

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, December 4, 1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Monday, December 18, 1933.

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

Prayer by the Rev. Mr. Dunnack of Augusta.

Journal of the previous session read and approved.

On motion by Mr. Clarke of Cooper the rules were suspended in order to permit the introduction of the following orders, out of order.

Ordered, the Senate concurring, that the following acts and resolves be recalled from the committee on Taxation:

An act establishing a low rate tax on intangible personal property in accordance with Constitutional Amendment permitting the same. L. D. 87.

An act to impose a sales tax, L. D. 132.

Resolve proposing an amendment to the Constitution relative to the authority of the Legislature to impose a tax on incomes, L. D. 135.

An act providing for the levying, collecting and paying of an income tax on individuals, fixing penalties for the violation thereof, and providing for the manner of filing returns of income and the fee to be paid therefor, L. D. 137.

On motion by Mr. Farris of Augusta, tabled pending passage.

Mr. Clarke presented the following order, out of order, under suspension of the rules, and moved its passage:

Ordered, the Senate concurring that an act creating a State Lottery Commission, L. D. 19, be recalled to the House forthwith from the committee on Appropriations and Financial Affairs.

On motion by Mr. Farris of Augusta, tabled pending passage.

From the Senate: Bill an act regulating the sale of spirituous and vinous liquors, for medicinal and mechanical purposes and the arts, (H. P. No. 156) (L. D. No. 199) which was passed to be engrossed in the House yesterday as amended by House Amendments "A" and "B".

Comes from the Senate with Senate Amendment "A" indefinitely

postponed, and the bill passed to be engrossed as amended by House Amendments "A" and "B" and Senate Amendment "B" in non-concurrence.

In the House:

The SPEAKER: The Clerk will read Senate Amendment A, the one which was offered in the Senate and there indefinitely postponed.

Is it the pleasure of the House to reconsider the action taken last Saturday on this bill when it was passed to be engrossed as amended by House Amendments A and B?

The motion prevailed.

Senate Amendment A read by the Clerk.

Thereupon the House concurred with the Senate in the indefinite postponement of Senate Amendment A.

Senate Amendment B read by the Clerk.

The SPEAKER: In the House, the last time this bill was in, we amended Section two by striking out the first paragraph and inserting another provision which was adopted in the House. The Senate, instead of amending our amendment, has put on an additional amendment of its own, and the Clerk suggests that he can correct that situation if you will give him a minute to write out something. The House may be at ease until he returns.

House at Ease

Senate Amendment B was indefinitely postponed in non-concurrence.

On motion by Mr. Farris of Augusta, the House voted to reconsider its action whereby House Amendment A was adopted and that gentleman offered House Amendment A to House Amendment A, as follows:

House Amendment A to House Amendment A to H. P. 156, L. D. 199.

Amend House Amendment A to H. P. 156 by inserting after the figures "1933" the words "and the State Tax Assessor and the State Auditor ex-officio."

Thereupon House Amendment A to House Amendment A was adopted.

Thereupon the member from Portland, Miss Laughlin, offered House Amendment C as follows:

House Amendment C to H. P. 156, L. D. 199, entitled an act regulat-

ing the sale of spirituous and vinous liquors for medicinal and mechanical purposes and the arts.

Amend the title of said bill by striking out said title and substituting therefor, the following:

"An act to authorize the sale of intoxicating liquor for medical purposes."

Amend said bill by striking out all of said bill after the enacting clause and substituting the following.

Sec. 1. Registered pharmacists are hereby authorized to sell intoxicating liquors for medicinal purposes in accordance with the terms of this act and not otherwise upon the prescription of duly licensed Doctors of Medicine. Said pharmacist shall sell no intoxicating liquors except those purchased of the state licensing board as hereinafter provided.

Sec. 2. Duly licensed Doctors of Medicine are hereby authorized to issue prescriptions for intoxicating liquors for medicinal purposes.

Sec. 3. Such prescriptions when presented to the pharmacist and filled by him shall be kept on file by him in a book or file maintained for that purpose, which shall at all times be subject to inspection by any officer charged with the enforcement of law and such prescriptions shall not be refilled.

Sec. 4. Whoever violates any provision of this act shall be subject to the penalty provided by law for the illegal sale of intoxicating liquors.

Sec. 5. The state licensing board established under the provisions of chapter 268 of the public laws of 1933 is hereby authorized to purchase for and sell to registered pharmacists intoxicating liquors for medicinal purposes; provided, however, the price charged to said pharmacists shall not exceed 10% in addition to the actual cost thereof to the state

Sec. 6. The transportation of intoxicating liquors purchased in accordance with the terms of this act is hereby permitted.

Sec. 7. The state licensing board shall furnish no intoxicating liquors to any pharmacist convicted of violating any provision of this act.

Miss LAUGHLIN of Portland: Mr. Speaker, this amendment is the same as L. D. 116 with the exception of cutting out the provision that

the prescriptions shall not be paid for. So if the members will turn to Document No. 116, they can follow the reading better, or may be, it may be dispensed with.

Miss LAUGHLIN: Mr. Speaker, I offer this amendment in order that this House may go on record as to whether or not it is in favor of the sale of liquors for medicinal purposes or in favor of the saloons under the guise of drug stores. This amendment provides completely for the sale of liquors for medicinal purpose by providing for it on prescription of a physician, and has cut out in L. D. 116 the clause objected to by the doctors, that the prescriptions shall not be paid for; also cut out the section providing they must be sold in the original packages. So now in this amendment there is the full opportunity for the drug stores to sell liquors for medicinal purposes, and all the other provisions of the bill, which after all means that they can sell as any ordinary saloon can sell, are cut out.

I want the issue straight before this House as to whether they are for the sale of medicinal liquors—if they are, this bill provides absolutely and fully for it—or if they are in favor of the establishment of the saloon by the hypocritical subterfuge of calling it a drug store. I ask when we vote on this amendment we vote by a roll call.

Mr. WRIGHT of Bath: Mr. Speaker, I wish to express my disapproval of doctors issuing prescriptions for the control of liquor through any agency. The doctors are a very busy class of men, and I do not think they should have to devote their time to writing of prescriptions for liquor, whether they are paid for it or not paid for it. It was tried before, having doctors write prescriptions, and there was a considerable abuse of that method. I do not think the doctors want to engage in the dispensation of liquor by prescription. I hope the amendment does not prevail.

Mr. ROUNDS of Portland. Mr. Speaker, I move that the amendment lie on the table so we can have a chance to see it. I have a telegram here about the drug bill. I do not see that we have got any drug bill. We are getting all around it. I move that it lie on the table.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves

that House Amendment C lie on the table. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion failed of passage.

The SPEAKER: The pending question is the adoption of House Amendment C.

Mr. BELANGER: I move House Amendment C be indefinitely postponed.

Miss LAUGHLIN: Mr. Speaker, it is not of much consequence which way the motion is put whether to adopt or postpone, except when we vote I ask that the vote be taken by roll call.

The SPEAKER: The motion made by the gentleman from Winslow, Mr. Belanger, has precedence, of course, and must be put first. The member from Portland, Miss Laughlin, has asked that when the vote is taken that it be taken by the yeas and nays, which can be done with the consent of one-fifth of the members.

All those in favor of taking the vote on the motion of the gentleman from Winslow, Mr. Belanger, by the yeas and nays will rise and stand in their places until counted and the monitors make and return a count.

A division was had.

The SPEAKER: Thirty having voted in the affirmative, and that number being obviously one-fifth of the members present, there only being 148 members in their seats and a great many absentees, the roll call is ordered.

Mr. RAND of Clinton: Mr. Speaker, would it be in order for the Clerk to read that amendment.

The SPEAKER: We will have it read again before we call the roll. If you will follow the suggestion of the member from Portland, Miss Laughlin, and keep No. 116 before you, it will help you in understanding what this is about.

(House Amendment C read by the Clerk).

Mr. SCATES of Westbrook: Mr. Speaker, see if I correctly understand it. As I understand it, that amendment eliminates the whole of the druggists bill, as we so know it, and substitutes this in its place, and if that amendment is adopted the old bill with all the amendments that have been added, if any, is simply abolished, and we are writ-

ing a new bill entirely. That is so, is it not?

The SPEAKER: The member from Portland, Miss Laughlin, may answer.

Miss LAUGHLIN: Certainly. We are writing a medicinal bill instead of a saloon bill.

Mr. SCATES: But it is a new bill entirely?

Miss LAUGHLIN: Entirely a new bill. It is Legislative Document 116, with the exception of not paying the physician and about original packages.

Mr. SCATES: But the old bill is entirely eliminated and this bill is substituted in its place.

Miss LAUGHLIN: Yes.

The SPEAKER: The old bill also of course bore the emergency clause, which is not on this one.

Mr. ROUNDS: As I understand it, we have four or five concerns in Portland that have to use alcohol in their business. Why, under this bill, every housekeeper could not have any vanilla extract, they could not have anything, because it eliminates the manufacture or doing anything.

The Deering Ice Cream Company, I have a message from them, the J. E. Gould Company, and a number of others, about this druggists' bill, but they supposed it was the old bill. This new bill comes in right on the jump and they want us to pass it and not even let us have time to digest it, just read it twice and through it goes.

Now do you want to stop the manufacture of all kinds of extracts? If you do, pass this bill, and they cannot manufacture anything. Now I have been in Schlosberg & Foss's place, and I have seen ten or twelve barrels of alcohol or liquor of some kind. They have to use it in their manufacturing, and they employ a lot of people. Do you want to throw those people out of work, and all the other ice cream places. If you do, just pass that bill and you have stopped them from doing anything. You have stopped any grocery man from selling vanilla extract or anything of that kind. Now I know my wife uses it, and I think everybody else in Augusta uses that, and if you pass this bill they can't have it, because it cannot be transported into the State, nor can it be used by the householders.

Miss LAUGHLIN: Mr. Speaker, in

answer to the objection of the gentleman from Portland, Mr. Rounds, that the members have not had time to digest it, we have had the same bill before us for some time, and if he reads the bills he has had plenty of time to digest it. Secondly, as far as extracts go, L. D. 107, already passed to be engrossed, covers that part completely. If the gentleman will please read his L. D. 107, which has been passed to be engrossed.

Mr. GOUDY of South Portland: Mr. Speaker, I dislike very much to jump up here and voice my opinion on different bills and amendments, but I am not so sure but what this amendment may be an improvement. The only thing is I did not see any provision in this bill for a sufficient amount of revenue to the State. That is one of our prime reasons for being here. It seems to me that if a medicinal liquor bill is passed that there should be some provision whereby the State shall receive a substantial revenue, and for that reason I am inclined to believe that it may be well to table this matter until we get a chance to work out something whereby the State will receive some revenue.

