

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Wednesday, February 26, 1941.
The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Mr. Moffatt of Bath.

Journal of the previous session read and approved.

From the Senate: The following Communication: (S. P. 471)

STATE OF MAINE**AUGUSTA STATE HOSPITAL
AUGUSTA**

February 24, 1941

To the Honorable House and Senate of the Ninetieth Maine Legislature:

In compliance with the Order of February 13, 1941, of the Ninetieth Legislature, H. P. 1507, I submit the following statement:

The total number of patients that can be safely and properly cared for by the present accommodations in the Augusta State Hospital is 1202, 635 men and 567 women.

The total number of patients in the hospital at the present date is 1477, 637 men and 840 women. While there are 203 more women than men, the difference is only temporary and is due to the fact that more men have been discharged or transferred to other institutions. Ordinarily, the number of men admitted exceeds that of the women.

The accommodations for men are completely filled, while those for women are over-crowded by 273 patients. A part of this excess number of women has been cared for by use of accommodations intended for men. The greater capacity for men is due to the acquisition of the Arsenal Group and the building for the criminal insane, all of which accommodate a total of 170 patients.

From these facts it is evident that accommodations for at least 273 women patients should be provided as soon as possible, and I recommend that this number be increased to 325 patients to care for the estimated increase during the next two years. This will give the hospital an ultimate capacity for 1527 patients.

Respectfully submitted,

(Signed)

FORREST C. TYSON, M. D.

Superintendent

Came from the Senate, read and ordered placed on file.

In the House, the communication read, and on motion by Mr. Leveque of Lewiston, was ordered placed on file in concurrence.

Resolve from the Senate requiring reference disposed of in concurrence.

Senate Reports**Leave to Withdraw**

Report of the Committee on Public Utilities on Bill "An Act relating to the Androscoggin and Kennebec Railway Company" (S. P. 269) (L. D. 414) reporting leave to withdraw.

Ought Not to Pass

Report of same Committee reporting "Ought not to pass" on Bill "An Act relating to the Androscoggin and Kennebec Railway Company" (S. P. 268) (L. D. 412)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Senate Bills in First Reading

Bill "An Act relating to Approval of Suits by Infants" (S. F. 307) (L. D. 514)

Bill "An Act relating to Vacating Attachments" (S. P. 311) (L. D. 518)

Bill "An Act relating to Valuation and Release of Attached Property" (S. P. 313) (L. D. 520)

Bills were read twice and tomorrow assigned.

The following Communication:

STATE OF MAINE**DEPARTMENT OF STATE**

To the Speaker of

The House of Representatives

Of the Ninetieth Legislature:

I have the honor to herewith transmit the following report:

The county estimates of the several counties within the State for the years 1941 and 1942, the same having been filed in this office according to the provisions of the Revised Statutes, Chapter 13, Section 67 as amended.

(Signed) **FREDERICK ROBIE**

Secretary of State

February 25, 1941.

The communication was read, and on motion by Mr. Payson of Portland, the communication with accompanying papers was referred to the Committee on County Estimates.

The following Bill, which was transmitted from the Revisor of Statutes under Joint Order, was received and upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Judiciary

Bill "An Act relating to Eminent Domain for Water Companies and Water Districts, and other Public Service Corporations" (H. P. 1622) (Presented by Mr. Farwell of Unity) (650 copies ordered printed) Sent up for concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Rollins of Greenville, be excused from attendance because of being called home on business.

On motion by Mr. Sanderson of Greene, it was

ORDERED, that Rev. William E. Ricker of Greene, be invited to act as Chaplain of the House on Wednesday, March 5th.

House Reports of Committees Leave to Withdraw

Mr. Williams from the Committee on Judiciary on Bill "An Act relating to the Rights of Minority Stockholders" (H. P. 1162) (L. D. 459) reported leave to withdraw.

