributions and Night Running Racing.

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

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

Mr. STEWART: Mr. Speaker, this is not going to be a filibuster. I move the indefinite postponement of Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing", L. D. 1064.

Now I do this at the earnest solicitation, that is I make this speech at the earnest solicitation of the sponsor of the bill, the gentleman from Portland, Mr. Gilman. He has been soliciting that speech all this session, and on this basis he stated that if I made a speech opposing the bill that would be good for twenty-five votes at least, and I think at this stage I can safely take that gamble. (Laughter)

I also make this speech in support of the majority vote of the Committee on Legal Affairs of which I am a member. It is my view that if this bill receives final passage it will drive harness racing as an institution out of the State of Maine. I think that the stronger activity, given greater strength by such a measure as this, will drive out the weaker and that you will find in the future that that will decline and die on the vine.

Further, it seems that if this institution grows in strength, as it seems to be tending to do at the present time, that it will place the runners in political control of the State as they have been in some other states of the Union. In New Hampshire and Rhode Island it is my understanding that if you want any particular measure, and the same way in regard to California, you have to go see the members of some of these big racing operations and they will help you lobby your bill through. I do not think we would want to have that kind of political control and strangle-hold in the State of Maine.

It is my belief, further, that if this bill for night racing prevails that it will create undue financial hardship upon the City of Portland which I represent. I presented information here earlier in the session which indicated that grocery stores in our neighborhood were especially hard hit once night running racing came into effect.

Now some people have said to me, "Well, why isn't that true of night harness racing too when they operate out at Gorham?" Well, actually and in truth this night running racing does outdraw night harness racing and it does have a tremendous pull upon the people of Portland so that those least able

to afford it, people who should not be out at the track betting their hard-earned dollars do tend to go out there under the tremendous attractiveness of night running racing and spend the money which their family should have.

It is my belief that this bill should be indefinitely postponed, and that we should tend to realize that we have two types of institutions in the State in regard to racing, that if you discriminate, as I think you will, by passing this bill in favor of running racing you will be discriminating against harness racing, an institution which has been in our State since the time it was admitted to the union.

And now, since I would like to know just how I actually do stand in regard to that twenty-five votes, Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves indefinite postponement of L. D. 1064, and the same gentleman requests a division.

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

Mr. McCLUSKEY: Mr. Speaker and Members of the House: By your voting last week on this bill it is apparent to me and to most of the agricultural fairs of Maine that the runners, so-called, are here to stay; therefore I would like to go on record as being in favor of this bill, and it is the hope of the agricultural fairs that it will pass, so that they, the fairs, will be in a better position to operate and carry on.

Apparently the agricultural fairs do not agree with Mr. Stewart when he says that this running racing will drive harness racing out of the State.

During the last few years, fair expenses, prizes, premiums, labor, attractions and so forth, have increased considerably, while at the same time the fairs have endeavored to keep their prices down in order to encourage people, and especially youth, to come to them and participate and enjoy the various agricultural and educational programs.

It has been necessary, during the past few years, to allot more and more space in exhibition halls and on the grounds to various farm and

civic groups, particularly young people's organizations. This space formerly brought a considerable revenue by way of rentals, and of course no charge is made for this now.

I am a trustee of the Knox Agricultural Society, which is known as the Union Fair, and at this fair last year non-paying organizations included 4-H Clubs, Farm Extension Bureaus, Future Farmers, many individual young exhibitors of farm produce, flowers, handiwork, and so forth took about three-quarters of our exhibition hall. This year we are turning over to the 4-H group an entire building formerly occupied by a restaurant. This, of course, means that we will lose this revenue money.

Now besides the farm and home groups, more and more organizations deeply interested in the public well-being, are being allotted space for educational and beneficial programs of one sort or another, such as the tuberculosis X-ray program, the Heart Association program, the Forestry "Keep Maine Green," Civil Defense, Boy Scouts, Girl Scouts, and many others.

The fair authorities are heartily in favor of all these things. They believe that is what fairs are for. Originally fairs were for the promotion of agriculture, and now they are for the promotion of agriculture and all programs that are for the enlightenment and benefit of the people in the surrounding communities.

Now as you probably know, a percentage of the proceeds or harness racing is now allotted to each agricultural fair each year. This past year Union Fair received \$2401, which, by the way, in our case, meant the difference between operating in the red and the black. I believe that this is true of most of the other fairs.

This bill stipulates that a percentage of the running horse race proceeds be distributed to the fairs for the advancement of agricultural programs. This, we believe, is right. If the harness racing contributes, why not the runners?

The State's revenue would be increased by this. It is my understanding that one running track last year, or since its operation,

has paid in the neighborhood of a million dollars into the State Treasury. Now this money is used for general purposes, such as education, aid to the needy, and so forth; and I have not heard of any opponents of this bill objecting to using this money for those purposes. This money collected by the State is collected whether the track owners lose or make money. It is a percentage of the betting collected on each and every race. The State cannot lose. Now whether the racing is held in the morning, afternoon, or evening, I can see no difference.

It is my considered opinion that if this bill is passed it would harm no one, but rather it would bring needed revenue into the State Treasury and to the agricultural fairs. This money would be used for the betterment of the people.

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

Mr. ALBERT: Mr. Speaker and Members of the House: Last week this issue was brought on the floor of this House and after lengthy debate it was settled by a better than two to one vote. Last Saturday the other body voted by two to one to pass this measure. I do not believe that there is going to be a single vote changed this morning, no matter how long the debate is, but there is one point I would like to bring out.

Last summer, during all the investigations by these committees we read a lot in the newspapers and heard over the radio every day that a battle of the giants was going on amongst two big political candidates. Now this question here to me boils down to that very same thing: It is a battle of the giants amongst two big operators who bring their problems to this Legislature and one tries to legislate against the other, tries to put them out of business with legislation. My feeling on this thing is, let both big operators operate and let competition take care of itself and let it go that way. Put them on an even keel, and then there won't be any question as to where they stand.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I agree fairly well with the gentleman from Augusta, Mr. Albert, except that right in the middle of these two big operators we have an awful lot of little harness men. That is the only thing I want to say in regard to that.

Another thing I want to say, everybody is well aware that I opposed this night racing bill strenuously. As a matter of principle I was against it. The members of the House in their wisdom showed me that I was wrong, so I shall go along with the majority, and therefore I hope that the motion of the gentleman from Portland, Mr. Stewart, does not prevail.

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

Mr. DICKEY: Mr. Speaker and Members of the House: If I heard correctly the statement by the gentleman from Portland, Mr. Stewart, he challenged the intelligence and the integrity of the legislators of the states of Rhode Island, California and New Hampshire. I think it is rather a broad statement that he made, if I heard him correctly, and I would challenge him to show me wherein any legislation in either one of those three states can't go through without the approval of some racing crowd.

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

Mrs. DOWNING: Mr. Speaker and Members of the House: This bill has been most thoroughly discussed. It seems to me that all members are fully conversant with it. I feel that I am justified in moving the previous question, and I do so. When the vote is taken I also ask that it be by division.

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 rise and remain standing 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? As many as are in favor of the main question being put now will please say aye; those opposed, no.

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

The SPEAKER: The question before the House at this moment is on the motion of the gentleman from Portland, Mr. Stewart, that H. P. 976, L. D. 1064, Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing" be indefinitely postponed. The same gentleman requested a division.

As many as are in favor of the indefinite postponement of L. D. 1064 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: Eleven having voted in the affirmative and one hundred and six having voted in the negative, the motion to indefinitely postpone does not prevail.

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

Mr. FULLER of South Portland: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman from South Portland, Mr. Fuller, desire recognition?

Mr. FULLER: Mr. Speaker, I ask unanimous consent that unless previous notice be given to the Clerk of the House of intention to move reconsideration, that the Clerk be authorized to send to the engrossing department forthwith after action by the House all matters passed to be engrossed at this morning's session and to send to the Senate all matters acted upon at this morning's session that re-

quire Senate concurrence, one and one-half hours after the House recesses, and after such matters have been sent forward by the Clerk no motion to reconsider shall be entertained.

The SPEAKER: Does the Chair hear objection to the unanimous consent request on the part of the gentleman from South Portland, Mr. Fuller?

The Chair hears none and it is so ordered.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair notes that there are matters that were held by request yesterday within the one and one-half hour limitation on yesterday's special consent request for possible reconsideration. At this time the Chair will suggest that those matters be brought to the attention of the House.

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

Mr. GOWELL: Mr. Speaker and Members of the House: I would like to move at this time that the House reconsider its action taken yesterday in the acceptance of the minority report "Ought not to pass" on H. P. 1244, L. D. 1446, Resolve in Favor of the Several Academies, Institutes and Seminaries.

I will say, Mr. Speaker and Ladies and Gentlemen of the House, I do not do this to block legislation or take very much time.

This measure has been referred to, much to my objection, as the Educational Pork Barrel, but I submit that if it is a pork barrel bill it has a great deal of merit and had very good support.

If the House sees fit to recede from its action, I would then like to move that it insist on its previous action and ask for a committee of conference. I do this because I really believe that in the other branch if a committee of conference is appointed there will be some things clarified that are not understood at the present time.

The SPEAKER: The gentleman from Berwick, Mr. Gowell, moves that the House reconsider its action of yesterday whereby it receded and concurred with the Senate in the indefinite postponement of the reports and resolve. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Berwick, Mr. Gowell, that the House reconsider its action of yesterday whereby it receded and concurred with the Senate 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: Sixty-one having voted in the affirmative and one having voted in the negative, the motion to reconsider prevails.

The gentleman from Berwick, Mr. Gowell, now moves that the House insist upon its former action and request a committee of conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on H. P. 1244, L. D. 1446, Resolve in Favor of the Several Academies, Institutes and Seminaries, the Chair appoints the following conferees on the part of the House: The gentleman from Berwick, Mr. Gowell, the gentleman from Harrison, Mr. Davis, and the gentleman from Guilford, Mr. Campbell.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: As an act of courtesy to my friend, the gentleman from Portland, Mr. Stewart, I move that the House reconsider our action of yesterday whereby we receded and concurred with the Senate on H. P. 401, L. D. 454, Resolve to Reimburse George H. Morong of Portland.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, moves that the House reconsider its action as of yesterday whereby it receded and concurred with the Senate in the indefinite postponement of the resolve.

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

Mr. STEWART: Mr. Speaker, I speak with a little less trepidation on this matter than I did on the matter to which I addressed myself just a few minutes ago. This House has previously upheld me and supported this claim a couple

of times, and it is my hope that you will do so again.

I talked with members of the other branch who are interested in this measure, and there has been further thinking in that other branch so that it seems to me that a committee of conference would result in some good and some chance of getting a favorable result on the claim of Mr. Morong. If the motion for reconsideration is granted, I will move to insist and ask for a committee of conference.

The SPEAKER: On the motion of the gentleman from Westbrook, Mr. Travis, is it the pleasure of the House to reconsider its action as of yesterday whereby it receded and concurred with the Senate on this resolve?

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.

The SPEAKER: Twenty-seven having voted in the affirmative and fifty-two in the negative, the motion for reconsideration does not prevail.

The SPEAKER: Under Orders of the Day the Chair lays before the House the first item of Unfinished Business, Bill "An Act Exempting Gas for Domestic Purposes from Sales Tax" (H. P. 995) (L. D. 1082) tabled on April 29 by the gentleman from Rockland, Mr. Low, pending adoption of House Amendment "A".

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

Mr. LOW: Mr. Speaker, I yield to the gentleman from Westbrook, Mr. Travis.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I realize that we have scraped the bottom of the barrel, and so it is with extreme reluctance that I move that H. P. 995, L. D. 1082 be indefinitely postponed.

I am very appreciative of the vote of confidence in me and in the principle of this bill when the House gave this bill its first and second readings last week. I believe you voted 97 to 7 for the bill.

I regret that this bill was not passed earlier in the session when

the money was available because it seems to me unfortunate that we have got to wait two years now to straighten out this inequity because it is obviously very discriminatory to tax the users of gas when gas is made from the product of a competitor. However, I have a very important engagement with my wife at five o'clock this Saturday, the Legislature must adjourn by that time, and so I move for the indefinite postponement of my bill.

The SPEAKER: The Chair understands that the gentleman from Westbrook, Mr. Travis, moves that House Amendment "A" which is the matter before the House at this moment, be indefinitely postponed. Is this the pleasure of the House?

As many as are in favor of the 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 question before the House is on the motion of the gentleman from Westbrook, Mr. Travis, that Bill "An Act Exempting Gas for Domestic Purposes from Sales Tax" (H. P. 995) (L. D. 1082) be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second item of Unfinished Business, Bill "An Act relating to Binding of Logs, Lumber and Timber Carried by Motor Vehicles" (H. P. 1288) (L. D. 1531) tabled on April 29 by the gentleman from St. George, Mr. Robinson, pending passage to be engrossed.

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

Mr. Robinson offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1288, L. D. 1531, Bill "An Act Relating to Binding of Logs, Lumber and Timber Carried by Motor Vehicles."

Amend said Bill by adding after the underlined word "of" in the headnote of that part designated "Sec. 85-A" the underlined word 'long'.

Further amend said Bill by adding after the underlined words "load of" in the 2nd line of that part designated "Sec. 85-A" the underlined word 'long'.

Further amend said Bill by adding after the underlined word and punctuation "feet." in the 6th line of that part designated "Sec. 85-A" the underlined words and punctuation 'and more than 30 inches.'

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I want to support this amendment. Inasmuch as I previously defended the bill, I do feel that this amendment is a reasonable one and while I certainly cannot speak for any other members of the Transportation Committee, it does appear to be a very modest change and therefore I am pleased to go along with the amendment.

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

Mr. ARCHER: Mr. Speaker and Members of the House: I am awfully happy to see Mr. Totman go along with this amendment. The other day, as you remember, I didn't get a chance at rebuttal because someone moved the previous question. Personally, I would like to have Mr. Totman know that there were no lobbyists or anyone else who worked up Mr. Archer on this bill. I read the bill and I could see that it was bad, from the beginning.

I am very happy to note that the Transportation Committee has gone along with me, and even though I would like to see the whole bill indefinitely postponed, I will go along with this compromise.

The SPEAKER: The question before the House is on the motion of the gentleman from St. George, Mr. Robinson, whom the Chair now recognizes.

Mr. ROBINSON: Mr. Speaker and Members of the House: The purpose of this last thirty inches, is that it will give the fellows who

want to haul a small load the privilege of going along without any binders.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "B"?

Thereupon, House Amendment "B" was adopted on motion of Mr. Robinson of St. George, and the Bill as amended by House Amendment "B" was passed to be engrossed and was sent to the Senate.

The SPEAKER: The Chair lays before the House the third item of Unfinished Business, Senate Divided Report, Majority Report "Ought not to pass" on Bill "An Act Repealing the Legislative Research Committee", Senate Paper 406, Legislative Document 1113, and Minority Report "Ought to pass", tabled on April 30 by Mr. Trafton of Auburn, pending acceptance of either report.

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

Mr. MCGLAUFLIN: Mr. Speaker, I signed the minority report in this case, but there have been a number of matters referred to this committee so I now move that we accept the majority report.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the majority report "Ought not to pass" be accepted. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fourth item of Unfinished Business, House Report "Ought not to pass" of the Committee on Judiciary on Resolve in favor of Earle B. Porter of Rockland, House Paper 657, Legislative Document 700, tabled on April 29 by the gentleman from Rockland, Mr. Low, pending acceptance of report.

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

Mr. MCCLUSKEY: Mr. Speaker, I don't know whether I am out of order or not, but Mr. Low tabled this as a courtesy to me, while I was absent last week. I would now like to take it from the table and move that the "Ought not to pass" report be accepted.

The SPEAKER: The gentleman from Warren, Mr. McCluskey, moves that the "Ought not to pass" report be accepted. Is this the pleasure of the House?

The motion prevailed and 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 Judiciary on Bill "An Act relating to Retirement of Coastal Wardens under Maine State Retirement Law," House Paper 143, Legislative Document 141, tabled on April 29 by the gentleman from Rockland, Mr. Low, pending acceptance of the report.

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

Mr. MCCLUSKEY: Mr. Speaker, this matter was tabled the same way as the fourth item. I now move that the "Ought not to pass" report be accepted.