The SPEAKER: Did I understand the gentleman from South Portland, (Mr. Goudy) to make a motion?

Mr. GOUDY: I will make the motion to table.

On motion by Mr. Goudy of South Portland, a viva voce vote being doubted,

A division was had.

Seventy voting in the affirmative and ten in the negative, the motion prevailed, and House Amendment C was laid upon the table, pending adoption.

On motion by the member from Portland, Miss Laughlin, 500 copies ordered printed.

Passed to be Enacted

S. P. 11, L. D. 193: An act to empower the United States of America to acquire lands in the State of Maine by purchase or gift for national forests, and granting to the United States all rights necessary for establishment, control and administration of such forests.

Mr. YOUNG of York: Mr. Speaker after scouting around a little on my own hook, I think I am right in believing that there are a lot of the

members of this House that voted the same way I did. I voted for the acceptance of the report. I find, that starting right from the beginning, this bill went before a committee. This committee was chosen because they were supposed to be the best equipped to judge on this type of legislation. This bill came out of that committee with a report of legislation inexpedient and that committee report was accepted. After various windings, the bill was reconsidered and is now on its way to be enacted, and that is the first reason why I thought this bill should have a little more discussion.

I find that there is one particular piece of property that if bought by the government would take from Washington county approximately \$48,000 in tax money each year. Forty-eight thousand dollars! That looks kind of small I know alongside of two million dollars which has been stated is coming into the State and going to be paid to the people who own this land. But let's look at it from another angle. Take \$48,000 from a population of 38,000 people and say there is an average of five persons to a family. Roughly figuring, it would be about seven thousand families. That means an additional tax imposed on the head of each of seven thousand families to the amount of \$6.50 each year. Do we want to impose this tax on our fellow citizens or, we will say, Washington county? Is it fair and is it just.

In regard to the two million dollars that would be left to the land owners of the State: Supposing this piece of property could be bought from say two concerns. One concern might own one-third of it and the other concern two-thirds. There is such a piece of property that I know about and it is practically in one block. The Eastern Manufacturing Company own one-third of this piece of property and is a Maine corporation, one-third of two million dollars. Two-thirds of this particular property is owned by the Passamaquoddy Land Company, which, while a Maine corporation, its owners are in Massachusetts. That would be two-thirds of the two million going out of the State, if bought. Are we going to pass legislation here which is of the greatest benefit to a few? I thought we were going to impose tax legislation for the greatest benefit of the greatest number. Look at

it another way! Supposing the two million dollars were divided evenly among one hundred land owners. Is that going to benefit the rest of the taxpayers of that county? Not very much! And there is something else. Is there any county delegation here, or any member of any delegation, who would like to go home and say to his people "Well, I have added to your tax burden, which I already realize is about all you can stand, but I have succeeded in adding \$6.50 to your tax burden so that we can have a national forest." I do not know whether the people understand it or not but I have been informed on good authority that this would take away from the State one-tenth of the tax on all your wild lands. Take it out of any one county, it looks a little larger than that. I have heard it stated that it would drive the price of pulpwood up. Perhaps it would. Canada is furnishing seventy-five percent of the pulpwood right now and Maine twenty-five percent. Maine manufacturers are working under the Code with a minimum of forty cents an hour. In Canada the minimum is twenty-five cents per hour. Put up the price of pulpwood and where would you be? I would like to have you think that over!

Reforestation has been brought up. You people know and I know that reforestation at the present time is in its infancy, it is an experiment. Reliable timberland owners have been working on reforestation for years. They have got a plan that they have been working on and it is the careful stripping of their property, and by that I mean not to strip it off clean; also the careful felling of their trees, and planting seedlings. How long does it take one of those to start after it is planted. If the government bought this piece of property and came in here and dressed it up and had it looking nice, it would have to employ labor. That is one thing to look at, but how much would it be, how long would it last, and would it offset the additional tax burden added on to every taxpayer in that particular county?

Of course a lot of this land that the government wants to take is stripped land already. I understand there is a clause going in, or is in, that when this land is stripped they will take twenty-five percent of the income. I wonder how much twenty-five percent of the income

would be when they come to go over the stripped land and get the income.

I heard a remark—I think it was Saturday—on a certain bill that went through this House something like this: "No wonder the bill went through; they had the big guns behind it." Well, that wasn't this bill, it was another. I wonder if this case is any exception. I feel it would be well to keep things as they are.

Now there is another side to this. I have been told that it would attract people into the State of Maine. No doubt it would to a certain extent, but this House has tried in every way to pass measures to advertise the State of Maine as a vacationland and as a State in its natural state. That is all there is to it. The people who come into the State of Maine for their vacations come from places where they have National forests and they come here to get away from them. They want to see, as you sometimes see on your billboards, nature in the raw. They can see plenty of man-made beauty at home. They come down here to find things natural.

I would like at this time to put this bill on the table to give these people here a chance to think over some of these things and adjust them among themselves. I would like to have them consider whether they want to go home and tell the people that they have added \$6.50 or approximately that, on to each taxpayer in their county and at the same time put their political future behind them.

The SPEAKER: Does the Chair understand that the gentleman from York, Mr. Young, moves that this bill lie on the table, pending its passage to be enacted?

Mr. YOUNG: I do.

A viva voce vote being doubted,

A division was had.

Fifty voting in the affirmative and 18 in the negative, the motion to table, pending passage to be enacted prevailed.

(Emergency Measure)

S. P. 77, L. D. 200: An act appropriating moneys for anticipated overdrafts for which no legislative appropriation has been made, and to provide for carrying on the activities of the departments for the remaining months of the fiscal year ending June 30, 1934 and the fiscal year ending June 30, 1935.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division being had,

Eighty-nine voting in the affirmative, and 89 not being two-thirds of the entire elected membership of the House, the bill failed of enactment.

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

Mr. SCATES: Mr. Speaker and members of the Legislature:

We came here to transact the business of the State. Do you want to do it? Do you want to remain in your seats and not vote? It is a duty that you have to perform today. This very minute I ought to be at an official meeting down stairs but I am here to attend to this legislation, the other can wait. Now there is also a duty that you owe the Speaker. He is doing everything he can to conduct these things in a legal manner. Do you want to support him, or do you want to go home and say that you would not attend a session of the Legislature and properly perform your duties? Now the only way that I can see whereby we can make certain on that vote and have the record straight and have it conform to the Constitution of the State, is to take a yea and nay vote; and I ask that we have a yea and nay vote.

Miss LAUGHLIN of Portland: Mr. Speaker, I do not see why it is necessary to have a yea and nay vote. I feel sure that the members of the House did not understand what this bill was and just carelessly did not vote for it. This bill even carries the expenses of the Legislature. Don't you want to pay them? Of course we all do. It does not seem to me that there is any necessity to take a yea and nay vote when the failure of the member to rise was purely an inadvertence. I think we can get a two-thirds vote without any trouble now.

Mr. SCATES: Mr. Speaker, I agree fully with the member from Portland (Miss Laughlin), but we have

a Constitution, and I do not suppose you want to do anything in contravention to the Constitution. The only way I can see to make the record straight and conform to the provisions of the Constitution is to have a yea and nay vote.

The SPEAKER: The gentleman is correct. No one having voted in the negative on that rising vote, there was, of course, no member who would be qualified under the House rules to move reconsideration. A roll call request is always in order by the decisions of the courts either before or after the vote has been declared unless other business has intervened. That seems to be the only way to straighten out the parliamentary situation created this morning by the members failing to remain in their seats while we were discussing this matter. All those in favor of the motion of the gentleman from Westbrook, Mr. Scates, that the vote be taken by the yeas and nays will rise and stand in their places until counted and the monitors will make and return the count.

A sufficient number obviously having arisen, the yeas and nays were ordered.

The SPEAKER: A yea and nay vote having been ordered, under the Rules of this body the members must remain in their seats until the vote has been taken, tabulated and announced. The Sergeant-at-Arms will see that this is done. The pending question is the passage of S. P. 77, L. D. 200, an act appropriating moneys for anticipated overdrafts for which no legislative appropriation has been made, and to provide for carrying on the activities of departments for the remaining months of the fiscal year ending June 30, 1934 and the fiscal year ending June 30, 1935. All those in favor of the enactment of this bill will say yes when their names are called, those opposed no. The Clerk will call the roll.

YEA—Allison, Ashby, Audet, Bailey, Whitefield; Bailey, Woolwich; Bartlett, Belanger, Bennett, Berry, Berwick, Boyle, Breen, Bucknam, Burgess, Burns, Bushey, Bussey, Carswell, Carter, Chase, Baring; Chase, Limington; Chase, Sebec; Clarke, Clement, Cobb, Collins, Cook, Crowell, Deering, Dow, Livermore; Dunn, Duquette, Eastman, Eldridge, Farris, Fenlason, Fernald, Fogg, Rockland; Fowles, Friend, Gallagher, Goodwin, Goudy, Graves, Gray, Gross, Haggett, Hall, Ham, Hamel, George; Hamel,

Napoleon; Hancock, Haskell, Hawkes, Hescok, Hill, Hills, Hobbs, Holden, Hussey, Jones, Knight, Labbee, Lancaster, Laughlin, Leathers, Lebel, Lewis, Lindsey, Littlefield, Alfred; Lord, Luce, MacPherson, Martin, Mason, Mechanic Falls; Mason, Raymond; Mayers, McKinney, Michaud, Nevers, Norris, O'Connor, Oliver, Piper, Plummer, Quine, Rand, Rea, Richardson, Rounds, Rush, Russ, Sanborn, Baldwin; Scates, Shaw, Smith, Masardis; Smith, Vinalhaven; Soper, Sprague, Sterling, Stern, Stover, Thomas, Thompson, Thurston, Tillson, Tompkins, Bridgewater; Tompkins, Houlton; Tupper, Viles, Walker, Rockport; Ward, Harrison; Ward, Thorndike; Webber, Wentworth; White, Whitney, Whitten, Williams, Wright, Young.—121.

A B S E N T—Blanchard, Carignan, Carleton, Devereux, Dow, Portland; Drisko, Flanders, Forgue, Lewiston; Gagnon, Hanson, Hastings, Littlefield, Bluehill; Mace, Mack, Morin, Newcomb, Osgood, Peacock, Plouff, Raymond, Ryder, Sanborn, Weld; Sargent, Smith, Orono; Walker, Rockland; Wallingford.—26.

