

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

Tuesday, April 17, 1945.

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

Prayer by the Rev. Mr. Akeley of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: At this time the Chair would like to read to the members of the House Rule 32 and make a few comments on it, particularly for the benefit of the new members of the House.

House Rule 32 reads as follows: "When a motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the Speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: Shall the main question be put now? No member shall speak more than five minutes on the motion for the previous question, and while that question is pending a motion to lay on the table shall be decided without debate. A call for the yeas and nays, or for division of a question, shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendments, and then upon the main question."

That rule is rather confusing to some members. In legislative assemblies there are two methods of operation in regard to debate. In the United States Senate debate is unlimited. In the House of Representatives it is limited by a rule similar to this. The Chair would caution the members upon the hasty use of this motion, particularly when only one side of the question seems to have been represented, and the Chair would also call the attention of the members to the fact that whenever the question is raised, that first the House decide whether or not one-third of the members of the House are in favor of putting the question and then, after that is decided, it is open to debate whether the main question shall be put now, and if any of the members on one side or the other have reason not to want the main question to be put now,

they have an opportunity for five minutes to explain their reasons therefor, confining themselves wholly to that question.

Now I think perhaps, with that explanation, we may not run into any situation such as we ran into yesterday. We do have a method by which we can hold off debate, but it should be very cautiously used.

Papers from the Senate
Senate Reports of Committees
Final Reports

Final Report of the Committee on Aeronautics.

Final Report of the Committee on Banks and Banking.

Final Report of the Committee on Library.

Final Report of the Committee on Mercantile Affairs and Insurance.

Final Report of the Committee on Post War Planning.

Final Report of the Committee on Taxation.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Consolidated Resolve

Report of the Committee on Pensions on the following Resolves:

S. P. 59, Resolve Providing for a State Pension for Nancy A. Gilbert, of Monroe.

S. P. 64, Resolve Providing for an Increase in State Pension for Gertrude Craig, of Glenburn.

S. P. 104, Resolve Granting a Pension to Clifford H. Doore, of Charleston.

S. P. 119, L. D. 224, Resolve Providing for an Increase in State Pension for Donald Wilson, of Bath.

S. P. 120, L. D. 223, Resolve Granting a State Pension to Frederick C. Chandler, of Bath.

S. P. 148, L. D. 354, Resolve Granting a State Pension to Maud Lowell Tuffs, of Lewiston.

S. P. 149, L. D. 355, Resolve Granting a State Pension to Dana E. Smith, of Guilford.

S. P. 150, L. D. 356, Resolve Providing for an Increase in State Pension for Everett Pelkey, of Mapleton.

S. P. 151, L. D. 357, Resolve Providing for an Increase in State Pension for Mildred Kennedy, of Easton.

S. P. 208, L. D. 476, Resolve Granting a Pension to Mervyn McCusick, of Somerville.

S. P. 258, Resolve Providing for an Increase in State Pension for Emery Bartlett, of Mexico.

S. P. 259, Resolve Providing for a State Pension for Herbert H. Overlock, of Bangor.

S. P. 260, Resolve Providing for a State Pension for Birdena Whittemore Foster, of Mexico.

S. P. 332, L. D. 819, Resolve Providing for a State Pension for Mellon Hanagin, of Houlton.

H. P. 100, Resolve Providing for an Increase in State Pension for Percy C. Jakins, of Winslow.

H. P. 150, Resolve in Favor of Roger T. Creamer, of Thomaston.

H. P. 151, Resolve Providing for a State Pension for Louise Royal, of Bangor.

H. P. 152, Resolve Providing for a State Pension for Heber V. King, of Islesboro.

H. P. 153, Resolve Granting a Pension to Mrs. Blanche Wallace, of Lubec.

H. P. 188, Resolve Granting a Pension to George W. Gray, of Randolph.

H. P. 189, Resolve Granting a Pension to Edith Carver, of Gardiner.

H. P. 218, Resolve Providing for a State Pension for Abbie Small, of Jay.

H. P. 219, Resolve Providing for an Increase in State Pension for Elizabeth A. Mason, of Hermon.

H. P. 343, Resolve Granting a State Pension to Arthur Mitchell, of Merrill.

H. P. 344, Resolve Granting a Pension to Zama C. Morgan, of North Dixmont.

H. P. 345, Resolve Providing for an Increase in State Pension for Elmer Davis, of Mexico.

H. P. 433, Resolve Granting a Pension to James O. Clifford, Jr., of Troy.

H. P. 434, Resolve Granting a Pension to Mott C. Fernald, of Unity.

H. P. 435, Resolve Granting a State Pension for Peter King, of Whitefield.

H. P. 436, Resolve Providing for an Increase in State Pension for Ethel M. Merry, of Waldoboro.

H. P. 437, Resolve Providing for an Increase in State Pension for Freda Potter, of Whitefield.

H. P. 534, Resolve Providing for a State Pension for Mary F. Deehan, of Augusta.

H. P. 535, Resolve Providing for an Increase in State Pension for Charles Bowen, of Newburg.

H. P. 536, Resolve Providing for an Increase in State Pension for Alice Lord, of South Etna.

H. P. 538, Resolve Providing for a State Pension for Perez Townsend, of Charleston.

H. P. 539, Resolve Providing for an Increase in State Pension for Geneva Gay, of Clinton.

H. P. 540, Resolve Providing for a State Pension for Robert Arlo Fogg, of Bucksport.

H. P. 541, Resolve Providing for a State Pension for Hattie Wilcox, of Woodland.

H. P. 542, Resolve Providing for a State Pension for Everett Pelkey, of Mapleton.

H. P. 554, Resolve Providing for an Increase in State Pension for William S. Cummings, of Stacyville Plantation.

H. P. 555, Resolve Providing for an Increase in State Pension for Raymond H. Saunders, of Sedgwick.

H. P. 556, Resolve Providing for an Increase in State Pension for Edith M. Saunders, of Sedgwick.

H. P. 557, Resolve Granting a Pension to Mary A. Saunders, of Sedgwick.

H. P. 558, Resolve Granting a Pension to Geneva Butler, of Sargentville.

H. P. 660, Resolve Providing for a State Pension for Carrie E. Weymouth, of Morrill.

H. P. 661, Resolve Providing for an Increase in State Pension for Jessie M. Grant, of Prospect.

H. P. 662, Resolve Providing for a State Pension for Berger H. Shorey, of Mechanic Falls.

H. P. 663, Resolve Providing for a State Pension for Elva Morton, of Mechanic Falls.

H. P. 664, Resolve Providing for a State Pension for Margaret MacLean, of Mechanic Falls.

H. P. 665, Resolve Providing for an Increase in State Pension for Addie W. McCurdy, of Weeks Mills.

H. P. 666, Resolve Providing for a State Pension for Harry L. Sweetser, of Bangor.

H. P. 667, Resolve Granting a Pension to Edith J. Gerry, of Robbinston.

H. P. 833, Resolve Granting a Pension to James Bowden, of Sheridan.

H. P. 834, Resolve Providing for a State Pension for Etta M. Clark, of Farmingdale.

H. P. 835, Resolve Providing for a State Pension for Helen V. Bowen, of Carmel.

H. P. 836, Resolve Providing for a State Pension for Marie Nelida Corbin, of Grand Isle.

H. P. 837, Resolve Providing for a State Pension for Louis William Chabre, of Grand Isle.

H. P. 838, Resolve in Favor of a State Pension for Delena Deschain, of Madawaska.

H. P. 840, Resolve Granting a Pension to Gertrude Bean, of Waite.

H. P. 841, Resolve Granting a Pension to William H. Lahey, of Millinocket.

H. P. 975, Resolve Providing for a State Pension for Theresa L. Whalen, of Lincolnville.

H. P. 976, Resolve Providing for a State Pension for Florence M. Mathews, of Lincolnville.

H. P. 977, Resolve Providing for a State Pension for Ulmont Hovey, of Augusta.

H. P. 978, Resolve Providing for a State Pension for Cecil Overlock, of Hallowell.

H. P. 979, Resolve Granting a State Pension to Edward H. Austin, of Rome.

H. P. 980, Resolve Providing for a State Pension for Fidelia E. Banks, of China.

H. P. 981, Resolve Providing for a State Pension for Beatrice E. Bulley, of Randolph.

H. P. 982, Resolve Granting a Pension to Grace Lawrence, of Pittston.

H. P. 984, Resolve Granting a Pension to Edith May Lawrence, of Newport.

H. P. 985, Resolve Providing for a State Pension for Flossie Mae Shaw, of Auburn.

H. P. 1088, Resolve Providing for a State Pension for George King, of Eagle Lake.

H. P. 1089, Resolve Granting a Pension to Mabel McKay, of Bucksport.

H. P. 1090, Resolve Providing for a Pension for Edward Lind, of Stockholm.

H. P. 1102, Resolve Granting a Pension to Elmira A. Brown, of Auburn.

H. P. 1145, Resolve Providing for a State Pension for Ernest Bragg, of Stacyville.

H. P. 1146, Resolve Providing for a State Pension for Willard J. Leonard, of Fort Fairfield.

H. P. 1261, Resolve Providing for a Pension for Clara Nowell, of Hermon.

H. P. 1313, Resolve Providing for a State Pension for Edith M. Cole, of West Paris.

H. P. 1318, Resolve Providing for a State Pension for Mabel Gordon Dunn, of Vienna.

reporting a Consolidated Resolve (S. P. 440) (L. D. 1165) under title of "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons" and that it "Ought to pass".

Came from the Senate, report read and accepted and the Resolve passed to be engrossed.

In the House, Report read and accepted in concurrence and the Resolve was read once; and under suspension of the rules was given its second reading and passed to be engrossed in concurrence.

Non-concurrent Matter

Bill "An Act relating to Salary for Clerks in County Offices in Lincoln County" (H. P. 1096) (L. D. 783) which was passed to be engrossed in the House on April 10th.

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

In the House, Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to L. D. 783, H. P. 1096, Bill "An Act Relating to Salary for Clerks in County Offices in Lincoln County."

Amend said Bill by striking out in the title thereof the words "County Offices" and inserting in place thereof the words 'Office of Register of Deeds'.

Further amend said Bill by striking out all after the enacting clause and inserting in place thereof the following:

"R. S., c. 79, § 269, amended. That part of the 9th paragraph of section 269 of chapter 79 of the revised statutes relating to the salary for clerks in the office of register of deeds in Lincoln county, is hereby amended to read as follows:

'for clerks in the office of register of deeds, ~~200~~ \$1,000, and such additional sum not exceeding \$300, when necessary, subject to the approval of the county commissioner;" "

Thereupon, on motion by Mr. Perkins of Boothbay Harbor, the House voted to reconsider its ac-

tion whereby this bill was passed to be engrossed on April 10th.

Senate Amendment "A" was adopted in concurrence, and the bill was passed to be engrossed as amended in concurrence.

Non-concurrent Matter

Bill "An Act relating to the Salary of the Judge of Probate in Lincoln County" (H. P. 1430) (L. D. 1123) which was passed to be engrossed in the House on April 11th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Perkins of Boothbay Harbor, the House voted to adhere to its previous action.

Non-concurrent Matter

Bill "An Act relating to Clerk Hire in the Lincoln Municipal Court" (H. P. 677) (L. D. 325) which was passed to be engrossed in the House on April 10th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Perkins of Boothbay Harbor, the House voted to adhere to its previous action.

Non-concurrent Matter

An Act Clarifying the Law in relation to Parkways and Freeways (H. P. 874) (L. D. 522) which was passed to be enacted in the House on April 5th and passed to be engrossed on March 29th.

Came from the Senate indefinitely postponed in non-concurrence.

(In the House, on motion by Mr. Peirce of Augusta, tabled pending further consideration, to be taken up later in the day.)

Orders

On motion by Mr. Downs of Rome, it was

ORDERED, that Mr. Springer of Danforth, be excused from attendance yesterday and today because of business.

First Reading of a Printed Bill

Bill "An Act to Revise the Laws relating to Inland Fisheries and Game" (H. P. 1477) (L. D. 1183)

Bill was read twice and tomorrow assigned.

Passed to be Engrossed

Bill "An Act Amending 'An Act to Create the Port of Portland Authority' and to Change the Name to Maine Port Authority" (S. P. 390) (L. D. 997)

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

Bill "An Act relating to Registration of Motor Vehicles" (S. P. 423) (L. D. 1121)

Was reported by the Committee on Bills in the Third Reading and read the third time.

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

Mr. COLLINS: Mr. Speaker, I offer House Amendment "A" and move its adoption.

In moving its adoption, I notice in the filing that has been distributed there is a clerical error under Section 5, "Limitations." The date there should be December 31, 1947.

The SPEAKER: The gentleman from Caribou, Mr. Collins, presents House Amendment "A", and moves its adoption. The Clerk will read the amendment.

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

House Amendment "A" to S. P. 423, L. D. 1121, Bill "An Act Relating to Registration of Motor Vehicles."

Amend said Bill by striking out, in the 8th line of section 2 thereof, the following underlined words: "other than a foreign corporation doing business in this state."

Further amend said Bill by striking out, in the 9th and 10th lines of section 2 thereof, the following underlined words: "other than the operator of any such vehicle belonging to a foreign corporation doing business in this state."

Further amend said Bill by striking out all of section 5 thereof and inserting in place thereof the following:

'Sec. 5. Limitation. It is the intent of the legislature to change the present statute until and including December 31, 1947, at which time the present statute shall return to full force and effect.'

The SPEAKER: The amendment is a correct reproduction except in

the next to the last line of the amendment as reproduced the reproduction should read "December 31, 1947."

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

Mr. COLLINS: Mr. Speaker and Members of the Legislature: This proposed amendment to L. D. 1121 means genuine reciprocity in truck registration between Maine and all other states having similar reciprocity laws. It means that the State of Maine will remove a trade barrier that is hurting the State much more than it helps.

I believe that reciprocity should be adopted for two principal reasons: First, it will help agriculture and industry. Second, it will help the State of Maine.

When I say it will help agriculture, I mean just that. The products of Maine farms must necessarily seek markets outside of the State. Many of these products can be transported advantageously by truck. And if we have reciprocity, the farmers will save thousands of dollars if they haul across our State line because of the saving in the registration fees they will not have to pay. And not only will they save money but they will have an opportunity to create more business and wider markets.

Take another industry and see how it works. The lumber industry and the pulp and paper business comprises the largest single business in the State. As a lumberman I realize it would be of tremendous value to the industry if we had full reciprocity. Let me show you why. There is a very large demand for lumber in the industrial states of Massachusetts and Connecticut. Many of these industrial plants prefer to buy lumber in truck lots due to lack of space, and because full carloads are often difficult to obtain. At present New Hampshire furnishes a great deal of this lumber because they are enjoying reciprocity in that state along with all the other states of the Atlantic Seaboard except Maine. This business could very well come to Maine because the quality of Maine lumber is superior to that of our neighboring states. Ask any lumber wholesaler or retailer in Massachusetts or Connecticut if he prefers Maine spruce to that of New Hampshire and you would find that the answer is emphatically yes. Or you can verify this with the Forest Commissioner.

I believe that millions of feet of lumber will be trucked across State lines if reciprocity were in effect. I believe that new additional business would be created. In fact one large Maine lumber dealer has stated that he would buy eight more trucks, when available, if we have reciprocity. Think of the additional revenue this one concern would mean in registration fees and extra gas taxes.

Secondly, I believe that reciprocity will give more revenue to the people of the State of Maine. It naturally follows that if it creates more business it adds more revenue and puts additional money in circulation. This cycle necessarily makes business expansion and helps out everyone.

I believe further that instead of taking money away from the State as is claimed by opponents of the measure, it will bring extra revenue over a period of years. This has been the experience of both New Hampshire and Vermont, and is borne out by statistics.

The main thing to remember is that it is a constructive step. It will help farming; it will help the lumber industry; it will help the State of Maine.

I believe the members of this House should vote for the amendment.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I want to give you a few reasons why this amendment should not be adopted, and a few of the reasons that the Motor Vehicle Committee had in putting this limitation into the amendment.

First: Full reciprocity would mean a loss of \$97,000 in registration fees. Now it is probably much more than that, because some out-of-state truck operators give a Maine residence, and when all of these operators are figured in, that amount would be much larger than that. Now, by putting in the 20,000 pound limitation, we save at least \$77,000, and probably much more, which we get from out-of-state trucks, and we certainly could use this to good advantage in keeping our roads in condition::

Second: The Committee felt that out-of-state trucks carrying maximum loads up to 40,000 pounds gross weight—loads that of necessity cause maximum wear and tear

on our roads—should pay a registration fee in this state to at least partly pay for the damage done the roads.

Third: A 20,000 pound limitation covers ninety-nine per cent of all Maine trucks, and thus allows all of these to go into other states having reciprocity without registering in those states.

Fourth: Twenty thousand pounds covers practically all farmers' trucks in this State, so they can enjoy full reciprocity with other states having a reciprocity law.

Fifth: Twenty thousand pounds leaves out only one per cent of Maine trucks, and those are the very largest ones. For each Maine truck in this class there are four to five Massachusetts trucks that will continue to pay registration fees in Maine.

Sixth: From the evidence presented to the committee, it seems that no one was able, with any degree of accuracy, to predict the results of reciprocity in this State, so the committee felt that a fair trial would be had, and later it could be extended to include all weights of trucks, or reciprocity could be abandoned, according to experience with this law.

Seventh: Now the 20,000 pound limit will keep out of Maine many so-called "gypsy" trucks. These undesirables cannot operate at a profit only with maximum loads. If full reciprocity were granted, they would flock to this State. The 20,000 pound limit keeps most of them out.

Eighth: The 20,000 pound limit makes less certain a demand from our trucking industry two years from now for reduction of registration fees to equalize those paid by Massachusetts trucks. This demand would come from operators of large trucks who feel that they operate under unfair conditions, when a Massachusetts competitor pays \$60. while a Maine truck pay \$300. To equalize truck registrations with Massachusetts would cost Maine \$645,000 a year. The 20,000 pound limit will go a long ways towards satisfying the owners of large trucks. In fact, I have talked with several of these who seem well satisfied with the bill as reported by the committee.

To be sure, Massachusetts truck drivers get 12½ cents more an hour than Maine truck drivers; but the Maine drivers are asking 15 cents

an hour more, and they have no contract with the Union at the present time, no settlement and no contract. Of course there probably will be an increase granted in that regard, and this case of wage differentials will undoubtedly be short-lived.

Now the two-year limitation, I believe, is a very excellent provision. If reciprocity is a success, it will be very easy to renew it two years from now. Everybody will be for it. But, if it does not work out, it simply dies; so I believe we will do well not to accept this amendment.

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

Mr. BREWER: Mr. Speaker and Members of the Legislature: Our late President made the remark that the only thing we had to fear was fear itself. How well that applies to this bill! If I could think of no other reason why we should have reciprocity, the fact alone that the railroads—and, when I say railroads, I mean the Bangor and Aroostook and the Maine Central—are so bitterly opposed to this bill that I would feel that it was worth while. To my knowledge, anything of any value to these railroads has not been lost in this Legislature since its inception. I feel that the time has come when we as legislators have reached the point when we are tired of them legislating for our welfare.

Now the gentleman from Bangor, Mr. Wight, has told you that it is estimated we would lose from \$91,000 to \$97,000 in revenue; but I ask you: How are you going to beat down the figures of the two states that have tried it? One came out with a profit of \$87,000—New Hampshire—while Vermont came out with a profit of \$103,000 after they had tried it. Remember these figures.

Now I have had members of this committee tell me that the figures of the Commissioner of Motor Vehicles and the figures that Mr. Myhaver gave us at the hearing did not coincide. For that reason, I would like to read a letter, which I think you have on your desks this morning, from Mr. Myhaver, who was Chairman of the committee that put this through the New Hampshire Legislature this present session after they had tried one year.