Mr. Brewer from the Committee on Salaries and Fees reported same on Bill "An Act relating to Automobile Travel by State Employees" (H. P. 1204) (L. D. 422)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Fuller from the Committee on Claims reported "Ought not to pass" on Resolve in favor of L. R. Dionne (H. P. 781) (L. D. 332)

Mr. Patterson from same Committee reported same on Resolve in favor of Herbert Young of Greenbush (H. P. 606)

Same gentleman from same Committee reported same on Resolve in favor of Watts Detective Agency, Inc. (H. P. 229) (L. D. 75)

Same gentleman from same Committee reported same on Resolve in favor of Harold F. Wing of Bingham (H. P. 40)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Welch from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Mrs. James M. Cahill Sr. of Concord (H. P. 41)

(On motion by Mr. Dutton of Bingham, tabled pending acceptance of Committee Report)

Mr. Welch from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Earle S. Damon of Mechanic Falls (H. P. 329)

Same gentleman from same Committee reported same on Resolve in favor of Oliver B. Libby of Warren (H. P. 460)

Mr. Willey from the same Committee reported same on Resolve in favor of Charles Darrington of Canton (H. P. 583)

Mr. Grua from the Committee on Federal Relations reported same on Resolve Abating Improperly Assessed Unemployment Compensation Taxes of A. J. Stevens (H. P. 298) (L. D. 108)

Mr. Fenlason from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in Spencer Lake (H. P. 1133) (L. D. 337)

Same gentleman from same Committee reported same on Resolve relating to Non-resident Fishing Licenses (H. P. 1130) (L. D. 379)

Same gentleman from same Committee reported same on Resolve Opening Taylor Pond in Androscoggin County to Ice Fishing (H. P. 633) (L. D. 269)

Mr. Hanold from same Committee reported same on Resolve for Building Fishway on the Kennebec River (H. P. 819) (L. D. 291)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Hanold from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve relative to Game Preserve on Munroe Island (H. P. 469) (L. D. 205)

(On motion by Mr. Sleeper of Rockland, tabled pending acceptance of Committee Report.)

Mr. Starrett from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Re-

solve relative to Preserving Smelts for Bait (H. P. 1133) (L. D. 332)

Same gentleman from same Committee reported same on Resolve relative to Game Preserve on Spruce Head Island (F. P. 470) (L. D. 206)

Mr. Lafleur from the Committee on Legal Affairs reported same on Bill "An Act relating to the City Charter of Portland" (H. P. 1178) (L. D. 476)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Southard from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Authorizing the Mayor of Waterville to Appoint a Commission on Cemeteries" (H. P. 1175) (L. D. 474)

(On motion by Mr. Megill of Belgrade, tabled pending acceptance of Committee Report.)

Mr. Brewer from the Committee on Salaries and Fees reported "Ought not to pass" on Bill "An Act relating to License Fees for Portable Saw Mills" (H. P. 21) (L. D. 16)

Mr. Downs from same Committee reported same on Bill "An Act relating to Deputy Forest Fire Wardens" (H. P. 1465) (L. D. 741)

Mr. Sayward from the Committee on Sea and Shore Fisheries reported same on Resolve relating to Fishing in Flanders Bay (H. P. 1147) (L. D. 447)

Mr. Race from same Committee reported same on Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State" (H. P. 1206) (L. D. 424)

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Legal Affairs

Mr. McNamara from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Androscoggin Lake Dam" (H. P. 612) (L. D. 250) reported that same be referred to the Committee on Legal Affairs.

Report was read and accepted and the Bill referred to the Committee on Legal Affairs and sent up for concurrence.

Referred to Committee on Ways and Bridges

Mr. Bragdon from the Committee on Claims on Resolve in favor of the city of Eastport (H. P. 1322) reported that same be referred to the Committee on Ways and Bridges.

Report was read and accepted and the Resolve referred to the Committee on Ways and Bridges and sent up for concurrence.

Referred to Committee on Motor Vehicles

Mr. Mills from the Committee on Judiciary on Bill "An Act relating to Traffic Safety" (H. P. 1429) (L. D. 731) reported that same be referred to the Committee on Motor Vehicles.

Report was read and accepted and the Bill referred to the Committee on Motor Vehicles and sent up for concurrence.

Ought to Pass in New Draft

Mr. Bragdon from the Committee on Claims on Resolve to Reimburse the town of Blaine for Replacement of a Culvert (H. P. 584) reported same in a new draft (H. P. 1623) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve in favor of Edward Doyle of Fort Kent (H. P. 93) reported same in a new draft (H. P. 1624) under same title and that it "Ought to pass."

Mr. Bragdon from same Committee on Resolve in favor of Mrs. Arlene Remick (H. P. 328) reported same in a new draft (H. P. 1625) under same title and that it "Ought to pass."