One hundred and twenty-one voting in the affirmative and none in the negative and 26 being absent, the bill was passed to be enacted.

(Emergency Bill)

S. P. 39, L. D. 107: An act to amend Chapter 137 of the Revised Statutes by repealing those portions designed for the enforcement of Federal prohibition.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire elected membership of this body. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division being had,

One hundred and eleven voting in the affirmative and none in the negative, the bill was passed to be enacted.

Report of Committee (Out of order)

Mr. Plummer from the Committee on Mercantile Affairs and Insurance reported ought not to pass on bill an act to enable domestic mutual fire insurance companies to obtain aid from the Federal Intermediate Credit Bank (H. P. No. 67) (L. D. No. 77).

Report read and accepted and sent up for concurrence.

Orders of the Day

The SPEAKER: Proceeding under orders of the day, the Chair recognizes the gentleman from Van Buren, Mr. Michaud.

Mr. MICHAUD: Mr. Speaker, I wish to offer a resolution and move its adoption, as follows:

Whereas, Arthur Carignan, one of our fellow members of this House, has been prevented from participating in our deliberations by a long and painful illness; and

Whereas, those of us who know him well know his faithfulness in the conscientious discharge of his duties as a legislator and realize what a disappointment it has been to him not to be able to do his part;

Now, therefore, be it resolved, that this House hereby expresses its deep regret that Mr. Carignan's illness has caused him so much suffering, and furthermore deprived him of the privilege of performing his duties as Representative.

Be it further resolved that this House expresses its hope for a speedy recovery for Mr. Carignan.

And be it further resolved that the Clerk of the House transmit a copy of these resolutions to Mr. Carignan forthwith.

Thereupon the resolution was adopted by a viva voce vote.

Mr. ROUNDS of Portland: Mr. Speaker, I would like unanimous consent to answer the editorial that was in the paper last Saturday night in the Portland Evening Express.

The SPEAKER: The Chair understands that the gentleman from Portland rises to a question of personal privilege. The gentleman may proceed.

Mr. ROUNDS: Mr. Speaker and ladies and gentlemen of this House, I have always tried to tell the truth when I got up to speak, and I have for this reason had the treasurer make a report to me, and I told him I was going to use it in this House of Representatives. He gave it to me freely. Now the Express says that I have gone ahead and told the truth and that I shouldn't have done it. Now I do not know why I should not tell the truth in this House, no matter where it hits or where it does not hit.

Now as I said before, there was \$100,000 to be sent here for the

State, and the Manager would not have it. Now I have been criticised in my time of being too liberal, therefore the overseers of the poor have tried to put me off.

I have been around and I have seen things on one side that are ridiculous, and I have seen other things on the other side just as ridiculous. I have seen a man come begging for a little work, worth \$10.50 a week, with five hungry children, and I have tried to help him. Now he has got to take his chance with 5,000 others. He had been to Devens and from there had gone into the Navy and served during the war. But he could not have help. I have seen on the other side a man who when the war started went overseas and got married, and when he came back to Portland he bought on the installment plan \$265 worth of furniture, and just as soon as his wife arrives here he goes up to the overseers of the poor and asks for help. He must have work because he is on the city. The other man with five children who had no mother he could not have work. He had been to Devens and afterwards was in the Navy during the war.

I have seen three little children in bed, with nothing to eat, no food and clothing. I went and got them clothed and got them something to eat. They hadn't had any fire in the house for a week. I saw that they had coal, that they had wood.

They said that I was too liberal, and I have been put off by the overseers of the poor. I told them that I was just as good as the chairman. He was chairman because he was a high-hatter and talked with the four hundred, and he must be chairman or he would not serve on the board. I know his old father. He is just like him, and I told him so before five hundred people and he never opened his head.

I am up here just to defend my action of last Friday. I have nothing to take back. Furthermore we were \$130,000 to the bad last year, \$95,000 this year. You can see, gentlemen, that we overran our appropriation, but thank God I have been too liberal. I do not want to go home and say to these poor children, these poor mothers, that they cannot have food and clothing.

When I came here the first of the session, I asked the gentleman on the finance committee if he would

not look after the mothers. He said no, he did not have enough money for those poor widows, that the Legislature did not appropriate enough.

Of course the City of Portland should pay her part. I know there are over 150 that would like to come on but cannot get on. They are on the waiting list.

Now ladies and gentlemen of this House, I think it is time that we appropriate money so these poor widows and orphans should be helped out. We have 119, all over the State, from Kittery to Bluehill. The State should help support them because the time has arrived when they have no money.

We have overrun our appropriation, and I am glad. I thank God we have, and I wish it was \$50,000 more to take care of the people who cannot be taken care of at the present time. Thanking you.

Miss LAUGHLIN: Mr. Speaker, I move that this House express their conviction of the honesty of purpose of the member from Portland, Mr. Rounds.

The SPEAKER: The member from Portland, Miss Laughlin, moves that the House by its vote express its conviction of the honesty of purpose of the gentleman from Portland, Mr. Rounds.

Adopted by unanimous rising vote.

The SPEAKER: The Chair lays before the House under orders of the day, tabled and today assigned, the first matter on the House calendar, Bill an act providing flexibility in the handling of State revenues and expenditures during the present State cash stringency, S. P. 65, L. D. 169, tabled December 16, by the gentleman from Pittsfield, Mr. Cook, after House amendments A and B had been offered by the gentleman from Augusta, Mr. Farris, at which time there was pending the motion made by the member from Bangor, Miss Martin, that House Amendment A be indefinitely postponed, and the Chair recognizes the gentleman from Pittsfield, Mr. Cook.

Mr. COOK of Pittsfield: Mr. Speaker, I simply tabled this amendment for the purpose of closing discussion which seemed to be getting us nowhere except into the early hours of the morning. I now yield to the member from Bangor, Miss Martin.

Miss MARTIN of Bangor: Mr.

Speaker, and members of the House, I think this has all been discussed rather thoroughly, and I think you all understand the purpose of the amendment and how it would cripple our institutions and our departments if this were passed. So I will not go into the details any more, but I do want you to understand that the indefinite postponement affects only the amendment, not the flexibility act itself.

Mr. FARRIS of Augusta: Mr. Speaker, when the bill now pending was tabled last Saturday evening by the gentleman from Pittsfield (Mr. Cook) the question of the indefinite postponement of House Amendment A made by the member from Bangor was under discussion. I did not have an opportunity to reply and I will say a few words now in reply. There was also tabled with the bill House Amendment A pending its adoption by the House. I will discuss the reason for offering House Amendment B at the proper time.

Now turning to the question of the indefinite postponement of House Amendment A to L. D. 169 entitled "An act providing flexibility in the handling of State revenues and expenditures during the period of the present State cash stringency". This bill after reciting the emergency preamble provides in Section 1 as follows: In order to provide flexibility in the handling of the revenue of the state, whether derived from direct taxation or from indirect sources of whatever nature, the Governor and Council are hereby authorized, notwithstanding any provision of law requiring any part or parts of such revenues to be set aside or segregated and held in a separate fund or funds for any specific purpose or purposes, to use such direct tax money and indirect receipts in accordance with their best judgment in such manner as will provide for the carrying on of all governmental functions provided, however, that the Controller shall show by proper record the special funds as constituted by law from which any such revenues are diverted, that proper provision may be made when funds are available for the restoration thereof. Now House Amendment A simply adds Section 1-A and attempts to reduce state expenditures in six different departments to the sum of \$500,000 dur-

ing the remainder of the fiscal year and \$700,000 for the fiscal year of July 1, 1934 to July 1, 1935.

Reducing the budget set-up for 1934-35 naturally requires that the Flexibility Act should be extended to December 31, 1934 instead of July 1, 1934 as provided in Section 2, of L. D. 169, and House Amendment B now pending adoption, simply substitutes in place of "July 1", "December 31". This is to give the Governor and Council and State Controller an opportunity to put their house in order before the Legislature meets on the first Wednesday of January, 1935, so that they may be in a position to provide proper provision for the restoration of diverted revenues to the proper places. I want to tell this House that if the motion of the member from Bangor (Miss Martin) to indefinitely postpone House Amendment A is carried, I shall move the indefinite postponement of House Amendment B, as there would be no necessity for extending the effect of the Act if the Legislature does not see fit to reduce State expenditures instead of increasing the now over-burdened tax payers.

I want to again refer to the session of the joint meeting of the Committee on Appropriations and Financial Affairs, and the Committee on Taxation which was held in the State Tax Assessor's office the first week of this present special session. I was present at this meeting for a short time. There were in attendance Governor Brann, State Tax Assessor Holley, Controller William A. Runnells and State Budget Officer William H. Deering, and State Treasurer Foster. The next morning in the Kennebec Journal, it was announced that at the close of the meeting, the members of the committee had "unanimously agreed" to recommend to the Legislature:

1. Continuation of the Flexibility Act to July 1, 1934.
2. Legislation to assist in collection of overdue state tax owed by municipalities.
3. Transfer from the motor transport and equipment account to the general account of a \$400,000 accumulated balance.

Added to this financial assistance, the statement said funds from the operation of the State Beer Board

for 1934-35 licenses and an estimated balance in the inheritance tax for the present year would provide a total of approximately \$1,325,000.

"The balance would be derived from revenue produced by the passage of proposed liquor legislation," it stated.

Now, I do not see how we can derive revenue from liquor legislation during the next year unless we pass the so-called Druggists' Bill, which is now pending, and if some of you do not change your minds before final enactment, there will not be enough votes by fourteen to secure the necessary two-thirds for its final enactment with the emergency clause, and this legislature would not secure immediate revenue without passage with the emergency clause attached.

The statement in the Kennebec Journal further reads "The Tax Commission set up at the regular session of the legislature last winter would be enlarged under the joint committee's plan, and ask to report to the Governor and Council and to the general committee a plan of tax revision not later than February 20, next year, and it was deemed advisable that all tax measures now before the special session be reported out as 'legislation inexpedient.'

Now let us go back to the first item upon which the joint committee unanimously agreed to recommend to the Legislature, which is the Flexibility Act, now L. D. 169, to which House Amendment A and House Amendment B have been offered by a select joint committee of the House and Senate. The effect of the amendments offered I have already explained. I expressed my opinion on the passage of the Flexibility Act on March 31 on the floor of this House. I told you at that time that I would support and I did support the passage of the so-called Flexibility Bill containing the Scates Amendment limiting the time that the act should run, so that it would expire on January 1, 1934. In the meantime, the Governor and Council and State Controller have been operating under this act, and when this Act expires on January 1, 1934, the Governor and Council will not be in a position to restore revenue diverted from direct taxation and from indirect sources, and if we do not extend the Act, they will be

legally bound to replace the moneys which they have borrowed from one department to be used in another for carrying on the functions of our State Government.