The SPEAKER: The gentleman from Warren, Mr. McCluskey, moves that the "Ought not to pass" report be accepted. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the sixth item of Unfinished Business, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act to Provide for a Civil Service Commission for the Town of Old Orchard Beach," House Paper 273, Legislative Document 301, tabled on April 29 by the gentlewoman from North Kennebunkport, Mrs. Downing, pending acceptance of the report; and the Chair recognizes that gentlewoman.

Mrs. DOWNING: Mr. Speaker, I move that the House accept the "Ought to pass" as amended by Committee Amendment "A" report, under Filing Number 475.

The SPEAKER: The gentlewoman from North Kennebunkport, Mrs. Downing, moves that the "Ought to pass" as amended by Committee "A" report be accepted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was given its two several readings.

Committee Amendment "A" was then read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 273, L. D. 301, Bill, "An Act to Provide for a Civil Service Commission for the Town of Old Orchard Beach."

Amend said Bill by adding at the end of section 2 thereof the following: "The commission is empowered to adopt and promulgate reasonable standards establishing preferences based upon years of continuous service in the department, and these preferences may be considered with regard to the appointments to be made as provided hereafter in section 3."

Further amend said Bill by striking out of section 3 thereof the following words "Any applicant shall have 10 points of preference for 10 years or more of continuous service in the department."

Further amend said Bill by striking out from section 7 thereof the following words "The action of the commission shall be final", and inserting in place thereof the following: "Any member aggrieved by any ruling of the commission as provided for in the foregoing shall have the right to appeal the same to a Justice of the Superior Court, by petition filed with said Justice within 10 days after notification of the ruling of the commission, and said petition may be heard in term time or vacation; such Justice shall fix the time and place of hearing upon said petition and cause notice thereof to be given to the commission; and after such hearing, the Justice may affirm, modify or reverse the decision of the commission and shall remand the case to the commission for execution in accordance with the court decree'."

Further amend said Bill by striking out the words "any special election" in the 4th line of the referendum clause thereof and inserting in place thereof the following: "a special election to be held between the dates of the 15th day of May and the 1st day of July'."

Further amend said Bill by adding a new section thereto to be numbered section 19 and to read as follows:

Sec. 19. Reservation of legislative control. No rights shall vest under this act which shall not forever remain subject to amendment, extension or revocation by the legislature.'

Committee Amendment "A" was then adopted and the Bill was assigned for third reading at 2:30 P.M. this afternoon.

The SPEAKER: The Chair lays before the House the seventh item of Unfinished Business, Senate Joint Order relative to a study of laws relating to political party caucuses and conventions with respect to the selection of delegates to state and national conventions, Senate Paper 596, tabled on April 30 by the gentleman from South Portland, Mr. Fuller, pending passage of the order; and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: Either the bill that was killed by both branches last week was good or else this order is bad. It is another one of those things that is trying to sneak in the back door after you have kicked it out of the front door, and I move the indefinite postponement of this order.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the joint order be indefinitely postponed.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I also favor the indefinite postponement of this order, which was introduced by a member in the other branch who got thoroughly defeated in his attempt to have presidential primaries in this State. No investigation of any research committee is going to change my mind on that and I don't think it is going to change yours.

Now, another objection to this order from the other branch is this: We are just making the Research Committee a dumping ground for foolish ideas that somebody thinks up that we don't want to take the trouble to investigate. That is one reason that the Research Committee has amounted to so many. We have given them

case after case that it was all nonsense to investigate at all and I want to call your attention to the fact that all these investigations of the Research Committee cost this State money. Why should we send ridiculous matters up to them to investigate, pick up their report and then throw the report in the wastebasket? This measure should be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from South Portland, Mr. Fuller, that this joint order be indefinitely postponed.

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

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

The SPEAKER: The Chair lays before the House the eighth item of Unfinished Business, Bill "An Act relating to Members of Executive Council and Manner of Selection," Senate Paper 68, Legislative Document 154, tabled on April 30 by the gentleman from Limestone, Mr. Burgess, pending further consideration.

At this stage, this particular matter has been passed to be enacted in the House as amended by Committee Amendment "A"; in the Senate, it was indefinitely postponed.

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

Mr. BURGESS: Mr. Speaker and Members of the House: This particular bill is an effort to provide and spell out the method by which executive councilors will be nominated prior to the convening of the Legislature. In the measure, which has been previously accepted in this branch and indefinitely postponed in the other, the objectionable feature of the bill and I believe it is a just objection in that the bill provided that the nomination made in the councilor district came directly before the Legislature rather than be submitted to the party caucus held previous to the convening of the Legislature.

I have prepared and it should be now on each of your desks an

amendment which spells out very clearly that after the nomination has been made in the county in which the councilor belongs for that period or in the district if the party fails to nominate, the amendment would provide that in all cases the nomination be made in the party caucus preceding the convening of the Legislature.

Now, I, for one, certainly hope that you will vote that the House reconsider its action when the proper motion is made in order to give me an opportunity to present this amendment. It is my conviction that the other branch may give it serious consideration, as I believe it eliminates the objection which they had over there.

Mr. Speaker, I now move that the House reconsider its action whereby this bill was passed to be engrossed.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House under suspension of the rules reconsider its action whereby this Bill was passed to be enacted as amended by Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, now moves that the House, under suspension of the rules, reconsider its action whereby this Bill was passed to be engrossed as amended by Committee Amendment "A". Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Limestone, Mr. Burgess, that the House, under suspension of the rules, reconsider its action whereby it passed to be engrossed Bill "An Act relating to Members of Executive Council and Manner of Selection", Senate Paper 68, Legislative Document 154, as amended by Committee Amendment "A", which requires a two-thirds vote, will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Thirty having voted in the affirmative and six having voted in the negative, the motion for reconsideration of passage to be engrossed prevailed.

The SPEAKER: The Chair feels somewhat obligated at this time to call to the attention of the members of the House, Rules of the House, page 43, Item 22: "Every member" — every member — "who shall be in the House when a question is put where he is not excluded by interest shall give his vote, unless the House for special reasons shall excuse him."

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

Mr. BURGESS: Mr. Speaker, if it is now in order I offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to S. P. 68, L. D. 154, Bill "An Act Relating to Members of Executive Council and Manner of Selection."

Amend said Bill by striking out all of the 4th paragraph from the end, and inserting in place thereof the following underlined paragraph:

'The secretary of state shall file such certificate with the secretary of the party caucus held preceding the convening of the legislature, and the nomination shall be made at said party caucus.'

Thereupon, House Amendment "A" was adopted in non-concurrence on motion of Mr. Burgess of Limestone and the Bill as amended by Committee Amendment "A" and House Amendment "A" was passed to be engrossed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the ninth item of Unfinished Business, Bill "An Act to Confer Additional Powers upon Municipalities in the State of Maine in relation to the Supply and Distribution of Water and the Collection, Treatment and Disposal of Sewage, Including Industrial Wastes", Senate Paper 579, Legislative Document 1519, tabled on April 30 by the gentleman from Pittsfield, Mr. Cianchette, pending third reading; and the Chair recognizes that gentleman.

Mr. CIANCHETTE: Mr. Speaker, I move that the bill, Legislative

Document 192, be substituted for this redraft, Legislative Document 1519, and I would like to speak on that motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that the original Bill, "An Act Authorizing Towns to Issue Revenue Bonds for Public Improvement", Senate Paper 85, Legislative Document 192, be substituted for the new draft, which is Senate Paper 579, Legislative Document 1519.

The Chair recognizes the same gentleman.

Mr. CIANCHETTE: Mr. Speaker and Members of the House: I would like to explain briefly the reason for this motion. This measure came before the Judiciary Committee. The original bill seemed to be a good bill, there seemed to be unanimous support for that type of legislation but somebody felt that it wasn't the best bill that could be drawn, therefore this redraft was submitted. The original bill was reasonably simple. The redraft is a very involved measure. It was not given a hearing, that is the new draft was not given a hearing. I felt and I do not want to speak for the other members of the committee on this point but I felt at least that the redraft was simply the original bill with some improvements and there was no great amount of discussion on this redraft. It was passed out and then it was discovered that actually this redraft was a very, very broad measure and far broader than at least I realized and I think probably any members of the Judiciary Committee realized and there is a great deal of opposition to this redraft. I certainly am opposed to the redraft.

However, I can find no opposition to the original bill. I have talked with members in both branches and members who were opposed to this redraft and I can find nobody who is not in favor of substituting the bill for the redraft.

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

Mr. ARCHER: Mr. Speaker and Members of the House: I want to go along with the gentleman from Pittsfield, Mr. Cianchette, and I want to explain why I want to go

along with him. I read over the 1519, that is the new draft, and I was very much opposed to it and I took it to my seat mate, the gentleman from South Portland, Mr. Fuller, and that is the main reason I am up today. Mr. Fuller isn't here and he was in favor of it and after I explained to him what I thought was wrong with the bill, he looked into the matter and looked up this original bill and asked me if I would go along with that and I said I most assuredly would and Mr. Fuller was very much in favor of the bill because the original bill would do what he wanted to do in the first place.

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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: I do not see any great sentiment against the motion of the gentleman from Pittsfield, Mr. Cianchette. I certainly am in favor of it.

I just want to point out to you that the original bill which Mr. Cianchette mentions, L. D. 192, is to any town or small city an extremely important bill. I want to tell you a little bit, very briefly, about the history of the bill which was introduced at the request and the urging of one of our larger city councils because the city had gotten so close to its debt limit it was finding it extremely difficult to finance improving its water supply.

Now, some of you who do not live in cities or even large towns may say: "Well, this doesn't concern me so I won't worry about it." But I got up early this morning and fought for one little town which had absolutely run into a stone wall, trying to find out where to turn to get additional financial revenue for improvements, namely, Garland. And I suggest to you that perhaps you may not realize it but your town some day may be in the very same situation where you are so close to the debt limit that you just don't know where to turn in case a water supply system or a sewer system or some other serious problem comes up and here is a bill that will allow you, as it does in many other states, to take recourse to get your troubles settled.

I therefore hope that the House will not lightly pass over this measure and will realize, as Mr. Cianchette has very clearly stated, that the original bill was introduced and written by one of our most capable legislators. Unfortunately, some of the more technical bondsmen, I mean by bondsmen, gentlemen who write bond issues, got to promoting around with the original three page bill and came out with a thirteen page bill and I certainly do not blame the Judiciary Committee for throwing that bill out. I certainly support and hope that you will support the motion of Mr. Cianchette to substitute the original brief, 3 page, L. D. 192 for L. D. 1519.

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

Mr. **TONDREAU**: Mr. Speaker and Members of the House: I wish to support the motion of the gentleman from Pittsfield, Mr. Cianchette, to substitute the original bill for the new draft.

I think that the original bill was a good bill, it accomplished everything that the sponsors wanted it to accomplish. I think it will be very beneficial to all towns. I think it will help towns to carry on projects that they otherwise would not be able to do because of the debt limit. I am thinking of such projects as parking facilities and so forth, which can be made to be self-liquidating. I think that the bill will allow a very natural growth in that regard and I think the bill was certainly a good move and I want to go along with the motion of the gentleman from Pittsfield, Mr. Cianchette.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the original Bill "An Act Authorizing Towns to Issue Revenue Bonds for Public Improvement", Senate Paper 85, Legislative Document 192, be substituted for the new draft, which is Senate Paper 579, Legislative Document 1519. Is this the pleasure of the House?

The motion prevailed and the original Bill was substituted for the New Draft in non-concurrence.

The original Bill was then given its third reading and passed to be engrossed in non-concurrence and sent up for concurrence.

The SPEAKER: For what purpose does the gentleman from South Portland, Mr. Fuller, desire recognition?

Mr. FULLER: Mr. Speaker, I ask unanimous consent to address the House very briefly.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, requests unanimous consent to address the House very briefly. Does the Chair hear objection to the unanimous consent request of the gentleman from South Portland, Mr. Fuller, to address the House briefly? The Chair hears none and the gentleman may proceed.

Mr. FULLER: Mr. Speaker, the Clerk's office needs a minimum of two and a half hours to process the papers received from the other branch as we have ordered the office to do by our unanimous consent order. Therefore, Mr. Speaker, I move that the House now recess until 1:30 P.M., Eastern Standard Time.

The SPEAKER: The Chair notes the presence in the balcony of the Hall of the House of pupils from the eighth grade of the Baldwin Consolidated School under the direction of Mrs. Ida Ward.

On behalf of the House, the Chair extends to you a cordial and hearty welcome. (Applause)

The SPEAKER: The Clerk has a notice to read.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House recess until 1:30 P. M., Eastern Standard Time, 2:30 P.M., Daylight. Is this the pleasure of the House?

The motion prevailed and the House so recessed.

After Recess—1:30 P.M., E.S.T.

The House was called to order by the Speaker.

The SPEAKER: Continuing under Orders of the Day the Chair lays before the House the tenth item of Unfinished Business, Bill "An Act relating to the Administration of the Liquor Law," House Paper 538,

Legislative Document 554, tabled on April 30 by the gentleman from Portland, Mr. Childs, pending third reading; and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker and Members of the House: I tabled this matter last week, I believe that I informed you that my purpose in tabling it was for preparing an amendment on the particular part of the bill which I definitely was opposed to. I thought it was taking away what I believed to be the constitutional rights from some of the salesmen and also I thought it was very unfair that they should be picked on in this manner.

I prepared an amendment, and subsequent to that there has been another amendment prepared, and which I believe is a little bit better than the one I had, and I will ask Mr. Albert of Augusta to explain it to you. I yield to the gentleman from Augusta, Mr. Albert.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Albert, in his own right.

Mr. ALBERT: Mr. Speaker, I present House Amendment "C", Filing Number 538 to L. D. 554, Bill "An Act Relating to the Administration of the Liquor Law," and move its adoption.

The SPEAKER: Will the gentleman from Augusta, Mr. Albert, please approach the rostrum.

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

The SPEAKER: The Chair understands that the gentleman from Augusta, Mr. Albert, withdraws his motion.

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

Mr. COLE: Mr. Speaker and Members of the House: I offer House Amendment "C" to House Paper 538, Legislative Document 554, and move its adoption.

The SPEAKER: The gentleman from Liberty, Mr. Cole, offers House Amendment "C" and moves its adoption. The Clerk will read House Amendment "C".

HOUSE AMENDMENT "C" to H. P. 538, L. D. 554, Bill "An Act Relating to the Administration of the Liquor Law."

Amend said Bill by striking out the underlined figures "\$100" in the 2nd and 3rd sentences of the 2nd

paragraph of that part designated "Sec. 61-A" of section 8, and inserting in place thereof the underlined figure '\$10'.

Further amend said Bill in section 8 by striking out all of the last paragraph of that part designated "Sec. 61-A" including subsections I to V, inclusive, and inserting in place thereof the following underlined paragraph:

'Licenses so issued by the director of licensing and enforcement shall be revoked for the violation of the liquor laws or any rule or regulation promulgated by the commission.'

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

Mr. COLE: Mr. Speaker and Members of the House: You will note that I have deleted subsections I to V, which was questioned by the gentleman from Portland, Mr. Childs, and I believe that he was right when he said that this might be unconstitutional. Therefore you will notice that this amendment strikes it out, but does leave the licensing clause which, in my opinion, is necessary if we are to control the liquor salesmen.

I have also cut the fee down from \$100 to \$10, which gives the small operators that sell very little to the Commission an opportunity to do business. Under the \$100 fee it would be almost impossible for some salesmen to comply.

I really believe that this bill will strengthen the Liquor Commission and prohibit recurrence of trouble that we have had in the past.

There is no price tag on the bill. There are two or three retirements in the Commission which will take care of any appointments that are made under this bill.

If there are any questions, I will be glad to answer them.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "C"?

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

Orders Out of Order

Out of order and under suspension of the rules, the gentleman from Rockland, Mr. Low, presented

the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act to Clarify and Amend the Sales and Use Tax Law as Respects Manufacturers" (H. P. 1231) (L. D. 1425) be recalled from the legislative files to the House for further consideration.

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

(Calls of "No" and "Yes")

As many as are in favor of the passage of this Order will please say aye; those opposed to the passage of this order will please say no.