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Report Tabled

Mr. Dwinall from the Committee on Legal Affairs on Bill "An Act Defining the Word 'Homes' relative to Exemption from Taxation" (H. P. 50) (L. D. 34) reported same in a new draft (H. P. 1626) under title of "An Act relating to Exemptions of Homes from Taxation" and that it "Ought to pass".

(On motion by Mr. McGlaulin of Portland, tabled pending acceptance of Committee Report)

Ought to Pass with Committee Amendments

Mr. Payson from the Committee on Judiciary on Bill "An Act relating to Harbor Masters" (H. P. 1422) (L. D. 587) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Shesong from the Committee on Legal Affairs reported same on Bill "An Act relating to Investment of Farm Land Loan's Funds" (H. P. 408) (L. D. 162)

Reports were read and accepted.

Report Tabled

Mr. Slosberg from the Committee on Legal Affairs on Bill "An Act relating to the Town Manager Form of Government for the town of Houlton" (H. P. 646) (L. D. 282) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. McGillicuddy of Houlton, tabled pending acceptance of Committee Report)

Ought to Pass

Mr. Fuller from the Committee on Claims reported "Ought to pass" on Resolve Granting Bonus to Charles Story Crosman of West Gardiner (H. P. 94)

Mr. Willey from same Committee reported same on Resolve in favor of the town of Sullivan (H. P. 600)

Reports were read and accepted and the Resolves ordered printed under the Joint Rules.

Mr. Brewer from the Committee on Salaries and Fees reported "Ought to pass" on Bill "An Act relating to Clerk Hire in the Office of Register of Deeds in York County" (H. P. 1565) (L. D. 852)

Same gentleman from same Committee reported same on Bill "An Act relating to Salaries of Municipal Court of Bath" (H. P. 1203) (L. D. 421)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act relating to the Raymond Fish Hatchery" (H. P. 795) (L. D. 308)

Bill "An Act relating to Hunting While Intoxicated or Under the Influence of Drugs" (H. P. 1500) (L. D. 815)

Bills were read twice and tomorrow assigned.

First Reading of Printed Bills With Committee Amendments

Bill "An Act relating to the Time of Opening and Closing of Polls" (H. P. 1152) (L. D. 452)

Bill had its two several readings. Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1152, L. D. 452, "An Act Relating to the Time of Opening and Closing of Polls."

Amend Section 1 of said bill by striking out in the 4th line thereof the word "in", and by striking out in the 4th and 5th lines of said Section 1 the words "the general prevailing time is" and inserting in place thereof the following words "officially adopt".

Amend Section 2 of said bill by striking out in the 4th line thereof the word "in", and by striking out in the 4th and 5th lines of said Section 2 the words "the general prevailing time is" and inserting in place thereof the following words "officially adopt".

Amend Section 3 of said bill by striking out in the 4th line thereof the word "in", and by striking out in the 4th and 5th lines of said Section 3 the words "the general prevailing time is" and inserting in place thereof the following words "officially adopt".

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

Bill "An Act amending the Unemployment Compensation Law so as to Reduce Waiting Period for Unemployment Benefits and to Preserve Benefits for Persons in the Military Service" (H. P. 1260) (L. D. 559)

Bill had its two several readings. Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1260, L. D. 559, Bill "An Act Amending the Unemployment Compensation Law so as to Reduce Waiting Period for Unemployment Benefits and to Preserve Benefits for Persons in the Military Service."

Amend said Bill by amending subsection (p) of section 1 by striking out at the end of clause (1) the following words "not to exceed 16 times such higher weekly benefit amount" and by inserting therein in lieu thereof the following words "but in no event shall he be eligible to receive more than 16 times such higher weekly benefit amount in such benefit year."

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

On motion by Miss Bangs of Brunswick, House Rule 25 was suspended for the remainder of this morning's session, in order to permit smoking.