Since the Governor called us in extraordinary special session, this Legislature has passed two joint orders asking for a statement of the different revenues diverted from one department to the other, and one for the statement of expenditures for the period from July 1, to December 1, 1933. The State Controller complied with the orders of this Legislature, and his report will be found in L. D. 165 and 166.

The appropriations made by the last Legislature did not become available until July 1. Accordingly, on that date, appropriations were set up as credits for the institutions and departments, and warrants commenced to be drawn against them.

On December 1, taxes outstanding amounted to \$906,221.82. This is a gross figure as against actual cash due of \$460,984.91. These are the figures given us by the Controller. The differences are deductibles such as school tax, railroad tax, dog license refunds, and so forth. The Controller told us to bear in mind that the appropriations which became available July 1 and against which warrants have been drawn were dependent upon taxes due on December 1 from cities and towns to the extent of about \$5,000,000. Accordingly, it was necessary to find some other source of revenue to pay these bills, and in accordance with the Flexibility Bill, the Controller was authorized to segregate cash items against which there were definite obligations of a total of \$4,704,750.48 as of December 1. The State Treasurer had on hand or in banks \$3,118,876.66 or a net shortage of \$1,585,873.82; this being the extent that other funds were drawn on. The Controller called our attention to the fact that included in this \$3,118,876.66 is \$573,625.37 in checking accounts or time deposits in closed banks or banks under suspension. Therefore, it is necessary to extend the Flexibility Act in order to carry on the State's financial program, so that the State can pay its employees, operate its departments and institutions and meet its other legal obligations. Every member of this Legislature

knows that the people want us to maintain the credit of the State and pay our bills.

When we talk about reducing expenditures in running the State, what do we do but get up here and say it can't be done? We must spend the money whether we have it or not.

The Governor suggested in his message at the opening of this session that we should not pass a sales tax.

The joint committee on Appropriations and Financial Affairs, and Taxation deemed it advisable that all tax measures be reported out as 'legislation inexpedient', and here we are facing a shortage of \$500,000 to pay our current bills for the next six months, with no ways and means to raise revenue to re-balance the budget, so that we can get support in the enactment of the Flexibility Act. I am not opposed to the Act as such, but I am opposed to it without these amendments. I for one, will not go on record as saying to the Governor and Council, "We gave you the authority to flex the appropriations and revenue last March, and after eight months, you show a net shortage of \$585,875. We are unwilling to re-enact this legislation unless you show us you can make provision for the restoration thereof."

The last two lines of Section 1 of the Act contain these words "That proper provision may be made when funds are available for the restoration thereof". That clause leaves the door wide open, and I believe that it is up to the Legislature to make proper provision in this bill before its passage, so that funds may be returned where they belong, and our appropriations paid, and our obligations taken care of, and this House Amendment A simply does that very thing. But I see you do not want it. You do not want to cut expenditures. You want the people to pay more taxes. If that is your mind, you will vote to indefinitely postpone this amendment.

Now in regard to item two of the recommendations of the joint committee, I will say we have passed an emergency municipality Control Board to assist in collecting State taxes. In regard to item three of recommendations of the joint committee we have passed the joint order transferring from the motor

transport and equipment account to the general account, owing a \$400,000 accumulated balance. This was merely a book-keeping entry as the money had already been spent and this joint order simply authorized the spending thereof. Of course we have the State Beer Licenses and taxes from the State Beer Board, but even then we need \$500,000 and that may possibly be derived from revenue produced by the immediate passage of L. D. 199 with the emergency clause.

The people have spoken to us in no uncertain terms during the past six years that they do not want an increase in the gas tax and that they do not want an intangible tax nor an excise tax on electricity, and now they do not want a sales tax, and the Governor does not want us to pass a sales tax. The only other suggestion that I can see is immediate passage of a luxury tax, and I suggest that the Taxation Committee immediately draft a State luxury tax and present it forthwith as an emergency measure, provided you are not willing to reduce state expenditures \$500,000 which would re-balance the budget without resorting to these other alternatives.

This Flexibility bill is not a political issue and should not be considered as such. We should all be here working for the general welfare of the state. It is true we have a Democratic Governor; we have a Republican majority in both branches of our Legislature; we also have a Republican Council, and if our Republican Councilors cannot hold their own with a Democratic Governor, if the next Legislature is Republican, it can elect other Republican Councilors to take their places.

But at the present time we should not question their motives.

We are in no way delegating our authority unconstitutionally because all Legislatures in the past have delegated authority to the Administrative Department of our Government. We are really delegating this authority to the State Controller who is under the direction of the Governor and Council. The Governor and Council do not actually handle the expenditure of money, but the Controller does and he is under bond to the State, and when we are shown by the Finance Department of our State that we are going home with a re-balanced bud-

get, I will not only vote for the Flexibility bill, but I will support it to the best of my ability.

I hope for the present that the motion of the member from Bangor, Miss Martin, does not prevail.

Mr. FENLASON of North Anson: It might appear to the members of the Legislature that this special committee which was sent out Saturday night made an error in their report. It might appear that something else might be done to reduce expenditures. The gentleman from Augusta, Mr. Farris seems to think that it is right that three members of the Judiciary and only one member of the joint committee appeared before the Governor the other night.

I have every respect for every one of them, but I do not think this House believes that is right. I know of measures that I worked for last winter before the Appropriations committee that could have been properly passed but were never touched. However, when they hit education, when they hit the University of Maine, without any chance on the face of God's earth of their being heard, I say that is not right, and should not be done.

That will make a Governor out of him, that little speech which he has been preparing for twenty-four hours, if he can get it over.

I am willing to go along with Miss Martin in the indefinite postponement of this amendment.

Mr. THOMPSON of Belfast: Mr. Speaker, the minority party, the Democratic party, has been kicked about from pillar to post and accused of playing politics. Now we have waited for the majority party to offer a constructive program, and we are still waiting.

Now I suggest three things: First pass the flexibility bill without your House Amendments A and B; second, pass Legislative Document 199, the so-called druggists' bill; and, third, pass the lottery bill and go home.

(Applause).

Mr. FARRIS of Augusta: Mr. Speaker, I wish to say in reply to the gentleman from Belfast (Mr. Thompson) that when the Governor of this State calls the Maine Legislature in extraordinary session and has no definite program to offer, that he should be held accountable.

He came in here on the first day of the session and read a short message, with no specific recommendations for this Legislature to follow, and I feel that if ten days had been taken by the leaders of both parties we could have constructed some program before we came down here.

We have come down here and done the best we could under the circumstances. You know and I know how it is without any definite program. When you come to pass tax measures, people will all vote for increase of appropriations but they will vote against tax measures. Something has got to be done and a program has got to be worked out, and the two parties have got to work together and devise some system of balancing the budget. I know it can be done if we get together. There is no use quibbling over jealousies of committees. I will say I had nothing to do with going on this special joint committee the other evening. I was appointed on that committee and I served, I did not refuse to serve, as some members of the House did. I will do my duty as a legislator while I am here, regardless of party politics, and I resent the statement made by the gentleman from North Anson (Mr. Fenlason). I have no brief for that committee. I think they have done a good job so far as they could go, but the Governor has not outlined a program and for that reason the committee has not reported back a program which we could follow.

Miss LAUGHLIN of Portland: Mr. Speaker, I do not propose to speak on this bill, but I want to call the attention of the gentleman from Belfast, (Mr. Thompson) when he comes in here and makes recommendations of what we ought to do, and I want to call the attention of the House to the fact that every single Democrat in the Senate refused to serve on that committee and every single Democrat appointed in the House refused to serve on that committee, and to present their program or views on it. It seems to me it does not lie in the right of any of them to come here now and present their views to the House when they absolutely refused to go on that committee.

Mr. BREEN of Lewiston: Mr. Speaker and members of the House, if we are going to have a cat and

dog fight here between the members of the Republican party, I think it is only right we should have a recess of about an hour and see if we cannot get together, and do something constructive for the taxpayers of the State. Thank you.

(Applause).

Mr. SCATES of Westbrook: Mr. Speaker, I want simply to put the House right in regard to my action last Saturday. When it comes to matters of State, the economic conditions in this State, I do not consider party matters at all, and I think that my record in the Legislature will support that statement.

Now I will tell you why I refused to go on that committee. I knew nothing about what happened in the Senate. I was met in the hall during recess by one of the members who was ultimately on that committee and he asked me would I serve on that committee, and I told him I would, but, mind you, I play second fiddle to nobody.

Miss MARTIN of Bangor: Mr. Speaker, we have talked about programs of raising money, saving money, and all the different platforms that the parties might have adopted, but it does seem to me we have before us this one amendment which proposes to cut down the University of Maine \$200,000. That \$200,000 is obligated in the matter of contracts to their professors, 250 of which would have to leave off teaching because they would have no pay, if this amendment is adopted. Our Educational Department is to be cut \$100,000. They tell me that would very seriously cripple their department. I have not talked with the Agricultural Department, but I am sure some of you must have done so, and you can tell us about that. We heard about the general highway fund and how they feel about that from the gentleman from Westbrook, Mr. Scates, the other night. The Fish and Game Department was cut considerably last winter. We are told one cannot operate an automobile at 4 cents a mile, and if this amendment is adopted undoubtedly the State will have to buy a great many more automobiles to transport our employees who go around in their own cars at seven cents a mile at present.

Can we not confine our thoughts and comments to this one amend-

ment? Do we want this cut to go into effect? Do we want to close our University? Do we want to have to buy a lot more automobiles? Is this wise?

I therefore move the previous question.

The SPEAKER: The member from Bangor, Miss Martin, moves the previous question, the pending question being indefinite postponement of House Amendment A. Before the motion for the previous question can be entertained, one-third of the members present must consent thereto. All those in favor of the motion that the Chair entertain the previous question will rise and stand in their places until counted and the monitors will make and return a count.

A division was had.

There being 123 members present and only 37 having voted on the matter of consent to the previous question, consent is not given to putting the motion at this time.

On motion by Mr. Duquette of Biddeford,

House recessed until 2:00 P. M.

Afternoon Session

The Speaker in the Chair.

The SPEAKER: When the House recessed this noon, it was then, and still is considering L. D. 169, the so-called Flexibility Act. The pending question before the House is the motion made by the member from Bangor, Miss Martin, that House Amendment A be indefinitely postponed, and the Chair recognizes the gentleman from Lewiston, Mr. Audet.