A viva voce vote was taken and doubted.

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

Mr. CRABTREE: Mr. Speaker and Members of the House: That was a good loud voice, but I am wondering if we expressed it just a little bit too quickly. Those of you who have claims and increased pensions and one thing and another should know that it is hanging on a very thin thread indeed, if on any thread at all. It seems as though it might be time to rethink this matter a little better, whether you finally vote for or against it. It seems as though an opportunity should be presented to both bodies to see if, in the light of the financial developments of the last few days, where very important and humane measures are certainly suffering, we should not rethink this matter and have a chance to discuss it on the floor, this side of the rail.

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

Mr. GATES: Mr. Speaker, if Mr. Crabtree were so sincere about our pensions and our claims, why didn't he consider it yesterday when he was introducing a bill that cost a hundred thousand dollars for nursing?

The SPEAKER: The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I feel that if we recall this one we are just opening the door to recalling others. If it is fair to re-

call one thing, why isn't it fair to recall another thing?

So in the closing days of the session it would look to me as though we are going to start the whole session over again. We have discussed this matter amply. It was overwhelmingly defeated in the House, and I can see no reason why we should recall this and not recall other matters. I think we should live within our income. (Applause)

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

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

The SPEAKER: The gentleman from Rockland, Mr. Low, requests a division. 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.

The SPEAKER: Fifty-four having voted in the affirmative and fifty-five having voted in the negative, the order does not receive passage.

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

Mr. TOTMAN: Mr. Speaker, I wonder if there is a parliamentary procedure by which I may vote? I was in the rear of the Hall and did not come down to my seat. I didn't know what the question was but have since learned the nature of the question and would like to vote and I request that permission.

The SPEAKER: The Chair must rule that the matter was before the House and is not now before the House.

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

Mr. FULLER: Mr. Speaker, out of order and under suspension of the rules I present a Joint Order and move its passage.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, out of order and under suspension of the rules, presents a Joint Order and moves its passage. The Clerk will read the Joint Order.

WHEREAS, it appears that there exists a grave danger that revenues for the biennium may be insufficient for appropriations already enacted; and

WHEREAS, there remains still unenacted several measures which appear to be approved by a majority of both branches but for which no funds appear to be available; now therefore be it

ORDERED, the Senate concurring, that the Committees on Appropriations and Financial Affairs and Taxation jointly be instructed to report forthwith what measures should be taken to satisfy needs deemed to be essential and to provide revenues sufficient therefor. (H. P. 1304)

The SPEAKER: On motion of the gentleman from South Portland, Mr. Fuller, is it the pleasure of the House that this order receive passage and be sent up for concurrence?

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

Mr. JALBERT: Mr. Speaker, could I approach the rostrum for a moment?

The SPEAKER: The gentleman may.

The question before the House is on the motion of the gentleman from South Portland, Mr. Fuller, that the joint order receive passage and be sent up for concurrence. Is this the pleasure of the House?

The motion prevailed and the order received passage and was sent up for concurrence.

The gentleman from Lewiston, Mr. Jalbert, was granted unanimous consent to address the House very briefly.

Mr. JALBERT: Mr. Speaker and Members of the House: It certainly is not my intention to take over the ball as far as the Appropriations Committee is concerned. I am speaking as a member of the House, and as a member of the Committee. Priorities necessarily have been set on some of these items. I have computed and placed those orders according to the wishes of the Committee. It was not my mandate. I would like to ask that later on, when the minutes are typed, that were made in the other

branch, another member of the Committee has told me that he will give you the picture. But as we stand now, providing these priorities, and they rate high, and some of them have been placed in the "B" class and some of them in the "C" class, we find ourselves, if these seven measures pass, and some of them have been enacted, we find ourselves with an operating gain left of \$6,809.66 for the first year and \$7,626.00 for the second year.

I would like to make further remarks, Mr. Speaker, based on this fact, and I cannot help but make these remarks. Let us bear in mind that we hear from Kittery to Fort Kent very, very often the fact that we in Maine should have a stronger party, the party that I belong to. I am certainly not here to criticize the actions of the Speaker, because for the first time since I have been here, when he named the Democratic members on the various committees, he allowed us to name them, and I think that as a member of the opposition he has been commended, thought of very highly, and I think that I can possibly speak for my own party in commending him for it. But let us think in the future, with the thought in mind that some of us will try to make our party stronger, let us think in the future that you might possibly be in a position to help us, and I would like to convey this message to you, Mr. Speaker, to bring it to your successor.

I find myself in a position now where nineteen members of the majority party are to meet to see if we can bail ourselves out of this deal here. The other member, a member of the Taxation Committee, of my party, is unable to be present this afternoon, so I stand out there like a sore thumb; I assure you that I want to do things that are right; I also must be mindful that I belong to the opposition and I want to be loyal to that opposition. I am aware also of the fact that I am elected to serve as a member of the Legislature and not to serve a party.

But please bring this thought to your successor, so that when such important things as these come up, where a member of the opposition party might find himself in the

position where at least he could confer with one other individual. Thank you for taking up your time.

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

Mr. FULLER: Mr. Speaker, I ask, under unanimous consent, that the order just passed be sent forthwith to the Senate.

The SPEAKER: Does the Chair hear objection to the unanimous consent request of the gentleman from South Portland, Mr. Fuller, that the order just passed be sent forthwith to the Senate? The Chair hears none, and it is so ordered.

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

Mr. BURGESS: Mr. Speaker, I do not wish to hold up your program or in any way slow down legislation but Mr. Speaker, if you were agreeable, I personally would like to have the feeling of the House with respect to the order which we have just passed, as to what your preferences are. I will ask you the question as to whether or not you prefer this discourse to be on or off the record. My questions, two questions I believe, and the first one would be whether or not it is the wish of the House that you increase the revenue, and the second question would be whether or not it is your wish to make further cuts, if possible, so as to leave some cushion to take care of the L. D.'s which have been talked about.

If we leave here with a strictly balanced budget, it will be about the first time in my history. Two years ago there was an order in the last few minutes of the session, instructing somebody, I don't remember who, to increase the estimates on revenue which was safely done. I hope we don't do that again this year because I believe your revenues, your estimated revenues, are now blown up as far as they should be in advance.

I pose those two questions, Mr. Speaker, and I leave it in your hands as to whether or not they should properly be discussed, for the benefit of those of us who are on the Appropriations Committee

and those who are on the Taxation Committee, and to whom we have assigned the responsibilities set forth in the order just passed.

The SPEAKER: The Chair would suggest that the gentleman from Limestone, Mr. Burgess, might reach his goal by the introduction of an order which would be before the members of the House for their consideration and upon which they could vote as a group.

The SPEAKER: The Chair lays before the House the eleventh item of Unfinished Business, "An Act relating to Burial Expenses under Workmen's Compensation Act," House Paper 426, Legislative Document 473, tabled on April 30 by the gentleman from Stockton Springs, Mr. West, pending passage to be engrossed; and the Chair recognizes that gentleman.

Thereupon, Mr. West of Stockton Springs offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 426, L. D. 473, Bill "An Act Relating to Burial Expenses Under Workmen's Compensation Act."

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

'Sec. 2. Effective date. This act shall become effective on November 30, 1953.'

Thereupon, House Amendment "A" was adopted on motion of Mr. West of Stockton Springs, and the Bill as amended was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the twelfth item of Unfinished Business, Senate Divided Report, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Creating a State Crime Commission", Senate Paper 521, Legislative Document 1422, tabled on May 1 by the gentleman from Portland, Mr. Childs, pending the motion of the gentleman from Portland, Mr. McGlauffin, to indefinitely postpone the two Reports and Bill.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I tabled this

item last week because when it was brought up I looked around and noticed all the members who signed the majority report of the committee were absent and with due respect to them I thought they should have a chance to make comments, if they so desired, on it. I now turn the floor over to anyone who wants to talk on it.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: For the benefit of these men who might want to talk on this, I am going to say a few words so that they will know where I stand. The bill was introduced in the other branch. So far as I know, there are four states that have crime commissions. Three of them I can recall: New York, Illinois and Florida. Now, the situation in those states may very well be such that it requires the services of a crime commission but we don't need that kind of a commission here any more than a cat needs two tails and I propose to show you why.

If we appoint this committee, first, before I take that up, I want to remind you again of what this bill provides. It has a commission of five appointed by the Governor apparently without pay. They select an attorney. The Governor and Council determine that attorney's salary. They then have the power to hire just as many additional attorneys as they see fit, not only attorneys but investigators and clerks and they set the salary. Why they didn't pay the first attorney, and let them set that salary, I don't know.

It further provides, without going into detail as I did the other day, that they can investigate in any part of the United States. Now if this commission is appointed, what are they going to investigate? Are they going to investigate the liquor situation and the other matters that we have been investigating for the last six months? Are they going to do that all over? Are they going to investigate the members of this Legislature on the ground they haven't performed their duties to apportion according to the Constitution of the State? Are they going to sift out the few communists that

there are in this State and investigate them to see if they are going to blow up the United States? Are they going to investigate the people who collect the sales taxes over the State to see if somebody is cheating the State out of 2 cents? Are they going out to Hollywood to investigate the bad actors there?

You have got the attorney general's department whose duty it is to do this very work. Why do you want two departments to do the same thing? Are the two, the attorney general's department and this commission going to investigate the same crime and if they investigate the same crime and report differently, which one are you going to follow?

To me, it seems utterly absurd to have such a commission. Now, let us see, this investigation business has gotten to be a regular fad. We appropriated \$25,000 to investigate the Carroll case. I ask you what did that amount to except to throwing away \$25,000? It never accomplished one single thing, not one.

We went to a large expense to get the Bird investigation. I do not question but what Mr. Bird did an excellent job but practically everything that he reported I read in the newspapers long before he reported it. So, I ask you again, how much was accomplished with the money we spent on that investigation, which, as far as I know, didn't amount to anything?

We are having recess committees investigate and then we are going on and getting other commissions to investigate. This board can investigate any of us. They can bring our books in and if they want to they can investigate to see if we made a proper income tax return. There is no limit to what they can do. They are going to emphasize they won't do it, probably not, but why give a commission such power as that? Why have the commission at all? As I said before, it is wholly uncalled for. I do not think I need to say any more. I think you will go along with me and indefinitely postpone this measure.

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

Mr. FITANIDES: Mr. Speaker and Members of the House: I want

to start off by telling you that the gentleman from Portland, Mr. McGlauffin, is 100 per cent wrong in everything he said and I would like to start in with the last part where he says they can go anywhere and tear into income taxes and so forth. This commission does not and would not interfere with any of the existing organs of state government and its jurisdiction can not and would not interfere with the function of any grand jury. It is granted no prosecuting power and could not prosecute. These duties have all been left in the hands of the attorney general and the respective county attorneys of all the counties.

I would like to explain the bill because it started off, it was quite long and it has been amended to a great extent, and as it stands now this crime commission, if we accept it, is limited to two years in its present setup and it is not a new, permanent bureau. It will expire after two years and if the next Legislature wishes to carry it on it can but it is limited here to two years, and there are five members to be appointed on this commission and it is a surprise to me they left on the minority party member. Now, I want all Democrats to take notice. It is an enabling act and not a mandate.

The first amendment in the bill reads that the commission may be appointed by the Governor and the Council, I believe, and the funds, it requires no appropriation, the funds that will be used in carrying out the act will come from some contingent fund or something that the Governor and Council have at their disposal.

The part of the bill that really explains the purpose, it defines organized crime and rackets and so forth. I do not go along with this. I do not know of any crimes or rackets in the State outside of political crimes or political gangsterism, if I may use such an awful word. But I am in favor of this bill. I think it is a step forward. We have passed the buck all this session from one room to another and it has ended up in the attorney general's office where, as I understand it, they are doing absolutely nothing. I would like to do away

with this merry-go-round and try to set up a new board to get to the core of all this, well, to clean up the statements that have been made. I don't know whether they are true or false but I think we should wipe that haze that has been cast over the Capitol here, the cloud of corruption and suspicion and filth and so forth that your own party leaders have brought to the light.

I remember back when they were campaigning all the things they said about each other. I don't know if they are true or false or whether they said such things for selfish personal reasons. I don't know. But I think this commission is a good thing and the man who sponsored it I think was very sincere and I would like to go along with him. The bill provides various safeguards both to the individual and to the public generally. They won't have any three-ring circus such as they have in the past. They are limited to the same restrictions as the activities of the Research Committee are. It has a section creating an emergency and allows the Governor to set it up immediately.

I have watched very attentively this session how most Republicans vote and the Democrats in the past have sponsored measures that I thought would give the majority party a chance to sort of clean house and they jump up something like puppets or like an automatic pilot that takes hold when the red light signals Anti, and they have always knocked us out. Now, this is a Republican measure and a good one. I believe that the Governor and Council have agreed to this and would like to see it go through. We have discussed it thoroughly with them and I notice that Governor Cross in that little bill he had going through here on your liquor problem to take out political contributions and so forth was a scheme that was borrowed from some of the legislation the Democrats tried to put in. We have gone along with measures that we thought were good for the State. And again I would like to ask you if you will go along with this. I hope that the motion of the gentleman from Portland, Mr. McGlauffin, fails.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: I joined with the gentleman from Portland, Mr. McGlauffin, in signing the minority report for one simple reason, passing this bill seems to me like buying a bright, new, shiny cannon to go out and hunt a few rats.

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

Mr. FULLER: Mr. Speaker and Members of the House: We are a small state population-wise and I think we have law enforcement agencies enough. I do not think that we need a crime commission and I hope the motion of the gentleman from Portland, Mr. McGlauffin, does prevail.

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

Mr. STEWART: Mr. Speaker, I would like to join my expression of views to that expressed by the gentleman from Saco, Mr. Fitanides, in regard to the bill. As you will notice, this is a majority report of the Judiciary Committee that approved the bill. If there has been any bill before this Legislature that I have had more questions about from back home, more telephone inquiries, more letters of approval, it is this bill regarding a crime commission and the purport of these letters was that something definite should be done to clear up once and for all the charges of crime and corruption that have existed in this State and I think those views as expressed in those cards and telephone calls represent the views of people generally that there is a fog of suspicion over some of our activities and that there should be such a clearing up once and for all.

Now, this statute, as has been explained, is one which is modelled after actively functioning crime commissions in other states. These crime commissions are doing a thorough and fine job of house cleaning in their respective states with the approval of the people. They are able to go into corners which have before been uninvestigated and to do a type of job which is

somewhat difficult to do under the existing setup. Now, this statute would further give a statutory basis for many of the acts which have been done during the past few months without any statutory basis. It would give legislative consent, legislative approval, to the type of activity, which has been done without any benefit of our actions here. It isn't to my mind entirely an administrative matter. I believe this Legislature has a duty to deal with the problem of crime in this State, that we cannot delegate it entirely to the Executive of this State, that we should set up standards by statute by which such commission shall operate and those standards should be adhered to. Furthermore, we should give certain powers, definite and defined, set up by statute as this crime commission bill does. This bill does give powers of subpoena, it does give powers of investigation.

Now it has been brought out in the discussion by the gentleman from Portland, Mr. McGlauffin, that these attorneys and investigators would have the power to go into any state in the Union to investigate and he considers that bad. It is my feeling if a crime is to be investigated that you have to have authority for your investigators to go anywhere where evidence concerning crime in this State may be found and very often that may take one of these investigators into other states of the Union.

It is my hope today that you will support the view expressed by the majority of your Judiciary Committee in authorizing a crime commission. I hope that you will not indefinitely postpone this bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the two reports and Bill "An Act Creating a State Crime Commission", Senate Paper 521, Legislative Document 1422 be indefinitely postponed. Is this the pleasure of the House?

Mr. STEWART of Portland: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Portland, Mr. Stewart, has requested a division.