Passed to be Engrossed

Bill "An Act relative to Industrial Banks (S. P. 81) (L. D. 67)

Bill "An Act relating to the town of Princeton Lighting District (S. P. 270) (L. D. 413)

Bill "An Act to Amend the Workmen's Compensation Act" (S. P. 305) (L. D. 512)

Bill "An Act relating to Amendment of Pleadings in Cases Referred under Rule of Court" (S. P. 306) (L. D. 513)

Bill "An Act relating to the Resignation of Attorneys at Law" (S. P. 308) (L. D. 515)

Bill "An Act Authorizing and Empowering the Chief Justice of the Supreme Judicial Court to Appoint a Committee to Study the Practice and Procedure of the Supreme Judicial and Superior Courts" (S. P. 309) (L. D. 514)

Bill "An Act relating to Expense for Treatment of Blind Persons" (S. P. 408) (L. D. 636)

Bill "An Act to Promote Cancer Control" (S. P. 411) (L. D. 639)

Bill "An Act relating to Guides for Non-Residents" (S. P. 455) (L. D. 906)

Bill "An Act relative to Game Preserve in York County" (H. P. 468) (L. D. 204)

Bill "An Act relating to Mutilation or Concealment of Dead Bodies" (H. P. 1614) (L. D. 958)

Resolve Regulating Fishing in Belgrade Chain of Lakes (H. P. 635) (L. D. 271)

Resolve Regulating Ice Fishing on Great Lake in Belgrade (H. P. 636) (L. D. 272)

Resolve Regulating Fishing in Lake Embden (H. P. 1139) (L. D. 388)

Resolve Regulating Fishing on Echo Lake (H. P. 1612) (L. D. 957)

Resolve Regulating Fishing in certain Piscataquis County Waters (H. P. 1613) (L. D. 956)

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

Amended Bills

Bill "An Act to Exempt the American National Red Cross and its local Chapters from Municipal Taxation" (S. P. 56) (L. D. 11)

Bill "An Act relating to the State Boxing Commission" (S. P. 196) (L. D. 287)

Bill "An Act in regard to the Waldo County Municipal Court" (S. P. 248) (L. D. 404)

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

Passed to be Enacted

Emergency Measure

An Act to Provide for the Surrender by Silver Ridge Plantation of its Organization (H. P. 1502) (L. D. 817)

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

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. 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 have made and returned the count.

A division of the House was had. One hundred and thirty-one having voted in the affirmative and none in the negative, 131 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act to Dissolve Dexter and Piscataquis Railroad Company (S. P. 103) (L. D. 148)

An Act relating to Investment of Trust Funds of the University of Maine (S. P. 119) (L. D. 154)

An Act relating to Suffrage to Qualified Voters in Unorganized Territory (S. P. 154) (L. D. 223)

An Act Amending the Charter of the city of Augusta (S. P. 195) (L. D. 286)

An Act Enlarging the Powers and Duties of the State Auditor (S. P. 431) (L. D. 823)

An Act Providing for the Administration and Control of Baxter State Park (H. P. 262) (L. D. 91)

An Act relating to Registration Fees for Certain Motor Trucks (H. P. 312) (L. D. 121)

An Act relating to Absent Voting (H. P. 338) (L. D. 134)

An Act relating to the Taking of Eels (H. P. 621) (L. D. 257)

An Act to Ratify and Make Valid the Incorporation of Riverside Lodge No. 12, Knights of Pythias (H. P. 642) (L. D. 278)

An Act relating to the Construction of Branch Tracks by Railroad Corporations (H. P. 680) (L. D. 235)

An Act to Define the Manner of Election of Directors of Houlton Water Company (H. P. 681) (L. D. 236)

An Act Authorizing the Northern Water Company to Increase its Capital Stock (H. P. 683) (L. D. 238)

An Act relating to Deputy Clerks of Courts in Penobscot County (H. P. 684) (L. D. 239)

An Act to amend the Charter of Higgins Classical Institute (H. P. 1197) (L. D. 417)

An Act to Extend the Charter of the Patten Water and Power Company (H. P. 1198) (L. D. 418)

An Act Authorizing Penobscot County Water Company to Obtain and Maintain a Supply of Water for its Corporate Purposes (H. P. 1332) (L. D. 596)

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

Bill On Its Passage To Be Enacted—Amended

An Act to Amend the Charter of the Hallowell Water District (H. P. 1505) (L. D. 765)

On motion by Mr. Morrison of Water Harbor, the House voted to suspend the rules to permit that gentleman to move to reconsider the passage of this bill to be engrossed; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed.

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

House Amendment "A" to H. P. 1505, L. D. 765, New Draft of L. D. 138, H. P. 351, Bill "An Act to

Amend the Charter of the Hallowell Water District.