Mr. AUDET: Mr. Speaker, ladies and gentlemen. This important matter came before us late Saturday night, the report of the committee appointed by the House and Senate on this bill. At first I did not treat the report of the committee with very great seriousness. I supposed that such a committee from the majority party of the House, practically all of them men with long legislative experience, that their report was brought in with great sincerity. But really I cannot see how men of their legislative, profession and business ability could handle this important question in so short a time. It is just as though these same gentlemen were at the head of a corporation that was do-

ing a business of from fifteen to twenty million dollars a year, and they found themselves short of a million and a half after six months operation and on a Saturday night they got together and in about half an hour straightened out all their trouble.

Now I would not say that the different departments of the State cannot be reduced. I know they can be reduced. During prosperous times we know that from the United States government down through the municipal governments, everybody launched into extraordinary expense, and we know that in this State of ours, and every State throughout the United States, much can be done to reduce expenses of the government machinery. I do not believe that a committee, even such a body of men as this, appointed to study State affairs could bring before this Legislature in so short a time such a radical reduction. Now, ladies and gentlemen, we are here as Representatives of the people, and, if we want to keep the respect of the people, we must act carefully. I feel that the people of the United States and of the State of Maine are more awake today than ever before. I am not here as a Democrat entirely, but I am here to represent the people of my community and I try to do my best in that respect. I will vote for a Republican measure as well as a Democratic measure when good for the people's welfare; and may I say in closing beware, because you will soon hear the verdict of the people.

Mr. PIPER of Bangor: Mr. Speaker, I have not inflicted my oratory on this body very much this winter, not because of a lack of ideas, not because I felt I had a lack of expression, but because I felt that perhaps it would be better not to have too much oratory, but get down to business and discharge our duties as men elected to this House, and act for the people who are our constituents.

Much has been said here in condemnation of our Governor. Much has been said here in condemnation of our Council. Much has been said here in criticism of the action of the last regular session of the Legislature. I do not agree with any of that. I believe that our duly constituted State officials are men of character and ability and that they have

devoted their time and attention to the discharge of the business of the State with remarkable fidelity.

Much has been said about the lack of a program this special session. There has been no lack of a program at this special session. Early in this session the committee on Appropriations and Financial Affairs and the committee on Taxation, the latter of which I am a member, met in the office of the Tax Assessor, and in conference with the Governor, the Budget Officer, the Controller, the State Treasurer and the Tax Assessor, we sat down to see what was necessary to be done. We spent hours and hours. We agreed upon this: That unless absolutely necessary we would not propose at this session of the Legislature any additional tax legislation. We know what the public mind is. I can go out on the street in my town, or any other town, and out of fifty men that I meet, forty-nine of them will say "We don't want any more taxation; we are taxed to death now." We agreed on a program and it is a consistent program. We have carried it all through here and passed it all with the exception of two things, one of which is the Flexibility bill. The Governor, State Treasurer, State Tax Assessor, Budget Officer and Controller all agreed that unless the Flexibility bill was passed, the State would not be able to carry on our institutions after January first. We entrust to the Governor and Council a discretionary power and we have a right to do it, I believe. I do not believe there is any violation of the Constitution in doing that. They are the executive officers of the State and we are the legislative body. We make laws and they execute them. They are paying careful attention to execute the laws in strict accordance with legislative provision. We passed a Flexibility Act last winter. It originally specified that it should continue to a year from next January. Objections were raised and it was amended to continue to the last day of this December. Now the last day of this December is about here.

We have listened to figures and figures and figures, and in the last analysis all we need is a passage of the Flexibility bill and some legislation that will provide a revenue to the State of Maine of about \$500,000. It is not necessary for us to legislate additional taxes. We

have passed an order here which provides for the appointment of a Tax Commission which is to report to the Governor and Council on or before February 20th. It is announced that the Governor intends to call this Legislature together in special session then to consider this report. We have had reports of Taxation Commissions for forty-four years, one right after another. Every one of them has been submitted to the regular session of the Legislature, but the regular session of the Legislature has been so gummed up with special fishing laws, game laws, pension laws, special resolves for roads, and that sort of thing, that the Taxation Commission report has sunk and sunk and sunk until it has sunk out of sight. Consequently we have had no relief. It has been agreed by every Taxation Commission that has reported in the last forty-four years that our taxation system in Maine is wrong and should be rectified, that the burden of taxation falls upon those who cannot afford to carry it while others in the State carry no part of it. This is wrong. The recommendation of every Taxation Commission has been very similar. This new Taxation Commission has the benefit of all those reports. The same remedies which the other Taxation Commissions have reported can be reported now. This Legislature can be called together in special session after that report. It will then have none of this other business before it and it can get down to the consideration of the report of the Taxation Commission. If we will leave our prejudices at home, if we will leave our own personal feelings out of it, if we will come here and sit as Representatives, recognizing the solemnity of our oaths and go at this taxation system to revise it right, we can accomplish an act that will go down in the history of this State for the next fifty years and that will stamp the Eighty-sixth Legislature as the best Legislature that this State has had in forty-four years.

We have passed a program. We have provided a Commission. We have provided for the transfer of \$400,000 from the Motor Transport account. The gentleman from Augusta (Mr. Farris) went over this report and this plan this morning. It is all gone through and you have passed it. The gentleman from

Winterport (Mr. Fernald) has passed it, and at the same time he has got up here and said "You haven't any plan here." We have had a plan, a consistent plan, a plan that can be adopted today without the cutting down of a single appropriation that this Legislature made last winter, without the breaking of a single faith or a single promise. I do not believe it is necessary to amend this Flexibility bill by this amendment that we are now considering. I do not think we should break faith with the University of Maine, with the men who run automobiles for the State, with the Educational Department or with any other branch of our State government. Let us keep the faith, it is necessary for us to do it.

I would be glad to vote for a reduction of expenditures and in our committee we asked all about that. We asked the Controller and the Budget Officer where we might save money and they made an honest effort to tell us, but it was so small that we did not give it consideration. We can close our normal schools for a year if we have to. We could do it but why should we do it? We can cripple the University of Maine if we want to, but if it is not necessary why should we do it? We can compel these boys who are driving cars for the State to operate their cars at four cents a mile and lose money, but why should we do that? Why can we not fulfill this program, why can we not pass this Flexibility bill, why can we not provide for some liquor legislation for medicinal and mechanical purposes and the arts, get a revenue out of it, adjourn and go home satisfied that we have done our task well? Then, later on, we can come back here and revise our taxation system. Why can we not do that? What else is there for us to do, I would like to know? That is the only possible way out of it that I can see, and I believe that that could be done and that then this Legislature should adjourn and go home.

(Applause)

Mr. HUSSEY of Augusta: Mr. Speaker and members of the Eighty-sixth Legislature: I want at this time to go on record as opposed to this amendment offered by my brother from Augusta (Mr. Farris). In his talk this morning he said that all the Republicans should join

together in forming a program to cut this session short. Well, now, I would like to show him that the Republicans have already made up a program which I believe he and the other members of the party should join. At this time we should not have any division of parties, should not have any groups suggesting any special legislation. As you have been told, ten days ago the committee on Appropriations and Financial Affairs and the Taxation committee met in two evening sessions, went over a program and in the end submitted a five-point program. This was not hidden from anybody. It was published in the paper; it was talked through the corridors freely among you. There was nothing hidden about it at all. We proceeded on the assumption that it was going to be carried through. We had the expression of from twenty to twenty-five members of the Legislature who were doing all they could to solve the problem. At that time none of the present group which has brought forth this amendment made any expression against this program. This program was brought out and was going along very well, but, at the last minute, a small group of persons have attempted, without any thought of the consequences, to substitute a measure here which you can see on the surface will cause a great deal of distress to certain departments. You have seen that they have picked out five or six departments and made very drastic cuts in them without any consideration at all. Not a member of this committee appointed by the House and Senate was a member of the budget and the appropriations committee. Why were they not called in to act upon this? Why were they not even asked to serve or listen in? It was a little secret party of seven members who are now trying to dictate to both the House and the Senate. Why did they not let twenty to twenty-five members of this House and Senate make recommendations as they should have done?

We want the cooperation of both parties and there is no reason why we should not have it. We have able men on both these committees from both the Democratic and the Republican party. The Republicans are in the majority on these committees. I believe that if the other Republicans who were not on that

committee at that time could only have put their trust in their fellow members of that committee, they would have backed them to the limit. I know the Democrats were represented on these committees and I believe they will be backed by the members of the Democratic party in this House who were not on it. We all say "Let's have cooperation". Now let's go ahead and join in this five-point program that was submitted by the committee on Appropriations and Financial Affairs and the committee on Taxation. (Applause)

Mr. PLUMMER of Portland: Mr. Speaker and members of the House: I am not going to make any speech here today, and I am not going to discuss either the amendment or the Flexibility bill, but I am going to state my position. We have before us a bill providing flexibility. Now I do not believe in loading that up or confusing it with any amendments. Let's do away with this amendment and then vote on the Flexibility bill. This idea of loading up a bill with amendments is not new but is one of the old methods of killing a bill. The other day we had a bill in here that was so loaded up with amendments that it would take our able Clerk two or three hours to figure out what it meant. I say let's indefinitely postpone this amendment, and then when we have the Flexibility bill before us we can understand just what we mean.

Mr. COOK of Pittsfield: Mr. Speaker, I want to second the thoughts that the gentleman has already expressed. I am not in sympathy with any movement to jam through at the last minute of this session legislation so vitally affecting the welfare of this State. Such legislation as we now have under consideration calls for more earnest and more careful consideration. I doubt very much if there is any member or any group of members here who can in ten minutes cut half a million dollars from a budget already cut to the bone. We have an Appropriations committee that put in a week of study and reflection, and they have a program which, if we follow it, will solve our difficulties. They have conferred with other members of other committees, including the committee on Taxation. They have conferred with the Governor, and I believe we should get together and follow their recom-

mendations. For that reason I favor the motion of the member from Bangor, Miss Martin, to indefinitely postpone this amendment, and I move the previous question.

The **SPEAKER**: The gentleman from Pittsfield, Mr. Cook, moves the previous question. Before that motion can be entertained one-third of the members present must consent to it. All those in favor of entertaining that motion at this time will rise and stand in their places until counted and the monitors will make and return the count.

A division being had, and more than one-third obviously having arisen, the previous question was ordered.

The **SPEAKER**: The question now before the House is shall the main question be put now? All those in favor will say aye, contrary-minded no.