I hope you will remember that in the New Hampshire Legislature they have over 400 members. They do

not work as we do, in that they have committees and sub-committees similar to the Federal set-up and I think everybody here would admit that when you get a bill through a body as big as that without one cry of protest or one vote against it, they think, if they needed convincing, that it is well worth while.

This letter to Senator Cleaves, written by Mr. Myhaver, who spoke at that hearing that day, reads as follows:

"That you may have full information regarding our experience with reciprocity in New Hampshire, I will give you an outline of the history of this legislation.

"For many years, truck owners of the State of New Hampshire had introduced in our Legislature an act to provide for full reciprocity. We always reported this bill inexpedient to legislate until 1943.

"1943 was my second experience as chairman of the Transportation Committee, which held hearings on the reciprocity bill. I was aware at that time that the testimony against the bill seemed to be faulty. Therefore, I made a very thorough investigation and demanded figures from the motor vehicle commissioner, which I am enclosing herewith, of the loss of revenue that this department had told my committee about previously. With these figures, we attempted to analyze the situation and were unable to come to any conclusion, as without Maine and Canada we were supposed to decrease our revenue by \$220,000.00. We then obtained an estimate from the highway department, and they claimed the same thing; their statement is enclosed, and you will note that in 1944 they estimated a 10% decrease in fees of motor vehicles in addition to the loss from House Bill No. 199 (the reciprocity act). My committee decided with me that we would enact this bill so that we might have a one year test. The Bill was signed on May 5, 1943, after our April 1 registration period, so that we would not lose our 1943 revenue. The test amounted to this:

"The actual decrease in registration revenue was \$108,816.25; you will note that this is one-half of what the opponents had sworn we would lose. At the same time, the gasoline road toll increased \$196,741.37, which showed a net increase for the Motor Vehicle Department

of \$87,925.12. This was contrary to statements against this bill.

"At this session of the Legislature, the reciprocity bill was again brought to us to act upon. We found that absolutely no one but the railroad opposed the bill. They no longer could oppose it on the grounds of financial loss but did oppose it from the standpoint of permitting common carriers to use our highways without paying registration, comparing this to themselves — that they had to build their own right-of-ways.

"There was not one vote against this reciprocity bill in either the House or Senate Committees, or the House and Senate itself at this session. It was entirely unanimous consent.

"The two statements of figures that have been enclosed to you should be of interest, as they give the loss of estimated revenue of all the states and the highway department's figures.

"I should like to state here that the opponents to this bill in 1943 consisted chiefly of the Boston & Maine and Maine Central Railroads, as well as our Motor Vehicle Department and the Highway Department, plus some truck operators.

"In 1945, our Motor Vehicle Department and Highway Department were strong for the bill. It had been proven by this time that there was no loss in revenue. The only opponent in 1945 was the railroads.

"We in the New Hampshire Legislature have taken a definite stand on railroad influence in our good state. It has openly been stated that they control the Legislature." And let me say it is stated here, too.

"Let me tell you here that this is no longer true. The fact that we were able to prove that New Hampshire did benefit under reciprocity was sufficient reason to believe that the railroads had nothing but a selfish, competitive motive in opposing this legislation.

"New Hampshire does not want trade barriers between our good states of Maine and New Hampshire any more than we do between the other states along our borders. Proof of this is the enactment of permanent reciprocity at this session of the legislature.

"I trust that the Legislature in the good State of Maine will not permit the opposition of the railroad from enacting good legislation, which will be beneficial to your citizens as well as ours, as I believe

that no group,—large or small,—should be a controlling factor in any Legislature.

"With kindest personal regards, I am

"Very truly yours,

(Signed)

GEORGE A. MYHAVER."

To substantiate this letter, and tell you why the railroads are so severely opposed to this, I would like to cite to you an instance that happened to us not so long ago in Aroostook County.

One year we had a big crop of potatoes, and I think we were loading them out that year for sixty cents a barrel — that was sacked, packed and loaded. They cost us from \$1.25 to \$1.50 a barrel; and we hit upon the idea of using Searsport to ship these potatoes out. It was not a question of losing money, because we were losing it anyhow, but it was a question of how little we could lose. We had to move the crop because the starch factories could not take care of it.

We made our arrangements for boats, and then the Maine Central, feeling hurt and feeling they were not going to get these cars, began to squawk. Remember these figures: The rates then in Searsport was 23 1-2 cents a hundredweight; and, as soon as the Maine Central squawked about their loss of revenue the B. & A. immediately raised our rate there to 30 cents a hundred, which, to us, meant that we might as well ship through to Boston or somewhere else once they were loaded.

We had hearings, and it cost our various associations \$15,000; but the B. & A. were upheld by the Public Utilities Commission. Also remember that in poor years we pay the same freight we do in good years.

But what happened? The Atlantic & Pacific Tea Company went down to Winterport, rented a warehouse, and put trucks on. What did the B. & A. do then? They reduced their rates—which they could not do before—not down to 23 1-2 cents a hundred but to 20 cents a hundred. Can you understand now why they did not want reciprocity and why they do not want us to use trucks?

I hope also that you will remember, as facts and figures prove, that loads proportioned over big tires do not cut up your roads as badly as small tires.

Now remember something else: 94 per cent of your tonnage goes out of the State, not into the State.

I would like to call to your attention also the fact that our Governor, under Executive Order No. 40—my figures are right here—has allowed up to 45,000 pounds on trucks, and also seventeen-foot clearance. Today, gentlemen, we have loads coming and going within the State of over 45,000 pounds.

Now here is a telegram from the Commissioner of Motor Vehicles in Vermont, sent to the Hon. Robert E. Cleaves. It reads—and I quote:

"I have obtained a copy of Maine Legislative Document 1121 re reciprocity, and note limit of 20,000 pounds. This limited form of reciprocity would require weighing of practically all Maine trucks operating interstate commerce in Vermont, resulting in inconvenience and delay to Maine owners and expensive enforcement.

"We would prefer to extend to Maine trucks reciprocity up to legal load limits of 30,000 pounds for two axle trucks and 40,000 pounds for three axle or combinations.

H. Elmer Marsh, Commissioner of Motor Vehicles."

While I am on the subject of railroads—you may wonder why I have cause to be bitter—I will say that we have certainly been taken to the cleaners as far as they are concerned. I have a statement of the B. & A. revenue, which, in 1933, was over five million dollars, and today it is over ten million dollars.

Now another thing they do to us in Aroostook County: If we want a refrigerator car, we are charged five dollars for the use of that car. That does not exist anywhere else in the United States. Over and above that, if we want heating service for those cars, which are not provided by the railroads but by another independent company, we put paper in those cars, preheat them with our own wood and oil stoves, and then we pay an eight dollar charge for the heating of those cars. We are the only people in the United States who do not have the protected carrier service.

Gentlemen, when in Idaho or any of your western states they order a car in, they pay so much a hundred for this car that is heated. And remember, if our stuff freezes in transit we have no recourse; that is our own loss. Under the protected carrier service, which we have tried to get—and do not for-

get we have been fighting to get a rate of so much a hundred under protected carrier service—the railroads furnish that car, heated, papered, and you have some security if your stuff freezes in transit.

Now I would say to you again that I feel that this is a good bill. I will say to you, under the 20,000 pounds gross load, to remember that when we register we register under net tons—that is, you put on a three, four, five or six-ton limit. Under your 20,000 pounds gross load, in many cases the weight of your body might put you down to six-ton on your trucks.

I think if you will look over the record—and I think I am right in making this statement—you will find that the busses that the railroads have on the roads run in weight between thirty and thirty-five thousand pounds, yet they do not feel they are cutting up our roads in any way.

Now I do not believe that this 20,000 pounds gross is any good to us. I do feel that there is nothing we have to fear from the facts and figures from other states that have tried this. I think beyond a doubt it is successful and that the indirect benefits outweigh the inconvenience. We in Aroostook County are on the Canadian border, and from the towns in New Brunswick wood, even coal and fertilizer, is hauled across the Canadian border.

I hope the amendment Mr. Collins has offered will prevail.

The SPEAKER: The Chair recognizes the gentleman from Calais. Mr. Christensen.

Mr. CHRISTENSEN: Mr. Speaker and Members of the House: As a member of the Motor Vehicles Committee, I am going to try to explain what a struggle we had in the committee on this bill.

After discussing it for about an hour, we took a test vote. The committee stood five to five. After about another hour someone in the committee introduced their redraft of the bill to limit reciprocity to 20,000 pounds. I do not think myself that that was drafted in the committee; I think some outside party probably drafted that 20,000 pound limit, which, in my opinion, was drafted to kill reciprocity for good in the State of Maine, because a truck cannot operate with half a load: it has got to have a whole load. It is a long way from Aroostook into the

Massachusetts market, therefore the truck has got to carry a full load.

Another thing—and that applies to our fishermen and lumbermen—whatever you haul on a truck you have got to have a full load. Also, a truck with a 20,000 pound gross, your truck weighs approximately as much as your load, which means you can carry five to six tons with this 20,000 pound limit. That load you can carry on a 32x6 tire with a high pressure in it. When you carry a load like that on a 32x6 tire you are breaking up your roads. That will damage the road twice as much as 40,000 pounds will on a ten or twelve-inch tire with less pressure, because you must remember the pressure on your road is the pressure in your tire, because the more tonnage you load on a truck the more your tires flatten down and the more surface comes on your road—that is pressure per square inch. The more you load your truck the more you load on your tires, and the more the tires flatten out more inches go on the road.

There is not much I can say that has not been said before. I just want to bring that to your attention, that the 20,000 pound limitation is just the thing that will kill reciprocity for a long while.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker and Members of the House: For your information, relative to the merits of this amendment, I would like to call your attention to a few comparisons for your decision as to whether or not this is reciprocity or whether it is the granting of a special privilege for which Maine will receive half as much.

Reciprocity means equal mutual rights and benefits to all for the return of equal mutual benefits. In that respect, Maine has an area of 31,040 square miles, whereas Massachusetts has an area of 7,907 square miles. Therefore Maine is offering over 23,000 square miles more than Massachusetts is offering to us. Is that equal?

The population of Maine in 1940 was 847,265, and the population of Massachusetts was 4,316,721. Therefore, Massachusetts is offering privileges and benefits to just one-fifth as many people as Maine is offering them to. Is that equal?

And how about highways? The total highway mileage in Maine is 22,864 as compared with a similar mileage in Massachusetts of 17,397. Maine is offering 5,467 more miles of road than Massachusetts is offering to Maine. Now is that reciprocity? Is that equal?

And what about trucks? There were registered in Maine in 1943 42,385 trucks; in Massachusetts there are 102,533 trucks; therefore Maine is opening up her highways to over 60,000 more trucks than Massachusetts; that is there are 60,000 more trucks in Massachusetts coming to Maine than Maine is sending to Massachusetts. Is that reciprocity?

Now what about our heavy units? Those are the boys that want to get in. What about our heavy units? There were owned by Maine in 1942 nine full trailer trucks, while in Massachusetts there were seventy-seven full trailer trucks. There were in 1942 160 semi-trailers owned in Maine, compared to 2,297 trailers owned in the State of Massachusetts.

Now please note this carefully and observe if there is anything in this statement that might suggest the origin of this amendment. Maine is opening her highways to 3000 more heavy units than Massachusetts is opening to Maine. In other words, Massachusetts has 3000 more heavy trucking units than Maine has. Now does that suggest anything to you relative to the origin of this amendment? I do not mean that every truck in Maine will go to Massachusetts; I do not mean that every truck in Massachusetts will go to Maine; but you will agree with me that comparative figure will apply.

In view of these facts that I have just reported to you, I ask you: Is this reciprocity or is it a special privilege? If the committee report is accepted on 20,000 pounds, it will mean, as near as can be anticipated, a reduction in the Highway Department of approximately \$20,000; but, in view of the fact that some consideration should be given to the State of Maine, I believe we should find some way to absorb this and go along with this recommendation. I also believe that it is as far as we should go; and I also believe it is as much as we can afford. Further than

that, I believe it is as much as we shall receive.

Now let us take a look at the condition in which we find our highways today and the findings of the Highway Department. The barrel is getting about dry. In 1941 the Legislature set up a very elaborate highway program. If this program could have been carried out under normal conditions and with normal income, the greater part of our highway problems would have been solved today. But something happened: the war came on and changed the picture. The same Legislature, at a Special Session, authorized the Highway Department, with the advice and consent of the Governor and Council, to curtail or eliminate any or all activities as they deemed necessary according to the reduction in revenue. Now most all activities were eliminated, or at least they were drastically curtailed, maintenance and a few special resolves being the exception. But, further than that, reduction in revenue, high cost of labor, inability to secure material and equipment, have caused a curtailment in maintenance; so that today we find ourselves with a serious road program on our hands.

The highway program that will be submitted to you for your consideration within a day or two calls for the expenditure of the entire highway general fund, surplus and all; and, at the end of 1947, unless some new revenue comes in, unless something comes in, the highway pork barrel will be about dry.

Now what would the passage of this amendment do to the highway finances? Of course our reciprocity works two ways; but it would appear that it would be detrimental in every respect to not only the truckers in Maine but to the residents as well.

Assuming that full reciprocity is granted, Maine is immediately faced with a loss of registration revenue amounting to approximately \$100,000 — somewhere from \$91,000 to \$97,000, up to \$100,000. That is based on the 1944 registration and gas tax, and you will admit that is not a normal reflection.

Now what would happen next? The owners of trucks now registered in Maine would immediately demand that their fee for registration be reduced to the same basis that their competitors are now paying in Massachusetts, where the fee for the largest truck is \$60. com-

pared with the fee for the same truck in Maine of \$300.

What can we do about it? What argument would we have when they come in here and ask us to place them on the same basis as the Massachusetts truckers? There would not be any argument; we would have to do it. And, when that takes place, Maine is immediately faced with a loss of \$645,000. Now we can absorb the \$20,000 loss, but when we think of accepting between \$700,000 and \$800,000, that is the horse of another color. Maine cannot take it.

The opposition will tell you that Maine will receive more income if full reciprocity is granted, and, among other things, they say more gasoline will be sold and registrations will increase. Now I ask you to just figure that out with good common sense. Where do I buy my gasoline? Where do you buy your gasoline? Where do truckers buy their gasoline now? They buy it and I buy it and you buy it where we can buy it the cheapest. No one is coming from Massachusetts to Maine to buy gasoline when they can buy it cheaper there. They will only buy what is absolutely necessary. And that goes for the registration; no Massachusetts truck is coming into Maine and pay a \$300 registration fee when the owner of the truck can register the same truck in Massachusetts for \$60. Figure that out in the light of good common sense.

Now the gentleman from Presque Isle (Mr. Brewer) has just told you that the railroads opposed this. Why wouldn't they oppose it? It enters into competition with them. Nobody denies they oppose it. I do not blame them for opposing it. They have a right to oppose it; but that is not a contributing reason.

What about the petroleum industry? They are for it. Why wouldn't they be for it? They can come in here with a big tank truck and haul their product up and down the State. Why wouldn't they be for it? I do not blame them for being for it. But that is not a contributing reason. The contributing reason is, whether this is good for the whole State of Maine. I say full reciprocity is not good for the welfare of the State of Maine.

Now this 20,000 pounds covers the farmers, covers the most of the fishermen and covers most of the other industries in this State; it is as much as we can afford, and

I think it is as much as we will receive.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I am in favor of full reciprocity because I am against tariff walls in the United States, and because I think, when you give something a trial, you should give it a trial and not give it half a trial.

Why reciprocity in Maine? Full reciprocity should exist in this State because the people of Maine are dependent on trucks. Fifty-six per cent of our communities depend on trucks, and trucks alone, for their transportation — 56% depend entirely on trucks.

As has been pointed out, 93% of our production is exported out of this State. America was built on free enterprise. The history of our country has been developed on free competition and free enterprise. The history of Europe is the history of trade barriers and tariffs between countries which has caused nationalism in each country down through the centuries and has caused the trouble that Europe finds itself in today. I say that in America we should eliminate completely tariff barriers. Because we have so few is the reason that our country has become an industrial giant.

Who wants reciprocity? I want reciprocity? I am in the furniture business. The doctors, lawyers, merchants and manufacturers want it. Why do they want it? So they will have a little bit more money. My friend, Mr. Lackee, says that only a few people would benefit. You take down the gate and everyone will benefit. Our products, as has been stated before, will go unhindered to the outside world. Our people, every last one of them, will benefit by full reciprocity, because there will be free trade and no artificial barriers against trade.

The fishing industry is for it. May I read just a minute from an article in the Portland Evening Express by the Commissioner of Sea and Shore Fisheries, Arthur B. Greenleaf, under date of March 31. Mr. Greenleaf states: "More than seventy-five per cent of Maine's seafood products are transported by trucks of all sizes, and it is vital that these motor carriers are free to move without licensed restriction to all markets of the Nation.

"Over 80% of Maine's fishing communities depend on trucks for transportation of their products to market, but most trucks are unable to make through trips to the Boston and New York markets because of the heavy license fees necessary. This license restriction makes necessary the reloading at wayside points."

Representatives of the fishing interests, at the long hearing we held in the Motor Vehicles Committee, testified that they needed large trucks, that small trucks would not help them in the transportation of fish products and in developing the fish market of the Maine fishing industry. They said they could not get along with the smaller trucks.

Members of the Motor Vehicle Committee were aware that if Senator Cleaves wished to put this bill back where it should be, that I would go along with it. Mr. Christensen and I had an executive session one night that lasted for four hours.

The businessmen are for full reciprocity. Let me give you a few facts on the comparison between the 20,000 and the 40,000 pound limit as it affects business costs. The cost of operating a truck with a 40,000 pound gross weight is not much more than one with 20,000 pounds gross. Each requires only one driver. The larger would get three and one-half to four miles to the gallon; the smaller, five to six miles. Insurance would be higher, but spread over a year would not be much per load. Only for comparatively short distances would it be practical to use the smaller vehicle. If it cost a farmer fifty cents per hundred pounds to transport five tons from Norway to Boston under a 20,000 pound gross, he could easily transport twice as much at a cost of not over thirty-five cents per hundred pounds of a 40,000 pound gross. Two five ton loads would cost \$100. One ten ton load would cost \$70, a saving of \$30, and one man would do it instead of two.

The opposition at the hearing and elsewhere has stressed the fact that we would lose the registration of our trucks to Massachusetts because of the \$60 rate against \$300. I made a particular study as far as possible, of the relation between New Hampshire and Maine, because I considered that New Hampshire and Maine are two states which

have a great deal in common. We are two sparsely settled rural States directly north of an industrial giant. Massachusetts is wealthy; Massachusetts will always be wealthy, whether we have reciprocity or whether we do not have reciprocity. No one can say the fact that New Hampshire trucks have left and gone down to Massachusetts and registered, although the opponents in New Hampshire, two years ago, said that all the trucks would move to Massachusetts. Remember, Manchester, a big industrial center in New Hampshire, is a very few miles from the Massachusetts border, and it could be accomplished much easier than it could here in Maine. Statistics show that New Hampshire has gained over a ten-year period and statistics show that Vermont has gained, and Vermont is relatively similar to our State.

Mr. Lackee mentions this gasoline situation. Perhaps you have not thought of it, but it costs money to haul gasoline around as much as any other freight, because they must carry extra tanks. Self interest requires that the operator keep his gasoline load down. The weight of gasoline and tank with fifty gallons capacity is approximately 500 pounds. If the tank were filled in Massachusetts, the saving would be one cent per gallon, or fifty cents. Operating under the 40,000 pound maximum, the pay load would be reduced by 500 pounds. If the average rate of fifty cents per hundred pounds were used, this tank reduces the revenue by dollars \$2.50 for the trip, a net loss of \$2.00 per trip one way. On two trips a day the saving would be \$4.00 per day or \$1,428 per years of three hundred and twelve days of two trips. This would be increased by the number of additional days run and the number of trips run. I think that answers the gasoline situation.