All those in favor of the indefinite postponement of the two reports

and bill will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and eleven having voted in the negative, the motion prevailed and the two Reports and the Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the thirteenth item of Unfinished Business, Senate Report "Ought to pass" of the Committee on Appropriations and Financial Affairs on Resolve Relating to Appropriation for Recess Committee to Study Maine State Retirement System and Titles of Social Security Act, Senate Paper 602, Legislative Document 1547, tabled on May 1 by the gentleman from Hanover, Mr. Ferguson, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. FERGUSON: Mr. Speaker and Ladies and Gentlemen: When this resolve came before us I did not know much about it, and perhaps I do not know too much about it now, but I felt that the price tag of \$25,000 was pretty high. This had been previously passed. It is just a transfer, as I understand it, from current revenue to surplus. So after talking with members of the Retirement Board or the members of the Board of Trustees, there seems to be an indication that there is a need for study, and at this time I move that we accept the "Ought to pass" report. I just cannot remember what stage this resolve is in, whether it is the second reading or first reading, but there is an amendment which I will also make a motion on later.

The SPEAKER: The gentleman from Hanover, Mr. Ferguson, moves that the House accept the "Ought to pass" report. Is this the pleasure of the House?

The motion prevailed, and the "Ought to pass" report was accepted in concurrence.

Thereupon, the Resolve was given its first reading.

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

Mr. FERGUSON: Mr. Speaker, I now move that House Amendment "A" be indefinitely postponed.

The SPEAKER: The Chair will inform the gentleman that no House Amendment "A" has ever been offered.

Thereupon, the Resolve was assigned for second reading tomorrow morning.

Mr. Lane of Waterville, was granted unanimous consent to address the House.

Mr. LANE: Mr. Speaker and Members of the House: I see the Republican Party is afraid of a Crime Commission and I think they have a reason to be afraid. I have sat here for about four months and I didn't know what happened to our Maine Constitution until about a few days ago. We have passed here a lot of bills. Ninety-nine per cent of the bills were Republican bills, and I wonder if that is constitutional.

I was born in a country where they have a Constitution, but the Constitution was made by a few people for a few people. Any time you would ask for your Constitutional rights they would tell you the Constitution was locked up in a safe. Yes, their Constitution, which has many high-flung quotations, is made for just a few people, and the common people find they have no rights under its provisions. Believe me, that form of government is so alien to what you know that you people do not realize what it is like.

I came to this country when I was fifteen years of age as a special student. I have studied the form of government of the Nation and of the State of Maine, and I came to the conclusion that that is the best form of government we have. We all know that our political setup has allowed plenty of corruption to exist. There may be a few people here so innocent that they do not know about it, but I believe most of you do, and you have not the courage to stand against this corruption, afraid, if you do, you will kill your party.

With all the corruption in politics in this State of Maine, I will still take our form of government over that of Russia and a

few other countries in Europe and Asia where they don't allow politics to be discussed and there is no two-party system.

When some Republicans talk, they say that they believe in a two-party system of government and they deplore the fact that the Democratic party is not stronger. But when they talk off the record, they urge their listeners not to have anything to do with the Democrats for they can't do anything for you. I was told the same thing. My answer to that was that if you go to work and try to make an honest living and not depend on a political job, then you could join either party and vote as your conscience dictates. We all agree that the people in the State of Maine are entitled to good, honest government, a government for the people and by the people, but what are they getting: A government for a few Republicans, by a few Republicans.

Just take the Liquor Scandal. You and I know how many people were involved. You all know what would have happened had a Democrat been involved. He would be in Thomaston today. But, instead, some of them are still in the State of Maine and some of them have been elected to high offices. We all know one of our county officials was involved in corruption, and I am sure that Governor Cross knew a long time ago about the \$40,000 deal. The other day he said he didn't know that man. And that man lives in the same city with him.

I wonder if Governor Cross knows who got the new G & W job. We know who got it. We had an investigation. It fitted in well with the Republican politics in the State of Maine. And what happened? Mostly defective indictments that have led to acquittals and one or two appeals. Another investigation is in progress, costing us thousands. Will it result in anything different? You cannot find a person in this State House that thinks it will.

As for the Highway Commission, we know there is plenty of corruption existing in the Highway Commission, but I do know that we gave them almost \$65,000,000 and

two or three men do with that what they please. Last summer I traveled to Pleasant Pond two or three times a week. I often counted between thirty and forty men along this job, but I never saw more than two or three or four men working at one time. So let's practice what the Republican Party is preaching. Let's go back to private enterprise, not interfere with small contractors, but encourage them in every way, for that is what we need in the State of Maine, more private business.

The State of Maine depends largely on summer business and tourists but we are not cooperating with them by trying to give them a good highway to Canada by the way of Jackman. No, the State Highway Commission rules that they must travel by way of Franklin County and Eustis. Why? I talked with some people who travel the Jackman Highway to and from Quebec, and they say they are not coming back to the State of Maine. A large portion of our people depend on summer business and tourists to bring millions into Maine, so let's forget politics and give them a good highway to Canada by the way of Jackman.

One more thing on highways: Millions have been spent on the highway from Portland to Bangor, but the worst stretch of road and the stretch with the heaviest travel is near my city in Winslow. Motor vehicle accidents and fatalities on this strip of road are constant. Highway engineers have plans for improvement there and have had for several years. But is this Commission doing anything about it? They have made a boulevard out of a good, straight road between Pittsfield and Newport, but the old concrete road in Winslow, about the first ever laid on a road in Maine, is still there, and just wide enough for two teams to pass.

Our Maine Development Commission is getting \$300,000 or more every year but what are they producing? We all know that is a political job. When you hire a man and he doesn't produce, you can replace him, and I think they should be replaced.

The Maine Department of the American Legion every year, at its National Convention, is trying to

sell Maine nation-wide. What is the Maine Development Commission doing to help them? It's a big deal. Last year they gave them \$225 for the "Maine Legionnaire." That is all. We are losing our youth of our State, mothers are losing their daughters and sons, and I think it is about time that we do something about it.

With our purchasing departments in some of our institutions, our products in the State of Maine are not good enough for them. They have to go out of State and buy all of their products. I wonder how much they are getting from out of State and sometimes I wonder if they use the Maine or Idaho potatoes.

I believe in economy as much as any of you do. You can't spend more than you take in. Don't forget, we can't go out and sell Defense Bonds as they do in Washington. We have to live according to our own income. I think the people are fed up with this administration here in Augusta, and if the Democrats and some Republicans who are not afraid to tell the truth would go out and tell the people of the conditions in this and previous administrations, some of you won't be here; you will have to stay home and try to make an honest living. It is up to you members of the House to straighten this mess out.

The State of Maine is just as dear to me as to any one of you. With all its corruption and dishonesty in politics, I would not give one inch of its land for the rest of the world, and you can count on me in any effort that will make it an even better place to live.

The SPEAKER: The Chair now lays before the House the fourteenth item of Unfinished Business, Resolve Authorizing Alfred Howard, Sr. and Ethel M. Howard of Bingham to Sue the State of Maine, House Paper 1171, Legislative Document 1326, (In Senate Minority Report "Ought not to pass" accepted; in House "Ought to pass" as amended by Committee Amendment "A" report accepted and passed to be engrossed as amended by Committee Amendment "A") tabled on May 1 by the gentleman from

Moose River Plantation, Mr. Watson, and the Chair recognizes that gentleman.

On motion of Mr. Watson, the House voted to insist on its former action and ask for a Committee of Conference.

The SPEAKER: The Chair now lays before the House the fifteenth item of Unfinished Business, Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws," Senate Paper 496, Legislative Document 1369, tabled on May 1 by the gentleman from Brewer, Mr. Archer, pending third reading; and the Chair recognizes that gentleman.

Mr. ARCHER: Mr. Speaker and Members of the House: This Act to Revise the Biennial Revision of the Inland Fish and Game Laws had one section in it that I was very unhappy with. That was the section that pertained to Sunday hunting. Now under the Sunday Hunting Bill they have proposed that we, the hunters, must either wrap our gun up and tie it up or take the gun and break it down into two pieces and carry it in two pieces. That is probably all right for some people, but there are some of us who oppose these things because of the fact that we think the wardens ought to have something to do beside sitting on the side of the road and being able to pick on anyone without any work whatever on their part.

Now we have an amendment, that is, there is an amendment which has been made by Mr. Scott, and I don't know the filing number on it—I cannot find it here—

The SPEAKER: Does the gentleman refer to House Amendment "C" filed by the gentleman from Alfred, Mr. Scott, Filing Number 542?

Mr. ARCHER: That is right, Mr. Speaker. Now I move that that amendment be adopted.

The SPEAKER: The amendment has been filed under the name of the gentleman from Alfred, Mr. Scott.

Does the gentleman from Alfred, Mr. Scott, wish to offer House Amendment "C"?

Mr. ARCHER: Mr. Speaker, would it be possible for me to offer House Amendment "C" and move for its adoption?

The SPEAKER: The Chair will state to the gentleman that it will be necessary to have the House Amendment reproduced and signed by him.

Mr. ARCHER: Mr. Speaker, I move that this bill be laid on the table until later in the day.

The SPEAKER: The gentleman from Brewer, Mr. Archer, moves that the fifteenth item of Unfinished Business, Legislative Document 1369, be retabled until later in today's session. Is this the pleasure of the House?

The motion prevailed and the matter was so tabled, pending third reading.

The SPEAKER: The hour of 2:30 having arrived, the Chair calls the attention of the House to the first supplement, a bill assigned for third reading.

Passed to Be Engrossed Amended Bill

Bill "An Act to Provide for a Civil Service Commission for the Town of Old Orchard Beach" (H. P. 273) (L. D. 301)

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

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that under suspension of the rules papers from the Senate be taken up out of order at this time. Is this the pleasure of the House?

The motion prevailed.

Papers from the Senate Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Resolve to Create a Special Committee to Study Safeguards in Construction Projects (S. P. 536) (L. D. 1441) reporting that the Senate recede from its former action whereby the Resolve was passed to be engrossed; that the Senate adopt Conference Amendment "A" whereby the \$1,000.00 appropriation and provision for expenses are stricken from the Resolve, and pass the Resolve to be engrossed as amended; and that the House recede from its

former action whereby it passed the Resolve, to be engrossed and subsequently indefinitely postponed the Resolve, and concur with the Senate in the passage of the Resolve to be engrossed as amended by Conference Amendment "A".

(signed)

Messrs. WARD of Penobscot
REID of Kennebec
ST. PIERRE of

Androscoggin

—Committee on part of Senate

DICKEY of Brooks
CIANCHETTE of Pittsfield
SMITH of Farmingdale

—Committee on part of House

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

In the House:

Report was read and accepted in concurrence.

The House then voted to recede from its former action whereby the Resolve was indefinitely postponed and its action whereby the Resolve was passed to be engrossed.

Conference Amendment "A" was then read by the Clerk as follows:

CONFERENCE AMENDMENT
"A" to S. P. 536, L. D. 1441, Resolve to Create a Special Committee to Study Safeguards in Construction Projects.

Amend said Resolve by striking out all of the last 6 lines thereof and inserting in place thereof the following 'it deems necessary.'

Thereupon, Conference Amendment "A" was adopted in concurrence, and the Resolve was passed to be engrossed as amended by Conference Amendment "A" in concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Resolve Closing Little Sebago Lake, Cumberland County, to Ice Fishing (H. P. 260) (L. D. 290) reporting that the Senate recede from its action whereby the Resolve was passed to be engrossed, adopt House Amendment "A" and pass the Resolve to be engrossed as amended by House Amendment "A" as amended by Conference Amendment "A" thereto. That the House

recede from its former action whereby the Resolve was indefinitely postponed, and concur with the Senate in passing the Resolve to be engrossed as amended by House Amendment "A" as amended by Conference Amendment "A" thereto.

(signed)

Messrs. WEEKS of Cumberland
CARPENTER of Somerset
WIGHT of Penobscot

—Committee on part of Senate

DAVIS of Harrison
WHITNEY of Bridgton
EDWARDS of Raymond

—Committee on part of House

Came from the Senate with the Report read and accepted, and the Resolve passed to be engrossed as amended by House Amendment "A" as amended by Conference Amendment "A" thereto.

In the House:

Report was read and accepted in concurrence.

The House then voted to recede from its action whereby the Resolve was indefinitely postponed, its action whereby the Resolve was passed to be engrossed and its action whereby House Amendment "A" was adopted.

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

CONFERENCE AMENDMENT
"A" to HOUSE AMENDMENT "A" to H. P. 260, L. D. 290, Resolve, Closing Little Sebago Lake, Cumberland County, to Ice Fishing.

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

'Said lake shall not be closed to ice fishing for perch and pickerel.'

Thereupon, Conference Amendment "A" to House Amendment "A" was adopted in concurrence.

House Amendment "A" as amended by Conference Amendment "A" was then adopted in concurrence, and the Resolve was passed to be engrossed as amended by House Amendment "A" as amended by Conference Amendment "A" thereto in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Real Estate Brokers and Salesmen" (S. P. 26) (L. D. 14) which was in-

definitely postponed in non-concurrence in the House on May 5.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", and asking for a Committee of Conference with the following conferees appointed on its part:

Mr. KAVANAGH
of Androscoggin
Messrs. DENNETT of York
REID of Kennebec

In the House:

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

Mr. SANFORD: Mr. Speaker, I move the House insist and join in a Committee of Conference.

The SPEAKER: The gentleman from Dover-Foxcroft moves that the House insist on its former action and join in a Committee of Conference.

The Chair recognizes the gentleman from North Yarmouth, Mr. Henry.

Mr. HENRY: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from North Yarmouth, Mr. Henry, moves that the House recede and concur.

The pending question before the House is on the motion of the gentleman from North Yarmouth, Mr. Henry, that the House recede and concur with the Senate. As many as are in favor of the motion of the gentleman from North Yarmouth, Mr. Henry, that the House recede and concur with the Senate will please say aye; those opposed, no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Sanford, that the House insist on its former action and join in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on Senate Paper 26, Legislative Document 14, Bill "An Act relating to Real Estate Brokers and Salesmen," the Chair appoints

the following conferees on the part of the House: The gentleman from Dover-Foxcroft, Mr. Sanford, the gentleman from Saco, Mr. Fitanides, and the gentleman from Auburn, Mr. Turner.

Non-Concurrent Matter

Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes" (H. P. 1284) (L. D. 1530) which was indefinitely postponed in the House on May 4.

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

In the House:

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

Mr. ROBERTS: Mr. Speaker and Members of the House: This bill was thoroughly discussed the other day and indefinitely postponed by the House. I now move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. CENTER: Mr. Speaker and Members of the House: I move that we recede and concur with the Senate in this matter. I will call your attention to the fact that we have here a Senate Amendment which has been adopted which, in effect, will limit the provisions of this act to two years. "The provisions of this act shall remain effective only until September 1, 1955."

Now as I said the other day, the Committee on Agriculture spent a great deal of time listening to the evidence both pro and con on this particular measure. We were unanimously of the opinion that the great majority of the industry as represented at the hearings and otherwise are in favor of this self-imposed tax on the producers.

Since the bill was discussed in the House the other day we have had more and more assurances that the majority of the industry are still in favor of this tax.

I think that the bill is actually strengthened by this provision of

limiting it to two years because at the end of two years we will certainly be able to tell whether it is worthy or not. I am sure that the two cents per hundred weight on milk will not hurt any producer in the next two years.

If the bill is good, then the next Legislature can re-enact it; if it isn't any good, why none of us want it.

I repeat what I said the other day, that every organization within the Dairy industry is enthusiastic about this measure and I think that you have to look to the organizations within any industry for leadership, and I hope that the House will go along with the Committee on Agriculture in the unanimous report on this bill and that you will pass my motion to recede and concur with the Senate.

The SPEAKER: The gentleman from Standish, Mr. Center, moves that the House recede and concur with the Senate.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I hesitate to oppose the recommendation of the committee that heard this bill, but the gentleman from Standish, Mr. Center, says that he finds no opposition to it and that everyone who appeared at the hearing was in favor of it.

Well now I fail to find anyone who was in favor of it excepting those who did appear at the hearing and a few who have been lobbying the bill very hard here in the last two or three days.

We already have a tax of three cents per hundred weight on all milk that is sold in Maine markets. This two cents per hundred weight will be an additional two cents on that milk. Those that sell to markets outside the State of Maine now contribute nothing. If those who want to sell outside Maine markets want to pay two cents a hundred weight, I am perfectly willing they should, but I think that this bill had better be postponed, and in two years' time if there is a demand for it, it can be thoroughly discussed all over the State of Maine by the producers, and if there is a demand for it then, let them come in here and they won't find any opposition to the bill.

