

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Wednesday, February 28, 1945.

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

Prayer by the Rev. Mr. Staples of Gardiner.

Journal of the previous session read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought to Pass**

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to the Fire and Police Commission for the town of Skowhegan" (S. P. 251) (L. D. 633)

Report of the Committee on Towns reporting same on Bill "An Act to Provide for the Surrender by the Town of Conner of its Organization" (S. P. 83) (L. D. 77)

Report of the same Committee reporting same on Bill "An Act to Provide for the Surrender by Town of Prescott of its Organization" (S. P. 154) (L. D. 372)

Came from the Senate the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice and tomorrow assigned.

Messages and Documents

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE

To the Speaker of the House of Representatives of the Ninety-second Legislature:—

I have the honor to herewith transmit attested copies of the estimates of expenses of fifteen counties within the State for the years 1945 and 1946, the same having been filed in this office according to the provisions of Sections 13 and 14 of Chapter 79 of the Revised Statutes of 1944.

The estimates for Washington County have not been received as of this date.

(Signed) HAROLD I. GOSS,
Secretary of State.

February 26, 1945.

The Communication was read, and on motion by Mr. Ward of Millinocket, was referred to the House Committee on County Estimates.

The following Bill, transmitted by the Revisor of Statutes, pursuant to Joint Order S. P. 124, was received, and upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Judiciary

Bill "An Act relating to the Lincoln Municipal Court" (H. P. 1315) (Presented by Mr. Gay of Damarisetta)

(Ordered printed)

Sent up for concurrence.

**Orders
Tabled**

Mr. Poulin of Rumford, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that H. P. 969, L. D. 585, Bill "An Act relating to Real Estate Brokers" and Report of the Committee on Legal Affairs on same, be recalled from the Legislative Files to the House for further consideration (H. P. 1316)

(On motion by Mr. Ward of Millinocket, tabled pending passage.)

Tabled

Mr. Ward of Millinocket, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be paid to the Representatives at the Legislature of the Penobscot and Passamaquoddy Tribes of Indians the amount fixed by law for their attendance, together with mileage (H. P. 1317)

(On motion by Mr. Ward of Millinocket, tabled pending passage.)

**House Reports of Committees
Divided Report
Tabled**

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Civil Actions for Death" (H. P. 244) (L. D. 90)

Report was signed by the following members:

Messrs. DOW of Oxford
DUNBAR of Washington
Miss CLOUGH of Penobscot
—of the Senate.
Messrs. PERKINS of Boothbay
Harbor

CONNELLAN of Portland
WARD of Millinocket
WILLIAMS of Auburn
HASKELL of Portland
—of the House.

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

Report was signed by the following members:

Messrs. PASCUCCI of Sanford

PEIRCE of Augusta

—of the House.

(On motion by Mr. Perkins of Boothbay Harbor, the two Reports, with accompanying papers, tabled pending acceptance of either Report)

**Divided Report
Tabled**

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act with reference to Pleading and Proving Contributory Negligence" (H. P. 330) (L. D. 117)

Report was signed by the following members:

Messrs. DOW of Oxford

DUNBAR of Washington

Miss CLOUGH of Penobscot

—of the Senate.

Messrs. WARD of Millinocket

PERKINS of Boothbay Harbor

HASKELL of Portland

WILLIAMS of Auburn

PASCUCCI of Sanford

—of the House.

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

Report was signed by the following members:

Messrs. CONNELLAN of Portland

PEIRCE of Augusta

—of the House.

(On motion *by Mr. Perkins of Boothbay Harbor, the two Reports, with accompanying papers, tabled pending acceptance of either Report)

Inexpedient

Mr. Williams from the Committee on Judiciary on Bill "An Act Repealing the Maine Civilian Defense Corps" (H. P. 877) (L. D. 440) reported that legislation thereon is inexpedient.

Report was read and accepted and sent up for concurrence.

Leave to Withdraw

Mr. Morrison from the Committee on Public Utilities on Bill "An Act Creating the Madawaska Utilities District" (H. P. 987) (L. D. 550) reported leave to withdraw.