I have just received here this morning a bulletin showing the following:

"Trucks from Texas are now allowed to operate in Arkansas without payment of license fee. Texas is the latest of five states to sign a reciprocal agreement with Arkansas, Tennessee, Illinois, Missouri, Mississippi and Oklahoma.

The people of Maine, the ordinary citizens, want full reciprocity. It is the only fair way.

It has been pointed out that the damage to roads is caused by the

smaller vehicles rather than the bigger ones, despite age-old popular theory.

I certainly hope that the amendment of the gentleman from Caribou (Mr. Collins) is adopted.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Prout.

Mr. PROUT: Mr. Speaker and Members of the 92nd Legislature: On this truck reciprocity proposition, I just want to speak of one type of farmers in the State of Maine and that is the vegetable growers. Not many people know that we are exporting a considerable amount of fresh vegetables across our borders. One item alone is iceberg lettuce. This past year over 300,000 crates were shipped to Boston. Also, the shipments have been increasing over the past ten years of other vegetables, cauliflower, and so forth.

Under truck reciprocity now we can reach Boston fairly well, but there are times we would like to reach New York which, under our present laws, is practically prohibitive, because these vegetables will not stand transfer from one truck to another after they are once loaded and iced.

I have shipped spinach to New York City from Lubec. How did I do it? I had a man who had two big trailers; he was a Massachusetts operator and he was licensed in Maine and New Hampshire, but, in order to go to New York City, when he got to Massachusetts he had to remove his Maine plates and New Hampshire plates and hide all identification. He was registered in Maine and New Hampshire, but, in order to take that load through to New York City, a distance of about 550 miles, I think,—or 700 miles — he cannot do it under the present laws. Must we have some man breaking the laws in order to do it? I think that is bad business. I believe, if the vegetable business is to increase in the State of Maine, we must have full reciprocity. I have been associated with the Boston market for the last fifteen years, and, seeing the amount of produce that goes into Boston and where it comes from and how it comes in the northeastern section of the United States, I have found it comes in by truck into Boston from North Carolina, Virginia, Maryland, New Jersey and Pennsylvania.

In the argument carried on here today, they say our trucking will be carried on by Massachusetts trucks. Do any of these products go into Massachusetts in Massachusetts trucks? I note that North Carolina and Virginia have high registration fees, the same as we have, and Massachusetts trucks do not carry their goods to Boston any more than I think under full reciprocity Massachusetts trucks will carry our goods to Boston either.

There is a little situation I want to bring out, where a business was started here over in the Fryeburg area, shipping sweet corn to Boston. This business started about ten years ago. Due to lack of reciprocity, the only way we could get it transported to Boston was by having trucks come from Portland to the Fryeburg area, pick up a load of corn, go back to Portland and thence to Boston.

In the area where I used to live, Cape Elizabeth, which is about a hundred miles from Boston, we had a truck rate of about ten cents a package. It cost these boys in Fryeburg twenty-eight cents to move corn into the Boston market. Only under favorable market conditions could they ship that corn. Under reciprocity, there is no doubt they would have just as cheap a rate in that area, approximately eighteen cents, and they could pay that eighteen cents and still market their goods. Under a favorable price situation, there is at least 3,000 bushels a day going into the Boston market. Do you want that business harmed? Do you want to keep that business? When the price goes down below a certain point, due to the extra freight charges, they have to stop business. Is that good business? I do not think so, and I certainly hope the motion of Mr. Collins prevails.

Out of order and under suspension of the rules, on motion by Miss Deering of Bath, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: I come from a small county. I do not have any grievance with the railroads. We haven't very many miles of rail

there: most of our business is moved by truck. I will admit we grant the Massachusetts trucks the use of a lot more road miles than they will grant us. On the other hand, they will grant us a much larger population in one hundred miles of use of their highways than we can grant them in three hundred miles use of ours.

I think when we are going to try reciprocity we should be fair and give it a full trial. If it is not satisfactory, in two years it can be changed back or given up.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Sweetser.

Mr. SWEETSER: Mr. Speaker and Members of the House: I, too, would like to speak in favor of the passage of the amendment. I want to tell you just a little about the problem of two of our agricultural industries.

First of all, I would like to tell you just a little about the problem that the apple grower has in moving his crop. At the present time we are experiencing a great deal of difficulty in getting satisfactory services from the railroads with the loading of cars, and we do get the opportunity to load in trucks satisfactorily because the trucks can come directly to the orchards. It is a very important thing in handling a crop of apples that the boxes be handled as few times as possible. When we can load a truck directly at the orchard and send it to a cold storage plant in some distant state, it is a distinct advantage to us.

Now these truck bodies, these trailers, that are used for that purpose, will carry better than 500 boxes, and it is almost impossible to get one of these truck services to consider a load of less than that amount, so it is necessary from that standpoint to have a larger load.

I would like to say that our crop of a million bushels of apples is distributed in such a way that probably more than one-half of it goes to storages in Massachusetts, Boston, Springfield, Ayer, Worcester—they go to Providence and they go to Philadelphia, and in some instances to storage places in other states. It is very important, in the apple growing industry, that you have a full reciprocity in this truck movement.

I would also like to speak for the blueberry interests. You probably

have read, if you do not personally know, that the great percentage of the blueberry crop is frozen, and that frozen blueberries go primarily to the bakery trade. This bakery trade has its own storage capacity. It is possible for an individual who has a lot of blueberries to sell them to all the bakers in some city in Connecticut where they can distribute a reasonable load of frozen blueberries.

Under the present conditions maximum carloads have been increasing to such an extent that it is impossible to dispose of a single carload of blueberries in one city. Truckloads, however, can be distributed. Now this truckload, again, comes within these limits above 20,000 and under 60,000 pounds' capacity of a refrigerator car, so it is a distinct advantage to the blueberry growers to have this opportunity to ship these loads of over 20,000 pounds by truck. Those two industries will definitely benefit from full reciprocity.

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

Mr. CHRISTENSEN: Mr. Speaker, my good friend, Mr. Lackee, touched on the fact that the oil business wants reciprocity. Why don't they want reciprocity? What is good for the State of Maine is good for the oil business. I am in the oil business. I want reciprocity: I want to sell more oil.

Mr. Lackee says that the big trucks will run all over the State. Our company does not own the transports: we hire our transports. Those transports will be off the road after the war is over and we can use tank cars again. I wanted to buy a transport, but my company discouraged me. They told me: "Don't buy a transport, because you won't haul our products after the war is over. My product is hauled from Bangor to Calais in transport trucks. They are all hired trucks. There will be no more come into Maine for the plant in Calais after this war is over.

Mr. Lackee also mentioned the registration of truckers in the State of Maine, that they would be back here and ask for their license to be reduced from \$300 to \$60. The truckers in the State of Maine can operate cheaper than the Massachusetts trucks can operate.

I was talking to Mr. Cole, of Cole's Express. He had the same

argument, that he would be back here in two years and ask for his license to be reduced from \$300 to \$60. I said, "All right, Mr. Cole, but maybe the Legislature will consider the wages you are paying."

Your union wage in the State of Maine is 12 cents an hour below the Massachusetts wages. That shows you that Mr. Cole can operate cheaper than they can operate in Massachusetts.

He also spoke about the road miles we have in the State of Maine, that there was no comparison with Massachusetts. We have 22,000 miles, if I heard Mr. Lackee right, while Massachusetts has about 17,000 miles. The Massachusetts freight trucks maybe will use approximately seven or eight or ten thousand miles of these roads, while in Massachusetts probably we can use the whole 17,000 miles, which are fit to use and ours are not.

So far as the number of trucks in Massachusetts is concerned, it is true Massachusetts has twice as many trucks as we have. But what are they going to do with them. They are not all going to come down here in the State of Maine and break our roads up. They are not going to come down unless they have got a load to bring in, because you must remember that Massachusetts trucks cannot haul a load from one point to another in Maine without registering in Maine.

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

Mr. COLLINS: Mr. Speaker, I move that when the vote is taken that there be a division of the House.

The SPEAKER: The question is on the motion of the gentleman from Caribou, Mr. Collins, for adoption of House Amendment "A," and the gentleman has asked for a division.

The Chair recognizes the gentleman from Farmingdale, Mr. Weston.

Mr. WESTON: Mr. Speaker and Members of the House: Being a member of the Motor Vehicles Committee, I simply want to show you where I stand on this proposition. For myself, I do not consider the railroads, the trucking industry or any others; I look on this thing purely from the highway revenue side of the picture.

Now the State of Maine has more

tremendously great highways to take care of and maintain than does the State of Massachusetts.

There is another thing I wish to call to your attention: Snow removal in the State of Maine last year cost over a million dollars. I wonder how much it cost the State of Massachusetts! I most certainly do not want to hurt any industries in the State of Maine, neither do we want our highways in such condition that we are not able to use them.

Now it has been said here that a big load does not do as much damage as a small load. I doubt that very much. I have a Model "A" Ford which probably weighs less than a ton. I can go over most of these country roads at this time of the year, and I do not think any of these trucks are going out over these roads without getting swamped.

Another thing: Did you ever watch the highway when one of these big trucks passed over it and see it wave as the truck goes along? I believe that does plenty of damage to our highways.

Another thing: We have seen in this Legislature this winter a big demand for something to be done to our country roads. If we allow much more heavy traffic than what our main highways already have, in order to keep them in condition so that they can be used, I wonder how much we are going to have left? Our maintenance bill is most certainly going to increase with more trucks and more heavy loads.

Another thing: We pride ourselves on being a vacation State. I wonder how the people who come in here for a vacation, after the war, are going to feel when every half mile they are going to meet one of these truck trailers! I wonder if they are not going to be a little bit discouraged! Our highways are not sufficiently wide to compare with the State of Massachusetts and New Hampshire. Our highways are narrow, very hilly, with lots of bad turns, and these trucks being on the highways in great abundance are going to spoil a good many pleasure rides after the war, after we have gasoline—I hope some day.

Now the gentleman from Portland mentioned the trade barrier. I do not think this is a trade barrier. I think it is equalization. Certainly if you are going to put two men in the ring to fight, you

will not put a man who weighs two hundred pounds against a man who weighs a hundred pounds.

This is simply to protect a concrete investment which we have in highways. I believe our State has progressed under our present system. I do not think the country is going to rise or fall with reciprocity or that the State of Maine is going to rise or fall with reciprocity. I believe we have progressed under the present system, and I believe we will still progress if we do not have reciprocity. That is the reason why I went along with the 20,000 pound limitation. It gives the farmers a chance to go into the other states with most of their loads, but it does make those that are wholly trucking concerns pay our registration fee. I hope that the motion of the gentleman from Caribou, Mr. Collins, does not prevail.

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

Mr. MELOON: Mr. Speaker and Members of the House of Representatives: It seems to me just good common-sense and good business to figure out if we have at the present time a tariff or a trade barrier working directly against us that it is good business to set up a trade barrier against the other fellow, and that we should never set them up against ourselves. In this case we are putting it directly against ourselves, and, I believe, our own best interests. We are the only North Atlantic State that does not have reciprocity.

Supposing one of our trucks wants to take some of Mr. Sweetser's apples or some of Mr. Berry's apples down into Connecticut. The owner pays \$300 yearly for a license in Maine. He goes into New Hampshire and pays \$140 more; then he goes into Massachusetts and pays \$60; and then he gets down into Connecticut and he pays another \$100; so it has cost him \$600 to operate his truck from Portland or from Maine down to Connecticut under the present set-up. All right. This fellow from Connecticut says, "I will send up and get that load of apples." He sends his truck up and he has to pay when he comes into Maine a fee of \$300. He loads up with apples and he goes home. When he gets to the New Hampshire line he takes off his Maine license plates and puts them under the seat and sits on it so no one

can see them, and he goes scot-free through to Connecticut without any further fee, because they all have reciprocal agreements. It does not seem to me to be good business for us to continue in that line.

The statement has been made that from \$91,000 to \$92,000, up to \$100,000 would be lost immediately through registration fees. About one-half of those, I think it can be easily proved from our Secretary of State's office, are trucks which are registered in the State but the checks for the registration come from offices outside, big companies with offices outside of the State of Maine. As we all know—and I want to point it out to you if you do not know—if these oil trucks and others are operated in the State six months out of the year they also have to pay that \$300. Therefore, I think we can discount probably half of that amount which would be carried on just the same whether we have this reciprocity or not.

In short, I think it is good business and good common sense; and I hope that L. D. 1121 and its accompanying amendment offered this morning by Mr. Collins will prevail.

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

Mr. WIGHT: Mr. Speaker, in regard to the damage done to our roads by these big trucks, the Motor Vehicles Committee had before it a bill which would increase the weight to 45,000 pounds, and I believe that committee was unanimous in turning down that request for further weight, because, I think, they thought of the damage that would be done to the roads. I do not believe it is fair, Mr. Speaker, to say we are giving reciprocity half a trial when we are including only one-half of our trucks in the State of Maine in that reciprocity bill.

Now in regard to the truckers of Maine asking for adjustments because of registration fees. They will almost certainly come here two years for now asking for that adjustment, and that would amount to \$645,000 at least. Now, I understand that certain proponents of full reciprocity have already asked the truckers of Maine not to oppose full reciprocity, and they will come down here two years from now and help them get that adjustment. I think we should consider that fac-

tor. I hope this amendment will not prevail.

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

Mr. DONAHUE: Mr. Speaker and Members of the House: To my mind, this amendment boils down to a fight between the large trucking interests of Massachusetts, and what is best for the people of the State of Maine.

We have heard a great deal of criticisms of the railroads. I hold no brief for them; I hold no stock in any of them; have never represented one, and I have brought many suits against them. But I think it has been conceded by the proponents of this amendment that as soon as the war is over, that the railroads, after they have finished with their war-time job, will be able to give them the service which they are unable to give at the present time.

The whole argument in regard to reciprocity started about four years ago, after we had a decision from our Law Court requiring large trucking interests in Massachusetts to continue to pay the registration taxes to the State of Maine. As the result of that adverse decision, which was based upon an appeal by these large trucking interests to the Law Court from a ruling of the Secretary of State, they first introduced a bill in this Legislature to exempt them from the provisions of any registration fee.

As you are no doubt aware, the rates that a railroad can charge in the State of Maine are fixed by the Public Utilities Commission, and the rates that a railroad can charge in interstate commerce are fixed by the Interstate Commerce Commission. The rates that these large trucking industries can charge are likewise fixed by your Interstate Commerce Commission. I believe that the amendment is an attempt by these large trucking interests to have something with which they can go to the Interstate Commerce Commission and say: "We want a lower rate," and as soon as they get that lower rate, your large trucking industries in Massachusetts are going to drive out your small trucking industries in the State of Maine because your small trucking industries will not be able to compete.

The gentleman from Portland has referred to the fact that this State

was built upon free enterprise. Let us look at the record.

Many states have labeling and packaging laws in connection with various products; and in many instances there are the requirements for municipal licenses and others too numerous to mention.

Great stress has been laid on the fact that if they come in and operate in the State for six months they have to get a license. Let us look at the Massachusetts law for the registration of private cars. Under their decisions, if you go up there the first of this month and operate your car up there, and then you go up on the 20th of this month and operate your car there, and go up again on the 15th of the next month and operate your car there, when you go up there on the 15th of the next month, unless you register your car in the Commonwealth of Massachusetts you are a trespasser on the highway.

For these reasons, I hope that the amendment does not prevail.

The SPEAKER: The House is considering L. D. 1121 and the motion of the gentleman from Caribou, Mr. Collins, that we accept House Amendment "A".

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

Mr. BREWER: Mr. Speaker, I will only take a few moments of your time. You may have been led to believe that the registration of a big truck in Massachusetts is only \$60, but there is nobody here so naive as not to believe that they do not have excise taxes and compulsory insurance, which brings these fees up to a lot more money. When you compare your rates in the State of Maine with the State of Massachusetts, remember we have hundreds of miles of country roads that will never see one of these big trucks. When they tell you they will fill up with gasoline enough to make the trip out of the State because they can buy it cheaper there, I would like to call the attention of the House to the fact that we have a law which allows these trucks to use only tanks put on them for standard equipment. Now Mr. Cole's name was brought into the matter—but, to get back to our railroads again, the B. & A. collects 50 per cent more freight rate than the Maine Central Railroad—in other words where the Maine Central uses two as a point the B. & A. uses three. Mr. Cole enjoys the same

rate in trucking that the B. & A. does.

I still hope that the motion of Mr. Collins does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker and Members of the House: The State of Maine has arrived at a critical period in regard to its highways and highway money to carry on the program which has been mapped out or attempted to be mapped out. In addition to the other losses in funds, if this measure passes, you must lose at least \$750,000 in addition to all the other losses by the loss of the gasoline tax and other things which handicaps your Highway Commission in the transaction of their business, and I sincerely hope that we will not add any more handicaps by passing free use of our roads to all New England States with their heavy trucks.

We are unable now to use our own roads with any degree of comfort because of the heavy trucking that is already using our roads. You cannot get through the city of Augusta without the big trucks being parked directly in the center of the road. You park your truck in the center of the road and walk off for an hour and see how long you will keep out of trouble! Trucks have already monopolized all the privileges that were ever intended to be used for our pleasure cars, and if you increase the number of cars that can use our highways free, you are doing a terrible injustice to the people of the State of Maine. I hope the measure will not pass for full reciprocity.

The SPEAKER: The question is upon the motion of the gentleman from Caribou, Mr. Collins, that the House adopt House Amendment "A." All those in favor of the motion will rise and stand in their places until the monitors have made and returned their count.

A division of the House was had. Ninety-three having voted in the affirmative and 27 in the negative, the motion prevailed, and House Amendment "A" was adopted.

Thereupon, the bill was given its third reading and passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, would it be possible for me to make a motion at this time for reconsideration of our action of yesterday?

The SPEAKER: A motion to reconsider is always in order. The gentleman may proceed.

Mr. DUTTON: Mr. Speaker, I would like to ask the House to reconsider its action of yesterday whereby we accepted the "Ought not to be adopted" report on House Paper 1299, Legislative Document 937, "Memorial to the Congress of the United States."

The SPEAKER: The gentleman from Bingham, Mr. Dutton, moves that the House do now reconsider its action of yesterday on L. D. 937, the Memorial to the Congress of the United States, on Universal Military Training, whereby the House accepted the "Ought not to be adopted" report of the committee. All those in favor of the motion to reconsider will say yes; contrary minded, no.

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

Mr. RANKIN of Bridgton: Mr. Speaker, I would ask for a division.

The SPEAKER: The gentleman from Bridgton, Mr. Rankin, doubts the hearing of the Speaker. All those in favor of the motion for reconsideration 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. Twenty-six having voted in the affirmative and 61 in the negative, the motion did not prevail.

Mr. Southard of Bangor, was granted unanimous consent to address the House.

Mr. SOUTHARD: Mr. Speaker, I have only a few words to say. I am much surprised that the majority of the members of this House still take upon their shoulders to pass upon any legislation which comes before this body without hearing both sides of the question, and that was what was done on this Memorial. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. RANKIN: I rise, Mr. Speaker, to say that I agree with the remarks of the gentleman from Bangor, Mr. Southard.

The **SPEAKER**: Does the gentleman wish unanimous consent to address the House?

Mr. **RANKIN**: I am sorry—yes, I do wish unanimous consent, Mr. Speaker.

The **SPEAKER**: The gentleman from Bridgton, Mr. Rankin, asks for the unanimous consent to address the House. Does the Chair hear objection? The Chair hears none, and the gentleman may proceed.

Mr. **RANKIN**: I am, of course, opposed to this measure, Mr. Speaker, but I feel that complete justice was not done to the proponents of this measure yesterday in our action; and I regret the action taken a moment ago in refusing to reconsider it. I venture to move that we reconsider our action which we took just a moment ago.