Amend section 2 of said bill by inserting in the 4th line from the last after the word "be" the word 'at' and further amend said section 2 by inserting at the end of the third from the last line after the figure "\$100" the word 'each'.

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

Finally Passed

Resolve authorizing the Commissioner of Inland Fisheries and Game to Convey the Interest of the State in Certain Land in Belgrade (S. P. 98) (L. D. 126)

Resolve authorizing the Forest Commissioner to Convey Certain Land to Maxime Albert of Sinclair (H. P. 261) (L. D. 90)

Resolve Regulating Fishing in Cumberland and York Counties (H. P. 299) (L. D. 109)

Resolve Regulating Fishing in Cumberland and York Counties (H. P. 303) (L. D. 113)

Resolve Granting Authority to the Forestry Department to Convey Certain Land to J. C. Briggs of Caribou (H. P. 322) (L. D. 122)

Resolve Granting Authority to the Forestry Department to Convey Certain Land to Stanley Hinch of Danforth (H. P. 447) (L. D. 186)

Resolve Regulating Fishing in Chase's Mill Stream (H. P. 471) (L. D. 207)

Resolve Regulating Fishing in Ross Pond (H. P. 627) (L. D. 263)

Resolve Regulating Fishing in Hasting Pond (H. P. 629) (L. D. 265)

Resolve Regulating Fishing in Roaring Brook Pond (H. P. 805) (L. D. 318)

Resolve Regulating Fishing in Watchic Pond (H. P. 812) (L. D. 325)

Resolve Regulating Fishing in Dead River in Orland (H. P. 815) (L. D. 328)

Resolve Regulating Fishing in Rattlesnake Pond (H. P. 816) (L. D. 329)

Resolve Regulating Fishing in Granger Pond (H. P. 817) (L. D. 330)

Resolve Regulating Fishing in Barker Pond (H. P. 818) (L. D. 331)

Resolve Regulating Fishing in East and West Richardson Ponds, in

Oxford County (H. P. 823) (L. D. 295)

Resolve Regulating Fishing in Certain Waters (H. P. 824) (L. D. 296)

Resolve Regulating Fishing in Alford's Lake and Lermond's Pond (H. P. 1508) (L. D. 840)

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

Resolve on its Final Passage — Amended

Resolve Regulating Fishing in Certain Lincoln County Waters (H. P. 628) (L. D. 264)

On motion by Mrs. Grady of Whitefield, the House voted to suspend the rules to permit that gentlewoman to move to reconsider the passage of this resolve to be engrossed; and on further motion by the same gentlewoman the House voted to reconsider its action whereby this resolve was passed to be engrossed.

Mrs. Grady then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 628, L. D. 264, Resolve Regulating Fishing in Certain Lincoln County Waters.

Amend said resolve by striking out in last line thereof "on April 1st each year" and inserting in place thereof "from April 1st to September 30th each year."

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

Orders of the Day

On motion by Mr. Shesong of Portland, the House voted to reconsider its action of yesterday whereby it passed to be engrossed Bill "An Act relating to Sunday Moving Pictures" (H. P. 5) (L. D. 4) as amended by Committee Amendment "A" and House Amendment "A"; and on further motion by the same gentleman the bill was tabled pending passage to be engrossed.

On motion by Mr. Leveque of Lewiston it was voted that the rules be suspended in order to per-

mit that gentleman to present an order out of order.

The same gentleman then presented the following order and moved its passage:

ORDERED, the Senate concurring, that an interim committee shall be appointed from the members of the Ninetieth Legislature as follows: Three on the part of the Senate appointed by the President thereof, and two on the part of the House appointed by the Speaker thereof. This committee shall study the crowded conditions at the Augusta State Hospital and confer with the authorities in charge and make such recommendations to any special session of the Ninetieth Legislature or to the Ninety-first Legislature as seems advisable to it to improve said conditions.

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

Mr. LEVEQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is high time something should be done to remedy conditions over here in the Augusta State Hospital.

You have just heard the report of Dr. Tyson. It is unreasonable to ask a man to do the impossible. Two hundred and seventy-three patients that cannot be safely cared for are in the hospital!

They talk of crowded conditions in some of the public buildings in the State. I will say most of them can possibly get by even though there may be some inconvenience. But the insane asylum is different; when a patient has to be admitted some room has got to be found for him, because he or she is in no fit condition to be let loose. Therefore I urge you to act, for there an emergency does exist.