Mr. Downs from the Committee on Salaries and Fees reported same on Bill "An Act relating to the

Compensation of the County Commissioners of Penobscot County" (H. P. 101) (L. D. 32)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Smith from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act to Authorize Searles F. Clement to Practice Veterinary Surgery, Medicine, and Dentistry" (H. P. 487) (L. D. 198)

Mr. Sweetser from same Committee reported same on Bill "An Act relating to the Sale of Ice" (H. P. 307) (L. D. 107)

Mr. Connellan from the Committee on Judiciary reported same on Bill "An Act relating to Disclosure Commissioners" (H. P. 952) (L. D. 576)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Williams from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Employees in Military or Naval or Merchant Marine Service" (H. P. 810) (L. D. 503)

(On motion by Mr. Carpenter of Augusta, tabled pending acceptance of Committee Report)

Mr. Rankin from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to the State Racing Commission" (H. P. 970) (L. D. 586)

Mr. Weeks from same Committee reported same on Bill "An Act relating to Public Dumping Grounds" (H. P. 1083) (L. D. 806)

Mr. Judkins from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land in Aroostook County to Thomas Guerette, of Guerette (H. P. 743) (L. D. 411)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Dutton from the Committee on State Lands and Forest Preservation reported "Ought not to pass" on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Herbert R. Dow, of Argyle (H. P. 859) (L. D. 516)

(On motion by Mr. Rollins of Greenville, tabled pending acceptance of Committee Report)

Mr. Rollins from the Committee on State Lands and Forest Preservation reported "Ought not to pass" on Resolve Authorizing the Forest Commissioner to Convey Certain Land in Washington County to George Wingate, of Hallowell (H. P. 744) (L. D. 412)

Report was read and accepted and sent up for concurrence.

Ought to Pass Printed Bill

Mr. Connellan from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Duties of Clerks of Courts and Registers of Deeds in Judgment in Real Actions" (H. P. 812) (L. D. 420)

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to the Bee Industry" (H. P. 306) (L. D. 113)

Bill "An Act relating to Jurisdiction of Violations of the Inland Fisheries and Game Laws" (H. P. 823) (L. D. 427)

Bill "An Act relating to Assignment of Counsel by the Superior Court" (H. P. 824) (L. D. 428)

Bill "An Act relating to State Bureau of Identification" (H. P. 946) (L. D. 526)

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

On motion by Miss Deering of Bath, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking)

Amended Bills

Bill "An Act relating to the Assessment and Collection of State, County and Forestry District Taxes in the Unorganized Territory" (H. P. 446) (L. D. 173)

Bill "An Act relating to Absent Voting" (H. P. 953) (L. D. 577)

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 Confer Jurisdiction upon the United States District

Court of Maine (H. P. 327) (L. D. 110)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 131 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Providing for the Proof of Wills where Subscribing Witnesses are Unavailable, by reason of Service in the Armed Forces of the United States (H. P. 650) (L. D. 299)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act to Dissolve the Portland and Ogdensburg Railway (S. P. 40) (L. D. 4)

An Act relating to the Definition of Chiropractic Service (S. P. 65) (L. D. 44)

An Act relating to the Use of the Prefix "Dr." by Chiropractors (S. P. 66) (L. D. 45)

An Act relating to the Examination of Applicants for the Practice of Chiropractic (S. P. 67) (L. D. 46)

An Act relating to Sale by Commissioner of Inland Fisheries and Game of Arms and Ammunition (S. P. 100) (L. D. 181)

An Act relating to Intoxication (S. P. 101) (L. D. 180)

An Act relating to the Educational Requirements for Chiropractic Qualifications (H. P. 155) (L. D. 52)

An Act relating to Terminology on Certification for the Practice of Chiropractic (H. P. 156) (L. D. 53)

An Act relating to Use of Gill Net in Taking White Fish (H. P. 321) (L. D. 108)

An Act relating to Outdoor Advertising (H. P. 325) (L. D. 105)

Were reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate)

Tabled

An Act to Increase the State Contingent Account (H. P. 405) (L. D. 161)

(On motion by Mr. Rollins of Greenville, tabled pending passage to be enacted)

An Act relating to the Deposit of Bonds, Notes, Etc., of the United States of America (H. P. 408) (L. D. 163)

An Act to Simplify Payments for Employees' Retirement System (H. P. 420) (L. D. 190)

An Act relating to the Expense Fund of the State Employees' Retirement System (H. P. 421) (L. D. 191)

An Act to Authorize Penobscot County Water Company to Supply the Inhabitants of the town of Edington with Water for Domestic and Other Purposes (H. P. 439) (L. D. 193)