The **SPEAKER**: The motion is out of order. The motion to reconsider having failed, that puts an end to the matter. The rule is that a matter can be reconsidered only once. The House, by its action, can suspend the rules and thereby reconsider its action.

Mr. **RANKIN**: I so move, Mr. Speaker.

The **SPEAKER**: In order to suspend the rules, it requires a two-thirds vote. The gentleman from Bridgton, Mr. Rankin, moves that the rule requiring that a motion can only be reconsidered once be suspended. All those in favor of suspending this rule 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.

The **SPEAKER**: Fifty-three having voted in the affirmative and 34 in the negative, the necessary two-thirds is not shown, and the motion is lost.

Passed to Be Engrossed
(Continued)

Bill "An Act Requiring School Employees to File Health Certificates" (H. P. 1476) (L. D. 1182)

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

Amended Bills

Bill "An Act relating to Local Health Officers" (S. P. 213) (L. D. 472)

Bill "An Act to Increase the Salary of Sheriff of Kennebec County" (S. P. 263) (L. D. 624)

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 Correct Typographical and Clerical Errors in the Revision (S. P. 414) (L. D. 1100)

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, 132 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 Amending the Unemployment Compensation Law as to Benefits (H. P. 1232) (L. D. 858)

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

Finally Passed
Tabled

Resolve to Provide Funds for Eradication of Bang's Disease, Tuberculosis, and Other Infectious and Contagious Diseases of Livestock (S. P. 420) (L. D. 1103)

Mr. **WILLIAMS** of Clifton: Mr. Speaker, as this Resolve has quite a bearing on our financial structure, which has not been set up completely at this time, I would like to ask that this Resolve be tabled.

The **SPEAKER**: The gentleman from Clifton, Mr. Williams, moves that Resolve to Provide Funds for Eradication of Bang's Disease, Tuberculosis, and Other Infectious and Contagious Diseases of Livestock be tabled pending final passage. Is this the pleasure of the House?

The motion prevailed and the Resolve was so tabled.

Passed To Be Enacted

An Act to Provide for Scientific Investigation with Blueberries (S. P. 72) (L. D. 68)

An Act relating to Salaries of Court Stenographers (S. P. 105) (L. D. 177)

An Act Clarifying the Law relating to Official Fees of Registers of Probate (S. P. 160) (L. D. 363)

An Act to Simplify the Financial Structure of the State (S. P. 192) (L. D. 489)

An Act relating to Contagious Diseases (S. P. 210) (L. D. 474)

An Act relating to Fees of Registers of Probate (S. P. 238) (L. D. 619)

An Act Creating the Greater Portland Public Development Commission (S. P. 323) (L. D. 823)

An Act Concerning Agricultural Cooperative Associations (S. P. 343) (L. D. 897)

An Act Governing the Production of Milk and Cream (S. P. 393) (L. D. 1016)

An Act relating to Licensing Hospitals and Related Institutions in the State of Maine (S. P. 405) (L. D. 1063)

An Act relating to Pari Mutuel Pools (S. P. 416) (L. D. 1111)

An Act relating to Clerk Hire in the County Offices in Knox County (S. P. 418) (L. D. 1101)

An Act relating to Complaint in Cases of Neglect of Children (S. P. 421) (L. D. 1105)

An Act relating to Snow Removal (H. P. 247) (L. D. 157)

An Act relating to Teachers' Retirement System (H. P. 423) (L. D. 165)

An Act relating to Presumption of Death (S. P. 425) (L. D. 1127)

An Act to Aid Towns in Controlling Forest Fires (S. P. 427) (L. D. 1128)

An Act relating to Examination and Registration of Osteopathic Physicians (S. P. 428) (L. D. 1129)

An Act relating to Small Claims (H. P. 241) (L. D. 92)

An Act relating to Maintenance of State Highways and State Aid Roads (H. P. 248) (L. D. 98)

An Act to Establish the Western Oxford Municipal Court (H. P. 515) (L. D. 204)

An Act relating to the Recorder of the Bath Municipal Court (H. P. 642) (L. D. 295)

An Act Regulating the Use of Certain Kinds of Firearms (H. P. 687) (L. D. 305)

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 Amending the Charter of the City of Biddeford (H. P. 733) (L. D. 402)

(On motion by Mr. Renouf of Biddeford, tabled pending enactment and assigned for later in the day.)

An Act relating to the Practice of Dentistry (H. P. 734) (L. D. 392)

An Act to Confer Concurrent Jurisdiction on the Probate Court and Superior Court in Matters Concerning Custody and Support of Minor Children (H. P. 818) (L. D. 506)

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

An Act relating to Fees of Sheriffs and Expenses in Keeping Prisoners (H. P. 994) (L. D. 594)

An Act relating to Dangerous Occupations for Minors (H. P. 1079) (L. D. 690)

An Act relating to Payment of Salaries and Wages of State Officers and Employees (H. P. 1188) (L. D. 749)

An Act Amending the Unemployment Compensation Law as to Benefits (H. P. 1231) (L. D. 857)

An Act Amending the Unemployment Compensation Law as to Payment of Benefits (H. P. 1247) (L. D. 872)

An Act relating to Registration of Voters (H. P. 1258) (L. D. 882)

An Act relating to Tax on Street Railroad Corporations and Street Railways (H. P. 1367) (L. D. 1027)

An Act relating to the Salary of the Register of Probate of Kennebec County and Clerk Hire in Such Office (H. P. 1374) (L. D. 1037)

An Act relating to Supplementary Assessments of State, County and Forestry District Taxes (H. P. 1376) (L. D. 1028)

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 relating to Inheritance Taxes (H. P. 1385) (L. D. 1046)

(On motion by Mr. Williams of Auburn, tabled pending enactment, and assigned for later in the day)

An Act relating to the Salary of Judge of Probate of Hancock County (H. P. 1401) (L. D. 1072)

An Act to Increase the Salary of the County Treasurer of Cumberland County (H. P. 1402) (L. D. 1073)

An Act relating to Fees of Officer for Service for Delinquent Taxes (H. P. 1421) (L. D. 1093)

An Act relating to Salary of Register of Probate in Sagadahoc County (H. P. 1431) (L. D. 1114)

An Act relating to the Salary of the Judge of the Bath Municipal Court (H. P. 1432) (L. D. 1115)

An Act relating to Salary of the Judge and the Recorder of the Waldo County Municipal Court (H. P. 1433) (L. D. 1116)

An Act relating to Clerk Hire in County Offices in Sagadahoc County (H. P. 1435) (L. D. 1117)

An Act relating to State Employees' Retirement System (H. P. 1433) (L. D. 1119)

An Act relating to Fishing in Certain Rivers, Lakes and Ponds in Oxford County (H. P. 1440) (L. D. 1130)

An Act to Amend the Employees' Contributory Retirement System (H. P. 1441) (L. D. 1131)

An Act relating to Reporting by Drivers Involved in Accidents (H. P. 1444) (L. D. 1133)

An Act to Provide a Town Council and Manager Form of Government for the town of Limestone in the county of Arcoostook (H. P. 1445) (L. D. 1134)

An Act relating to Public Safety Commission for Rumford Falls Village Corporation (H. P. 1446) (L. D. 1135)

An Act relating to the Salary of the Recorder of the Bath Municipal Court (H. P. 1447) (L. D. 1133)

An Act relating to the Forwarding of Contributions in the Maine Teachers' Retirement System (H. P. 1449) (L. D. 1138)

An Act relating to Open Season For Hunting (H. P. 1451) (L. D. 1139)

An Act relating to Vital Statistics (H. P. 1454) (L. D. 1140)

An Act to Incorporate the "Guardian Loan Co." (H. P. 1456) (L. D. 1156)

An Act Designating Certain Academies as High Schools and relating

to Membership in the Maine Teachers' Retirement System (H. P. 1458) (L. D. 1158)

An Act relating to the Salary of Various Officers of Waldo County (H. P. 1459) (L. D. 1159)

An Act relating to Automobile Travel by State Employees (H. P. 1461) (L. D. 1161)

Finally Passed

Resolve relating to Retirement Pension for Percy E. Averill of Thomaston (S. P. 207) (L. D. 477)

Resolve, Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Arcoostook County to George Emile Daigle and Adrian Daigle (H. P. 348) (L. D. 155)

Resolve in favor of Cornelius E. Conley of Lewiston (H. P. 1054) (L. D. 659)

Resolve in favor of the town of Smyrna (H. P. 1223) (L. D. 852)

Resolve in favor of town of Greenville to Correct Height of Overpass of the Canadian Pacific Railroad at Greenville Junction (H. P. 1312) (L. D. 861)

Resolve in favor of Catherine A. Nason, of Round Pond (H. P. 194) (L. D. 1142)

Resolve to Reimburse Wallagrass Plantation for Support of the Family of Edward Berube (H. P. 493) (L. D. 1143)

Resolve to Appoint a State Board for Approval of Institutions Offering Specialized Training (H. P. 941) (L. D. 543)

Resolve in favor of Fox & Ginn, Inc. (H. P. 1314) (L. D. 1144)

Resolve, Providing for the Payment of Certain Damages Caused by Protected Wild Animals (H. P. 1427) (L. D. 1107)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first matter of unfinished business, Bill "An Act Relating to the Salary of the Bank Commissioner" (H. P. 993) (L. D. 593) which in the House was read twice, and tabled on April 10th by Mr. Rollins of Greenville, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. Rollins offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 993, L. D. 593, Bill "An Act Relating to the Salary of the Bank Commissioner."

Amend said Bill by striking out, in the 2nd paragraph thereof, the underlined figures "\$6,000" and inserting in place thereof the underlined figures "\$5,500"

Further amend said Bill by adding before the headnote in the 1st paragraph thereof the following: 'Sec. 1.'

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

'Sec. 2. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the present statute shall return to full force and effect.'

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

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

Mr. COLLINS: Mr. Speaker, I feel there should be some consideration given to the recommendation of the Salaries and Fees Committee. I believe, in considering these various jobs, the limit was not set at any definite figure, but was considered on the worth of the job; and if the Legislature believes that the ceiling of \$5500 is preferable to \$6000, then of course that is the right of the Legislature. However, I believe that certain of these heads of departments should receive at least the \$6000. I believe they are entitled to it, and I believe it would be better business for the State if they got it.

I have no objection to the limitation part of the amendment—that may be a good policy, although I personally doubt it. However, I have no objection to that. But I do think you should consider carefully whether or not you want to set that ceiling at \$5500 rather than \$6000, bearing in mind that we already have some of the heads of the departments at the \$6000 level at the present time.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves adoption of House Amendment "A".

The Chair recognizes the gentleman.

Mr. ROLLINS: Mr. Speaker, at this time I might say to the members of the House that this is just a suggestion in trying to save a little money for that great Appropriation Committee, which is hollering every day about finances.

We are looking forward to the end of World War II, and with it we have already witnessed the drops in salaries. We are about four years late in making these raises, hence the movement for putting on the limitation.

No man knows what conditions will be two years from now. There is no question but that the days of big salaries are over. There is nobody getting raises. We can prove it by the checks that are coming from the defense plants today.

It is just a question of what this Legislature is going to do. What are they going to say back home? There is a bill before us which looks like an enactor, the Cross bill, which will take the pork barrel money out of their pockets. When you go back home to your constituents, what will they think about it? You are not taking anything back. The only thing you can say is: "We went down and we raised all the big salaries in the State of Maine; we put them up on a high plane; we gave them unlimited paychecks." But what did we do for the little fellow, the man who has got to feed a family?

I maintain, gentlemen, that these salaries are consistent with what the job is worth. Now we cannot talk about personalities, although there will be, no doubt, some talk of personalities, that this man and that man is indispensable. I have told the members of this House before that I did not believe there was any indispensable man. We have just lost a great leader in this nation, and we have elected his successor; and we hope, each and every one of us, that he will step in and take the place of our former leader and do the job.

That same condition would arise here if any one of these men said, "We are going out into industry." The privilege is theirs; they can go out into industry, and, no doubt, any of them could earn ten, fifteen or twenty thousand a year; but the taxpayers of Maine cannot pay it or compete with it. Therefore, I do hope my motion prevails.

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

Mr. CARPENTER: Mr. Speaker, I would like to go along with the gentleman from Greenville, Mr. Rollins. We are trying to save the taxpayers a little money. Now we have passed two of these bills, the Adjutant General, \$5500, and the Forest Commissioner, \$5500, and it does not seem out of line to me if we save \$500 on this bill and give the Bank Commissioner \$5500.

The SPEAKER: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: Probably it is only fair, and, at this time, my duty, as House Chairman of the Committee on Salaries and Fees, to explain to you briefly the action of that committee.

As you well recall, we began holding meetings quite early in the session, and resolves were presented to us for increases in salaries of county officials of practically every county in the State, and for State officials and what have you. We considered those matters to the best of our ability and attempted to arrive at what seemed a fair decision. If, in the opinion of this House, the findings of the Committee on Salaries and Fees were in error, I submit to you that it is entirely within your province to make such corrections as you see fit. I have yet to be convinced that the administrative power supersedes the power of the Legislature in anything.

Now I am not going to discuss this particular bill with you. It came up for our consideration, and I am frank to say to you that not a single divided report came out of that committee. They labored hard to arrive at something like a fair decision, and it is entirely, to my mind, within the province of this Legislature to be guided by their own good judgment.

The Committee on Salaries and Fees does not claim for a minute that they are infallible. They did the best they could. They had a hard job. I submit to you it is entirely within your province to sustain the action of that committee, or it is entirely within your province, in your good judgment, to reject the action of your committee if you feel they were in error. I feel

the matter is entirely in your hands.

The SPEAKER: The question is on the motion of the gentleman from Greenville, Mr. Rollins, that we adopt House Amendment "A".

Mr. ROLLINS: Mr. Speaker—
The SPEAKER: For what purpose does the gentleman rise?

Mr. ROLLINS: To ask unanimous consent to address the House.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. ROLLINS: Mr. Speaker and Members of the House: My colleague, the gentleman from Rome, Mr. Downs, has defended his Salaries and Fees Committee, which is proper and right.

I have made the remark here before—and I will make it again—that there is too much legislation by department heads. I claim that these department heads legislate, not directly, but because they put on so much pressure. They all want a raise: there is no question about it.

What did the Salaries and Fees Committee do on the small salaries? They reported to this House "Ought not to pass". Did this House sustain their verdict? No. They substituted the bill for the "Ought not to pass" report of the committee. Gentlemen, they were not infallible, in your judgment. Perhaps, for the same reason, they are not infallible here.

I would hate to have this Legislature go home and face their constituents with the idea that the department heads passed all legislation, even to raising their own salaries, something that is unconstitutional for you members of this body to do with your own salaries.

The SPEAKER: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: I am ordinarily in full accord with my friend, the gentleman from Greenville, (Mr. Rollins) but I want to impress this thought on the members of this House: It makes no difference what action the Committee on Salaries and Fees took upon the bill relative to the employees in the classified services. Each and every bill that comes into this Legislature is supposed to be considered upon its merits. I do not want the House to be any more confused than

I am over the proposition, but I assure you personally that I do not want any member to be influenced on account of any one particular action. I want each claim that comes before you to be considered on its own individual merit.

The SPEAKER: The question is on the motion of the gentleman from Greenville, Mr. Rollins, that the House adopt House Amendment "A". All those in favor of the motion will say yes; those opposed, no.

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

Under suspension of the rules the bill was given its third reading and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second matter of unfinished business, House Report "Ought to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Commissioner of Inland Fisheries and Game" (H. P. 1003) (L. D. 551) tabled on April 10th by Mr. Bell of Thomaston, pending acceptance of report; and the Chair recognizes that gentleman.

Thereupon, on motion by Mr. Bell the "Ought to pass" report was accepted, and the bill, having already been printed, was read twice under suspension of the rules.

Mr. Carpenter of Augusta, then offered House Amendment "B" and moved its adoption.

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

House Amendment "B" to H. P. 1003, L. D. 551, Bill "An Act Relating to the Salary of the Commissioner of Inland Fisheries and Game."

Amend said Bill by striking out in that part of said Bill designated as "Sec. 1-A." the underlined figures "\$6,000" and inserting in place thereof the underlined figures '\$5,000'

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

'Sec. 3. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the present statute shall return to full force and effect.'

Thereupon, House Amendment "B" was adopted, and under suspension of the rules the bill was given its third reading, and passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the third matter of unfinished business, House Report "Ought to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Secretary of State" (H. P. 49) (L. D. 20) tabled on April 10th by Mr. Gowell of Poland, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Gowell, the "Ought to pass" report was accepted, and the bill, having already been printed, was read twice under suspension of the rules.

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

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

House Amendment "A" to H. P. 49, L. D. 20, Bill "An Act Relating to the Salary of the Secretary of State."

Amend said Bill by adding before the headnote in the 1st paragraph thereof the following: 'Sec. 1.'

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

'Sec. 2. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the present statute shall return to full force and effect.'

House Amendment "A" was adopted, and under suspension of the rules the bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fourth matter of unfinished business, House Report "Ought to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Commissioner of Agriculture" (H. P. 996) (L. D. 596) tabled on April 10th by Mr. Dorsey of Fort Fairfield, pending acceptance of report.

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, on behalf of Mr. Dorsey, who is unable to be here, I would move the acceptance of the report of the committee.

The motion prevailed, and the "Ought to pass" report was accepted, and the bill, having already been printed, was read twice under suspension of the rules.

Thereupon, under suspension of the rules, the bill was given its third reading and was passed to be engrossed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fifth matter of unfinished business, House Report "Ought to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salaries of the Unemployment Compensation Commission" (H. P. 1305) (L. D. 949) tabled on April 10th by Mr. Cobb of Gardiner, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Cobb, the "Ought to pass" report was accepted, and the bill, having already been printed, was read twice under suspension of the rules.

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

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

House Amendment "A" to H. P. 1305, L. D. 949, Bill "An Act Relating to the Salaries of the Unemployment Compensation Commission."

Amend said Bill by adding before the headnote in the 1st paragraph thereof the following: 'Sec. 1.'

Further amend said Bill by striking out, in the 2nd paragraph thereof, the underlined figures "\$5,500" and inserting in place thereof the underlined figures '\$5,000'; and by striking out in said 2nd paragraph the underlined figures "\$5,000" and inserting in place thereof the underlined figures '\$4,500'.

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

'Sec. 2. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the present statute shall return to full force and effect.'

House Amendment "A" was adopted, and under suspension of the rules the Bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the sixth matter of unfinished business, Bill "An Act Relating to the Salaries of the Officers of the Legislature" (H. P. 1460) (L. D. 1160) tabled on April 10th by Mr. Carpenter of Augusta, pending first reading; and the Chair recognizes that gentleman.

On motion by Mr. Carpenter, the bill was given its two several readings; and under suspension of the rules was read the third time and passed to be engrossed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventh matter of unfinished business, An Act to Incorporate the Portland Wharf District (H. P. 1328) (L. D. 972) tabled on April 10th by Mr. Payson of Portland, pending enactment; and the Chair recognizes that gentleman.

On motion by Mr. Payson, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. WARD: Mr. Speaker, inasmuch as the Legal Affairs Committee has a public hearing advertised for two o'clock this afternoon, I move that the House now recess until 2:30 this afternoon.

The motion prevailed, and the House so recessed.

After Recess—2:30 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair lays before the House the eighth matter of unfinished business, Senate Report "Ought not to pass" of the Committee on Ways and Bridges on Bill "An Act to Create the Town Road Improvement Fund" (S. P. 325) (L. D. 891) which in the Senate the bill was substituted for the report and passed to be engrossed; tabled in April 12th by Mr. Dow of Eliot, pending motion of Mr. Wil-

liams of Clifton, to substitute the bill for the report; and the Chair recognizes that gentleman.

Mr. WILLIAMS: Mr. Speaker, I yield to the gentleman from Addison, Mr. Lackee.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker and Members of the House: I arise at this time to explain to you, the best I can, what the passage of this bill will actually mean to the members of this House.