I hope the motion of the gentleman from Dexter, Mr. Roberts, will prevail.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I said the other day this bill does not affect me except as a legislator. We just passed a bill the other day which I was in favor of, which taxes the producer and the dealer equally, the same as a law which we already have on the books.

Now this bill might be a good one, but I would feel remiss in my duties as a legislator, after many producers in my area have asked me to oppose it, if I went along with it.

The SPEAKER: The question before the House is on the motion of the gentleman from Standish, Mr. Center, that the House recede from its former action whereby it indefinitely postponed this measure, Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes," (H. P. 1284) (L. D. 1530) on May 4. As many as are in favor of the motion to recede and concur will please say aye; those opposed, no.

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

Fifty-four having voted in the affirmative and fifty-one having voted in the negative, the motion prevailed.

Thereupon, the Report of the committee was accepted in concurrence and the Bill was given its two several readings.

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

SENATE AMENDMENT "A" to H. P. 1284, L. D. 1530, Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes."

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

'Sec. 3. **Limitation.** The provisions of this act shall remain effective only until September 1, 1955.'

Senate Amendment "A" was then adopted in concurrence.

The SPEAKER: What time does the House assign for the third reading—

For what purpose does the gentleman from Dexter, Mr. Roberts, seek recognition?

Mr. ROBERTS: I would like to offer an amendment, Mr. Speaker.

I offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1284, L. D. 1530, Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes."

Amend said Bill by striking out all of section 2 thereof and inserting in place thereof the following section 2:

Sec. 2. Effective date. This act shall not take effect until the other 5 New England states have enacted and put into effect a similar law carrying the same assessment.'

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

Mr. CENTER: Mr. Speaker and Members of the House: First of all, I want to say, in behalf of myself and the Committee on Agriculture, we appreciate the confidence you had in us in passing this bill.

Now it is a time-honored custom in legislative circles to kill a bill by amendments, and that is exactly what this particular amendment aims to do. Now this matter of making this effective when other states pass similar legislation was also discussed thoroughly before your Committee on Agriculture, and further than that this matter was also discussed at various meetings of dairymen throughout the State. It was discussed at length at Orono before the Livestock Breeders' Association, and again they were unanimous in not wanting to wait until the other states had passed the legislation.

Let us in Maine take the lead for a change. The industry wants this bill; they want to try it out and see what it can do, as I said before, whether or not the other states pass it.

Now there are, as I understand it, before the New Hampshire Legislature and the Vermont Legislature, similar bills, but to my knowledge there are none before the other

legislatures at this time, so I repeat that the effect of this amendment would be to kill the whole bill. If these other states pass it, then we will be that much better off, but if the other states don't pass it, we want a chance in our industry to try it out ourselves, so I move the indefinite postponement of House Amendment "A".

The SPEAKER: The gentleman from Standish, Mr. Center, moves that House Amendment "A" be indefinitely postponed.

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

Mr. BAILEY: Mr. Speaker, this amendment is something similar to one which I offered before the committee. At that time I think it was the recommendation of two or three states, but the industry plainly indicated that it would not favor such an amendment or proposition; therefore, in the disposition of the industry, as has been shown, I wish to sanction the statement of Mr. Center in indefinitely postponing this amendment.

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

Mr. CURTIS: Mr. Speaker, I just want this Legislature, before they vote, to realize what they are voting on. You have just crammed down the throats of the producers a bill they didn't want. Now you are asking to have those producers pay for advertising the milk that it produced in the five New England states from their funds to sell their milk, because this advertising will not be confined to the State of Maine; much of it is radio advertising and other forms of advertising and it is bound to go all over these five New England states. So if you do not accept this motion, after cramming down the throats of these producers this bill, you are further saying to them: "We are going to tax you, yes, not only to promote the sale of milk in Maine but in all the other states to promote the sale of the milk that is produced in those other states."

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I have managed to keep quiet up to the

present time because the only cows I have are beef cattle and you have to give them an anesthetic before you can milk them, but I want to say that the milk producers in my area, those who have approached me, have said that they were very much against this bill. They felt it was putting an unfair burden upon them in advertising. I believe that the amendment offered by the gentleman from Dexter, Mr. Roberts, is a good amendment.

Mr. SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker and Members of the House: Again I am going to talk about a subject because I know something about it.

We all know that the farmers are getting about eight or nine cents a quart for their milk now. The producer and the seller is getting about twenty-one or twenty-two cents, something like that. We know for a fact that it costs just about twice as much to produce a quart of milk as it does to sell a quart of milk.

Now the seller comes along to the farmer: "Ask me how to sell your milk." The seller is making about twelve or thirteen cents on a quart of milk, and if he cannot pay for his own advertising, I don't know why the farmer should.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to any member of the Agricultural Committee. I sincerely ask this question for information and not in any attempt to kill the amendment and the bill.

In my own personal business I cannot help but come in contact with quite a few farmers, and my observation is that I would resent myself the Legislature, by less than a two-thirds vote, to require my industry to impose upon itself a tax unless I had a chance to vote on it.

Now I would like to ask the Committee on Agriculture, since I was on that committee myself last session, and I know they are a pretty reasonable committee — I have a very high regard for Mr. Center

—how does the committee feel about the constitutionality of imposing a tax on a group of people by this Legislature by less than a two-thirds vote or without a referendum by the producers, particularly in view of the fact, if I am not mistaken, that the potato growers who imposed a tax upon themselves for commercial purposes were allowed, I believe, to vote upon it themselves.

The SPEAKER: The gentleman from Bangor, Mr. Totman, addresses a question through the Chair to any member of the Committee on Agriculture.

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I think I can answer that to a large extent. When this bill was in committee, under consideration, we considered different problems and different ways which would be what we considered the most logical and fair way to present this, and one of the propositions which was considered, and in fact it was voted favorably by the committee among themselves, was that there should be an amendment attached to this bill whereby a vote of two-thirds of the producers, producing milk in the State, should assent to this bill before it became effective, and the committee, as I say, agreed to that among themselves, but before it was passed out we felt that it would be wise to look into it, into the legal status, so the Senate Chairman and myself went to the Attorney General's department and they looked up the situation and the way that it was designated to us, if this bill had a rider on it whereby the population of the State would be permitted to vote, that would be legal, but when it was just designated to a certain class of people, which would be producers, that it would not be considered legal, therefore that was the reason that this bill did not come out with the rider presenting it to the producers for a referendum. Does that answer the gentleman's question?

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

Mr. SENTER: Mr. Speaker and Members of the House: If I was

not a petticoat salesman I would make this observation: that we would not need a tax to promote the sale of milk if we did not have a price-fixing program which makes it almost impossible to lower the price of milk so that the consumer can buy as much as she needs.

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

Mr. SANFORD: Mr. Speaker and Members of the House: We produce quite a lot of milk in our county and up there they do not want this tax and they asked me to vote against this bill. I haven't said anything about it before, but this noontime there was a large producer from Sangerville, which is in my territory too, he asked me to be sure and vote against this bill, that he did not want it. I voted against the bill, so now I will have to vote against the amendment.

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

Mr. CENTER: Mr. Speaker and Members of the House: The gentleman from Waterville, Mr. Lane, spoke about the fact that the sellers were now coming to the producers and asking them to pay money to sell their product. I want to point out very clearly that this is not a sellers' or rather I should say a dealers' bill at all. It is merely a producers' bill, it originated with the producers and the set-up of the bill is that the committee shall be composed of the Commissioner of Agriculture and four producers.

I would like to point out that it does not make too much difference, in my opinion, to many of the dealers, especially the large dealers, whether they sell their product as fluid milk, Class 1 fluid milk or whether they sell the by-product of the surplus milk, as long as they get a profit. What the producers of milk are interested in is to get more fluid milk used. I point out that if we could increase the consumption of fluid milk by just half a pint per person we would not have any surplus milk problem at all.

I very often on Saturday afternoon have occasion to listen to the Farm and Home Week program, the Allis Chalmers program, and I

have noted that on different occasions just as soon as this program is finished there comes on a spot advertisement advertising cream and telling about all its good qualities and so forth, but I have not yet heard on the radio anyone tell me why I should drink good wholesome milk.

It is the feeling, as I say, of the leaders of the milk industry, and I still think that I represent eighty per cent of the milk produced in the State, that they feel that something must be done by the milk industry to increase their sales of fluid milk. I should also like to point out that this bill does not only call for advertising but it also calls for research, and I think that is a very important point that we are forgetting. I believe that if we can get some more research in marketing and in the various ways and reasons why milk should be more generally used it is well worth while. I still hope that this amendment, which would really kill the bill, is not adopted.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I resent the implication of my esteemed friend that the dealer makes a lot more money on Class 2 milk than he does on Class 1. Inasmuch as I spent \$300 for advertising last month, I am quite sure I am not doing it for fun, and I can tell you that Oakhurst Dairy in Bath, which handles a very large amount of milk with which I am somewhat connected, if over the years this surplus milk is thrown upon them they will go so far in the red it will be along in the middle of September or the first of October before they will get back in the black again. I am sure if a dealer wants to sell milk he will advertise it, and I am sure the producer is willing to go along as far as the dealer goes by paying his share. I think if we can continue to hash this thing over and talk it over for two years perhaps you can prove it to the producer, but you haven't proved it yet.

Therefore, Mr. Speaker, I move that this bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that the Bill and accompanying papers be indefinitely postponed.

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

Mr. SANFORD: Mr. Speaker, I am very sorry to bother you and the members of the House, but I misquoted myself a minute ago. I meant to say that I am going to vote for this amendment.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I hope the members of the House will consider seriously before they vote on this amendment. If you vote for this bill you are imposing a tax on an industry which I sincerely believe that sixty per cent of them are not in favor of. We were told when this bill was introduced that there was similar legislation pending in Vermont and New Hampshire, and I think that this amendment would fairly take care of the matter so that if they do pass that legislation we will be in a position to enter into the advertising scheme with them. I hope that the amendment is adopted.

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 in favor of this measure. They think that in favoring it they are helping themselves. If they can sell perhaps a pint to the hundred pounds of milk it will pay for itself, so therefore they are in favor of it.

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

Mr. POTTER: Mr. Speaker, I ask permission to have this bill tabled temporarily for the purpose of preparing another amendment to the bill.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that this matter lie on the table pending the motion of the gentleman from Standish, Mr. Center, for

indefinite postponement of House Amendment "A" and pending the motion of the gentleman from Bowdoinham, Mr. Curtis, for indefinite postponement of the bill. Is this the pleasure of the House?

As many as are in favor of the motion to table pending those motions now before the House will please say aye; those opposed, no.

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

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

Mr. CHASE: Mr. Speaker and Members of the House: I voted against this bill when it came before us before because I did not realize that it was purely a producer's bill. I feel that is a step forward for the milk producers. I feel that if the milk producers were organized they would be better informed in regard to this bill and they would be for it.

It seems to me that the time has come for us producers to advertise our product in order for us to cope with the ever-increasing competition of dry milk, cream and other fresh milk and cream substitutes which come from the west.

I certainly hope that the amendment will be indefinitely postponed.

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

Mr. SENTER: Mr. Speaker and ladies and gentlemen of the House, I think we ought to take a step forward. I move the previous question.

The SPEAKER: The gentleman from Brunswick, Mr. Senter, 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 rise and stand in their places until counted and the monitors have made and returned the count.

The SPEAKER: One hundred and eighteen members being present and forty-three having voted in the affirmative, the motion for the previous question is entertained.

The question before the House now is: Shall the main question

be put now? All those in favor will say aye; those opposed, no.

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

The **SPEAKER**: The question before the House is on the motion of the gentleman from Standish, Mr. Center, that House Amendment "A" be indefinitely postponed. As many as are in favor of that motion will please rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Sixty-six having voted in the affirmative and thirty in the negative the motion to indefinitely postpone House Amendment "A" prevails.

The question before the House is on the motion of the gentleman from Bowdoinham, Mr. Curtis, that Bill "An Act Imposing a Tax on Milk Producers for Promotional Purposes" (H. P. 1284) (L. D. 1530) and accompanying papers be indefinitely postponed.

As many as are in favor of the indefinite postponement of L. D. 1530 will please say aye; those opposed, no.

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

The **SPEAKER**: Forty-seven having voted in the affirmative and sixty-four having voted in the negative, the motion to indefinitely postpone L. D. 1530 does not prevail.

Thereupon the Bill as amended by Senate Amendment "A" was assigned for third reading at the hour of convening of the next legislative day.

Non-Concurrent Matter

Bill "An Act relating to Closing County Offices on Saturdays in the County of Androscoggin and the County of Kennebec" (H. P. 1145) (L. D. 1293) which was passed to be engrossed as amended by House Amendments "A" and "B" in the House on May 5.

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

In the House:

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

SENATE AMENDMENT "A" to H. P. 1145, L. D. 1293, Bill "An Act Relating to Closing County Offices on Saturdays."

Amend said Bill by striking out all of that part designated "Sec. 16-B" and inserting in place thereof the following:

"Sec. 16-B. Saturday closing. County offices, except that of the clerk of courts, may in the discretion of the county commissioners of each county be closed on Saturdays in the months of June, July, August and September."

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

Mr. **TRAFTON**: Mr. Speaker, I move that we recede from our former action whereby we passed this bill to be engrossed, as amended by House Amendments "A" and "B", and that we then indefinitely postpone House Amendments "A" and "B" and that we then concur with the Senate in passing the bill to be engrossed as amended by Senate Amendment "A".

Thereupon, the motion prevailed and the House voted to recede from its former action whereby it passed the bill to be engrossed as amended by House Amendments "A" and "B" on May 5.

House Amendments "A" and "B" were then indefinitely postponed.

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

Ought to Pass as Amended by Committee Amendment

Report of the Committee on Judiciary on Bill "An Act Removing Violations of the Liquor Law from the Criminal Law" (S. P. 221) (L. D. 587) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House: Report was read.

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

Mr. CIANCHETTE: Mr. Speaker, I move that the report of the committee be accepted.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that the report of the committee be accepted.

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

Mr. STEWART: Mr. Speaker, I move the indefinite postponement of the bill, and when it is in order for discussion I would like to speak to that.

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

The gentleman may proceed.

Mr. STEWART: Mr. Speaker and Ladies and Gentlemen of the House: It is quite a swing from the discussion of milk to the discussion of liquor, but I ask you to shift your mental gears and make that adjustment.

The report, as you probably noted, is a unanimous report of the Judiciary Committee. The title of the bill may perhaps misrepresent the bill. I do not know. I have made a study of the bill and it seems to me that it does fairly represent what is being done.

It removes violations of the liquor law from the criminal law. It assumes that by this time we have gotten to the acceptance of the liquor traffic and we do not view violations of the law as much more than just the sort of thing that can be corrected by administrative procedure, not the sort of thing that we should punish as we do even a misdemeanor in the courts. We punish passing of stop lights as misdemeanors, and many other things like speeding on the highways are misdemeanors, they are within the province of the criminal law. But this asks us to say in regard to the sale of liquor that it is a little different now, that that has gotten to such a respectable state that violations of the law do not constitute a violation of the criminal law.

The bill, it would seem to me, would tend eventually to do away with the enforcement that we now have by police officers, by sheriffs, by the State Police who are empowered to enforce the liquor laws,

and it would place entire enforcement in the Liquor Commission. That would be fine, perhaps, if we had enough inspectors on the Liquor Commission to do the job. At the present time I do not believe there are many more than seventeen inspectors to enforce the liquor laws of the State. By the passing of this law you will go in the direction of wiping out the assistance that you have from the police and from the sheriffs and from the State Police and will be relying solely upon taking your turn when the seventeen inspectors of the state can get around and enforce the liquor laws. I do not feel that this would result in as effective enforcement as we should have.

The bill as first written was very sweeping. Turning to Section 66 of the bill, it would have made bootlegging no longer a crime. The Judiciary Committee has corrected that part of the bill, but it shows to my mind perhaps the amount of thinking that went into the production of the bill, to say that bootlegging would no longer even be regarded as a crime. Let me say in fairness to the committee that the committee spotted that failure in the bill and it is now one of the things which is protected as a criminal violation.