An Act relating to Castine Game Preserve (H. P. 510) (L. D. 246)

An Act Amending the Charter of the city of Bangor (H. P. 528) (L. D. 209)

An Act relating to the Fire Department of the city of Portland (H. P. 531) (L. D. 211)

An Act relating to Municipal Planning and Zoning (H. P. 553) (L. D. 212)

An Act relating to the Registration of Voters (H. P. 526) (L. D. 257)

An Act relating to Duties of Town Clerks as to Discharges of Soldiers and Sailors (H. P. 647) (L. D. 298)

An Act to Make Valid the Acts and Doings of Riverside Cemetery Association of Cape Elizabeth and to Authorize the Transfer by that Association and the Acceptance by the Inhabitants of the town of Cape Elizabeth of that Association's Cemetery and Trust Funds (H. P. 651) (L. D. 317)

An Act relating to the Rules and Regulations of Nasson College (H. P. 654) (L. D. 264)

An Act Amending the Charter of the city of Bangor (H. P. 659) (L. D. 267)

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

**Finally Passed
Tabled**

Resolve authorizing Kennebec Towage Company to Bring Suit at Law Against the State of Maine (H. P. 331) (L. D. 146)

(On motion by Miss Deering of Bath, tabled pending final passage)

Resolve in favor of John H. Perkins of Brunswick (H. P. 507) (L. D. 248)

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

Orders of the Day

Mr. Downs of Rome was granted unanimous consent to address the House.

Mr. DOWNS: Mr. Speaker and Members of the House: For the first time in the three terms which it has been my privilege to serve in this body, I am confronted with a duty which I wish might have gone by default. I find myself in the position this morning of having to ask for the first time for unanimous consent to present a resolve. This is not in any wise a controversial measure, but it is of considerable importance to the party involved.

Without further remarks, Mr. Speaker, I ask unanimous consent to present a resolve.

The SPEAKER: The gentleman from Rome, Mr. Downs, asks unanimous consent to introduce a resolve. Is there objection? The Chair hears no objection. The Clerk will read the title.

Resolve providing for a State pension for Mable Gordon Dunn of Vienna (H. P. 1318)

On motion by Mr. Downs, the resolve was referred to the Committee on Pensions and sent up for concurrence.

Mr. Gross of Jefferson was granted unanimous consent to address the House.

Mr. GROSS: Mr. Speaker and Members of the House: Several years ago in the town of Jefferson a farm of some three hundred acres was stripped of its two to three million feet of lumber by an out-of-state concern, its value reduced to an assessed tax value of some six hundred dollars, and abandoned to its fate. In time, taxes accrued upon this property; it was duly ad-

vertised and legally sold to one of the residents for the sum of \$321.

The highway roughly divides this property into an east and west section, and the east section is composed of some forty acres of field and pasture on which there is a nearly run-out gravel pit, and the rest useless swamp.

In 1933 the Federal Government leased this east section for the purpose of establishing a Civilian Conservation Corps Camp, and agreed to pay a \$300 per annum rental, and then erected its buildings thereon.

In 1940, these buildings were transferred to the State of Maine. The Department of Health and Welfare established a home for aged male indigents whom previously they had boarded out at various rooming houses throughout the state at considerable cost to the taxpayers. The lease also was transferred and the department continued to pay the \$300 a year rent according to those terms. In April of this year, that lease expired and the Department of Health and Welfare, anxious to continue its service to the public and maintain this home, desires to purchase this property.

The camp has proven a valuable asset, both as an institution and in reducing the cost of maintenance of its inmates.

On Tuesday last, February 20th, H. P. 1298, L. D. 943 was laid before this body, authorizing the Governor and Council to order such a purchase. This resolve called for an expenditure of \$3,800. It is the opinion of the assessors and the town of Jefferson and a number of the citizens who are interested and know the facts, that this is a preposterous demand. They brought it to my attention and asked if there were not some way that the State could take that property by right of eminent domain and pay a fair figure for it. The Attorney General's office advises that neither the State of Maine nor any other person has the right of eminent domain to receive property for this type of purpose as it does for highways, parks and other public measures, and, in order to accomplish it, it would require special legislation.

As this resolve was in the office of the Revisor of Statutes some time after the date set by legislative order, making it impossible to introduce a remedial measure, and we were not familiar with the content

of the bill or the proposal in it until too late, it becomes necessary to ask unanimous consent to introduce a bill at this time to grant to the State the right of eminent domain in acquiring this property.