You will notice that this bill is designed and introduced for the purpose of eliminating and replacing the special road resolves, therefore it should be of vital importance to you, because of the fact about 95 per cent of the resolves introduced into the Legislature originate in the House.

If you will look at the bill, you will notice that Section 42-D states that: "No money from this fund shall be expended on any road which is part of the federal aid, state, state aid or 3rd class roads."

Let me say to you that approximately 30 per cent of the resolves heard before the Ways and Bridges Committee were for this type of road. This is especially true of third-class roads, because third-class roads are entirely maintained by the towns, and each time that resolve is granted for the reconstruction, surfacing, or anything of that sort, of a third-class road, it helps the town just that much.

Another popular type of resolve is the Bridge Act. When a bridge is built or constructed under the Bridge Act, the town pays a certain percentage, the county pays a certain percentage, and the State pays a certain percentage. If the town asks for their part in a special resolve and it is granted, they are practically receiving their part for nothing, because the State pays the town's part, the county pays its part, and the State pays the remainder.

As far as this bill is concerned, there is no fund that I know of that can be used in this connection. I presume that the Ways and Bridges Committee would recommend that the special resolve be thrown out of the window and be attached to this bill. It is entirely up to you. If you had rather have this bill than have your special re-

solve, vote for it; if not, vote against it.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Pratt.

Mr. PRATT: Mr. Speaker and Members of the House of Representatives: To my mind, this legislation is necessary—necessary and timely. The value of such legislation was attested to by the great group of people from all over the State that thronged the Senate Chamber when this bill, together with the Howes bill, was being heard before the Committee on Ways and Bridges. That hearing was a good barometer whereby we might know the wishes of the people in regard to a town's road improvement program.

The automobile, the motor truck, has made great demands upon our highway program and system. Heavier, smoother, straighter, wider roads are called for, and the automobile and truck has supplied the necessary funds to do the job.

For the calendar year 1944, the revenue received from the registration of automobiles and trucks and gasoline tax amounted to \$3,225,541.

The State Highway Commission, together with town officials, have done a great piece of work in highway construction. The trunk lines throughout the State are mighty good. Yet, notwithstanding the great work that has been done, the town roads or the feeder roads have been forgotten; they have been left to their fate. Greater demands have also been made upon them, and they have been unable to stand the load.

It is safe to say that at least 75 per cent, and I feel that more than 75 per cent of all foodstuff raised in the State of Maine is raised on farms on these roads. The government is asking farmers to raise more and more food, and they have responded nobly. They and their wives have stood shoulder to shoulder, straining every nerve and muscle to produce that upon which our armies and our allies depend. In many cases these producers of food no longer have youth to their credit: they have borne the burden of the heat of the day and still they carry on. They are the great army that stand behind in a material way our armies that are sweeping on to brilliant and to total victory.

May I say to you that the great need for food will not end with the war. Long after victory in Europe, long after the last dying echo of the last shot far in the Pacific has faded away into silence, we must keep a sizeable army and navy, and these men in our army and navy must be fed, and the liberated, war-torn countries of Europe must be fed.

The farmers of America stand ready to do the job, but they need some help, and nothing that I know of would help them any more than providing suitable roads over which the produce can be hauled after they raise it.

If we are to receive the maximum benefits of roads already built; if we are to receive returns for money already expended upon the highway system of the State of Maine, we must extend it to include these roads, for, unless the producers of America can find access to the highway system of the State of Maine, we will not have come to the ultimate climax of our great road movement.

So I trust that today the members of this House will vote to support this Cross bill and make possible the transportation of foodstuff over them for which our armies and the world are crying today.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Elliott.

Mr. ELLIOTT: Mr. Speaker and Members of the 92nd Legislature: I think we are all agreed on the fact that there is much need for improvement of the so-called dirt roads in our State. Probably you all know that some two years ago the Director of Post-war Planning was asked by our State Department of Agriculture to make a study of what would be the program most adapted to their particular department. In response to this, our Commissioner of Agriculture invited in the Dean of the College of Agriculture and heads of the Extension Service and other agricultural organizations to make, with him, this study. They studied, among other things, the deplorable condition of the roads which lead to many of our good farms, and the condition which the farmers are in in getting their product out. They decided that not only would this be a good post-war project but that it was a project which we needed at the present time.

This survey showed that there were more of our good farms that were not on good highways than there were on improved highways, and the men on these farms had been struggling for years attempting to adjust themselves to the automobile age to get their products out.

Now this committee decided that a certain amount of money should be expended on these dirt roads. I think we all agree with our good friend, Mr. Lackee, that a good part of the special resolve money is not spent on these improved roads; it is too often spent for the benefit of the farmer on the unimproved road in repairing and maintaining so-called third-class State-aid roads.

I think that this committee felt that the Cross bill, L. D. 891, presents an adequate program for the improvement of unimproved roads. The amount of money to be allocated under this legislation is left to the Legislature, is very flexible and may be any amount from one dollar up to a full ten per cent of the gross receipts of gasoline tax and registration fees. This flexibility is desirable because it makes it possible to meet varying conditions. It makes possible a completely equitable distribution of State funds. Section 42-B provides that every town will receive its just share according to the mileage of unimproved road as compared to the mileage throughout the State. This program, over a period of years, will require the expenditure of a large sum of money. The State cannot dodge this expense.

If the Cross Bill becomes a law the State will profit through increased valuation of the properties on these unimproved roads, buildings will be repaired and improved, and more land will be brought into production of crops. This represents new wealth to the State. If the State fails to pass such legislation, abandonment of farms will continue, property values will further depreciate, finally resulting in a condition whereby the State will have to take over more rural towns.

Let us build up our resources instead of tearing down those that we now have.

Some of the arguments used against this bill are as follows: 1. It does not establish a definite amount of money to be appropriated. The answer is: The Howes bill did, otherwise the legislation was the same. 2. It has been said

that there might be a Federal Bill passed which would permit participation in this class of program. I suggest that you ask Mr. Lucius Barrows if Federal assistance may be planned on for this type of road. You will find there is no possibility of any Federal assistance. 3. It is said that we do not have the money. We did not have the money to fight this war. We can at least appropriate the funds that are available for this type of work which will answer for the present.

At the next regular session it will be necessary to provide additional funds, or to combine a Third Class and State Aid program, taking away a little money from those to increase the appropriation of the town road improvement fund. It would be better, of course, to increase the revenue rather than interrupt any road work under the present acts.

The unimproved roads have been neglected altogether too long. If you will recall the evidence presented at the Committee hearing in the Senate, no further proof is needed for this statement.

One of the things that appealed to me very much in this committee hearing was when one of the men got up, an official of one of our up-country towns, and said that the road was impassable and it was impossible to get into town and back on the cross road, and at tax-collecting time, after they had telephoned in, the owner of the farm snowshoed out a mile and a half or two miles to make arrangements with the town officials so they would not sell his farm at auction. It seems to me we cannot expect the farmers on these back roads to make this effort in order to pay their taxes.

Speaking of the inequalities in the special resolve, I have in my hand H. P. 1932, Resolve for the Construction, Maintenance and Repair of Roads and Bridges, which was passed at the 90th Legislature. In this document you can find any amount of figures, and it would be interesting reading if you care to read it. I looked up one group of towns. To show the inequality with which this money is appropriated in these special resolves in comparison to the miles of dirt road, in one community not far distant from where we are at the present time there was one town that had fifteen miles of dirt road that received \$1000 in the special resolve.

Town No. 2, with 22 miles, received \$1000. Town No. 3, with 25 miles received \$700. Town No. 4, with 26 miles of unimproved road, received nothing, and Town No. 5, with 53 miles of unimproved road, received \$800. That certainly is not equitable distribution.

Another group in another county: four towns right along side by side from east to west in two different legislative classes—one town with 27 miles of unimproved road received \$5000; Town No. 2, with 27 1/3 miles of unimproved road, the same amount, received nothing; Town No. 3, with 47 miles of unimproved road, received \$800; Town No. 4, with 38 miles of unimproved road received \$1400.

Now this Cross bill, if we pass it, would give an equal amount to each town on unimproved roads. We have case after case of men on these farms who cannot get out. In one of the neighboring towns to where I live, within the past two weeks, one of the largest milk producers in the town was a man from the State of Connecticut who came up and bought some farms—he was not a farmer. He started to haul milk out to the main highway where a truck could pick it up. He got stuck in the mud and he got the only pair of horses they had around there, took an old-fashioned stone boat and made two trips out to the highway where the truck was parked, and then hauled it to Bangor. The result was that the milk turned sour and he lost a good many quarts of milk.

We cannot expect the farmers in this State to stay on that kind of road. Something must be done to improve these roads.

I sincerely hope the motion of the gentleman from Clifton, Mr. Williams, to substitute the bill for the report prevails.

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

Mr. CORSON: Mr. Speaker and Members of the House: I wish to address the House this afternoon, with your permission, upon the subject of mud roads. It is my lot to represent a large territory situated in the southeast corner of Aroostook county. The people there are free, if they stay where they are, but they like to get out and haul their products to market. But, remember, they have poor roads, both in the fall and in the spring, and a poor road in the winter, because

a narrow, unimproved road cannot be effectively snowplowed.

There is a considerable time each fall, winter and spring when school buses cannot be used to convey the pupils to the schoolhouses. Now this territory consists of seven towns, three plantations and three townships. The townships do not have to worry about this because the State looks after them. This territory, roughly speaking, has 450 square miles of land surface. There are between 175 and 200 miles of road, of which less than one-half has any base. The State has built very little road in this area. The road that they call State road was built by the towns, with the State matching a certain portion. There is no macadam road, no cement road, no crushed rock road in any of these towns. They have plenty of poor roads. That is to show the members of the House why these people want to get money for the roads instead of continually paying in large sums of money for licenses and the gas tax, and then only getting a pork barrel stipend which has become so small and pinched that it is useless.

What good is \$710.00 for ten towns and over seventy-five miles of unimproved road? I have been told that down in this section that I represent they have only one or two towns where the mud roads have been helped out by State resolve. Several Representatives have no mud roads, yet this stipend has been given in some places for summer cottage roads, and so forth.

I am ready for a change and my people are ready for a change. We are crying for a change. The Cross Bill seems to offer more to the roads of Maine than any other bill so far. The farmers of Maine do not want 24-foot wide roads which cost thirty to fifty thousand dollars per mile. There never would be an improved road system in Maine, not for generations. Farmers want roads fifteen feet wide with ditches outside the road, with the bushes cut and with gravel on the road surface to hold up in mud time.

Years ago the State of Maine should have taken its pattern from Northern New York, where they have a good system of roads,—the main highways built as two or three-lane roads, with all cross roads built fourteen feet wide, so that farmers can get out on to a good road.

The Cross Bill calls for not over

ten per cent of the highway funds from licenses and gas tax for mud roads. That leaves ninety per cent of the money for tarvia and snowplowing of main line State highways and maintenance. The Cross Bill funds are not to be used upon State designated roads, and so forth. What of it? In the town of Hodgdon there is a mud road three and a half miles long. The Highway Division has designated two miles of this road as State-Aid road, and they built 1600 feet about six years ago. The State Highway Commission is not apt to build any more for several years.

The Town Council of Hodgdon should ask the Highway Commission to rescind their action, and then, with the Cross Bill money, there would be three and one-quarter miles of unimproved road which needs immediate improvement.

On this road which I am talking about there are ten farmers who produce about 190 acres of potatoes a year and 300 cords of pulpwood, and those same farmers keep about 80 cows, so, you see they have a use for a road to get their products to Houlton, a distance of ten miles. Unless the Federal government changes the proposed bill for building postwar roads, Maine is in no condition to match Federal funds to build roads 24 feet wide with heavy surfacing for farm to market roads. Farmers do not want boulevards or traffic lanes; they want simple, plain, cheaper built roads.

Now the people in my community and all of these towns—many of them belong to the Grange,—the Granges of these towns — Amity Grange, Grand Lake Grange, Houlton Grange, and many of the members in Hodgdon and Linneus attend the Houlton Grange—they are all in favor of this bill. Carl Smith, the Commissioner of Agriculture, says the farmers cannot carry on much longer without roads on which to haul their produce to market.

Members of this House, there is something for you to do. You must give to the farmers of Maine something in the way of roads if you expect them to continue to pay taxes and licenses to the State. They cannot do it without suitable roads. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: As a mem-

ber of the Ways and Bridges Committee, I would like to say just a few words.

In the first place, I would like to say that the road resolve project is not the committee's pet project; it originated back in 1917, as I understand. In considering this particular bill, the cost of financing this suggested measure was brought to our attention, and the committee came to the conclusion that there was not money sufficient to go along with the present program and to add any other program to it.

If this bill is passed, it means we will have to do away with something which has already been set up in previous years which we have heard about, the road resolve, which amounts to about \$300,000 for the two years.

We have heard an explanation pertaining to what the road resolve has done and what it has not done. It has been mentioned that it has helped us on our bridges, particularly if the town did not have much money through State and County aid, because we could get a bridge built.

I am not going to take any stand in opposition to this particular bill. The committee spoke of it, and the responsibility is ours in the House this afternoon. If we have any additional measures, it means we will have to do away with something we already have. It is up to you what we want to do away with.

It has been mentioned that these permanent roads are not being built fast enough to satisfy us as a whole. Frankly, if we dip into the general highway project enough to hit the permanent road work, we are certainly going to suffer, and I do not think we are going to be satisfied.

Now you come down through, and there are your third-class roads, construction that can be placed on roads that town officials will have designated as third class. That is construction that will meet the requirements of the State, so that at a later date, if they have sufficient money, it can be taken over as State-aid.

We also have R. F. D., or mud-money, as they call it. It is very similar to the proposed measure, only there is not as much money being distributed, but it is being distributed the same as is proposed in this particular measure. That in turn is placed where town officials want it.

I wonder if the trouble with some of these bad roads is that some of the town officials have not taken care of their responsibility? I was a town official, and, frankly, I believe if these moneys are not placed where they should be it is the responsibility of the officials in that particular town.

It is all right to pass additional measures, but the question is: Where is the money coming from? There is so much money available, and we will have to decide on just what we want to do. In other words, it is our responsibility here.

It has been mentioned that we no doubt will have to do away with our road resolves. If that is what we want, that is what we will have.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: I rise to speak in support of the rural people in Maine.

Ever since this gasoline tax went into effect, our people on the dirt roads have contributed their share of this tax, and they have received nothing that would come anywhere near their home to help them get out over their roads. They have lived there and paid this tax for all these years and have seen through highways go along while they have had unimproved roads. The time has come now to give these people a break.

As has been said by previous speakers, we do not want and do not need twenty-five and thirty-foot roads, but we do need a road that our cars and trucks can get out over and haul our farm products to market in any time of the year. That cannot be done at the present time.

I believe that this Cross bill is a fair and equitable bill, and if it does away with the road resolve money, more power to it. I would go home without any road resolve money if they could get this thing onto a basis that gives us a program for rural Maine. The argument that you have not got the money does not sound very strong to me, because if all you have got is the money you have already set up for the road resolve plus your R. F. D. money, then kick that in and let us use it in the Cross bill and get this thing started. When the war is over and cars and trucks are on the road again and our income increases, maybe you can step it up

to ten per cent. If you do that, you will be getting somewhere in the rural areas in the State of Maine.

Many of our farmers probably never will live to see a road they can drive out over in mud-time, both in the fall and in the spring. Under this Cross bill I believe they would have some hope. Certainly, as soon as the road is built, it increases the valuation on these farms and tends to increase the standard of living in the rural section of our State.

I hope that this motion that has been made to substitute the bill for the committee report receives your support.

The SPEAKER: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: My memory goes back at this time to the first time that I had the privilege of serving in this Legislature. My hair wasn't quite as white as it is now. I remember very plainly how anxiously I watched and how deeply interested I was in road resolves, the only thing that I could take back to my class of these towns and tell them, each and every one of them, "I got so much money for your town."

I would naturally, coming from a class of rural towns, be particularly interested in this Cross Bill. I have always been interested in road resolves, notwithstanding the worry and fret as to how much we were going to get, and whether or not we were going to get anything.

I am wondering if the time has not arrived when we should look at it in a logical manner. Has not the day of road resolves really outlived its usefulness? Now in helping to arrive at that conclusion, I have hastily gone over a set of figures that I have here, and if I were selfish, I do not know but what I would be willing to go along and continue the road resolves because I see that my own town is pretty fortunate. We don't have to wallow around in the mud so much in the spring and fall as some of my other towns do, and I go on to some of the other towns in my class and see that under the Cross Bill they are going to be benefitted.

I do not believe, even though I get a little glory from taking home a road resolve, that I should deprive one of the other towns in my class from what is their just due. It is not a pleasant picture that I

get—at least it is not pleasant to me—to ride over some country road and see building after building, house after house which contained at one time a happy and prosperous family, deserted, the buildings falling down, everything going into decay because of the fact that for a large portion of the year it was impossible for them to get to market or get their produce to market. I am not over-painting the picture. You all know that it exists.

Now it seems to me that it would be better to approach this question in a fair, logical manner. We all like to take home some glory with us. That is true. Road resolves have served their purposes, but hasn't the time come when we can arrive at a sound, basic principle, and when we come into this Legislature, have a concrete idea of how much money is going to be allotted to our towns or how much money our towns are going to get for the maintenance of their dirt roads.

I am reminded at this time of the early days in January, when we came into this Legislature, anxious go, raring to go, and to accomplish something, and we listened with interest to the address of His Excellency, giving us the green light to go. And here is what he said: I quote: "Special resolves for roads and bridges are an anomaly in our highway matters and a nuisance in our legislative sessions. I believe the State, as well as the Legislature, would be better off if this practice of special resolves were discontinued."

We look around from time to time and grope for some assistance in forming an opinion, and when I read the words, and as I remembered the words of His Excellency, and to refresh my memory, looked it up in his message, he gave me an inspiration to vote for the Cross Bill, and I hope the motion of the gentleman from Clifton, Mr. Williams, may prevail.

The SPEAKER: The question is on the motion of the gentleman from Clifton, Mr. Williams, that the bill be substituted for the "Ought not to pass" report of the committee. All those in favor of the motion will say yes; those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was substituted for the "Ought not to pass" report, and the bill had its two several readings and was as-

signed for third reading tomorrow morning.

On motion by Mr. Adams of Kennebunkport, out of order and under suspension of the rules, it was

ORDERED, the Senate concurring, that "Resolve, Authorizing Commissioner of Agriculture to Employ Poultry Expert" (H. P. 1047) (L. D. 655) be recalled to the House from the Governor.

On motion by Mr. Adams, the Order was sent forthwith to the Senate.

The following Report was taken up out of order under suspension of the rules:

Ought to Pass in New Draft

Mr. Donahue from the Committee on Legal Affairs on Bill "An Act relating to the Enforcement and Collection of Dog Licenses" (H. P. 1290) (L. D. 936) reported same in a new draft (H. P. 1478) under same title and that it "Ought to pass".

Report was read and accepted and the new draft ordered printed under the Joint Rules.

The **SPEAKER**: The Chair lays before the House the ninth matter of unfinished business, Bill "An Act Relating to Relief During the Emergency for Businesses in Financial Distress Because of Wartime Conditions" (S. P. 422) (L. D. 1104) tabled on April 12th by Mr. Perkins of Boothbay Harbor, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. Perkins, the bill was passed to be engrossed in concurrence.

The **SPEAKER**: The Chair now lays before the House the tenth matter of unfinished business, motion of Mr. Anderson of Oxbow Plantation, that the House reconsider its action whereby it passed to be engrossed Bill "An Act Relating to Close Time on Deer in the Counties of Hancock and Washington" (H. P. 1131) (L. D. 678) tabled on April 12th by that gentleman pending consideration; and the Chair recognizes that gentleman.