A viva voce vote being taken, the motion prevailed.

The **SPEAKER**: The motion now before the House is that of the member from Bangor, Miss Martin, that House Amendment A to L. D. 169 be indefinitely postponed.

Mr. **ROUNDS** of Portland: Mr. Speaker, could we have the amendment read?

The **SPEAKER**: The amendment is on the desks. The gentleman from Portland, Mr. Rounds, has asked that the amendment be again read, and the Clerk will read it.

(House Amendment A read.)

The **SPEAKER**: Now to re-state. The pending question is the motion made by the member from Bangor, Miss Martin, that House Amendment A to L. D. 169, the amendment which the Clerk has just read be indefinitely postponed. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion prevailed and the amendment was indefinitely postponed.

Mr. **FARRIS** of Augusta: Mr. Speaker, I move the indefinite postponement of House Amendment B.

Mr. **WRIGHT** of Bath: Mr. Speaker, will the Clerk read House Amendment B?

(House Amendment B read)

On motion by Mr. Farris, a viva voce vote being taken, House Amendment B was indefinitely postponed.

The **SPEAKER**: The pending question now is the passage of L.

D. 169 to be engrossed. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the bill was passed to be engrossed.

Report of Committee (Out of order)

The House committee created by House Order passed December eighth to recommend liquor legislation for the consideration of the House beg leave to report that H. P. 156, L. D. 199 be passed to be engrossed after House Amendment A to House Amendment C to said bill, a copy of which is attached hereto is adopted. The report is signed by the following members of the committee: Messrs. Goudy of South Portland, Gallagher of Limestone, Farris of Augusta, Scates of Westbrook and Fernald of Winterport.

The **SPEAKER**: The Clerk will read the amendment proposed for the consideration of the House by the Special Committee, the report you have just heard read.

House Amendment to House Amendment "C"

House Paper 156, Legislative Document 199 as follows:

Amend Section 1 of said amendment by inserting after the word "authorized" in line 1 of section 1 thereof, the following: "upon payment of the sum of one hundred dollars as a license fee to the State Licensing Board."

And further amend said Amendment by striking out in the fourth line of Section 3 of said Amendment "C" the words; "officer charged with the enforcement of law" and substituting therefor the words, "any officer of the State Licensing Board appointed for such purpose or any sheriff or his deputy."

And further amend said Amendment "C" by striking out in line 3 of Section 5 of said Amendment the words: "not exceed ten percent" and substituting therefor the words, "be fifteen percent."

And further amend said Amendment "C" by adding thereto an additional section to be known as Section 8, which shall read as follows:

Section 8. Emergency Clause. In view of the emergency recited in the preamble, this act shall take effect when approved.

Thereupon the report of the committee was accepted.

The SPEAKER: The Chair lays before the House L. D. 199, tabled this morning, and especially assigned for this afternoon. At the time it was tabled there was pending the adoption of House Amendment C which had been offered by the member from Portland, Miss Laughlin, and which you will find on your desk printed as L. D. 201. At the time the matter was tabled, the pending question was the motion made by the gentleman from Winslow, Mr. Belanger, that the amendment be indefinitely postponed. The Chair recognizes the gentleman from South Portland, Mr. Goudy.

Mr. GOUDY: Mr. Speaker, I would like to offer House Amendment A to House Amendment C, as follows:

House Amendment A to House Amendment "C" to House paper 156, Legislative document 199 as follows:

Amend Section 1 of said amendment by inserting after the word "authorized" in line 1 of Section 1 thereof, the following: "upon payment of the sum of one hundred dollars as a license fee to the State Licensing Board."

And further amend said Amendment by striking out in the fourth line of Section 3 of said Amendment "C" the words; "officer charged with the enforcement of law" and substituting therefor the words, "any officer of the State Licensing Board appointed for such purpose or any sheriff or his deputy."

And further amend said Amendment "C" by striking out in line 3 of Section 5 of said Amendment the words: "not exceed ten percent" and substituting therefor the words, "be fifteen percent."

And further amend said Amendment "C" by adding thereto an additional section to be known as Section 8, which shall read as follows:

Section 8. Emergency Clause. In view of the emergency recited in the preamble, this act shall take effect when approved.

The SPEAKER: The Chair understands that the gentleman from South Portland, Mr. Goudy, moves that House Amendment A to House Amendment C be adopted.

Miss LAUGHLIN of Portland: Mr. Speaker, House Amendment A as presented by the gentleman from South Portland (Mr. Goudy) is identical with the report of the committee. Is that correct?

The SPEAKER: Yes.

Miss LAUGHLIN: For the second time in the history of this session I will favor the gentleman from South Portland (Mr. Goudy) by saying that we are in accord, but in accord, however, solely on what represents a compromise on the position I have taken, but in order to meet that, and the views of this special committee, I favor this amendment. As far as amendments go, I think I am in favor of them anyway. I think they improved my amendment, and, therefore, I am in favor of the adoption of this amendment as offered by this committee by the gentleman from South Portland (Mr. Goudy) with the Amendment C substituted for the druggists' bill which I hope will receive passage. It certainly provides in every way for liquor for medicinal purposes. It provides exactly the same revenue provided in the druggists' bill, a fee of one hundred dollars if they want to sell liquor for medicinal purposes, and an additional sum to be paid by the retail druggists to the State Licensing Board of fifteen percent. In the so-called druggist bill there was a provision that there be collected ten per cent on retail sales and something for the wholesaler,—I do not remember exactly what now; but this provides for a profit of fifteen percent on all liquors sold by druggists for medicinal purposes to come directly to the State, and there is going to be none of the expense of commissions, inspectors, collecting, as there would be under the so-called druggist bill; so that so far as revenue is concerned there would be more under this amendment from liquor sold for medicinal purposes than there would be under the druggists' bill, and at least it is square and honest in that it is to be sold for medicinal purposes only, and putting it in the hands of the druggists of the State.

Mr. CARLETON of Portland: Mr. Speaker, this puts me in mind of a bill we had here last session relating to inland fish and game laws that had so many amendments on it that no one knew what they were. Now I am in favor of this bill but I want to know what I am voting for, and before the whole thing is voted on I would like to have a bill presented here so that we may understand what it means, and before the final enactment of this bill, I would like to see something that we could read, digest and vote on.

The SPEAKER: I will say for

the information of the gentleman from Portland (Mr. Carleton) that the entire amendment C is printed as L. D. 201, and is offered by the member from Portland, Miss Laughlin and is in effect a substitute for L. D. 199. The amendment offered by the gentleman from South Portland, Mr. Goudy, has been read and it makes some slight administrative changes as the Chair understands it.

Mr. CARLETON: Is there any way, Mr. Speaker, that we can have this bill printed before we take our final action on it.

The SPEAKER: The House Amendment C has been printed and is L. D. 201.

Mr. CARLETON: I want the bill here so that we can read and digest it and find out what Amendments A, B and C are.

The SPEAKER: There are no amendments pending now except House Amendment A to House Amendment C offered by the gentleman from South Portland, Mr. Goudy.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to ask the lady from Portland, Miss Laughlin, if L. D. 201 does not take the place of L. D. 199 altogether. I am willing to vote for 199, but I would like 201 to be indefinitely postponed.

The SPEAKER: That is the pending motion.

Miss LAUGHLIN: Mr. Speaker, I don't know as any further explanation is necessary to the gentleman from Portland, Mr. Carleton. If he had been here this morning, I think he would have needed no further explanation. L. D. 201 is a substitute for 199 and these amendments are offered to 201 to make a complete bill with the emergency clause. The preamble of the original bill was preserved as an emergency preamble. So what it is, is 201 plus the amendment for revenue presented by the gentleman from South Portland (Mr. Goudy).

Mr. PIPER of Bangor: Mr. Speaker, this bill 201 makes provision for the sale of intoxicating liquors for medicinal purposes. What about mechanical purposes and the arts which is included as a provision in our Constitutional Amendment as being a legitimate purpose for the legitimate sale of liquor? This bill, No. 199, provides for the sale of liquor for medicinal and mechanical purposes and for the use of the arts. We have many

manufacturing concerns in the State which must use alcohol and the like in the manufacture of their product. We have more or less demand for liquors to be used legitimately for other purposes outside of beverage purposes. Now does this L. D. 201 limit the scope of the sale of liquors in the drug stores to medicinal purposes only? I would like the member from Portland (Miss Laughlin) to answer that question.

The SPEAKER: The member from Portland, Miss Laughlin, may answer the question of the gentleman from Bangor, Mr. Piper, if she chooses.

Miss LAUGHLIN: This bill provides for sale for medicinal purposes only through the pharmacists of the State, which is the proper place. The Webb-Kenyon Act, which is still in force in the United States, provides for the sale within the State, of alcohol for mechanical purposes and the arts, because it provides that the sale and transportation within the State of liquors not forbidden by the laws of the State. So it is provided in the Webb-Kenyon Act. Furthermore it is provided for in Bill 107 which has passed by this House to be enacted; so that liquors for mechanical purposes and the arts are taken care of in two ways already, namely, H. P. 107, which has been enacted by this House, and the Webb-Kenyon Act of the Federal Government which definitely provides for the importation and transportation of liquors not forbidden under the laws of the State.

Mr. PIPER: Mr. Speaker, under this bill the State will derive no revenue from the handling of liquors by the druggists for other purposes than medicinal. All sales made by the drug stores for mechanical purposes and the arts will yield no revenue whatever to the State of Maine as I understand it. This bill provides for revenue for the State by the sale of liquors for mechanical purposes, the arts and for medicine; so it seems to me that it promises a much larger revenue than L. D. 201. I do not represent any druggists here and my only interest is this: In view of the present situation, the cancelling of permits to druggists and doctors to handle intoxicating liquors, taking away the legitimate right and opportunity of hospitals to obtain the necessary liquors, alcohol and the

like for legitimate use, the requirements of manufacturing concerns to use liquor.—I would group those in one bill and provide that they all be treated alike, sold by druggists and that they all paid taxes. The State of Maine should derive a definite income from such sales and I cannot see wherein L. D. 201 is any improvement over L. D. 199. The machinery is all set up in this for supervision for medicinal and mechanical purposes and the arts. It provides for an income from the sale, handled by the same people as provided by this bill, the druggists of the State.