Mr. PAYSON of Portland: Mr. Speaker, there is something about sitting in this seat that I am occupying this year that seems to curdle an otherwise good disposition and makes the occupant get in people's hair all the time.

It is my feeling that I should oppose this order, not because I am opposed to what the gentleman from Lewiston (Mr. Leveque) wishes to accomplish, but because I am opposed to the method whereby he is attempting to accomplish it.

I can think of three joint standing committees already appointed in this present Legislature who could readily and properly handle the problem here set up. There is, as

a matter of fact, a Joint Standing Committee on Insane Hospitals which seems to be the natural committee to handle this problem. If the gentleman wants a committee to handle it during the session of the Legislature, that committee is entirely a proper one to handle the matter. If he wants a recess committee, I doubt very much if he creates it under this order, because it is my impression that an order only lasts during the life of the Legislature and the life of the committee would expire on the adjournment of the Legislature. We have joint standing committees that should handle this work during this period and we have the Legislative Research Committee which will be functioning during the recess period. For that reason I move that the order be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the order be indefinitely postponed. The question is on the motion of the gentleman from Portland, Mr. Payson that the order be indefinitely postponed. All those in favor of the indefinite postponement of the order will say aye; those opposed no.

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

On motion by Mr. Payson of Portland, the House voted to take from the table the third tabled and unassigned matter, Joint Order Relative to Committee on Appropriations and Financial Affairs reporting an estimate of appropriations not later than first legislative day in March (H. P. 1604) tabled by that gentleman on February 19th, pending passage.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker and Ladies and Gentlemen of the 90th Legislature: I recognize fully the deep interest that the Representative from Gorham (Mr. Gould) is taking in the various matters before this Legislature, and I fully recognize the fact that it was a good intention that prompted him to introduce an order calling for the Appropriations Committee to report to the Legislature, not later than four o'clock in the afternoon of the first Legislative day in March of 1941, an estimate of the necessary

appropriations for the ensuing biennium.

I desire to cooperate and I know that the members of the Appropriations Committee desire to cooperate in every way possible to furnish the members of this Legislature with all available information pertaining to the financial structure of the State.

I had in mind a certain written document I planned to use in this connection, thinking the matter might be taken from the table several days ago. I am going to follow on and carry through with it, but there may be cases where it may seem to conflict with proposals I am intending to make. I just want to assure this House there never was any intention in my mind to move for the indefinite postponement of this order. I am anxious to cooperate. I simply want to state the case, and then I have two propositions, one of which I hope you will agree with me on and bring about.

It must, however, be realized that the Appropriations Committee is faced with a tremendous task in presenting at this time even what could be considered a fair estimate of necessary appropriations. To give you some idea of this, the Appropriations Committee has to hear forty-one separate departments of the State government, involving over a hundred eighty-five separate divisions and institutions. This in itself, you can well realize, involves a great deal of time in order to secure the complete picture of the requests of the departments and the action of the Appropriations Committee with reference to these requests.

In addition to these fixed departments, divisions and institutions, there are before this Legislature a large number of Special Resolves calling for the appropriation of money for various activities in various sections of the State. All of these bills likewise must be heard before this Committee, and every fact presented, and after the presentation these facts must be weighed to determine whether or not the appropriation requested is justified and whether it is in the province of this Committee to recommend such.

The Committee also cannot, under any circumstances, report out appropriations for the operation of State government in excess of the revenues that that Committee

knows will be available to meet such appropriations.

You can see, therefore, that there are a great number of underlying factors that enter into the deliberations of this Committee, and before any intelligent decision can be rendered, that all facts pertaining to the financial structure of the State, both from a standpoint of requested appropriations and available revenues, must be known.

If, however—and this is what I proposed to say a week ago, and it still stands—recognizing these obstacles that the Committee is confronted with, this Legislature desires a report to be brought before this body along the lines of the order introduced by the gentleman from Gorham (Mr. Gould), understanding fully that it cannot be an accurate report, that it can be only a fair estimate based upon the contention that revenues will be made available to meet the estimated recommendations, then I shall be glad, indeed, to cooperate, as I have always tried to, with the members of this Legislature, in presenting all information possible.