Another section of the bill says there will be no suspension or revocation for sale to minors. Another section of the bill says that there shall be no suspension or revocation for violation of the laws of this State. It does that by saying there shall be revocation or suspension for violation of the laws of the United States, and striking out that portion referring to laws of this State.

I may have misread the bill, I may be misinterpreting the bill. If so, I ask the forgiveness of the members of the Judiciary Committee and the sponsor of the bill and the Legislative Research Committee and all those other people who seem to think it is a good bill. My batting average for the last few days is 0-0-0, so I have nothing to lose, I think by moving the indefinite postponement of it, and I think it is a bill which would not improve our administration of the

liquor laws, that it would not improve the administration of justice, it would not protect the people of this State, but it would tend further in the direction of centralization of powers in State government. To my mind it is not a wholesome measure. I hope that you will agree with me and indefinitely postpone this measure. It is something that we can safely leave, I think, to the future when our activities in regard to the sale of liquor shall be such that we will not need any teeth in the law.

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

Mr. CIANCHETTE: Mr. Speaker and Members of the House: I will simply say that this was one of the recommendations of the Research Committee. It has the approval of the Liquor Commission. It was given a thorough hearing before the Judiciary Committee. We listened attentively to the arguments of the gentleman from Portland, Mr. Stewart, and the committee reported it unanimously "Ought to pass."

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

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Stewart, that the report of the Committee on Judiciary on Bill "An Act Removing Violations of the Liquor Law from the Criminal Law" (S. P. 221) (L. D. 587), together with accompanying papers, be indefinitely postponed.

As many as are in favor of the indefinite postponement of the report and accompanying papers will say aye; those opposed, no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the report of the committee "Ought to pass" as amended by Committee Amendment "A" be accepted. Is this the pleasure of the House?

The motion prevailed.

Thereupon the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 221, L. D. 587, Bill, "An Act Removing Violations of the Liquor Law from the Criminal Law."

Amend title of said bill by striking out all of the old title and inserting in place thereof a new title "An Act Removing Violations by Liquor Law Licensees from Operation of the Criminal Law."

Further amend said bill by striking out the stricken out word "Any" and the underlined word "No" and inserting in place thereof 'Any' in the 12th line of that part designated "Sec. 66."

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

Final Report

Final Report of the Committee on Correctional Institutions.

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Joint Order (H. P. 1302) relative to Committee on Sea and Shore Fisheries reporting out a Bill repealing all restrictive laws relating to the digging, taking and selling of marine worms which was passed in the House on May 4.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BAILEY: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the House recede and concur. Is this the pleasure of the House?

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

Mr. ROBINSON: Mr. Speaker, I move that we insist and request a Committee of Conference.

The SPEAKER: The gentleman from St. George, Mr. Robinson, moves that the House insist and request a committee of conference.

The question before the House is on the motion of the gentleman from Woolwich, Mr. Bailey, that the House recede and concur. Is this the pleasure of the House?

(Calls of "Yes" and "No")

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

A viva voce vote being taken, the motion prevailed and the Joint Order was indefinitely postponed in concurrence.

Orders of the Day (Cont'd.)

The SPEAKER: Does the Chair hear objection to taking up at this time the fifteenth item of Unfinished Business, Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws," Senate Paper 496, Legislative Document 1369, tabled on May 1 by the gentleman from Brewer, Mr. Archer, pending third reading? The Chair hears none and the matter is before the House by unanimous consent.

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

Mr. ARCHER: Mr. Speaker and Members of the House: This bill is a bill that is supposed to be a revision of our present laws. This bill not only in several cases has revised our present laws but it has legislated new laws. There are several instances in it and I think there are several people who are interested in this whom you will hear from later who are going to oppose some of the things that they have tried to legislate in this particular bill.

Now, my amendment, which is under my name, and at the present time is under filing number 601, is to "Amend said Bill by striking out all of Section 38 thereof." The effect that this will have is to strike out what they have put in new. The bill, as I want it, will leave it so that the law will state that there will be no Sunday hunting and that will be the way it is if my amendment is adopted.

Mr. Speaker, I offer House Amendment "D" and move its adoption.

The SPEAKER: The gentleman from Brewer, Mr. Archer, offers House Amendment "D" and moves its adoption. The Clerk will read House Amendment "D".

The CLERK:

HOUSE AMENDMENT "D" to S. P. 496, L. D. 1369, Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws."

Amend said Bill by striking out all of section 38 thereof.

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

Mr. WATSON: Mr. Speaker and Members of the House: We have argued out in the corridor about this for several days and I have tried to convince my good friend from Brewer, Mr. Archer, not to offer his amendment because I couldn't see where he was going to help anybody by offering it. As you will note in your revision, Section 66, I will read part of it here: "Sunday closed to hunting of birds and animals. It shall be unlawful to hunt on Sunday." Now, Mr. Archer says his amendment would stop right there. "And possession of firearms in the fields and forests or on the waters or ice of this state on Sunday shall be prima facie evidence of such hunting unless such firearm is carried fastened in a case or carried in at least 2 separate pieces" and, as you know we adopted an amendment the other day which would allow you to wrap the gun, which clarifies the whole thing.

Now, that adds up simply to this. If you adopt Mr. Archer's amendment, you are going right back so you don't know what you can do on Sunday. You have got to prove to the game warden what you can do if he catches you out with a gun. Now, if you don't adopt that and let this biennial provision go as written, this is not to take any liberties away from anyone, but it is simply to clarify the law and will tell you very plainly what you can do if you want to take your gun out on Sunday but if you go along with Mr. Archer, you don't know what you can do on Sunday. You don't know if you can take the gun out. So, therefore, I am going to move indefinite postponement of House Amendment "D".

The SPEAKER: The gentleman from Moose River Plantation, Mr. Watson, moves that House Amendment "D" be indefinitely postponed.

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

Mr. ARCHER: Mr. Speaker and Members of the House; My friend, the gentleman from Moose River Plantation (Mr. Watson) has gone into burden of proof. I would rather not go into burden of proof on this thing. But I would like to tell you that I have a little place that I go target shooting, I go quite often and I even go sometimes on Sunday and I have never had any trouble interpreting the law the way it is and I don't think we would have any trouble in interpreting the law the way it is now but I think with this revision things would be rather in doubt and I doubt if I would like to meet a game warden under any circumstances on Sunday with a gun in my hand.

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

Mr. FINEMORE: Mr. Speaker and Members of the House; I will tell you what the motion is and then I would like to talk on it. I move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the bill be indefinitely postponed in non-concurrence.

The Chair will state that the pending question before the House is on the motion of the gentleman from Moose River Plantation, Mr. Watson, that House Amendment "D" be indefinitely postponed. The gentleman may proceed to speak, however.

Mr. FINEMORE: Mr. Speaker, well, I will ask you first to turn to page 3 of this bill, Section 10-A. It is a very good bill for Aroostook County. It says: "Building of dams, regulated. No person shall build any dam or other obstruction in any of the rivers, streams or brooks". Up in Aroostook County, we find it necessary as almost any farmer here will tell you to dam up small brooks during spring time to get water for spraying material.

Then you can turn to page 4, Section 29 of this Bill, it says that: "No person shall act as a guide until he has procured a license to do so from the commissioner and he shall not be eligible to obtain a license to guide until he is 18 years of age." I would say that that was quite a law. 18 years of age and put him

out as a guide with a gun to guide sports from out of state. I don't think any boy at the age of 18 is qualified to guide non-resident hunters, and I believe you will go along with the gentleman from Brooks, Mr. Dickey, on this. Some of the guides who have been guiding 15, 20 up to as high as 50 years are not capable; how can a boy of 18 years of age be capable?

Then on page 5 you will notice under Section 12, they have taken away from the high school boys the chance to fish without buying a license. It says: "No resident of the state over 16 years of age,"—it used to be 18 years of age—"and no non-resident over the age of 10 years shall fish in any inland waters of the state except in accordance with the following provisions:" which require a license.

I will ask you to turn to page 6, Section 18, it says: A trout less than seven inches has been crossed out and eight is in place of it. All over our State we have found out from our own game wardens; I am not speaking from not having authority on this because the game warden has even contacted me on it and he has told me that a fish thrown back of seven inches, not alone eight inches, will die. I will go along with him on this because they will. You can't take them off of a hook, fly, or otherwise without killing the fish.

Then you drop down to the same page, in the bottom part of Section 19, you will notice that: "No person shall have in his possession any salmon, trout, togue, white perch or black bass with the heads detached therefrom, unless such fish are prepared for immediate cooking." Lots of times when anyone goes fishing on the day before they are going home they catch a fish they would like to take home. About the only way you can do this and keep them good is to clean these fish and cut their heads off and maybe sprinkle salt on the backbone. This will keep them firm until you arrive home. I don't think that is a very good bill at all.

Section 66 has been mentioned here, I am astonished at my good friend from Moose River Plantation, Mr. Watson, in saying this is a

good ruling because it is not. Today, almost anybody who has—I don't say that I go along with cruising on Sunday or anything like that—but at the same time, it is true, that people today who cruise, run lines and cruise and find it necessary in the pulp woods and a number of other lumber operation in the State to carry firearms. It has been mentioned up in Aroostook County that there are a considerable amount of bears and so on and they find it necessary to carry firearms and they don't want these firearms wrapped up in something and carried along with them.

He has already stated that the game warden doesn't hardly know what to do nor does anyone else know what to do in regard to this. I can't go along with this because I am very well acquainted with game wardens and even travel around with them and I find that no game warden that I have ever talked to has found the present Sunday law in regard to carrying firearms unsatisfactory.

And last but not least, I think it is very unfair to throw out to the Legislature at this time or any other time a document as long and covering as much legislation as this, and throw it to us in one group. And I would almost go as far as to question whether it is legal or not to present all these changes at a late date like this all in one group. I hope that you will go along with me in the indefinite postponement of this bill.

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

Mr. CURRIER: Mr. Speaker and Ladies and Gentlemen of the House: When "Squire" Finemore yakety-yaks as he does, it is pretty hard to follow him, but I made a few notations and I shall try to correct him.

On page 3, it says: "Building of dams." He read about half of that bill. He didn't read the whole of it. It says: "Building of dams, regulated. No person shall build any dam or other obstruction in any of the rivers, streams or brooks of this state without first filing written notice with the commissioner of inland fisheries and game." That is a simple thing. If he has got a reason

that he wants the dam make application and he will get it.

On page 6, he said something about this trout less than eight inches in length. That is strictly a lake law. If he will follow that bill and run through, it is strictly a lake law that trout shall not be caught in the lakes less than eight inches. That is a very simple law and it is a very worthy law. Who wants to catch a trout less than eight inches in one of these lakes?

Now in regard to cutting the heads off of fish. If every poacher wanted to catch more than seven and a half pounds of fish, that is the way he is going to do it, is to cut their heads off and that law is simply to protect the man and to protect the fish. That is a conservation measure. You catch a togue which weighs four pounds, the head of that togue will weigh a pound and a half or two pounds. He wants to cut the head off so that he can catch more togue.

Members, this revised statute has gone through a good many hearings, it has been open to the public and to come in at this late date after this thing has been laying around for months with such foolish ideas is something I do not understand even if he did come from Aroostook County. (Laughter)

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I may yakety-yak and I may be foolish on my arguments but I am a woodsman, I think. I started in when 13 years old in the woods. I have travelled in the woods. I have fished and I have hunted and I do not believe, in fact I know, that Aroostook County is not or would not be in favor of this legislation and I think it is very unfair when anybody in Aroostook County stands up and says that they will be. I did not necessarily leave out this part on the dams, I am sorry if I did. I did intend to read it but for some reason or other I left it out but it was unintentional. But I notice that he skips over this Section 66, which I don't blame him for skipping over because it is not good legislation. Anything I have said here is the truth and I

will stand behind it. I may talk fast but I don't like to spend too much time, I like to get a lot of words in a few minutes because I know we are all in a hurry to get home but I believe this bill is like a lot of other good bills that have been turned down here this year in regard to fish and game. I would just like to tell you here, I have held back all the years in saying it, but the reason ice fishing was turned down all over Aroostook County, not to revive that, is that it takes a man to go out on the ice and fish. Almost anybody can go along in the summer time and fish in a boat maybe with some extra bait in the rear end that will kind of keep the flies away and they can fish but it takes a man to walk out on the ice and cut a hole and stand there and fish for two or three hours. So I don't think the Fish and Game have gone along too much on all of our items.

The SPEAKER: The Chair recognizes the gentleman from Baileyville, Mr. Murray.

Mr. MURRAY: Mr. Speaker and Members of the House: I had a bill in here before this Legislature to increase the legal length of trout and it came out from the Fish and Game Committee unanimous "Ought not to pass."

Now we turn to page 7, Section 45, let's glance at this again: "Ice fishing regulated. All inland waters of the state are closed to ice fishing except those which have been opened to fishing through the ice by rule and regulation of the commissioner." I agree wholeheartedly with the gentleman from Bridgewater, Mr. Finemore.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Whitney.

Mr. WHITNEY: Mr. Speaker and Members of the House: About the first of this session, yours truly, was branded as the bulldog of the Inland Fish and Game Committee. That was probably true then and it is true today. You will also remember that that same bulldog left the minds of the Fish and Game Committee and went with my friend, the gentleman from Brewer, Mr. Archer. I did it because I believe I was right. I believe he is wrong now. There has been

quite a bit of time, my friend, as good men as you have in this House, they have worked diligently, they have had the advice of the department. I don't think that there is a man on that committee who has been influenced in any way in the wrong in anything that he has learned from the department. He has used his own mind.

As far as this biennial report and revision is concerned, it isn't perfect, it wouldn't be perfect if any other ten men had made it. If Mr. Archer had been on the committee, I don't think it would have been perfect but I do believe that you can save a lot of time by going ahead and adopting this biennial report.

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

Mr. ALBEE: Mr. Speaker and Members of the House: A statement was made here that a four pound togue, the head weighed a pound and a half to two pounds. I wonder if he is talking about cusk?

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

Mr. CENTER: Mr. Speaker, I would like to ask some member of the committee a question for my information. I may be quite ignorant on this but do I understand it correctly — well, I will put it this way: Upon the passage of this bill, would the regulations supersede any special legislation that has already been passed pertaining to particular ponds and streams?

The SPEAKER: The gentleman from Standish, Mr. Center, requests information.

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

Mr. WATSON: Mr. Speaker, no, I don't believe that it would; in fact, I know that it wouldn't.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: Of course, all of you know by now that I am definitely opposed to Section 66 and so is the committee. But there is one thing that I am going to say now and I don't like what I have

heard. There are two members of the committee who say that they don't like the fact that I have sort of opened this bill up. I resent any remarks that either of those members may say. If I am opposed to a particular section of the bill, I am opposed to it and I don't particularly care who knows it and this, certainly, is one section that I am opposed to.

There are a lot of good things in this bill and I am not going to say that there are not but there are a lot of things which I find it impossible to go along with. I also find impossible to go along with Section 28, which repeals that provision that if you have a fish pool that you, yourself, have made and gone to the expense of maintaining, you open to the public for fishing. That is certainly what this does.

I certainly hope and I do not mind saying so that I would be heartily in favor of the acceptance of the amendment offered by the gentleman from Brewer, Mr. Archer. I can see no harm that comes from the current law and I, for one, don't quite go along with the theory that we have got to adopt the so-called French law whereby you are guilty until proven innocent; I would still like to stick to the English law.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I do not think it is nice, courteous or fair to move the previous question so I won't do it but if these fishermen could settle this battle and let us non-fishermen get to something else, I would be awfully pleased.

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

Mr. ROBINSON: Mr. Speaker, on page 10, Section 62, in that provision there about using poison I don't see as a household could use poison to poison rats in there or mice without getting permission. Would any of the members of the committee explain that, please.

The SPEAKER: The gentleman from St. George, Mr. Robinson, requests information through the Chair.

The Chair recognizes the gentleman from Hallowell, Mr. Vaughan.

Mr. VAUGHAN: Mr. Speaker and Members of the House: If you will read in the third line, it starts at the end of the second line "except insects or vermin within a building".

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

Mr. TRAFTON: Mr. Speaker, I would like to address a question to any member of the committee as to whether that Section 62 permits the storing of iodine or any other poison in a family medicine cabinet.

The SPEAKER: The gentleman from Auburn, Mr. Trafton, requests information through the Chair.