Mr. **ANDERSON**: Mr. Speaker and Members of the House: My only purpose in asking reconsideration of this measure was because I felt that the committee's action—in fact I know that the commit-

tee's action—was not explained to the House. I would like to explain the action of the committee and the reasons of the committee in reporting this bill out as we did. I perhaps recognize the futility of such a motion, in view of what happened this morning. However, that is the reason I have asked for reconsideration of this measure at this time,—in order that we might explain to you why we reported as we did on this bill.

The **SPEAKER**: The Chair recognizes the gentleman from Winter Harbor, Mr. Morrison.

Mr. **MORRISON**: Mr. Speaker, last week this bill was passed to be engrossed, and I still maintain that if it was a good bill last week, it still must be a good bill this week. For that reason I trust that the motion will not prevail.

The **SPEAKER**: The question is on the motion of the gentleman from Oxbow Plantation, Mr. Anderson, that the House do now reconsider its action whereby it passed this bill to be engrossed. All those in favor of the motion will say yes; those opposed no.

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

The **SPEAKER**: The Chair now lays before the House the eleventh matter of unfinished business, Bill "An Act Extending the Workmen's Compensation Act to Cover Occupational Diseases" (H. P. 1443) (L. D. 1137), tabled on April 12th by Mr. Poulin of Rumford, pending first reading; and the Chair recognizes that gentleman.

On motion by Mr. Poulin, the bill had its two several readings.

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

House Amendment "A", which has been reproduced and distributed as Legislative Document 1180, read by the Clerk.

The **SPEAKER**: In the sixth line of the bill as printed there is an obvious clerical error in the semi-colon after the word "employee" and before the word "arising" and the Chair directs the Clerk to strike out that semi-colon.

The question is on the adoption of House Amendment "A", which is Legislative Document 1180, and at this time the Chair would like to urge the members of the House, if they want to rise and speak on any issue, not to wait until after the vote is started. The Chair will try

to pause long enough to give anyone an opportunity to rise, and the Chair would ask the members not to let their desire to be the last speaker on an important matter interfere with the vote.

The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker and Members of the House: I rise to support the amendment which has been offered by the gentleman from Rumford, Mr. Poulin.

In the year 1911 an Act was presented to the 75th Legislature entitled "An Act Relating to Liability of Employers" which was in reality the first Workmen's Compensation Act to be presented to a Legislature in the State of Maine. That was ultimately reported out of the committee, a minority reporting that it "Ought to pass" and a majority reporting that it "Ought to be referred to the next Legislature."

The Representative from Ellsworth, Mr. Peters, who was one of the signers of the minority report, speaking in support of that report and urging that the matter be referred to the next Legislature, had this to say, and I quote from the Legislative Record of 1911:

"I am one of those who believe that we should do something and we should steadily progress in our theory of legislation in relation to the employee, because I believe that the progress of civilization has so changed the relative conditions in regards to employer and employee that it has been in a sense left behind. I believe our laws should be gradually changed so that the laborers, that is the employees, will have different and changed rights in regards to this matter of personal liability for personal injuries. I think gradually we should change it around so that more liability rests upon the employer."

And when the gentleman from Ellsworth, in 1911, said that "I believe that the progress of civilization has so changed the relative conditions in regards to employer and employee that it has been in a sense left behind", that was thirty-four years after the first occupational disease law had been enacted in Switzerland, in 1877, and it was six years after similar legislation had been enacted in Great Britain.

Here we are, thirty-four years later, or sixty-eight years after the occupational disease law was enacted, considering such a measure at

this session of the Legislature, and we are considering it after approximately thirty-four states and three territories have already adopted that type of legislation. We are considering it eight years after a Recess Committee was appointed by the State of Maine Legislature in 1937 to study this subject, and we are considering it after the Republican Party in the State of Maine, at its last State Convention, inserted a plank urging that the Workmen's Compensation law be extended to include occupational diseases, and we are considering it after the Democratic Party inserted a similar plank in their platform, and we are considering it after the Governor, in his inaugural address, urged that we amend the Workmen's Compensation law to include occupational diseases. So I wonder who can question that this type of legislation is premature at this time.

In 1915 we finally enacted the Workmen's Compensation law. Changing social and economic conditions made it necessary that that law be changed from time to time, but I question at this time whether anyone would be without a Workmen's Compensation law. I do not believe that we can question that as a result of that law the employer saw to it that many useful and valuable safety devices were installed in his plant, and I believe we have found that the number of injuries have been kept at a minimum as a result of that Workmen's Compensation law.

Now when these several occupational disease bills were heard before the committee on Judiciary, the opponents stressed two major points in opposition to it. The first point was that the occupational disease law, the Poulin bill in the original form, was in fact a general health insurance policy. Now I did not place too much on that contention, but, nevertheless, this amendment which has been presented and which we are now considering, changes the complexion of the original Poulin bill which was a general occupational disease coverage bill and makes it a strict scheduled bill restricting the occupational disease to the thirteen items which are listed at the last of the bill.

The second point of contention was the amount of costs involved. Now I do not believe that this

Legislature would want to do anything which would force our employers out of business. I come from a paper mill town, and I am sure that I would not be interested in seeing that mill close, but when the opponents of occupational diseases look for figures to quote, they will usually go to some such city as New York where the rates are abnormally high, and cite those in opposition to an occupational disease bill.

In 1937 an Interim Committee on Occupational Diseases was appointed by the Oregon Legislature and that committee, reporting on the cost, had this to say: "We find that the additional cost to industry by adoption of disease coverage positions has ranged from eight-tenths of one per cent of the total compensation to as high as five per cent.

"In Ohio, expressed in terms of incurred losses—many people in future years—the ratio of occupational disease awards to all Workmen's Compensation awards were, in 1934, 1%; 1935, 1.4%; 1936, 1.3%; 1937, 1.1%; 1938, 2.4%."

Other states have had similar experience in occupational disease coverage. Now if we can enact an occupational disease bill, and the insurance people come in with their rates, you will necessarily increase the costs to the employer to a certain extent, but we know, if an employer goes along year in and year out an occupational disease occurring in his plant, that the increased cost to him cannot be very much. The rates, whatever they are, are based upon an experience rating which is based upon the previous years of experience of that employer, and it really becomes more or less of an equalization proposition.

I do want to call your attention to section 6, subsection 2, of the Workmen's Compensation Act, which says: "Every insurance company issuing industrial accident insurance policies covering payments of compensation and benefits provided for in this act shall file with the Insurance Commissioner a copy of the form of such policies, and no such policy shall be issued until he has approved said form. It shall also file its classification of risks and premium rates relating thereto, and any subsequent proposed classification thereof, none of which shall take effect until the Insur-

ance Commissioner has approved the same as adequate for the risks to which they respectively apply.

He may require filing of specific rates for Workmen's Compensation insurance, including the classification of risks, experience, or any other rating information from an insurance company authorized to transact such insurance in Maine, and may make or cause to be made such investigation as may be deemed necessary to satisfy himself that such rates are correct and proper before giving his approval and permitting such rates to be promulgated for the use of said company."

Now if this bill becomes a law, and if we do have industries in which occupational disease occur, I believe it is reasonable to suppose that the employer will take additional steps, and with renewed energy, he will attempt to overcome the other risks which were incurred prior to the enactment of the original Workmen's Compensation law.

Now I have looked over the House Register. We have 151 members in this House, and it says in the back, on page 18, that 137 of them are Republicans and 14 of them are Democrats, and it seems to me that this Legislature, with both of those parties endorsing an occupational disease law, has a duty to pass this bill as amended.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker and Members of the House: Thirty years ago I was a candidate for this House for the first time, and I was making, up in the North Country, what I supposed to be a political speech, and the hall was being used by both the Democrats and the Republicans. The Republicans were to have their first inning. During the speech, I made the statement that I would vote for the Workmen's Compensation. The late William R. Pattangall was in the hall, and he was getting anxious to make a speech, and he said: "Gentleman, make him promise that he will vote for a Workmen's Compensation law.

I made the pledge at that time that I would vote for the best Workmen's Compensation Act that was presented to the Legislature, and, up to the present time, whenever I have been a member, I have tried to redeem that promise. This is simply, in my judgment, what should have been passed a long time ago.

It simply means that insurance must take care of the extra cost. It is right that it should, and it is right that business should pay the bill, and I stand here today to redeem the promise which I gave thirty years ago.

The SPEAKER: The question is on the adoption of the amendment, which is Legislative Document No. 1180. The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker and Members of the House: As Chairman on the part of the House of the Judiciary Committee, which considered this bill on occupational disease, I wish to say I feel the committee was motivated by the same sentiment expressed by the two gentlemen who have preceded me.

The party platform included a plank for occupational disease; our Governor has recommended it, and it seems to me it just simply a case of keeping faith with labor and the people when we put that plank in our platform.

Some of the objections to the bill will be removed by these amendments, and I understand the bill, if amended, will not be unsatisfactory to industry and will not be opposed by labor. I hope the amendment will be adopted.

The SPEAKER: The question is on the adoption of the amendment, not on the bill itself. The gentleman from Rumford, Mr. Poulin, moves that we adopt the amendment, which is L. D. 1180.

All those in favor of the adoption of the amendment will say yes; contrary-minded no.

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

Mr. WARD of Millinocket: Mr. Speaker, I move that the rules be suspended and the bill be given its third reading at this time.

The SPEAKER: The gentleman from Millinocket moves that the rules be suspended and the bill be given its third reading at this time.

Mr. WIGHT of Bangor: Mr. Speaker—

The SPEAKER: The first question to decide is whether or not we shall suspend the rules and give the bill its third reading.

All those in favor will say yes; those opposed no.

A viva voce vote being taken, the motion prevailed and the bill was given its third reading.

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

Mr. WIGHT: Mr. Speaker, I move that this bill be indefinitely postponed.

Mr. Speaker and Members of the House: Possibly there are some in this room who think they would not be affected by the passage of this bill, but let me emphasize that they certainly will be affected, for the scope of this bill is certain to widen and include all diseases which are not now named in the bill. This Legislature, I am sure, would hesitate a long while before it would pass a tax bill involving some four million dollars. This is what they would do if this bill passes.

I believe the gentleman from Millinocket, Mr. Ward, cites some figures from some other state which are over one per cent of the payroll. If that were applied to this State, the insurance would be over four million dollars.

Now this law involves a type of coverage which we have never before had in the State of Maine. It is a measure to insure the employee against certain diseases, thirteen of them, defined in the act as occupational diseases. This may seem mild, but, no matter how reasonable it appears, it is just the beginning and it almost certainly will be added to. There is almost no limit to the number of diseases which can be included in the coverage. As the list grows, of course the insurance costs will go up.

Sometimes it is difficult to determine whether or not a sickness is caused by a person's occupation. For example, Rhode Island has got in its list of occupational diseases frost-bite. A person may freeze his feet on an ice-fishing trip; he goes to work the next morning and stays a short time; he has chilled feet, and goes home. The employer knows nothing about the circumstances regarding this, but he pays the doctor's bills and the compensation.

One thing is certain: If this is adopted every business in the State of Maine will have substantially increased costs, which would be serious at this particular time, especially so because of O. P. A. ceilings on merchandise and reconversion problems. Insurance premiums under our present Workmen's Compensation Law are generally around one per cent, sometimes more, and

now we propose to double this amount.

In 1944 Maine had a payroll in organizations employing eight or more persons — and this particular bill applies to organizations employing five or more persons — Maine had a payroll of \$389,000,000. If this bill passes, this amount will be increased, according to the proponents' citations, at least double.

Besides the added expense to industry, the administration of such a law will cost the State fifteen or twenty thousand dollars. The Industrial Accident Commission is now about 500 accident cases in arrears. It would take two extra commissioners to handle the cases originating from this bill, besides other added expenses; so fifteen to twenty thousand dollars for this State in expense is a conservative estimate.

The expense at this time is too great, the opportunity for misuse too easy, to make this proposed law desirable.

I hope the motion for indefinite postponement will prevail.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker, I would like to explain to the gentleman from Bangor, Mr. Wight, that occupational disease is considered to be only seven per cent of the cases affected in the State of Maine; also, this is restricted to a schedule, and nothing that does not come under this schedule would be affected under occupational diseases. On good authority, it has been stated to me that the top cost of occupational disease would be one dollar per hundred dollars of payroll, so I do not think the cost is excessive for coverage of this kind.

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

Mr. RENOUF: Mr. Speaker and Members of the Legislature:

About twenty-five years ago the Legislature enacted into law, "The Workmen's Compensation Act."

This Act was bitterly opposed by industry at that time under the misconception that the enactment of this type of legislation would result in costs of operation that would be abortive. They did not stop to consider that under the old law whereby they might be sued for accidents and deaths before a jury and the jury awarding damages over and above what would be paid un-

der the Workmen's Compensation Act would result in their not knowing beforehand just what amount to lay aside for the payment of judgments based on such suit, but could be determined only at the end of each year. Under the Workmen's Compensation Act the elements of pain and suffering were eliminated. The costs of the premiums are already known and can be added to the cost of production and each resulting accident or death is definitely limited to the schedule as established in the Act, and really was a benefit to the employer instead of a hardship as they felt at the time the law was first enacted.

The wisdom of the Legislature was vindicated because, as a result of this legislation, it proved to be the greatest single factor in eradicating accidents in our industries. Still better, industries set up safety engineers in their plants whose duties it was to devise safety measures for the prevention of accidents.

The premiums paid by the employers were not as oppressive as first indicated and the increased cost of operating their plants was easily absorbed in the production costs.

Since enacting the Workmen's Compensation Act, several attempts have been made to broaden the law so as to make compensable Occupational Diseases, but all these attempts have failed.

During the last election campaign, organized labor, through its representatives attending the State Convention of both major parties, were able to induce the leaders of these parties, the advisability of adopting a resolution in their respective platforms, to the effect that they would endeavor to enact legislation broadening the Workmen's Compensation Act so as to include occupational diseases and, further, His Excellency, the Governor, in his inaugural address delivered to both branches of the Legislature in convention assembled said — and I quote the Legislative Record:

"Maine laws at present limit compensation to accidents but make no provision for occupational diseases contracted by exposure of more than a single day. In view of both the Republican platform and the Report of the Legislative Recess Committee favoring legislation on this subject the Legislature should give this matter favorable consideration. Workmen's Compensation is now

compulsory in 23 states and in my opinion Maine should join this group."

This bill that you now have before you, has been favorably reported out by the Judiciary Committee. It is a modification of the bill presented by the gentleman from Rumford, Mr. Poulin, and has the endorsement of the Governor.

The unanimous report of the Committee "Ought to Pass" was given to the Legislature only after very careful consideration of all the factors in the bill.

This added protection for the workers in the State of Maine will result in employers reducing the hazards whereby workers may develop Occupational Diseases and therefore, preventative measures adopted by employers will be conducive to healthier conditions of employment for our people.

The administration of the law will continue under the Industrial Accident Commission who have done a very good job in administering the Workmen's Compensation Act in the past and this fact should allay any fears that industry might have because of the addition of this section covering certain occupational diseases.

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

Miss DEERING: Mr. Speaker and Members of the House: I think that this bill goes ever farther than pledges by either political party. I think many of us have realized, in the last few years, during the war, where we have had so many people go into industries and types of work they have never gone into before, that there are many conditions which should not be allowed to exist or remain.

This bill would take care of many of our occupational hazards existing at the present time. We have many women in industries now who were not in that same type of work a few years ago, but I think those women will stay there a while longer after the war is over. They have found out that they are able to do many of the jobs which we considered men's jobs.

There is one reason why I am particularly interested in this bill, and that is due to the fact I have seen so many results of welding. That is, to my mind, one of the worst causes of occupational diseases. It is particularly interesting

to me because I have seen so many young girls go into this occupation. Many of them, as I say, will stay when the war is over.

There are many things that could be taken care of with a little precaution. I do feel that this bill is something that we owe to our working people. If we find there are places in it where it is harmful to the worker or to the employer, the bill will be amended. I am sure it will not be the first bill that has been amended after we have adopted it. I think it is a debt that we owe, and I think we should realize the responsibility on us, not simply as a political issue, but our responsibility to our workers.

I hope the motion to indefinitely postpone will not prevail.

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

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

The SPEAKER: The question is on the motion of the gentleman from Bangor, Mr. Wight, that the bill as amended be indefinitely postponed, and the gentleman from Augusta, Mr. Peirce, has asked for a division.

All those in favor of the motion will rise and stand in their places until counted and the monitors have made and returned the count.

Mr. WARREN of Westbrook: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise

Mr. WARREN: Did I understand the discussion was over?

The SPEAKER: The Chair saw no one rise. The Chair waited several moments.

Mr. WARREN: Mr. Speaker, I intended to say something on this measure.

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

Mr. WARREN: Mr. Speaker and Members of the House: I am very much concerned in this bill and I do not like it. I can say to you truthfully that it does not affect me personally to any great extent. I can say to you that I have retired from all active responsibility, and I have nothing to do with the administration of it; but I have had experience which I think gives me the knowledge of the requirements of industry, of the employer and of the needs of labor.

Now I can say to you that no employer in this State wants this bill passed, irrespective of anything that has been told you. If there are any such, you could count them on the fingers of one hand. I do not think there are any. There may be some who have told you they do not object to it too much, and that is all right; but I know a lot of them, and I have reason to know they are very much opposed to it.

Some will tell you that it is in the Republican platform and in the Democratic platform. Well, I am not going to speak cautiously now nor politically, and I am not going to speak diplomatically. I am going to tell you a few facts you know and some that perhaps you do not know. I wonder how many of the voters have read the Republican platform? I have not read it. Somebody told me that it was behind this occupational disease bill. How many voters, when they voted for you and sent you down here, asked you if you supported the platform in its entirety, or even gave it a thought? So I do not pay too much attention to that platform.

They tell you also that this bill has been emasculated to a point where it is not very troublesome. If that is the case, it does not mean anything to labor, because they will not get anything out of it. But I can see that it has not been made a harmless bill, and I hope I can show you that.

You know that labor has wrangled quite a lot of concessions in late years. You know they have been aided quite a little by the Federal government, and now they would like to get some help from the State government. I do not condemn them for that—that is their business, to look out for themselves and get what they can. I do not even condemn them for getting this in the Republican platform. They had the cards to play and they had the votes, so they got it in there. All things are fair in love and war—and I will leave it to you to decide which this is right now.

I think I love the workman just as much as I love the employer as a class. I know my best friends have been workingmen, and I have known employers I did not like very well. So that is not the question; it is just the question of fairness I am talking about. I have found that workingmen are reasonable, good thinkers, sound thinkers, when they

are not unduly heated by prejudices and when they are not stirred up by agitators. The same is true with employers: they are reasonable, but sometimes their prejudice will run away with them. I am prejudiced, but I hope I am not prejudiced to a point where I shall make any wild statements.

It was all right for labor to get that in the platform; but I do not think it is quite right for the steering committee to come around and tell us we have got to support the party irrespective of any convictions we may hold.

This matter has been before previous legislatures; it is before us now, and it will come before legislatures in the future. It is a bill that the employers have to fight. I do not know why they should not fight it this time. I do not care how innocuous a bill it is, how harmless you make it: I am going to fight it just the same, because we have got to stay in this fight. If we turn it down now, that is good. If we pass it, I guess they will put it in the Republican platform next time, and it will come in with a lot of embellishments, and we will have to fight it, so why not fight it now?

You know this is not a State in which occupational disease is prevalent. There is very little of it in this State. The only truly occupational disease, the one that can be definitely traced and fixed, is that class of diseases called "dust diseases", and that has been left out of this bill. Now that in itself, it seems to me, is enough to condemn it. What they have left in are those things which are subject to controversy, those things where you cannot definitely state that the trouble arose from the condition of employment. That question has to go up to the Commission to be settled. That is a very vital error, I think, in this bill.