Now I have personal views in regard to the liquor traffic and which are not in accord with either bill, but I will not air them here in the last days of this Legislature. In order to carry out the program as I described before, and as has been described, it is necessary for us to pass the Flexibility law and to pass some liquor legislation that would yield revenue to the State of Maine. Both bills provide that the liquor shall be handled by the druggists of the State. This bill provides that the Board of Pharmacy is the supervising force and penalties are included in this bill. It seems to me that Document 199 is way ahead of Document 201. If we are going to take up this matter, let's take it up right and let the State derive an honest fair revenue from the business.

Mr. WRIGHT of Bath: Section two provides that "duly licensed doctors of medicine are hereby authorized to issue prescriptions for intoxicating liquors for medicinal purposes." The Maine Medical Association is on record as against this, and I think it is very easy to see why they might be. I spoke this morning briefly and said I knew they were not in favor of it. I have talked with many doctors and I do not think any doctor engaged in the practice of medicine would like to have a half dozen people in their waiting room, waiting to get liquor licenses. They are decidedly against it. I think the best of the doctors are against it and I think the practice is not calculated to be an advantageous one in any sense of the word.

Mr. HILL of South Portland: Mr. Speaker and members of the House, this is an important measure, and I want to say that I am entirely in

accord with the views expressed by the gentleman from Portland, Mr. Carleton when he requests that these proposed amendments be printed in order that we may know exactly on what we are voting before the vote is taken. I believe that in view of the amendments and proposed amendments to amendments that there are really only a very few of the members of the House who completely understand the exact situation of the bill and the proposed amendments. I therefore move that pending amendment lie on the table and that the bill as it would read with the proposed amendment, if adopted, be printed.

The SPEAKER: The Chair of course is willing to entertain that motion, but it would serve simply to delay the consideration of this important matter.

Now if each one of you will take Legislative Document 201 I will show you in just a minute what House Amendment A to it does. There is not any need of having it printed. Now the first thing it does is in the first line of section 1, after the word "authorized" the amendment offered by the gentleman from South Portland, Mr. Goudy, would insert the following words: "upon payment of the sum of \$100 as a license fee to the State Licensing Board".

The next change is made in the fourth line of Section 3, near the end of the line. It strikes out the words "officer charged with the enforcement of law", and inserts in place thereof the words "any officer of the State Licensing Board appointed for such purpose or any sheriff or his deputy."

The next amendment is in line 5 of Section 5, and Mr. Goudy's amendment would strike out the words in the last line "not exceed 10 percent" and would insert in place of it the words "be 15 percent". And the only other thing that amendment proposes to do is to add the usual emergency clause at the end.

The gentleman from South Portland, Mr. Hill, now moves that the matter lie on the table.

Mr. HILL: Mr. Speaker, in view of the explanation by the Chair, I wish to withdraw my motion.

The SPEAKER: The gentleman from South Portland, Mr. Hill, now withdraws his motion to table the

matter. The Chair recognizes the gentleman from Rockland, Mr. Fogg.

Mr. FOGG of Rockland: Mr. Speaker, as a duly licensed doctor of medicine, one of about 1000 in the State of Maine I wish to state that this bill is very undesirable to the doctors. In the first place, as the gentleman from Bangor (Mr. Piper) says, there would be but small revenue from the bill. Secondly, the writer of the bill has picked out the doctors of medicine. Now we have in this State other duly licensed doctors, we have doctors of osteopathy, we have the chiropractors. If only doctors of medicine are allowed to prescribe liquor, I think that is discriminatory.

As the gentleman from Bath (Mr. Wright) has said, the Council of the Maine Medical Association has stated that they are opposed to the doctors writing prescriptions. They believe that the doctors would refuse to do it. Of course some would and some would not. But if any of you members of the Legislature come to my home town, Rockland, you will have to be pretty sick to get a prescription from me.

(Applause)

The SPEAKER: The pending question is the motion by the gentleman from South Portland, Mr. Goudy, that House Amendment A to House amendment C be adopted. As many as are in favor will say aye, contrary minded no.

A viva voce vote being doubted.

On motion by Miss Laughlin of Portland a division was had.

Sixty-two having voted in the affirmative and eighteen in the negative the motion prevailed, and House Amendment A to House Amendment C was adopted.

The SPEAKER: The pending question is the motion of the gentleman from Winslow, Mr. Belanger, that House Amendment C be indefinitely postponed. His motion of course now applies to the amendment as amended.

Mr. SCATES of Westbrook: Mr. Speaker, I do not like to be too technical, but I would like to see the gentlemen who are members of this Legislature vote. How many of you voted in this section here? I shall ask for a roll call on every motion unless you vote more generously than you have.

Miss MARTIN of Bangor: Mr. Speaker, before we vote on the indefinite postponement of this

amendment, I should like to have whoever is qualified to speak answer a question. I think perhaps Mr. Piper can answer. He said that the bill would provide no means of revenue from liquor for mechanical purposes or the arts. Would any of the manufacturers who buy liquor of alcoholic content of over 2 per cent to any amount to use in their manufacturing ever patronize a drug store to obtain it? Would they not buy it at wholesale out of the State?

The SPEAKER: The gentleman from Bangor, Mr. Piper, may answer if he can.

Mr. PIPER: Mr. Speaker, I have never had any experience in the liquor business. I do not know. The main question in my mind is this: We are providing for the handling of liquors through the drugstores for legitimate purposes, and the State is to derive a revenue from such handling of liquor. Now if the drug stores sell alcohol or something else for mechanical purposes I want the State to get a revenue from it.

The SPEAKER: Is the gentleman from Bangor (Mr. Piper) still answering the question of the member from Bangor (Miss Martin) or is he arguing the merits of the question. The member from Bangor still has the floor, if you have answered the question.

Mr. PIPER: Am I answering your question?

The SPEAKER: I will give you a chance in a few moments, but the member from Bangor still has the floor.

Mr. PIPER: Thank you, Mr. Speaker.

Miss MARTIN: I did not get a very definite answer. I got a few ideas from Mr. Piper. Is there anyone in this House who is engaged in manufacturing who employs alcohol to any extent, who is capable of answering that?

Then I will go on assuming, unless some one corrects me, that anyone who employs alcohol to any extent would not buy it at retail, they would buy it at wholesale somewhere.

Miss LAUGHLIN: Mr. Speaker, perhaps I can throw some light on it. The Webb-Kenyon Act permits them to buy it that way for mechanical purposes and the arts.

The gentleman from Westbrook (Mr. Scates) said he would ask for a roll call. I understand we passed

a motion this morning that when we voted on this it would be by a roll call. I made that motion when the gentleman from Winslow (Mr. Belanger) moved indefinite postponement. I said I did not care which way you voted on it—

The SPEAKER: The member is correct. When the vote is taken it will be by roll call.

Mr. WRIGHT of Bath: Mr. Speaker, up to the present time hospitals for the most part have bought alcohol from the Industrial Alcohol Corporation of Boston or through its agencies. So far as I have known there have been no hospitals that have bought alcohol within the State of Maine.

Mr. AUDET of Lewiston: Mr. Speaker, you all know my stand on this question of liquor legislation. I wish to state I am willing to vote for anything that is reasonable. I am against bar rooms or anything of that kind. The member from Portland (Miss Laughlin) stated this morning that she did not want the drug store to become a bar room. I say this amendment will turn the drug stores into bar rooms much more than the original bill.

For instance, a man is intoxicated and he goes into a drug store with a prescription, probably obtained when he was well enough. I know they can go to Lewiston and get 30 prescriptions a day if they want them. This man goes to the drug store, intoxicated, presents a prescription, gets a bottle of whiskey or whatever he wants and naturally puts himself in a worse condition yet.

I should think that liquor ought to be handled in Maine very carefully. Now this is my stand, and I am opposed to this amendment from that point of view, and I will state the two other points of view why I do not believe the amendment should be carried.

Now we are here to enact some kind of liquor legislation to bring revenue to the State of Maine. This amendment is an obstruction.

Secondly, what seems to me to be the most important question from a public standpoint is to stop the bootlegging in Maine. If a man has to pay 50 cents or a dollar to get a prescription from a doctor, that would increase the price of liquor, and you will see not only the bootleggers of Maine very prosperous,

but you will see a whole mess of bootleggers from Massachusetts come down here and do business.

The SPEAKER: We are now about to take a roll call on this question on the motion of the gentleman from Winslow, Mr. Belanger, that House Amendment C, as amended by House Amendment A be indefinitely postponed. A vote "yes" is in favor of the indefinite postponement of the amendment, as amended, a vote "no" is in favor of its adoption. Is the situation now plain to every member of the House? Under the rules of the House the members must keep their respective seats until the roll is called, the result tabulated and the vote announced. A vote "yes" is a vote against the amendment; a vote "no" is in substance in favor of it. Are there any further questions? If not, the Clerk will call the roll.

YEA—Allison, Ashby, Audet, Bailey, Whitefield; Belanger, Berry, Berwick, Boyle, Breen, Burgess, Burns, Bushey, Carleton, Carswell, Carter, Chase, Baring; Cook, Dunn, Duquette, Eastman, Eldridge, Fenlason, Fogg, Rockland; Forgue, Lewiston; Friend, Goodwin, Gray, Gross, Hall, Hamel, George; Hamel, Napoleon; Hancock, Haskell, Hescok, Hobbs, Hussey, Jones, Knight, Labbee, Lancaster, Lebel, Lewis, Lindsey, Littlefield, Alfred; Luce, Mack, Mason, Mechanic Falls; Mason, Raymond; McKinney, Michaud, Nevers, O'Connor, Piper, Plouff, Quine, Rand, Rea, Richardson, Rounds, Rush, Shaw, Smith, Orono; Smith, Vinalhaven; Soper, Thompson, Thurston, Tupper, Viles, Ward, Harrison; Ward, Thorndike; Wentworth, Whitney, Whitten, Wright, Young.—75.

NAY—Bailey, Woolwich; Bartlett, Bennett, Blanchard, Bucknam, Bussey, Chase, Limington; Chase, Sebec; Clarke, Clement, Cobb, Collins, Crowell, Deering, Dow, Livermore; Farris, Fernald, Flanders, Fowles, Gallagher, Goudy, Graves, Ham, Hawkes, Hill, Hills, Holden, Laughlin, Leathers, Lord, MacPherson, Martin, Mayers, Norris, Oliver, Plummer, Russ, Sanborn, Baldwin; Scates, Smith, Masardis; Sprague, Sterling, Stover, Thomas, Tillson, Tompkins, Bridgewater; Tompkins, Houlton; Walker, Rockland; Walker, Rockport; Wallingford, Webber, White, Williams.—53.