We feel there is a principle involved here. Is it possible for anyone who has land that the State might wish to utilize to hold up the State Treasury for a six hundred per cent interest on his investment? We hear of that being done by other governmental agencies, but we do not feel we want it done here in Maine. We feel that the State of Maine should have the right in a case of this type, or in similar cases, to take land at a fair figure after just appraisal by the County Commissioners, under whose jurisdiction it would lie, and give the seller his constitutional right of appeal to the courts, and thereby utilize it to its best advantage.

Therefore, Mr. Speaker, I again ask unanimous consent to present a bill which will permit the State to freely exercise its right of eminent domain in this and similar cases for the interests of the taxpayers therein.

The SPEAKER: The gentleman from Jefferson, Mr. Gross, asks unanimous consent to introduce a bill. Is there objection? The Chair hears no objection. The Clerk will read the title.

Bill "An Act Providing for the taking of Property by the State by right of Eminent Domain" (H. P. 1319)

On motion by Mr. Gross, the bill was referred to the Committee on Judiciary, ordered printed, and sent up for concurrence.

On motion by Miss Deering, of Bath, the House voted to take from the table the fifteenth tabled and unassigned matter, New Draft (H. P. 1309) (L. D. 956) of Bill "An Act Relating to a Pension Plan for Employees of the City of Lewiston," (H. P. 429 (L. D. 237), tabled on February 23rd by that gentlewoman pending first reading.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker, this bill was tabled awaiting the printing of the new draft. The new draft has been printed and distributed to the members. Therefore, I move that the bill be given its first two readings at this time.

Thereupon the bill was given its two several readings and tomorrow assigned for third reading.

On motion by Mr. Ward of Millinocket, the House voted to take from the table the seventeenth tabled and unassigned matter, Bill "An Act Creating a Board of Examiners for Electricians," (H. P. 1303) (L. D. 948), which in the House on February 21st was referred to the Committee on Judiciary and sent up for concurrence. Came from the Senate referred to the Committee on Legal Affairs in non-concurrence, and tabled on February 27th by Mr. Ward, pending further consideration; and on further motion by Mr. Ward, the House voted to insist upon its former action whereby the bill was referred to the Committee on Judiciary.

Sent up for concurrence.

On motion by Mr. Donahue of Biddeford, the House voted to take from the table the fourth tabled and unassigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Legal Affairs on the Bill "An Act Creating a Division of Community Recreation Under the State Park Commission" (S. P. 50) (L. D. 13), which came from the Senate with the Majority Report accepted and bill passed to be engrossed as amended; tabled on February 20th by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker and Members of the House: This bill was heard by the Legal Affairs Committee. There were no opponents who appeared at the hearing, yet two members of the Legal Affairs Committee saw fit to file a minority report that this bill ought not to pass, and I shall briefly outline to you my reasons, as one of the members who signed the minority report, for signing that report. All except one of the proponents of the bill stressed the fact that under the first section of the bill this State bureau which was being created and which will be created if you enact this bill as a part of the State Park Commission would render assistance to the community only upon request.

However, one of the proponents for the measure who had not listened to the remarks of some of the previous speakers, made the remark that if this State bureau is created it will permit the State director and his assistants to go into the several cities and towns of the State and wake up the leaders in those cities and towns as to their duties in regard to community recreation. Possibly that speaker did not intend to say that, but that is one of the dangers which I consider we are faced with if we pass this bill.

If my recollection serves me right, the State Park Commission was created in 1937 as an honorary commission, and prior to that time your State parks were under the direction of the Superintendent of State Buildings. The committee was told that the Department of Education did not want this division of community recreation added to that department. They were also told that the Department of Health and Welfare did not want this division of community recreation added to that department, and therefore they were changing over this honorary committee known as the Park Commission into a new State bureau.

Those of us who served in the last Legislature will recall that an act was passed creating a commission for the purpose of construction of a State building, and at the special session the Legislature amended the act so it provided for the construction of State buildings. We are all familiar with the fact that at the present time our departments are spread all over Augusta and there is a need for a new State building, but if we pass this act we may have to build a third State building.