In the paper industry, which I know something about, this amended bill is just as bad as the first one, so far as I can see. We do not have any dust diseases anyhow. It just leaves us with these scheduled diseases here. They are all in that uncertain, mythical class where you cannot definitely say that the trouble came from the hazards of the employment, so you put it up to the Commission to settle these things.

With human nature constituted as it is, you know that people are fearful; you know that if a sugges-

tion comes to them that a certain thing may be harmful they cannot shake it off. They very naturally feel that any trouble they have was due to that exposure. They go home and call a doctor, and, if the doctor is like a lot of doctors I know, he says there is something wrong with the place where you are working; you have got to stay home and rest a while. This man says he will go to the Commission and get his benefits. He goes to the Commission; and the employer gets a doctor and the man gets a doctor. No two doctors ever agree, and the Commission has to settle the question. You see what a position that Commission is in. It puts on them a lot of extra work; it puts on them making a decision where they have not any actual facts to work on, where they have just got to guess at it.

What does labor get out of this? Labor gets quite a considerable amount of money from the employers in the form of insurance premiums paid to the insurance company, then they expect to draw on that fund. Now they might just as well draw on that fund through a lottery as through this bill. Here is one man working in one department and one in another, and they both think they have an occupational disease, and they go to the Commission to find out. They are both equally needy; they both need it just as much, but it depends on the decision of the Commission and they have to act on information which is not definite. So you might just as well draw it by a lottery.

I think if labor wants to get something out of this labor should go after something that is worth while. This is going to cost the employers a considerable amount; it is going to cost them a great deal of disturbance and trouble, and some employees are going to get help and a lot of others who need it just as much are not going to get it, and none of them are going to have a real occupational disease. I really and truly think that this bill should be indefinitely postponed.

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

Mr. JORDAN: Mr. Speaker and Members of the House: I would like to say I have given considerable thought to this bill and I deem it a privilege to be able to explain to you how I progressed in my decision.

I want to make it clear at the outset that I approach this subject neither from the angle of an industrialist nor from that of labor; for I am neither one or the other. As an owner of real property in Maine, I am naturally interested in seeing that State grow, and therefore I looked into this problem from the angle of the State.

The first question which of course arises is, will it benefit the State? Your first reaction may be, that an occupational disease bill would benefit a goodly part of Maine citizens, and what would benefit a part would benefit to a lesser degree the whole. But then you would be forcibly reminded that this benefit would be paid through an added tax on industry through higher insurance rates, thereby adversely affecting another part of Maine citizens.

Then when you seem to have localized this problem as one between industry, you happen to think about new industries that might come into the State. You recall that one of the important duties of the Development Commission is to induce new industries to come to Maine. Perhaps you do not know but there are two kinds of industry which there is a possibility of securing according to Mr. Greaton, one having to do with a discovery made while searching for mineral, and another industry for the manufacture of articles made from wood pulp, or from lumber itself. The world we are to live in promises new uses from old material, and Maine may gain industrially from the fact if we act wisely.

You all realize that every company in making a decision where to locate takes into consideration the cost of manufacture. You can understand, therefore, that an extra cost anywhere along the line might very well prevent an industry from coming to Maine which otherwise would have liked to.

And that brings up the question as to just what position Maine stands in its ability to attract industry. I know you realize that Maine was settled very early in the history of this country, and yet today it has a population of one good sized city in other states although it is nearly as large as all the other New England states combined. Today Maine is not looked upon as an industrial State outside of its own borders. I do not think I need to add anything to those two facts to bring home the fact to you that

Maine is not in a very good position to naturally attract industry. Even as short a time as ten years ago, one of our largest industries were threatening to go South.

So when we suggest that an added cost to manufacture will very likely be the cause of keeping all new industries out of Maine, do not laugh, because your history has shown that it has been hard enough to get them as conditions are at present, and that it is not at all sure that those we have will stay.

The question arises here as to whether Maine desires to grow industrially, whether it would not be better to become a recreation State, the playground of the nation in the summer as Florida is in the winter and that that would be sufficient to make a great State. If you believe that, new industries will not interest you, but I also will call to your attention that your Maine girls and boys will continue to leave Maine for employment in other states just as they do now. We have heard the plea many times that Maine do something to keep our sons and daughters in their home State. To do that we must diversify and multiply our opportunities for employment, for our boys and girls must have vocations and employ them in industry somewhere, abroad if there is no industry at home. And we legislators have noticed that where the population is the greatest, it is possible to carry on programs for social betterment without undue hardship on any one person, which in Maine has been deemed too expensive. It should be self-evident that nothing increases population to such a degree as industry.

Now as far as I can make out, this law effects most of all industries which are not in Maine at the present time. Number seven on your list of diseases affects rayon manufacturers solely and we have no rayon mills. We have had inquiries from rayon manufacturers as to the prospects of locating in Maine. Rayon is made from wood pulp and the proximity to raw material would be their reason for their move. You can see that item seven would be a red flag to these men saying "Keep off — we do not want you in Maine."

You may say that other states have an Occupational Disease law. My only answer to that one is this, that other states are more satis-

factorily situated to industrial markets than Maine is, or have a more moderate climate. We need every advantage we have or can get to stay up in this competition game, and I do not feel that we should pass a law that might cause us to lose the game.

Finally, there is one other thing I noticed about this bill and that is the only disease which everyone agrees is occupational is not included in this bill — Silicosis. I am confident, however, if this bill passes, that another session will find this disease up for inclusion, and those interested in defeating that inclusion will have to fight it alone.

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

Mr. SNOW: Mr. Speaker and Members of the House: I want to confirm the remarks of the gentleman from Westbrook, Mr. Warren, who has said that individuals, both large and small, in my community are opposed to this measure. I think we are going too far in trying to regulate industry. At this particular time, each and every business man in this House, I think, will agree with me that we have all the rules and regulations that we now can contend with without the State of Maine having any more. I believe this bill will add additional expense to business, which is now overburdened with taxes. I also believe it has far-reaching powers. No one knows what will develop.

There have been several business men who have called on me during the past week who have been very much concerned about this bill. For example, one of these business men has about fifty men that work for him, and he feels that he will be obliged to have each and every one of them examined. Due to wartime conditions, a good proportion of these men are older men who may not be physically fit. He feels that he may be obliged to lay off some of these men, which will work a hardship upon the employer as well as the employee.

So I would simply like to leave that message with you and let you know that business in my community is somewhat concerned about this matter. I hope the motion of the gentleman from Bangor (Mr. Wight) to indefinitely postpone will prevail.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I speak in protest on this bill in behalf of the shoe manufacturers of the City of Auburn and the cotton manufacturers and the textile business in the City of Lewiston, who employ some 25,000 people every day.

Since this bill has been before this House for consideration, they are much concerned in regard to its possibilities and its effect upon them as manufacturers. They feel that it will entail a large expense to maintain it and that it is wholly unnecessary. For that reason alone, I oppose the bill and ask indefinite postponement.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I arise as a member of the "steering committee" to which reference was made. I will state my position on this bill.

As I have said before on the floor of this House, I stand for the little employee, and I think every member realizes that fact. I am not concerned about the employers—they can take care of themselves. They have their lobby. The little fellow has no lobby down here. The employer has had his way long enough. The employer had his way on the floor of this House when we put the right man on the Commission to which this legislation would send this type of cases to. Every man who spoke for that raise—to which some of us were opposed, myself included—every man who supported that raise, because they had to have the right man—who were they representing? Industry! Industry wanted the right man. Were they hiring him for the good of labor? No! They were looking out for industry, and they are looking out for industry here. And I, in support of this measure, am looking out for the little employee. I hope that the motion of the gentleman from Bangor (Mr. Wight) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Pascucci.

Mr. PASCUCCI: Mr. Speaker, one of the circumstances involving workmen's compensation, its acceptance by the employer, has not been brought up before the House this afternoon.

Before there was a Workmen's Compensation Act, injuries occurring in the course of employment were settled by the court under the common law rules. Since the Workmen's Compensation Act came into being, the law did not want to deprive the employer of his rights under the common law, so that Workmen's Compensation Act is not a compulsory act. The employer can take it or leave it, and, by leaving it, he retains his common law protection. By taking it, he comes within the provisions of the Workmen's Compensation Act.

Now if the employer at any time feels that he is better off under the common law rule prior to the enactment of the Workmen's Compensation Act, he is free to do so. There is no compulsion upon him to adhere to the Workmen's Compensation Law, and, as this particular bill has proved, no employee is obliged to adhere to it; he can still maintain his rights under the common law.

But history has proven that it was to the benefit, not only of the employee but of the employer, to come under the Workmen's Compensation Act, and they were quick to grasp that fact, although in the beginning they opposed it. So there are very, very few employers today who will not come under the Workmen's Compensation Act. So this particular type of legislation is not compulsory legislation, although it is considered so by many people. The employer has the right to let it go or come under it.

So much, then, for the Workmen's Compensation Act and the rights of the employers or employee regarding compulsion.

Now a previous speaker has mentioned the fact that a new industry in Maine would be retarded if we set up laws so as to make it hard for them to get established here in the State of Maine. Well, this is the first time in the history of the State of Maine when we are trying to put on the law books an occupational disease law.

Let us take a look at the history of the State of Maine industry for the past twenty years. We had no occupational disease law. Where is the rush of these industries into the State of Maine from these other states that had this law? We have attracted some industries here in the State of Maine, not because we had no occupational disease law

but because of cheap labor. People have come here for the purpose of exploitation. That is the reason, in many cases, why some new industries have settled here. This particular law does not affect them in any way whatsoever.

Now I come from a town where there is located the Sanford Mills, the Goodall Worsted Company, and two large shoe manufacturing establishments. I have not heard one word from them — although they have communicated with me previously on some other matters—as to their opposition to this particular bill.

Again I repeat: Do not let a red herring such as a new industry being taken into the State of Maine beguile you in any way, because, if that is a fact, where have those industries been in the last twenty years?

Again we have the question of cost. We are again pitting money against human misery. As long as we pit money against human misery we will never have progressive legislation. It has always been the history of progressive legislation that they have asked: How much will it cost? How much will we take out of the pocket of some particular group of individuals.

If you want to balance on the scales money against human misery, then, gentlemen, you will vote for indefinite postponement. If, on the other hand, you recognize progressive legislation, then you will not vote for indefinite postponement of this bill.

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

Mr. PAYSON: Mr. Speaker and Members of the House: I would like to try to state in a very few words what I think the issue is in this case. This is progressive, forward-looking legislation for the benefit of labor. If industry can operate in twenty-four states and four territories and still compete, what is the matter with industry in the State of Maine if it cannot do the same thing. In short, industry asks you today to subsidize them at the expense of labor, so they can compete.

I am very much opposed to the motion to indefinitely postpone.

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

Mr. BROWN: Mr. Speaker and Members of the House: I feel that

on this bill I should put in a word for the employees, and, in saying so I think I have authority to speak for my own town of Brunswick.

There is no question that today many of our employees are working under conditions that bring about these occupational diseases, and, with this law in force, I think matters will be so handled that there will be a reduction in these diseases and we will not have so many of these diseases to contend with and conditions will be better for health. I know I am in favor of the passage of this bill, and I am speaking for a thousand individuals down in Brunswick employed in the textile industry.

The SPEAKER: The question is on the motion of the gentleman from Bangor, Mr. Wight, that this bill be indefinitely postponed, and the gentleman from Augusta, Mr. Peirce, has asked for a division. All those in favor of the motion 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. Forty-six having voted in the affirmative and 67 in the negative, the motion did not prevail.

Thereupon, the bill was passed to be engrossed as amended and sent up for concurrence.

The following papers were taken up out of order and under suspension of the rules:

House Report of a Committee Ought to Pass in New Draft

Mr. Payson from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Town of Norridgewock School District" (H. P. 1469) (L. D. 1162) reported same in a new draft (H. P. 1481) under same title and that it "Ought to pass"

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Ought to Pass

Mr. Hamilton from the Committee on Education on the following Resolves, which were recommitted: Resolve in favor of Bridgton Academy (S. P. 309) (L. D. 856).

Resolve in favor of Corinna Union Academy (H. P. 418)

Resolve in favor of Limington Academy (H. P. 504)

Resolve in favor of Parsonsfield Academy (H. P. 505)

Resolve in favor of Litchfield Academy (H. P. 632)

Resolve in favor of Monmouth Academy (H. P. 633)

Resolve in favor of Greely Institute (H. P. 726)

Resolve in favor of Patten Academy (H. P. 806)

Resolve in favor of Coburn Classical Institute (H. P. 807)

Resolve in favor of Leavitt Institute (H. P. 1064)

Resolve in favor of East Corinth Academy (H. P. 1124)

Resolve in favor of Lincoln Academy (H. P. 1178) reported a Consolidated Resolve (H. P. 1479) under title of "Resolve in favor of Several Academies, Institutes and Seminaries" and that it "Ought to pass."

Report was read and accepted and the Resolve ordered printed under the Joint Rules.

The SPEAKER: The Chair lays before the House the twelfth tabled and unassigned matter, Majority Report "Be referred to the 93rd Legislature" and Minority Report "Ought to pass in new draft" (H. P. 1470) (L. D. 1179) of the Committee on Labor on Bill "An Act Relating to Hours of Labor for State Employees" (H. P. 1259) (L. D. 883) tabled on April 12th by Mr. Bell of Thomaston, pending motion of Mr. Poulin of Rumford that the minority report be accepted; and the Chair recognizes the gentleman from Thomaston, Mr. Bell.

Mr. BELL: Mr. Speaker, I hope that the motion of Mr. Poulin will prevail.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Members of the House: As a member of the Labor Committee, I would like to explain why this new draft was introduced. In the first place, the original legislative document provided: "No state employee in the classified service shall be employed over 48 hours per week, unless compensated by additional salary to be determined by the state personnel board."

In this redraft it was confined to four institutions, and the amendment reads: "Hours of labor for state employees in certain state institutions. No state employee in the classified service in the following state institutions: Augusta state

hospital, Bangor state hospital, Pownal state school and the Maine state prison shall be employed over 48 hours per week, unless compensated by additional salary to be determined by the state personnel board."

There were many that appeared before our committee, and the report shows the majority report favors the passing over to the next Legislature, but, under the first bill, the costs of this project would be something like half a million dollars.

There is no question but there are some conditions there in our State Hospitals that should be remedied. For instance, the average wage for attendants in Pownal, Bangor and the Augusta institution is from \$23 to \$27 a week, and the hours of attendants are from 54 to 70. In the State Prison, the guards work twelve-hour days and twelve-hour nights. It is the right of any employee to work as many hours as he is physically able to, but he should be paid for his labors. Most of the other workers in the State House do not work forty-eight hours. These people work in these institutions where their lives are in danger and their health is impaired by long work hours. They have been very loyal to this State and deserve all we can do to help them. We cannot reduce their hours of labor to forty-eight hours because it is impossible at the present time to get any help. To show you how reasonable they are, they do not ask time and a half, as most industries pay, but all they ask is that you pay them their regular hourly wage for the time they work.

I hope the minority report, "Ought to pass in new draft" will be accepted.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker and Members of the House: I wish to say just a few words for our State Hospitals, the one here at Augusta and the one in Bangor, in support of this bill. I also speak for the attendants in these institutions and for the inmates who are already there. We are lacking attendants in our two hospitals for the necessary accomplishments of these institutions. If a compensation for extra time is offered, there will be extra work done by the present attendants, and thereby improve the

conditions which exist in those two State Hospitals, conditions which have taken up the attention of your Insane Hospitals Committee for the most of this session.

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

Mr. HASKELL: Mr. Speaker and Members of the House: As a member of the Salaries and Fees Committee, I am rather used to having majority reports upset, but as a member of the Committee on Labor, I think the majority report in this case ought to have explanation.

As this bill was heard, we were given no idea of the dimensions of the cost. The sponsor of the bill wanted the overtime, but he had no idea how many employees would be affected and he had no idea what the total cost to the State would be. Your committee, at extended hearings, tried to determine from many department heads how much money would be required to carry out the provisions of the original bill. That sum of money—and I will grant that in some cases they were estimates only—was \$530,000 per year.

Some members of the Committee on Labor went to your Appropriations Committee and asked whether or not any such sum would be available.

Many of us are employers who grant overtime for over forty hours a week. I think all of us on the committee recognized the justice of overtime payment for overtime hours. However, in this particular case, you are dealing with weekly salaries established over a long period of time, and are recognizing the hours of work put into those weekly salaries.

The amendment that has been submitted suggests that you select four State institutions and pay the employees the overtime wages. It suggests that you leave out overtime treatment and that you discriminate against State House employees, Agricultural workers, Game Wardens, Forestry Wardens and Health and Welfare employees, School for the Deaf, State Sanatoriums, State School for Girls, Men's Reformatory, Women's Reformatory, State Police and Sea and Shore Fisheries.

It also makes no provision that these provisional persons at Augusta and Bangor, who are in the classified service and who, on many occasions, must work forty, fifty, sixty or seventy hours a week.

It was the opinion of the majority of the Committee on Labor that as this bill was drawn up, and the money did not exist in the budget—to recognize it on a State-wide non-discriminatory basis, that the bill did not recognize the restrictions and exemptions that should be put into any sound bill for equitable treatment of all State employees, and therefore your majority report "Be referred to the next legislature" was signed by seven members of that committee.

I certainly hope that the motion of the gentleman from Rumford, Mr. Poulin, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker and Members of the House: As a member of the Committee on State Hospitals and Pownall State School, I would like to briefly state that I am in favor of the passage of this bill. If the members of this House could make a visit, as the members of this committee have, to these institutions, you would feel that something ought to be done, everything possible, for the inmates, and everything possible for the employees. I think you would find that conditions were much harder than in the Fish and Game Department. I think the woods—also the State House—is a much healthier place than these institutions. So I hope whatever possible may be done for the relief of those working in these institutions.

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

Mr. PEIRCE: Mr. Speaker and Members of the House: This bill was originally a friendly gesture toward our State employees. It is, in the strongest sense of the word, "must" legislation for certain institutions. I dare predict that unless this Legislature takes action to alleviate labor conditions in certain of our institutions the executive branch of the government will have to take the matter into its own hands and act itself. This is something which is solely in the province of the Legislature and which it is our duty to act upon. We know conditions are very bad in these institutions which this measure affects. Therefore, I hope you will adopt the minority report "Ought to pass."

The **SPEAKER**: The Chair recognizes the gentleman from Rumford, Mr. Poulin.

Mr. POULIN: Mr. Speaker, I would like to tell the members of the Legislature that, in speaking with the Commissioner of Institutions, Mr. Greenleaf, he told me that the cost of this payment for overtime hours in these four institutions would amount to about \$50,000. It seems that the State Hospital at Augusta was allowed \$20,000 by the Appropriations Committee to put a program of this kind in effect, but, due to the fact there was no money appropriated for the Bangor institution he did not dare to put this in effect, but he thought by having a bill of this kind that would be an incentive to try it out, and then, if possible, take it to some other institutions.

The **SPEAKER**: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS and Members of the House: I am greatly disturbed as a citizen of the State in any person being forced to work more than forty hours a week for a salary of twenty-four dollars a week. While this does not cover all of the employees of the State, it is the only bill here I can vote upon where I feel I may be doing an act of justice. I hope the motion of the gentleman from Rumford, Mr. Poulin, will prevail.

The **SPEAKER**: The Chair recognizes the gentlewoman from Westbrook, Mrs. Roberts:

Mrs. ROBERTS: Mr. Speaker and Members of the House: I wonder if we realize the type of work being done by State employees in institutions about which we have been speaking this afternoon? It is not only the physical labor, but it is the tremendous physical and mental strain. I am not speaking of the financial side, but I am speaking in regard to the terrible strain to the nerves of the people who are doing this type of work. There are some people who are able to work ten or twelve hours in that way, but there are a great many who could not carry their work along for eight hours. I wonder if, in these institutions where there at the present time so few employees, if they could not find some who could go in for eight hours who could not stand the twelve to twelve time.