ABSENT—Carignan, Devereux, Dow, Portland; Drisko, Gagnon, Hargett, Hanson, Hastings, Littlefield, Bluehill; Mace, Morin, Newcomb, Osgood, Peacock, Raymond, Ryder, Sanborn, Weld; Sargent, Stern.—19.

The SPEAKER: Seventy-five hav-

ing voted in favor of the motion and 53 against it, the motion to indefinitely postpone prevailed and the House has rejected House Amendment C with its amendment.

Thereupon the bill as amended by House Amendments A and B was passed to be engrossed in non-concurrence.

On motion by the gentleman from York, Mr. Young, it was voted to take from the table, Bill, An Act to empower the United States of America to acquire land in the State of Maine by purchase or gift for national forests, and granting to the United States all rights necessary for establishment, control and administration of such forests, S. P. 11, L. D. 193, tabled by that gentleman earlier in the session, pending passage to be enacted.

Mr. YOUNG of York: Mr. Speaker, I now move the indefinite postponement of this measure.

Mr. FARRIS of Augusta: Mr. Speaker, I wish to oppose the motion of the gentleman from York, on the ground that we have spent considerable time on this measure, we have redrafted it, adopted amendments, and now when it comes to the time of final enactment we find some of the members are turning around and trying to kill it, some of those who voted for it.

This is only a proposition of the Government of the United States being ready to spend two million dollars in the State of Maine, to acquire by purchase and not by condemnation forestry lands for a forestry preserve.

There has been a lot of talk about raising revenue. Now when you get a chance to sell something upon which we are not receiving any taxes, something that we cannot otherwise sell or borrow any money on, somebody will get up in this Legislature and oppose it.

The first draft of this bill carried a condemnation clause, the government could come in here and acquire land by purchase and condemn land by purchase. That was not satisfactory, and it was going to be referred to the next Legislature. The Governor came before our committee on Judiciary and stated that he had talked with the President of the United States per-

sonally, and the President had assured him that he had ear-marked for the State of Maine \$2,000,000, to be used in purchasing wild lands in Maine for the purpose of a forest reservation.

The member from Portland (Miss Laughlin) took it upon herself to make a new draft, and she worked hard and diligently and prepared a new draft which was passed to be engrossed and is now ready for enactment, and I believe that the members of this Legislature who have voted consistently for this bill during the past week will now vote for its final enactment, and I am opposed to the motion of the gentleman from York (Mr. Young) that at this stage of the game this bill be indefinitely postponed. I believe that it would be a great mistake for the members of this Legislature to recant at this stage.

Miss LAUGHLIN of Portland: Mr. Speaker, as far as discussion of this bill is concerned, I have nothing more to say. I do, however, wish to make some corrections in the statement made by the gentleman from York (Mr. Young) this morning.

He said that his first reason was because this bill came from the Judiciary Committee unanimously ought not to pass he had confidence in that committee.

When the bill came before the committee it carried a provision for condemnation; it had no provision to protect the interests of Maine for watersheds and mill sites. I will have to go into the committee's action to explain it. At the time the question came up, I said it would be a good bill if we could take out the provision for condemnation and protect the interests of Maine. The Chairman said, "Can you draw such a bill?" I said, "I have not the time."

On my way home a member from a certain county came to me and said, "This will help a lot of people in my county." It happened to be the county I was born in, and I said I am going to take time to draw that draft.

That is the only interest I have in the bill. I have no other interest except to help the people in this State who may want to sell their land. On account of that I drew the new draft. If I had had time at the committee meeting to draw the new draft, the report would not have

been ought not to pass I will not say that all of the members would have signed it, but I know it would not have been ought not to pass, because I know a majority of the committee and I think all of them favor it in the new form. So I think his first reason falls entirely to the ground.

His second reason, about making this a park, there is not a word in this about a park; it is a national forest. They are wild lands to keep in a forest, but with trails so people can camp and hunt and fish. You might as well talk about Mt. Katahdin or the White Mountain reservation being a park.

The gentleman referred to Maine being a vacation land. I am not one of those who are so keen about that—one of my objections to the thing is it will bring a whole raft more of people to Maine, and we have enough from my point of view.

I have been familiar with National Forests in the State of California, and as far as the vacation part is concerned it brings tourists into the State who want to go to Yosemite National Forest for hunting and fishing. Some of the government regulations there not only permit you to camp, hunt and fish, but they even permit you to build a camp, not take title to the land, but as long as you want to keep a camp you can have it, even in that government forest.

I am not going to argue further because I have already talked on this matter, but I simply want to explain what apparently is a misapprehension on the part of the gentleman from York (Mr. Young) as to the attitude of the committee and as to the kind of thing a national forest is, which is of course to preserve it in a wild state.

Mr. SMITH of Vinalhaven: Mr. Speaker and members of the House, I am glad to get off from the ocean for a few minutes and get back into the woods. I have been prowling around by the ocean for a couple of years, and I want to wander back into the timberland.

I appreciate very much, ladies and gentlemen, the presentation of the case which the gentleman from York, Mr. Young, made this morning, but I take many exceptions to what he has said. It seems to me that the principal point which he tried to stress was that the loss

of taxes was going to be so great and there was nothing provided in return.

Now I feel that the loss of taxes is going to be greatly compensated for in the amount of money to be spent in these forest reservations. I base what I say on the Forestry Bill and from the official government publications that if this enabling act goes through there will be at least 1,000 men put to work in Maine by the spring of 1934, with an estimated payroll of \$20,000 a week. I think that almost alone more than offsets the loss in taxation, to say nothing of the \$2,000,000 which will be spent for the land.

Now the next objection is that the \$2,000,000 is going to owners of timberland out of the State. That is purely a supposition. The United States government has not said they will buy land in Washington County, or Aroostook County or any other county. It is only an enabling act, enabling them to buy land if they want to. There must be a willing seller and a willing buyer. The government does not rush in and buy this land because you say you want to sell it to them. They make a complete survey.

Now the original objections were on the matter of water rights, and the fishing and hunting rights, which have been taken care of in the amendments.

Now the United States government is working quickly. This thing must go through immediately if we are to get the benefit of it. The Forestry Department of the United States is particularly fortunate at this time in having an administration which is favorable to the Forestry Department, so they can get money to use for this work. If Maine wants to take advantage of this act, the time to do it is now, because a little later will be too late and some other State will take advantage of it.

The loss of taxes it is estimated will only be \$14,000, and it is estimated, as I said before, that there will be a payroll of \$20,000 a week, which will tremendously more than offset any loss in taxes.

I do not know as it is generally known there is already a National Forest in the State of Maine, in the western part of the State, called, I think, the White Mountain Reservation. They are building a road through there at the present

time, building camps and have made wonderful improvements on it, employing many men.

There is one other thing I have not been able to get the figures on in such a short time, but there is a large number of students who have graduated from the University of Maine Forestry Department in the last five years, completely out of work on account of this depression. It would probably immediately put every one of those young men to work, to say nothing of the large number of laborers which it will put to work.

One more point, Mr. Speaker, I think the fire protection that the government will give to these forests is another valuable consideration.

I very much oppose the motion of the gentleman from York (Mr. Young) to indefinitely postpone.

Mr. YOUNG: Mr. Speaker, I think the statement was made sometime today by several of the members that they did not like to act upon a bill that had so many amendments. This morning I heard the word "if" used considerably. I am going to add that if it goes out it is not revenue. If this bill goes through there will be some men put to work probably, but now we have a sure thing. We have got the taxes, there is no doubt about that, there is an absolute record to prove it.

I will use the word "if" again, that if the land is purchased by the Federal government, land owned by people who cannot pay their taxes it certainly will be a benefit, but the Federal government I do not believe is coming in here and buy a piece of Mr. Jones' property over here, 500 acres, and 500 acres over somewhere else; they are going to come pretty near having that in one lot. It was stated this morning that a forest preserve was a place with paths through it, so people could drive through it, and I think that is what is going to be done there. They are going to have trails all through it. I think that is what is going to be done on this piece of property.

I think I expressed my feeling this morning, and I am not going to say anything more. I am going to leave it to you representatives to do just as you will.

Mr. SCATES of Westbrook: Mr. Speaker, how long are we going to

march up the hill and then march down again. I thought this matter was settled. Let us settle it without an amendment and provide a way somehow whereby we can get home before Christmas.

I am not going to take half an hour this time.

This is really an employment measure, and it will set a great many men to work. The Federal government is not forcing this thing. Their White Mountain Reservation, for many years the land owners are going to the government and selling their land, and every-one so far as I know in New Hampshire anywhere near the White Mountain Reservation are in favor of it.

The wild land owners and the railroads have destroyed the lumber business in this State by their excessive stumpage and their excessive freight rates. It has all gone to the Pacific coast, and as far as Maine is concerned the lumber business is no more.

Let us settle the thing now and not march up the hill and down again. Let us close it up and get rid of it.

Mr. FLANDERS of Auburn: Mr. Speaker, we have heard quite a lot of discussion about the wild land situation in the State of Maine, and reference has been made to the land in Washington County. I happen to know the president of a company who owns a great deal of land in that county, and I know he has not been able from operations to get money enough to pay his taxes the last two or three years. Reference has been made to the fact he was not a taxpayer to the State of Maine. I want to say that this man owns a summer home in Maine, also owns a mill in Carrabassett, and if he has an opportunity he will sell that property, which has not been paying a profit for two or three years, to the government. I think the legislature should give him the privilege.

The SPEAKER: The pending question is the motion made by the gentleman from York, Mr. Young.

Mr. CHASE of Baring: Mr. Speaker, I ask when the vote is taken we have a division.

The SPEAKER: The gentleman from Baring, Mr. Chase, has requested a division. The pending question is the motion of the gentleman from York, Mr. Young, that

this bill be indefinitely postponed. All those in favor of the motion will rise and stand in their places until counted and the monitors make and return a count.

A division was had.

Twenty having voted in the affirmative and eighty-four in the negative, the motion failed of passage.

Mr. FARRIS of Augusta: Mr. Speaker I rise to a parliamentary question. What is the status of the proceedings on the bill at this time?

The SPEAKER: The bill is now ready to be passed to be enacted.

Mr. FARRIS: I move it be passed to be enacted.

The SPEAKER: This bill has had its three several readings in the

House and has been passed to be engrossed, and has had its two several readings in the Senate has been passed to be engrossed, and has been reported by the committee on engrossed bills as truly and strictly engrossed. The gentleman from Augusta, Mr. Farris, now moves that it be passed to be enacted. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion prevailed and the bill was passed to be engrossed.

On motion by Mr Plouff of Dexter,

Adjourned until Tuesday morning, December 19, at 10:00 A. M.