Nothing was said by any of the proponents of this measure in regard to two other items which appear in this bill. Under Section 23-C it provides that this State Park Commission, which in 1937 was created as an honorary commission, is to receive and administer federal, state and other funds, from whatever sources provided, for carrying out the purposes of this Act. I say when you place this Park Commission in that position you are creating a new State bureau. If the Legislature wants to create a new State bureau, all right, but I think we have State bureaus enough.

While there was great stress laid upon the fact that it was to assist communities, still under Section 23-F, sub-division 6, it provides that this department shall cooperate with commercial recreation interests in the promotion of wholesale recreation opportunities.

I say, ladies and gentlemen of this Legislature, it was for that purpose that we created the Maine Development Commission, to promote the recreational facilities of the State of Maine. That is a job we gave to them. If we pass this bill as it is, we are setting up another bureau or bureaus to perform the same service, and we have a bureau now that is performing those services in an admirable manner, and you are going to have a conflict in those bureaus.

For those reasons I signed the minority "Ought not to pass" report. I now move, Mr. Speaker, that the "Ought not to pass" report be accepted.

The SPEAKER: The gentleman from Biddeford, Mr. Donahue, moves the acceptance of the minority "Ought not to pass" report of the committee. The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members: This would not be the first time that the gentleman from Biddeford, Mr. Donahue, and I have disagreed on various bills that came before this body. I am not going into a long detail of what this involves, but I cannot see where it creates another commission, so to speak. In other words, when this bill was discussed we already had a Park Commission and we felt this was the place where this particular thing should be placed. The Park Commission has seen fit to accept this.

I feel in the past we have done too little for our youth. We are very much concerned today as to their future. They are bewildered today and so are we. I just want to cite one fact and have you keep it in mind: The F. B. I. is very much interested in this thing and along this particular line, because figures have shown that we have had much less youth delinquency. If, for no other reason, I believe this bill has plenty of merit, and I hope the motion of the gentleman from Biddeford, Mr. Donahue, does not prevail.

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

Mr. WARREN: Mr. Speaker, as one who signed the minority report, it seems necessary for me to say a word or two on this matter.

This bill has a very impressive sponsorship: the proponents are people who have been working in these civic organizations and who have done very useful work. They naturally would like to salvage something from the results they have accomplished.

Now for one who has taken no part in that work to throw any obstruction in the way of the passage of this act may seem a strange proceeding, and I feel that way myself. But when a group comes to this Legislature asking for something, it is the duty of the Legislature to scrutinize the proposition carefully, and, perhaps, from a little different viewpoint than that of the proponents who are carried away with enthusiasm in their proposition.

These matters, of course, usually are settled in the committee. This time, however, it seemed that the members of the committee had made up their minds; there was no discussion and there were no opponents. But I also had made up my mind to vote against it, and I could not consistently do otherwise than sign the minority report.

Now these people are not asking for very much in money—\$15,000—but they are asking for something very much more serious, and that is the establishment of another State agency which dips into a field which so far has been free from State control or supervision, and that is very serious.

My own opinion is that this bill will not accomplish what they expect of it, but that is just an opinion and you are probably not interested in it. But I do want to present to you two facts with which you must agree. The first is that when you establish a State agency you never abolish it; and the second is that when you establish a State agency that agency commences to grow and it never stops growing.

The total cost of running the State is reaching alarming proportions, and the thing that has troubled me a great deal here in the Legislature is that we seem to be powerless to control all those expenditures. Maybe it is a little

easier for us to stop one before it starts, because we certainly are not able to curb it after it starts.

I know a little something about community recreation, because we have it in our community. What is needed for that community recreation is a director, a man who is competent to direct those activities; and he must have some facilities. Now that director is responsible to the people, and he can carry on and do something worth while. I believe no community can have successful activities of that kind without that set-up.

You say it takes some money. The State does not propose to furnish this money, but it proposes to furnish the direction. Now I say that after you have that proper set-up you do not need any direction, and, before you have that set-up and the money provided, there is nothing to do for the State agency; so it becomes necessary for that State agency to be simply a promoting organization—that is, they go to the towns and encourage the towns to raise the money to carry on this work. That is not what they are talking about, but that is the thing they would have to do, the only thing that is left for them to do. It does not seem to me it is necessary. I do not think it is extremely necessary, and I say to you: "Before you start a thing of this kind, be sure it is exceedingly important."