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

Mr. BUTLER: Mr. Speaker, I think I can answer that question. It does prohibit that if he lives in a hen house. (Laughter and Applause)

This happens to be a field day on the Fish and Game Committee and as far as I am concerned, go right ahead. It doesn't jar me a bit but I do want to think over this proposition. I think that I am right in saying that the Fish and Game Committee had more bills than any other committee in this House this year. A lot of these points that are being brought up today have been brought up before our committee by members of the fish and game associations all over the State. They have attended every meeting. I think there are at least three or four different men whom I can think of who didn't miss a half a dozen hearings. I am very sorry that the gentleman from Bridgewater, Mr. Finemore, couldn't have been there to present his ideas. We would have been glad to listen to them; we are glad to listen to them now.

When these representatives came in from the Fish and Game Department, the fish and game clubs, excuse me, a lot of them came in with good suggestions. They all came in with the idea that their ideas were the right ones. We examined them carefully to see whether the ideas were the right

ones for their district or whether they were the right ones for the whole State, which we felt we represented. We picked out some good ideas they had and some bad ideas they had. We had some testimony, several times, many times, that we knew from just common-sense and our daily life could not be so and if Mr. Finemore had come in there and said that the big, strong men in Aroostook didn't dare to go out in the woods Sunday afternoon without a rifle that is one that we wouldn't have paid any attention to.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker, we understood the last few days that there are a few things about this bill that some of the members didn't like, or some of the persons in the House didn't like, but I didn't suppose that they were going to tear it all to pieces. I don't think that there is anything there that was intended to hurt anybody or create any great hardship. I am sorry at this late date to find so much wrong with it.

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

Mrs. CHRISTIE: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Brewer, Mr. Archer, or some member of the committee. This amendment says: "by striking out all of Section 38." It is said that that doesn't include the prohibition against Sunday hunting but if you strike out all of that section, it looks to me that it does include that.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, requests information through the Chair. The gentleman from Brewer, Mr. Archer, may answer if he so desires.

Mr. ARCHER: Mr. Speaker, if the gentlewoman from Presque Isle, Mrs. Christie, will stop and think for a minute she will realize that we are working on Legislative Document 1369. That is something to change the existing law as it is at the moment. If we strike that out of this document, then the law stays as it is now written.

Mrs. CHRISTIE: Thank you, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Moose River Plantation, Mr. Watson, that House Amendment "D" be indefinitely postponed.

As many as are in favor of the indefinite postponement of House Amendment "D" will please say aye; those opposed, no.

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

Sixty having voted in the affirmative and fifty-one having voted in the negative, the motion prevailed and House Amendment "D" was indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Bridgewater, Mr. Finemore, that Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws", Senate Paper 496, Legislative Document 1369, be indefinitely postponed.

At this time the Chair will entertain any other amendments.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: The amendment that I have prepared which I hope to be attached to this bill leaves fish pools that are made by individuals as they are now. I certainly don't think that those people who go to the expense of making them should have their pools open to the public for fishing, which is what 1369 does by repealing Section 54 of Chapter 33.

I now offer House Amendment "E" and move its adoption.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, offers House Amendment "E" and moves its adoption. The Clerk will read House Amendment "E".

The CLERK:

HOUSE AMENDMENT "E" to S. P. 496, L. D. 1369, Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws."

Amend said Bill by striking out all of section 28 thereof.

Further amend said Bill by re-numbering sections 29 to 76, inclusive, to be sections 28 to 75, inclusive.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker, this bill has been in the possession of the House here for quite some time and it seems to me that it is kind of a late date to tear it all to pieces. I move for the indefinite postponement of House Amendment "E" to this bill.

The SPEAKER: The gentleman from Rangeley, Mr. Harnden, moves that House Amendment "E" be indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I respect every member's right to raise what I think is a legitimate question. I can appreciate that the gentleman who has just spoken is against having this bill torn apart and I can sympathize with him but I would like to ask if it is true, does Section 28 repeal the provisions of the biennial revision of the fish and game law and I pose this question to any member of the committee. Does it include in that section as the gentleman from Greenville, Mr. Anderson, stated to open up these private pools and I presume he means, for example, the soil conservation pools to help the farmers of Maine, to public fishing?

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests information through the Chair.

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

Mr. MCGLAUFLIN: Mr. Speaker, I don't know anything about this thing you are talking about but I should say definitely if he has a private pool, this is a public law and it has no application.

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

Mr. ANDERSON: Mr. Speaker, what the good gentleman from Portland, Mr. McGlaufflin, has just said may be true. However, for some particular reason the Legislature has seen fit to enact the following and it is now a law. "The penalty for fishing in private ponds without permission of the owners, no person without permission of the proprietor shall fish in that portion of the pond or other water in which

fish are artificially cultivated or maintained by written permission of the commissioner. Any violations of the provisions of this section shall be punished by a fine of not less than \$10" and so forth. For some particular reason, the Legislature has seen fit to enact legislation which would prohibit you and me from going into John Jones' pond to fish. Now, by adopting this revision you are repealing a provision that you have already enacted and which is now a part of Chapter 33. Now, that may be the answer to it and if it is, it is all right, but it certainly doesn't sound right to me.

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

Mr. MCGLAUFLIN: Mr. Speaker, it appears from what the gentleman from Greenville says that he owns that pool. If he owns a pool or a pond, that doesn't affect him.

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

Mr. WATSON: Mr. Speaker and Members of the House: I want to thank the good gentleman from Portland, Mr. McGlaufflin, for his information, and it will help us a lot. But I can't follow this as fast as they bring them up. But under the present law, the game warden would have to enforce it and this repeals that a private landowner would take care of his own pond.

The SPEAKER: Is the House ready for the question?

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

Mr. ALBEE: Mr. Speaker and Members of the House: I note through this bill several pages that it is to amend this particular section of the statute and amend some other statute and I think I will go along with the motion of the gentleman from Bridgewater, Mr. Finemore, to indefinitely postpone this bill.

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

Mr. HAND: Mr. Speaker and Members of the House: I couldn't let this go by without getting my two cents worth in somewhere. Section 38 according to the gentleman from Moose River is the bur-

den of enforcing this law, he says, and now I am a game warden. If you take away the game warden's obligations to enforce, you are also taking away the criminal penalty involved. Now, it seems to me that you want to consider whether or not you want a criminal penalty to impose on a person who comes on your land, to your own private fish pool and catches fish and lugs them away. This section of the statute sets forth a very distinct fine and sets forth the punishment. Without that, the most you would have would be an act of trespass. I think that there is something to be said for keeping this section as it is.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I am sorry I did not appear before the Committee on this bill. I will admit I was wrong and I am sorry. I am sorry if I have offended anyone on this bill but I would like to have you members consider one thing. I will leave all the rest out that has been said. Just consider, where no person shall act as a guide until he has procured a license to do so from the commissioner and he shall not be eligible to obtain a license to guide until he is 18 years of age. I just ask you to bear that in mind, ladies and gentlemen of this House, because that is a very vicious section in this legislation.

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

Mr. HILTON: Mr. Speaker and Members of the House: I would like to ask a question of any member of the Fish and Game Committee. In Section 61 it says "no person shall set any trap without having the trap firmly labeled with his full name and address and he shall forfeit to the State any trap or traps not so marked". Now, I wonder if that bars any farmer from setting a trap in his barn for rats or skunks or in his hen yard or anything like that.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, requests information through the Chair.

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

Mr. WATSON: Mr. Speaker, in all fairness to answer the question, I would say that it does not but I wish the members here had to compare the eleventh biennial revision of the Inland Fish and Game with this. They are just picking out sections that are qualifying some other sections in this book and it is very hard to put them together. I think that that is where most of the trouble is coming from, that the sections they are reading they think they are laws but they are clarifying some other law in this annual revision. There is no intent, no purpose to penalize anybody on this. It is just simply to clarify the law and if any of you members ever went to a fish and game meeting that was the big holler. Why don't you members clarify those laws so that we will know what they mean? Why don't you do this so that we will know what they mean? Well, that is exactly what this bill does and there in no way. You can pick up any part of this 1369, I think it is, and you can find fault with it because you can't follow it through with this book. You would have to compare the two together and take it section by section and fit it together to really get the sense of what they really mean.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker and Members of the House: I will try to answer Mr. Finemore's question about the age 18 for a license for guides. It was my opinion, and I will stand correction, that it is not so. That any person of that age would have to have the approval of a game warden or the department before he could get that license.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Whitney.

Mr. WHITNEY: Mr. Speaker, you have got before you practically, as Mr. Watson has said, what you have been operating under for the past several years. I don't think any one has been hurt very much. The only thing that your committee has tried to do, as he

says, is to clarify some of these things and we believe that we were helping you when we did it. If you had faults to find, why didn't you come before us?

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

Mr. ARCHER: Mr. Speaker, we have here a wonderful example of the departments of state legislating for us legislators. We are fast becoming a bureaucracy. But I would like to mention the fact that now that we are well confused by this very adequate committee, we should remember the words that Shakespeare used in the mouth of Portia one time: "The devil may quote Scripture for its purpose."

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

Mr. POTTER: Mr. Speaker and Members of the House: Your Fish and Game Committee has worked hard and long on this revision. They have talked with the members in the lobby in regard to sections which the members didn't like. In certain instances, I think quite a few, they have invited those members into their executive sessions to talk over those sections which the members didn't like. I think with the amount of time and labor that they have put into this that we should go along with them and accept it. They have made a study of it and we haven't.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I sat here all this session besides my seat mates, I am violently opposed to this motion that seems so easily made. I move the previous question although I think it is very impolite, but I am just as firmly convinced that they as a hard-working committee are taking an awful beating here today and I, frankly, say that my heart goes out to them and before they get raked over the coals any more, I move the previous question.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves the previous question. In order for the Chair to entertain the motion for the previous question it re-

quires 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 question before the House is on the motion of the gentleman from Rangeley, Mr. Harnden, that House Amendment "E" be indefinitely postponed. As many as are in favor of the motion for indefinite postponement of House Amendment "E" will please say aye; those opposed, no.

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

The SPEAKER: The question before the House at this time is on the motion of the gentleman from Bridgewater, Mr. Finemore, that Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws", Senate Paper 496, Legislative Document 1369, be indefinitely postponed.

Mr. FINEMORE: May I request a division, Mr. Speaker?

The SPEAKER: The same gentleman requests a division.

As many as are in favor of the motion of the gentleman from Bridgewater, Mr. Finemore, that Legislative Document 1369 be indefinitely postponed will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Twenty having voted in the affirmative and seventy-eight having voted in the negative the motion to indefinitely postpone the Bill did not prevail.

Thereupon, the Bill was given its third reading, passed to be engrossed as amended by Committee Amend-

ment "B" and House Amendment "B" in non-concurrence and sent up for concurrence.

Orders Out of Order

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

Mr. BURGESS: Mr. Speaker, I present an order and move its passage.

The SPEAKER: Out of order and under suspension of the rules, the gentleman from Limestone, Mr. Burgess, presents an order and moves its passage. The Clerk will read the order.

ORDERED, That the Joint Committee on Appropriations and Financial Affairs and on Taxation present a plan for balancing the budget by increasing estimates of revenue derived from existing sources.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. BURGESS: Mr. Speaker, I want to say at the start that I shall vote against this order and I hope that you all vote against it and I would like to state to you briefly why. The reason that this order has been presented and another will be shortly is to get the feeling of the House as to what their wishes are with respect to carrying out the order that they previously passed. For a number of sessions and particularly the last session in the final days an order was presented to us to the displeasure of a great many people, that the way to balance the budget was to increase the estimates of revenue. Now, it is true it has proven out in the past reasonably well. I want to say to you now that from the best information obtainable your estimates are at a high. I think we are agreed, particularly with respect to income from the sales tax that it has reached a peak, and probably will level off and before the biennium is over will show a decline due to possible declining prices. I hope that the House will vote "no" very decisively on this order because that would pave a way that you do not wish the budget to be balanced.

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

Mr. FULLER: Mr. Speaker, I do not intend in any way to disagree with my friend, the gentleman from Limestone, Mr. Burgess, but it seems to me that from the order that has just passed it would be more or less tying the hands of the Appropriations and Taxation Committees to come up with something like this because it is possible that through research and investigation they might be able to balance the budget by increasing the estimates of revenue. We don't know. I don't agree that we should right now, but it is possible that we might, and I do not think that we ought to tie their hands. I think that they should be given a free hand to tell us ways and means of balancing the budget. I do not think that this order is necessary, and therefore I move the indefinite postponement of this order.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that this order be indefinitely postponed.

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

Mr. McGLAUFFLIN: Mr. Speaker, if it should happen that we lack a few thousand dollars of absolutely balancing this budget before we leave, I do not think that the Governor is going to do anything to upset all of the work of this Legislature. I do not see any need of this special investigation.

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

Mr. SMALL: Mr. Speaker and Members of the House: I suspected this afternoon that something was cooking in the State House, and I am not referring exactly to this order either.

I have been doing a little lobbying here, although perhaps it is not my prerogative as a member of the Legislature to do that, for a resolve that this House passed to the tune of 77 to 3. I have great hopes that we are going to resurrect strength enough in the other branch so that when the committee of conference comes back, whether it is affirmative or negative, that they will go along with our 77 to 3 vote. Perhaps I am a little over-confident. The question has arisen whether or not they can afford, whether the

State can afford and whether we can afford ten thousand dollars for the Town of Garland. It seems kind of late in the day to be thinking about ten thousand dollars, and I suggest that the money saved from the Merit Award Board could be applied there.

I agree with the gentleman from Portland, Mr. McGlauffin, that ten thousand dollars isn't an awful big amount of money, but to me this order seems awfully foolish, and I want to go along with the gentleman from South Portland, Mr. Fuller, our floor leader, in the indefinite postponement of the order.

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

Mr. FOGG: Mr. Speaker and Members of the House: I go along with the gentleman from Limestone, Mr. Burgess, in his contention that raising the estimates of revenue is not a sensible way to balance the budget, that is if the estimates were correctly made in the first place. On the other hand, I do not think that the State is in the dire financial condition that we have been led to believe, and I may later on give you my opinion on this. And I do not think it is necessary to have any more tax measures. If we vote this order down I think that we will come out of this thing right side up, because we always have in years past, as near as I can understand, and the State has usually come out of the deal pretty well. So I hope that this order does not pass.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: Regardless of how you desire to vote on this order, I certainly want to stand up beside Mr. Burgess and reaffirm to the House that I sincerely believe he is acting in good faith, that he was not crying "Wolf" when he told you that at the last session at the eleventh hour—it was even beyond midnight if the truth be known—we received in this branch a statement asking us to O.K. the increasing of the estimates of revenue. He is absolutely right in telling you that it incurred the wrath

of a large number of the members of the House.

I repeat, regardless of how you vote on this order I for one certainly want to assure you that I am convinced that Mr. Burgess simply wants an indication if that is the way you want the Appropriations Committee to act, and that in this order he himself is certainly acting in good faith.

The SPEAKER: In all fairness, the Chair wishes to state that it was the Chair's own suggestion that an order or maybe more than one order be introduced by the gentleman from Limestone, Mr. Burgess, to test the sentiments of the House, and this order is one of the vehicles that the gentleman is using.

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

Mr. CHASE: Mr. Speaker and Members of the House: It seems to me that we would not be in this mess we are in, this so-called mess, if we had cut the appropriations bill back to the Governor's budget instead of going half a million dollars over. It seems to me that the appropriations bill was forced through and signed pretty quickly. Now they want more money. I say it is too late. I hope this order will receive passage.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I would say to the gentleman from Whitefield (Mr. Chase) that the final appropriation measure received the full approval of the Governor. He sat in with us that afternoon for a time and he was perfectly satisfied with the outcome of the conference.

I certainly want to support the gentleman from Limestone, Mr. Burgess, in his motion, because I saw this same thing happen two years ago and I think it is a dangerous thing to do. These estimates are supplied by men who know much more about the finances of the State than we do, and the expected income. I hope that the motion of the gentleman from Limestone, Mr. Burgess, prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from South Port-

land, Mr. Fuller, that this order be indefinitely postponed.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I want to apologize to you for not having more fully explained my position.