I mention these facts so that you may know that the Committee on Appropriations and Financial Affairs is faced with a tremendous task in furnishing to you at this time information that would be of real value to this body.

Now my two propositions are these—and I would have advanced them last week if I had had the opportunity. One is that the Committee go on and bring you a more or less definite report. It is not possible in all cases to state just what we propose to do, but we can give you a pretty good idea of what we probably have in our minds.

My second thought is that sometime—I doubt if we could bring it about next week because I do not think we have time—but sometime the following week we have sort of a caucus or meeting here and have the "Finance Minister," who is the Budget Officer, with us, and the clerks of the Appropriation Committee and Budget Committee and the members themselves, and have each man bring in his own blue book and go into these things and tell you, touching every department, what we feel we are going to be called upon to do. I promise you either one of these procedures.

Mr. GOULD of Gorham: Mr. Speaker, I believe that the object

for which the order was presented has been accomplished and I therefore move the indefinite postponement of the order.

The SPEAKER: The gentleman from Gorham, Mr. Gould, moves the indefinite postponement of the order. The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am not going to argue in favor or against the motion made by the gentleman from Gorham, Mr. Gould, but I did sense one danger we are drifting into from the remarks of the gentleman from Calais, Mr. Murchie.

If I understood his statement correctly, it is not the intention of the Committee on Appropriations and Financial Affairs to bring out its report until it knows exactly how much revenue is available. In other words, they are expecting the Committee on Taxation to report out all the measures that have been referred to it. I submit that it is not sound financial planning to call upon the Taxation Committee to act upon those tax measures until it has first been demonstrated beyond any reasonable doubt as to the amount of revenue that is needed to conduct the affairs of the State. I believe that the Committee on Appropriations and Financial Affairs, because of the study and detail that is necessarily involved, is the one body that can finally present to us in concrete form exactly how much revenue is available by virtue of existing legislation and exactly how much additional revenue is needed. I seriously doubt the wisdom of playing the Committee on Appropriations and Financial Affairs on the one hand and the Committee on Taxation on the other into the closing hours of this session when we may, in the rush and haste of adjourning, put over something that is not going to meet the needs of the State and which may possibly provide more revenue than is actually needed.

I go along with this clear statement made by the gentleman from Calais, Mr. Murchie, but I still submit it would be better for the Legislature to adjourn sometime in March for a week, if necessary, in order that this committee may bring out beyond any question of challenge exactly how much they need from the Committee on Taxation,

and, once that thing is dumped into our lap, it is our job to meet it; but I do not believe we want to coast along here trying to bring out a revenue policy for the State unless we first know exactly how much we have and how much we need. (Applause)

The SPEAKER: The question before the House is on the motion of the gentleman from Gorham, Mr. Gould, that the order be indefinitely postponed. Is it the pleasure of the House that the order be indefinitely postponed?

The motion prevailed and the order was indefinitely postponed.

On motion by Mr. Harvey of Sangerville the House voted to take from the table the second tabled and unassigned matter, Bill "An Act Relating to Taxation of Shore Property in Wild Lands" (H. P. 1599) (L. D. 924) tabled by that gentleman on February 19th pending reference.

Mr. HARVEY: Mr. Speaker, I now move that this bill be referred to the Committee on State Lands and Forest Preservation.

The SPEAKER: The gentleman from Sangerville, Mr. Harvey, now moves that this bill be referred to the Committee on State Lands and Forest Preservation. The Chair recognizes the gentleman from Hampden, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Members of the House: This measure is purely and simply a taxation

measure. It does not deal with State lands; it deals with private lands. It does not deal with forest preservation; it deals with taxation. If the Taxation Committee is to perform its function properly it should have before it all taxation measures. The Committee on Reference of Bills in its wisdom referred this matter to the Committee on Taxation and I believe this House should go along with that committee, particularly when they are right.

The SPEAKER: The question before the House is on the motion of the gentleman from Sangerville, Mr. Harvey, that this bill be referred to the Committee on State Lands and Forest Preservation. All those in favor of the reference of this bill to the Committee on State Lands and Forest Preservation will say aye; those opposed no.

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

On motion by Mr. Briggs, the bill was referred to the Committee on Taxation and sent up for concurrence.

The SPEAKER: If there are no further matters to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Wallace of Sanford,

Adjourned until ten o'clock tomorrow morning.