This bill does not provide for any large amount of money now, but it is a field that will certainly grow, and it is a very prolific field for expansion of such an agency. The State is already spending too much money in that direction, and we can see that this Legislature is going to do a great deal in adding to our expenditures which will be added on top of our normal expenditures. I say to you: "Do not do it unless it is extremely important."

You members see what my objection is. I do not like too much State control. I think we have too much of it already, and I do not want to see it start in another field.

This is not holding up recreation: recreation has gone on heretofore, and it will go on in the future. If this would do everything they expect of it, of course I would be for it, but I do not think that it will do it. I do not think I am doing the State any injustice in calling your attention to this objection,

and I ask you to consider carefully before you express your vote.

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

Mr. ALLEN: Mr. Speaker, it is considered good judgment no doubt for new members of the Legislature to stay in their seats most of their first session here, but I could not conscientiously let this "Ought not to pass" report be accepted by this body because I feel, rightly or wrongly, that if there ever was a bill introduced this session for the benefit of our people, then this is that bill. I do not like bureaus and bureaucrats any more than the rest of you. This is a different proposition. This is an agency which would help not only our young people, that is true, but it would help all the people of our State. It would not let these recreational groups down who have just started up; it would give them encouragement to go on.

The gentleman from Aroostook (Mr. Brewer) stressed the attitude of the F.B.I. I would like to call to your attention one thing: It is very easy for us to vote twenty, twenty-five or fifty thousand dollars or more for projects we can see with our own eyes, for bridges and pavements, but it is not always so easy to get money that you cannot put your hands on in a material sort of way.

I would be in favor of this measure if it contemplated spending thirty thousand dollars, because I feel that this measure, with the paltry sum of fifteen thousand dollars, is an investment in good citizenship and the State will need that in the years to come. I hope you will abide by the majority report for the sake of the young people and the older people of the State of Maine and pass this measure which is for the benefit of all of us.

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

Mr. BIRD: Mr. Speaker, the city of Rockland is very much interested in this bill. During the past few years we have had a serious problem created by the service men being thrust upon our city in large numbers. In solving the problem of recreation for the service men, we found we have been neglecting our own boys and girls at home, not only in the past two or three years,

but for several years back. The city intends to do something about the recreation problem after the war and from now on. They would like to have assistance from a State organization or an organization that has a wider source of information on the problem of recreation. I urge you to support the majority report.

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

Mr. COLLINS: Mr. Speaker, I would like to go on record as favoring the majority "Ought to pass" report on this measure. I believe it is for the best interest of the State that we do that and provide this group who can furnish an advisory council to the different communities of the State to help develop the welfare of the young people.

The SPEAKERS: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I move that when the vote is taken, we have a division of the House.

The SPEAKER: The question is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House accept the minority report "Ought not to pass". The gentleman from Presque Isle, Mr. Brewer, asks for a division. The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I hate to differ with my colleague from Presque Isle, Mr. Brewer, but I notice he said that the Park Commission had gladly accepted this little side issue. Perhaps the members of the House do not realize that the sponsors of this bill—this must legislation—made every effort to have the Department of Health and Welfare accept this under their wing, but the Commissioner refused. Then they went to the Department of Education but that department did not want to sponsor it. After much pressure was brought to bear, the little Park Commission, which was established in 1935, and which has been struggling along to do a ser-

vice to the State of Maine, was lobbied or pushed into accepting the assignment.

I just want to bring out one point: As a member of this Legislature in three sessions, and in two or three special sessions, we have accepted separate gifts from Honorable Percival Baxter for the great Katahdin Park. This situation here, which takes in this community service, a service absolutely foreign to our Park Commission, a duty entirely different than any function the Park Commission is set up for, is the same situation that we have in several bills now before us which, in a sense, would put into oblivion some of the departments in the State House. I move, Mr. Speaker, that the "Ought not to pass" report be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House accept the minority "Ought not to pass" report of the committee. All those in favor of accepting the minority report 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. Sixty having voted in the affirmative and fifty-four in the negative, the motion prevailed and the minority report, "Ought not to pass" was accepted in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair notes the presence in the hall of the House of a former Speaker, and asks the Sergeant-at-Arms to conduct him to the rostrum.

Thereupon the Hon. George D. Varney, Speaker of the 90th Legislature, was conducted to the rostrum, amid the applause of the House, the members rising.

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

If there is no further business, the Clerk will read the notices.

On motion by Mr. Ward of Millinocket,

Adjourned until ten o'clock tomorrow morning.