This order is only an instrument to test the sentiment of the House in order that your joint committee may have the benefit of your advice and your thinking. I will further assure you that I, as a member of the Appropriations Committee—I cannot speak for any of the others—had nothing to do with the order which you passed instructing your joint committee to bring in plans for the balancing of the budget.

I further want to tell you, now that I am up and started here a little bit, that your budget is not yet out of balance as you have been told. I will give you the figures at a later time if you wish them, but, out of fairness to myself and the committee, if you will give us the honest benefit of your thinking it will be appreciated.

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

Mr. FULLER: Mr. Speaker, I am certainly willing to cooperate, and the only reason for my motion was to protect and give the Appropriations Committee and the Taxation Committee jointly a free hand, but if this order is just to get the sentiment of the House I will withdraw my motion very gladly.

The SPEAKER: The Chair understands the gentleman from South Portland, Mr. Fuller, withdraws his motion.

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

Mr. GATES: Mr. Speaker, if I understand this order, if it receives passage it will be a mandate for the Appropriations Committee to cut back on some of these resolves and these pensions and these claims. I don't believe it is necessary. I for one will not vote for any increase in revenue or increase in taxes. But we do have in the unexpended surplus account, or we did have, something like ten million and a half. I don't know how much of that has been appropriated, perhaps three — three anyway, but

perhaps five million dollars, and I would suggest — I am just throwing this in for a thought — that these pensions, these resolves and these claims be taken out of that unexpended balance.

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

Mr. JALBERT: Mr. Speaker, this order merely says: In order to balance the budget you want to raise the anticipated revenue for the next biennium. If you want to balance the budget in that manner, and I assure you it is very poor business, if you want to do it in that manner, vote for the passage of the order. If you do not want to step up the anticipated revenue, vote against the order.

In answer to the gentleman from Millinocket, Mr. Gates, I might state that the ten and a half million unappropriated surplus looks very, very sad today.

The SPEAKER: Does the Chair understand the gentleman from Limestone, Mr. Burgess, moved the passage of this order?

Mr. BURGESS: I do, Mr. Speaker, and I am going to vote against my own motion.

The SPEAKER: The Chair thanks the gentleman.

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

Mr. WINCHENPAW: Mr. Speaker, I may be a little out of balance but it seems as though it is a little early to bring in this order. I suggest that we finish up all these L. D.'s we have here on the calendar and find out just how much money we need. I personally believe that there are a few L. D.'s that have been passed, small ones, that would bring in a little additional revenue. I know I fathered one myself. It did not get any publicity; it went through quite quietly, but it is supposed to bring in five to eight thousand dollars, which would maybe take care of the Town of Garland. So I move that this order be tabled until we find out just how much money we do need.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that this order lie on the table unassigned, pending

the motion of the gentleman from Limestone, Mr. Burgess, that it receive passage. Is this the pleasure of the House?

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

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

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

Mr. McGLAUFFLIN: Mr. Speaker, I will go along with the motion of the gentleman from Limestone, Mr. Burgess, and for this reason, I agree with him that if we had to make any large change in the budget in order to balance the accounts, that might be dangerous. But it is very apparent that if we have to raise the budget at all it will only be a small amount, and if you have to increase the appropriation a few thousand dollars, the amount of money can be raised, a few dollars, and probably will do no harm whatever and save a lot of trouble.

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

Mr. CENTER: Mr. Speaker and Members of the House: In my limited legislative experience I have always understood that the Appropriations Committee, in formulating their estimate of income in the past, have come as reasonably close as they could, because, after all, it is approximate, guess-work income, but that they have usually left a little back to act as a sort of a buffer. Now this year legislative corridor gossip has it, and when I look over some of the items of estimated income under the appropriations bill, I am inclined to agree that they have left very little to come and go on, more than they have actually set forth in their estimated income. I certainly do not think that this Legislature wants to be in the position of arbitrarily just kidding ourselves of guessing that we are going to have more money than we really think we are going to have. For that reason I am going to vote against the order that Mr. Burgess has placed before us.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I have sat here all the afternoon listening to what you have been saying in regard to appropriations and the Appropriations Committee. I will say at the outset that we have nothing left behind for a cushion. We have consulted with the Commissioner of Taxation and very carefully gone over it and we have given you all the income that we know about.

Now you must remember that we have two branches of the Legislature here, the House and the Senate. All the bills that you have passed here carrying money now are in the hands of the Senate, in the other branch, and I think that they will see to it that they will not pass them and have a deficit in the balance of our money. They will come back in this House for your consideration, whether to accept or reject, but I think when they come back the budget will be balanced as far as the appropriations of this House are concerned.

Remember that there are two branches. We have passed these bills, many of these L. D.'s carrying money. Now it is up to the Senate to accept or reject, and if they reject them so as to balance the budget they will come back here for your consideration and probably most of you will go along and concur with the Senate.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that this order receive passage. All those in favor 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: Three having voted in the affirmative and eighty-nine in the negative, the order fails of passage.

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

Mr. BURGESS: Mr. Speaker, I present an order and move its passage and wish to speak briefly to that at the proper time.

The SPEAKER: Out of order and under suspension of the rules, the gentleman from Limestone, Mr. Burgess, presents an order and moves its passage.

The Clerk will read the order.

The Order was read by the Clerk as follows:

ORDERED, that the Joint Committees on Appropriations and Financial Affairs and on Taxation present a plan for balancing the budget by recommending new sources of tax revenue.

The CLERK: This order has been reproduced and is being distributed now to the members.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. BURGESS: Mr. Speaker, this order again is offered for the purpose of getting your advice. I might say to you that I shall also vote against this order. I do not in any way wish to influence or try to influence any person in the House but I do hope that you will give this some consideration and a discussion appropriate to the order, and will again give your joint committee the benefit of your thinking.

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

Mr. JALBERT: Mr. Speaker and Members of the House: You have, in my opinion, indicated that you would not balance the budget by putting up the anticipated revenue. You therefore, in my opinion, have two recourses: 1. Recall the Appropriations Bill from the Governor's office. I assure you that it will receive tough sledding before it gets from the Governor's office through the other branch and finally lands here. 2. If you want to spend financially you must have the funds and the money. There are no two ways about it. I am certainly aware of the fact that it is great, it is very, very popular to vote against all tax measures and for all spending bills. I have enjoyed that myself; but if I am going to stand here as I did yesterday and talk about principle I am going to do a little practicing of what I preach. So on this order you have indicated that you did not want to balance the budget by increasing the anticipated revenue, and you did well. If then you want to recall the

appropriations bill from where it is now, vote against this order. If you want some of your projects, and some of them are worthy, — and some of them are going to wind up, if I may use the expression that has been used so much this year, being "clobbered," with good merit, why then vote for this order. I definitely myself shall vote for the order, and I think you should vote for the order.

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

Mr. CRABTREE: Mr. Speaker, I would like to inquire from some source whether or not these affairs that we are having now, these orders, are mandates or just a recommendation. Just how much force do they carry? I am a little bit confused at the modus operandi here, and I am more concerned about just how much effect they have. How much of an order or a law of a mandate is this? If it is a recommendation, that is one thing; if it is a definite order that must be followed by the joint Committees on Appropriations and Taxation, that is something else again, very much so.

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

Mr. BURGESS: Mr. Speaker, I would like to point out that earlier in the day I asked the Speaker to consider either on or off the record a brief discussion of the subject in order that the joint committee might have the benefit of your thinking and your advice. If you will recall, the Speaker suggested that I might be able to accomplish what I had asked for, namely advice, by the use of an order.

My intention in presenting these orders was to raise a discussion among you and for the advice that you will give by however you vote on the order.

The SPEAKER: The Chair feels obligated to state that it is the opinion of the Chair that this order is an expression of sentiment on the part of the House as a recommendation to those House members who are serving on a joint committee. The House cannot issue a directive to a joint committee.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I am just wondering if we are playing footsie here. I went along with the first one. I will state, I guess it was early in the morning of the last session that we were forced to approve such a matter. The gentleman who introduced it, in a debate a day or two ago, as I recall, he said he was quite sure that he could find some money somewhere to go along with some project he had in mind. So I am just wondering now whether this is just playing footsie or not or whether it is trying to scare somebody out of some resolve or L. D. they have in the other branch.

I think we have asked the Appropriations Committee and the Taxation Committee to come back and recommend something to us, and I have faith in both those committees, that they can come out and do something. These little orders here are not showing the expression of the House because we can change just like the tide; we can be with it today and against it tomorrow. It is now quarter of six, and I do not think anybody cares to play footsie with these any more.

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

Mr. FOGG: Mr. Speaker and Members of the House: I think it can be recalled that in the early part of this session I made my point clear that I was for economy in this House because I voted to go back to the Governor's budget. It can't be said that I voted to spend money yet voted to cut taxes. I consistently held my position against the bill to put the sales tax on the net price of automobiles.

When this Legislature convened we were in very good financial condition as far as I can see. We had a good income from the Sales Tax, but a lot of people had made a promise that they would cut the sales tax on automobiles. It seemed to me that we were headed right down a dead-end street and it was just a question in my mind as to when we would get to the end of the dead-end street, and now we are there.

Now if you want to go back and repeal this silly tax bill that you

put through here, taking the tax off from automobiles I will go along with it. I am not going to go along with any other tax bill that will slap an unjust tax on manufacturers which might hurt industry in the State of Maine and help keep industry out. I am not going to go along with any tax bill which will put a tax on household fuel, but I will go along with a bill to repeal the sales tax reduction on automobiles which you put through the other day.

Now I do not know just how bad a financial condition we are in. I was going through the auditor's report the other day and I noticed a figure that there was a lapsed balance from the different departments of \$983,000 for the year ended in June, 1952. We have been told that \$647,000 of that was in the Health and Welfare Department alone. That leaves \$336,000 for the other departments. Now I notice that the estimated figure in the summary of the general fund—now I am not an experienced accountant, I am not one of these budget experts, I am just going by what I see, and I would like to have it explained to me—I see that we have an unexpended balance lapsed which they have estimated as of June, 1953, as \$911,000 in the Health and Welfare Department.

Now I understand those lapsed balances go back into the general fund surplus account. Now I do not know just how much of a lapsed balance we have from some of these other departments, but it does look to me that there is considerable money which is going back into the general fund surplus as of June 30, 1953. I would like to know if that is true and what is going to be done with that money. Is it going to stay there? Isn't there some way that we can go ahead and take some of that, earmark some of that money for the payment of some of these emergency measures when it does come out? Now I would like to have somebody from the Appropriations Committee explain that to me.

The SPEAKER: The gentleman from Madison, Mr. Fogg, requests information.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In answering the gentleman from Madison, Mr. Fogg, the General Fund surplus from July 1, 1953, becomes an unappropriated surplus, and then cannot be spent for any recurring measures. I hope that answers the gentleman.

I might say that the remarks of the gentleman from Madison, Mr. Fogg, just made, are good remarks. He is being honest with himself; he has the courage to not want to cut the tax a million dollars; he felt that it wasn't right. Many of us have pledged ourselves to do it. That is where I think many of us are now. I repeat again, if we were willing to cut a million dollars, if we need a little money to keep some of our good L. D.'s alive, we should be willing to go along with some sort of a revenue measure, and again I repeat, I went with the gentleman from Limestone, Mr. Burgess, on the first order and I do hope this order receives passage.

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

Mr. CRABTREE: Mr. Speaker, I don't think we are on any dead end street; I think we are just on a detour, and I don't want any fences put up across that road either.

Now through the smoke screen, it seems to me that the best way to handle this is to vote for it. I wish I was just a little more sure that that was the right way, but it is the lesser of the evils. I shall vote for it unless I am convinced differently.

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

Mr. FOGG: Mr. Speaker and Members of the House: I intend to vote for this order but I am just going to tell you what kind of a tax bill I will be voting for if it comes out.

As I said before, I understand you can't take it out of the General Fund surplus to pay some of these bills, but we have got a \$2,000,000 Working Fund account, and we have a \$450,000 Contingent Fund that the Governor and the Council uses. It seems to me, if we got into any financial condition, we could draw from that fund and then the next Legislature could make it up.

Now maybe that is out of order. I would just like to have an answer as to how that could be done if it is possible.

The SPEAKER: The gentleman from Madison, Mr. Fogg, requests information.

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

Mr. JALBERT: In answer to that query, the reply is that if we do not have a Surplus in two years from now we will not have a Contingency Account.

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

Mr. FULLER: Mr. Speaker and Members of the House: I, too, am going to vote for this order. I have faith in our two committees, the Joint committees of the Taxation and Appropriations and Financial Affairs, and if they feel that it is necessary to recommend new sources of tax revenue, I think it is a good idea. We don't have to vote for them; it is just a recommendation, and we can do as we please when they come on the floor of the House.

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

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I sounded one note of warning but not loud enough. I believe this is just sort of a trick. I had a story I intended to tell all the session. I don't mean any offense to the gentleman from Bremen (Mr. Hilton) but I have always heard this story about a man from Bremen. He raised a pig. He was quite interested in the ways of the pig, and he kept bragging about how much the pig weighed. So finally butchering day came and one of the neighbors came in and they said: "How much did your pig weigh?" "Well," he said "it didn't weigh as much as I thought it would nor I didn't think it would." (Laughter)

Now that is the way with these figures and I don't believe we are ready for this order. Let's finish up our L. D.'s, find out how much they are going to cost. So I move the tabling of this order until we know where we are.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the matter lie on the table pending the motion of the gentleman from Limestone, Mr. Burgess, for passage of the order. Is this the pleasure of the House?

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

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

Twenty-nine having voted in the affirmative and seventy-eight having voted in the negative, the motion to table did not prevail.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I presume the House is now ready to vote on the order and inasmuch as I figure I am about as low in intelligence as anyone can go in this House, I will admit and explain how confused I am. In my explanation of my confusion in understanding this order, I am opening myself up to being corrected, and perhaps in explaining my confusion the rest of you may see whether I have grasped the order or not. I think that the gentleman from Island Falls, Mr. Crabtree, hit the nail on the head.

As I understand this order, if you vote as the gentleman from Limestone, Mr. Burgess, suggests, to kill the order, you vote against the order, you are indicating that you do not wish the budget to be balanced by looking at the last minute for a possible new source of tax revenue or, in other words, voting for a new tax bill. If you vote for the order, which I am going to do, if you vote for the order, you are doing two things. Number 1, you are saying that you suspect there are some L. D.'s of yours which are pets which you want to keep alive and it means that you think those L. D.'s are so worthy. Number 2, you are going to be willing to dig up some small tax measure to see to it that those L. D.'s stay alive. If I am wrong, I will be glad to be corrected.

The SPEAKER: Is the House ready for the question? As many as are in favor of the motion of the gentleman from Limestone, Mr. Burgess, that this order receive pas-

sage will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair will reconsider the gavel and request that 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-three having voted in the affirmative and forty-eight having voted in the negative, the order received passage.

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

Mr. BURGESS: Mr. Speaker, may I just thank the House for the time they have taken and the expressions they have made. I know it will be beneficial.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on House Paper 1171, Legislative Document 1326, Resolve, Authorizing Alfred Howard, Sr. and Ethel M. Howard of Bingham to Sue the State of Maine, the Chair appoints the following conferees on the part of the House: the gentleman from Moose River Plantation, Mr. Watson; the gentleman from Portland, Mr. McGlaffin; the gentleman from Auburn, Mr. Trafton.

The SPEAKER: At this time, does the Chair hear objection to the request of the gentleman from Saco, Mr. Pitandides, to address the House. The Chair hears none and the gentleman from Saco, Mr. Pitandides, is granted unanimous consent to address the House.

Mr. PITANIDES: Mr. Speaker, the other day, May Day, when the House had a chance to express their feelings towards the female members of this House, one was absent and I wish, at this time, in behalf of the House, to express our gratitude to a very lovely and gracious lady, who had served patiently during the 95th Legislature and is serving now with ours, the 96th. She has been an indispensable aid to her blind husband, William P. Gilman, and we want Mrs. Gilman to accept these flowers as a token

of our appreciation and we also want her to know that we like her very, very much. (Applause, members rising)

Thereupon, on motion of Mr. Fuller of South Portland,
Adjourned until 8:30 A. M., E. S. T., tomorrow.