I hope the motion to accept the minority report will prevail.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I would just like to call to your attention that the minority report takes care of conditions now which we all know exist in our State hospitals and State institutions. The majority report to refer it to the next Legislature is far too late. The conditions in 1947 may be altogether different, and labor may be available, and those conditions that exist today would not exist. I hope the motion of the gentleman from Rumford, Mr. Poulin, prevails.

The **SPEAKER**: The Chair recognizes the gentleman from Thomaston, Mr. Bell.

Mr. BELL: Mr. Speaker, when the vote is taken, I would like to ask for a division of the House.

The **SPEAKER**: The question is upon the motion of the gentleman from Rumford, Mr. Poulin, that the House accept the minority report of the committee, "Ought to pass in new draft" and the gentleman from Thomaston, Mr. Bell, has asked for a division. All those in favor of the motion will rise and stand in their places until the monitors have made and returned the count.

A division of the House was had. Eighty-three having voted in the affirmative and 18 in the negative, the motion prevailed and the House accepted the minority report, "Ought to pass in new draft."

Thereupon, the bill, having already been printed, was read twice under suspension of the rules; and on motion by Mr. Bell, under suspension of the rules, a viva voce vote being taken, the bill had its third reading and was passed to be engrossed and sent up for concurrence.

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

Mr. PAYSON: Mr. Speaker, under suspension of the rules I move that we reconsider our action of this morning whereby Bill "An Act to Incorporate the Portland Wharf District" (H. P. 1328) (L. D. 972) was passed to be enacted, and in support of that motion I will say that events with relation to the Port of Portland bill rather indi-

cate it might be wise to keep this bill here so that we may be able to dispose of it more quickly.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House reconsider its action of this morning whereby it passed to be enacted L. D. 972, An Act to Incorporate the Portland Wharf District. Is this the pleasure of the House?

The motion prevailed, and on further motion by Mr. Payson, the bill was tabled pending enactment.

The SPEAKER: The Chair now lays before the House the thirteenth matter of unfinished business, Bill "An Act Relating to the Salary of the Forest Commissioner" (H. P. 1464) (L. D. 1168) tabled on April 12th by Mr. Downs of Rome, pending motion of Mr. Legard of Bath, to indefinitely postpone the bill; and the Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker, the action of the committee on this bill would not indicate indefinite postponement, therefore I trust that the motion of my friend, the gentleman from Bath, Mr. Legard, will not prevail. If it does not, I will attempt to make a further motion.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Legard.

Mr. LEGARD: Mr. Speaker, I now withdraw my motion to indefinitely postpone.

The SPEAKER: Leave to withdraw the motion is granted.

Thereupon, the bill had its second reading.

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

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

House Amendment "A" to H. P. 1464, L. D. 1168, Bill "An Act Relating to the Salary of the Forest Commissioner."

Amend said Bill by inserting at the beginning of the 1st line, before the headnote thereof, the following: 'Sec. 1.'

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

'Sec. 2. Limitation of Act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the

present statute shall return to full force and effect.'

House Amendment "A" was adopted, and under suspension of the rules the bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House, H. P. 874, L. D. 522, Bill "An Act Clarifying the Law in Relation to Parkways and Freeways," tabled earlier in today's session by the gentleman from Augusta, Mr. Peirce, pending further consideration, which occurs on Page 5 of your printed calendar of this morning under non-concurrent matters and just before Orders; and the Chair recognizes that gentleman.

Mr. PEIRCE: Mr. Speaker and Members of the House: I wish to make a few words of explanation on this matter, and then I shall move that we recede and concur with the Senate in indefinitely postponing the bill. The bill as it is proposes to set up certain machinery to comply with Federal regulations in accepting and using Federal monies. At the present time it appears that we cannot undertake construction regardless of whether or not we have Federal monies, so this matter can be, without too much danger, postponed, therefore I now move that we recede and concur with the Senate whereby this bill was indefinitely postponed.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, moves that the House do now recede from its previous action whereby this bill was passed to be enacted. Is this the pleasure of the House?

The motion prevailed; and on further motion by Mr. Peirce the bill was indefinitely postponed in concurrence.

The SPEAKER: The Chair now lays before the House H. P. 733, L. D. 402 Bill "An Act Amending the Charter of the City of Biddeford," tabled earlier in today's session by the gentleman from Biddeford, Mr. Renouf, pending its passage to be enacted; and the Chair recognizes that gentleman.

Mr. RENOUF: Mr. Speaker, this bill proposes an amendment to the City Charter of the City of Biddeford, and as a representative there-

of I raise my voice in opposition to it.

This amendment was submitted to this Legislature by your Commissioner of Education and was sponsored by the gentleman from Gorham, Mr. Russell, a member of the regrouping committee.

The Legislature, convened in 1933, was responsible for enacting the School Union Law and was also responsible for creating a new charter for the city of Biddeford, whereby the form of government was changed from a mayor, board of aldermen and councilmen form of government, to a mayor and council form of government, and this charter provided for the election of a school board of 5 members and the school board was authorized to select a school superintendent and to determine his salary and, having operated during the past 12 years under this charter, why should the Department of Education now seek to amend the charter of the city of Biddeford today?

The answer to this seems obvious. The School Union Law provides for a regrouping committee. Does this Legislature feel that this regrouping committee has performed its duties as required under the Law? Could not the committee have grouped the small town of North Kennebunkport into the Kennebunk School Union?

The school children of these two small communities, after the completion of their elementary education in their respective towns, get their advanced education nearest to them and that is Kennebunk and Alfred.

As a representative from Biddeford, I feel that our school superintendent has a full-time job as it is, and to impose upon him the superintendency of these two small communities is uncalled for, after operating under our present City Charter for the past twelve years.

Mr. NADEAU of Biddeford: Mr. Speaker and Members of the House: I rise to voice my objection to the passing of this act amending the charter of the city of Biddeford. I was and still am convinced the passing of this act is a step backward in supervision of the education of our children. I believe the citizens of a town or city ought to know what is best for their own children.

If I had any doubt, it would certainly have been dispelled after the eloquent speech made by Miss Deering the other day in regard to the building of schools when she told us the citizens of each individual town or city ought to know what is best for their own children, so I hope the motion of Mr. Renouf, to indefinitely postpone the bill prevails.

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

Mr. DONAHUE: Mr. Speaker and Members of the House: As I pointed out to you before, two months before the City of Biddeford was improperly ordered to join a school union by your State Commissioner of Education the School Board of the City of Biddeford, in good faith, made a contract with our superintendent of schools for three years. Under the provisions of your regrouping law, it is simply provided that this act shall not interfere with any existing contract. Furthermore, the Constitution of the State of Maine guarantees a right to every individual citizen to have a contract which has been made in good faith and pursuant to a legislative act carried out. The passage of this law at its best means a law-suit for the City of Biddeford. I do not believe that the citizens of Biddeford in good faith can go into any court and tell our superintendent of schools that because the State Commissioner of Education and his regrouping committee saw fit, in the first instance, to act improperly--as I told you before, your then Attorney General was convinced that he had erroneously advised the State Commissioner of Education--and again I say, I do not think the citizens of Biddeford in good faith would go into court and oppose any claim by a superintendent of schools requiring us to live up to that contract.

That is the issue; it is a fair and square issue. The passage of this act means that you are compelling the municipal officers of the City of Biddeford to go into court and oppose an action which was taken in good faith under your State constitution and which they have no right to do. I hope that the motion of the gentleman from Biddeford, Mr. Renouf, prevails.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Russell.

Mr. RUSSELL: Mr. Speaker and Members of the House: There seems to be a good deal of life in this attempt to bring the City of Biddeford into consistent relationship with the State laws.

In 1933, inadvertently, the Legislature allowed the City of Biddeford to establish a charter that it declined to allow the City of Rockland to establish. It was an oversight, undoubtedly, because the charter given to the City of Biddeford was in violation of the law that has been existing in the State for quite a good many years.

This law says that a city, in order to have the full-time services of a superintendent that is subsidized by the State, shall have at least 75 public school positions. The City of Biddeford falls far short of that number. I am a bit surprised that the claim is made by a representative of the City of Biddeford that their superintendent is not competent as very many other superintendents throughout the State.

We have very many superintendents superintending under more difficult conditions than the superintendent in the City of Biddeford, who has the city schools and those two small towns nearby. We have many more superintendents with much more difficult supervisory tasks than that who seemed to be equal to it. I believe the charge made against their superintendent will stand.

I certainly do hope that this Legislature will amend it so the City of Biddeford will conform to the general law of the State in relation to the superintending of these schools.

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

Mr. DONAHUE: Mr. Speaker and Members of the House: We have just heard the voice of a member of your State Regrouping Committee, and I believe he has demonstrated to you his lack of knowledge of your State regrouping law. The State regrouping law he refers to was enacted in 1933. The amendment to the charter of the City of Biddeford was in 1933, and it was not a law that had been on your books for a great many years. The gentleman is a member of that same committee which improperly ordered the City of Biddeford to join a school union. Again I say they have demonstrated their inefficiency.

There has been no charge made that our superintendent of schools is incapable or inefficient. His long record of service as Superintendent of schools in the State of Maine, in which he has served in at least twelve different communities, has amply demonstrated his ability.

I say: Let the Regrouping Committee point out to me one city or town which has the population of the City of Biddeford which is in a school union.

The SPEAKER: The question is on the motion of the gentleman from Biddeford, Mr. Renouf, that L. D. 402, "An Act Amending the Charter of the City of Biddeford" be indefinitely postponed, and the gentleman has asked for a division.

All those in favor of the motion 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.

The SPEAKER: Forty-one having voted in the affirmative and 43 in the negative, the motion is lost.

The question is now on the passage of the bill to be enacted.

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

Mr. DONAHUE: Mr. Speaker, I move that the House reconsider its action whereby it just—

The SPEAKER: Did the gentleman vote with the majority?

Mr. DONAHUE: No, Mr. Speaker.

The SPEAKER: Is it the pleasure of the House that the bill be passed to be enacted?

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

The SPEAKER: The Chair now lays before the House L. D. 1046, Bill "An Act Relating to Inheritance Taxes," which was tabled this morning by the gentleman from Auburn, Mr. Williams, pending passage to be enacted, and assigned for later in today's session.

The Chair reconizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I rise for the purpose of pointing out one point in this bill, and ask you to reconsider your action whereby it was passed to be engrossed.

As this bill is now written it has changed some of the rates in regard to inheritance taxes. The proposed amendment does not affect those, but the words in there in regard to

the issue of a deceased child might make and would make in some instances, a different rate for members in the same family.

At this time I move that we reconsider our action whereby this bill was passed to be engrossed.

The SPEAKER:: The gentleman from Auburn, Mr. Williams, under suspension of the rules, moves that we do now reconsider our action whereby this bill was passed to be engrossed.

All those in favor of this motion will say yes; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

Mr. WILLIAMS: Mr. Speaker, I present House Amendment "C" and move its adoption.

In explanation of this amendment, I will say that the only thing it does is to bring grandchildren in the same classification. As the bill stands previous to this amendment, an adopted child would be taxed at a different rate than issue, or a natural child, and, in these days when there are so many adopted children in some families, there are natural children and adopted children. Many of these children are adopted when a few weeks old, and, in some cases, they do not know they were adopted. Therefore, I believe we should amend this bill and bring all children in the same family under the same rate.

I want to point out that this does not in any way affect the restriction that grandchildren may have a total exemption of \$10,000.

The SPEAKER: The question is one the adoption of House Amendment "C". The Clerk will read House Amendment "C".

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

House Amendment "C" to H. P. 1385, L. D. 1046, Bill "An Act relating to Inheritance Taxes."

Amend said Bill by striking out, beginning in the 13th line of Sec. 3 thereof the following underlined words: "who is the issue of a deceased child"

Further amend said Bill by striking out in the 21st line of said Sec. 3. thereof the underlined word "issue" and inserting in place thereof the underlined word "child"

House Amendment "C" was adopted, and the bill was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the first tabled and unassigned matter, House Report "Ought to pass with Committee Amendment "A", of the Committee on Inland Fisheries and Game, on Resolve to Simplify the Ice Fishing Laws by Counties" (H. P. 1134) (L. D. 790) tabled on April 11th by Mr. Collins of Caribou, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Collins, the report of the committee was accepted, and the bill, having already been printed, was read once under suspension of the rules.

Committee Amendment "A", reproduced as Legislative Document 1174, was read by the Clerk, and adopted.

Thereupon, the Resolve was given its second reading under suspension of the rules and was passed to be engrossed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second tabled and unassigned matter, House Amendment "B" to Bill "An Act Relating to Bounty on Seals" (H. P. 1337) (L. D. 986) tabled on April 11th for reproduction under House Rules, and the Chair awaits a motion.

The question is on the adoption of House Amendment "B". The Clerk will read the amendment.

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

House Amendment "B" to H. P. 1337, L. D. 986, Bill "An Act Relating to Bounty on Seals."

Amend said Bill by striking out in the title thereof the words "Bounty on" and inserting in place thereof the words "Control of."

Further amend said Bill by striking out all of section 1 thereof and inserting in place thereof the following:

"Sec. 1. R. S., c. 34, § 145. amended. Section 145 of chapter 34 of the revised statutes is hereby repealed and the following enacted in place thereof:

"Sec. 145. Control of seals. The commissioner is hereby authorized and directed to kill and dispose of all seals in the waters of any of the coastal counties of the state whenever such seals are causing damage to the property or livelihood of fishermen.

The provisions of this section shall not affect or modify the provisions of section 143."

House Amendment "B" was adopted.

Mr. Bowker of Portland, then offered House Amendment "C" and moved its adoption.

House Amendment "C" read by the Clerk as follows:

House Amendment "C" to H. P. 1337, L. D. 986, Bill "An Act Relating to Bounty on Seals."

Amend said Bill by striking out all of section 2 thereof.

House Amendment "C" was adopted, and the bill was given its third reading under suspension of the rules and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House the third tabled and unassigned matter, Bill "An Act Relating to the Hunting and Trapping of Foxes" (S. P. 362) (L. D. 902) tabled on April 11th by Mr. Snow of Auburn, pending third reading; and the Chair recognizes that gentleman.

Mr. SNOW: Mr. Speaker, I yield to the gentleman from Auburn, Mr. Williams.

The SPEAKER: The gentleman cannot yield. The Chair will recognize the gentlemen as they rise.

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

Mr. WILLIAMS: Mr. Speaker, I offer House Amendment "B" and move its adoption. I will say that my purpose in presenting this amendment is to make this conform to our State Constitution which provides that acts cannot take effect until ninety days after final adjournment, and it is now obvious that we will not adjourn in time for this law to become effective before July 9th.

The SPEAKER: The Clerk informs the Chair that we already have House Amendment "B." The gentleman's amendment will be House Amendment "C." House Amendment "C" has been reproduced and distributed to the members under Filing No. 155, on April 5th.

House Amendment "C" to S. P. 362, L. D. 902, Bill "An Act relating to the Hunting and Trapping of Foxes"

Amend said Bill by striking out the following underlined words "from July 9, 1945" in the first line

of the new subsection (1) (Printed Bill)

Thereupon, House Amendment "C" was adopted, and the bill was given its third reading, and was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fourth tabled and unassigned matter, Resolve Providing for an Interim Commission to Study Methods to Assure Greater Productivity of the Forest Lands of the State" (S. P. 435) (L. D. 1149) which comes from the Senate passed to be engrossed, tabled on April 12th by Mr. Rollins of Greenville, pending first reading; and the Chair recognizes that gentleman.

On motion by Mr. Rollins, the resolve was given its first reading, and on further motion by Mr. Rollins, under suspension of the rules, the resolve had its second reading and was passed to be engrossed in concurrence.

The SPEAKER: The Chair now lays before the House the fifth tabled and unassigned matter, House Amendment "C" to Bill "An Act Relating to Fees of Town Clerks for Fishing and Hunting Licenses" (H. P. 988) (L. D. 588) tabled on April 12th for reproduction under House Rule 36. The amendment was reproduced and distributed under Filing No. 216.

House Amendment "C" to H. P. 988, L. D. 588, Bill "An Act Relating to Fees of Town Clerks for Fishing and Hunting Licenses."

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

"Sec. 2. R. S., c. 33, § 19, sub-§ (3), amended. Subsection (3) of section 19 of chapter 33 of the revised statutes is hereby amended to read as follows:

'(3) Non-resident fishing licenses shall be of 3 classes, a 15 day license to cost \$3.15 \$3.25, effective for 15 days from the date of purchase thereof, and a season license, effective for the entire season, to cost \$5.15 \$5.25, but the amount paid for a 15 day license shall be credited on the purchase of a year license upon an additional payment of \$2.15 \$2.25, also a junior non-resident license, which shall be a season license covering all non-

residents between the ages of 10 and 16 years, to cost \$1.15 \$1.25. Fifteen Twenty-five cents shall be retained by the agent for each license issued."

Further amend said Bill by striking out the figures "\$10.15" where they appear in section 6 thereof, and inserting in place thereof the following '\$10.15 \$10.25'.

House Amendment "C" was adopted, and under suspension of the rules the bill was given its third reading and was passed to be engrossed and sent up for concurrence.

The Chair now lays before the House the sixth tabled and unassigned matter, House Amendment "A" to Bill "An Act Relating to Keeping Certain Animals Confined," (H. P. 1426) (L. D. 1106) tabled on April 12th for reproduction under House Rule 36. It was reproduced and distributed under Filing No. 209. The Clerk will read the amendment.

House Amendment "A" to H. P. 919, L. D. 560, Bill "An Act Relating to Keeping Certain Animals Confined."

The SPEAKER: For the purposes of the record, the Chair will state that this amendment was to the old bill, and was so reproduced. The Clerk will read House Amendment "A" to the new bill.

House Amendment "A" to H. P. 1426, L. D. 1106, Bill "An Act Relating to Keeping Certain Animals Confined."

Amend said bill by striking out all of that part designated as "Sec. 2-B" and inserting in place thereof the following:

'Sec. 2-B. Certain animals to be confined; penalty. Owners and keepers of sheep or cattle shall adequately enclose and confine such animals so as to prevent them from running at large outside of such enclosures.

If any damage is caused by reason of such animals running at large, the owners or keepers shall be punished by a fine or not more than \$25.'

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Hemphill.

Mr. HEMPHILL: Mr. Speaker and Members of the House: This modifies that bill quite a lot. Mr. True showed me this amendment a few days ago, and I told him I would go along with it, but when I

was going home I got to thinking the matter over. I am going to tell you the position I am placed in through no fault of my own. While I have not very much objection to this, still it would cause me a lot of trouble. There is a fishing brook as well as the Maine Central Railroad track running through my pasture. On one side of my pasture is a stump fence. The boys—the men as well as the boys, instead of climbing over that fence, will take out a stump, and they will leave it out, and the first thing I know my neighbor's cows are over on my land or my cows are over on his. Now that is no fault of mine. There are two gates on either side of the railroad track, so I can get across from one side of the pasture to the other; and they will even leave those gates open, and you will hear the train tooting and the cows are over on the track, and, when the train is coming, they will duck in any place they can find to get in and get away from the train.

Now they are just as liable to get into somebody's valuable crop as they are into the woods

That is the only thing I object to. As long as you are sure you are going to have friendly neighbors, that is all right. My neighbors and I are all friendly, but if you run up against a neighbor who is not friendly you are going to get into difficulty.

The SPEAKER: The question is on the adoption of House Amendment "A." All those in favor of the adoption of the amendment will say yes; contrary minded, no.

A viva voce vote being taken, the motion prevailed, and House Amendment "A" was adopted, and the bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the seventh tabled and unassigned matter, Resolve Authorizing Preparation of a Digest of the Opinions of the Law Court (S. P. 346) (L. D. 894) tabled on April 12th by Mr. Williams of Clifton, pending second reading; and the Chair recognizes that gentleman.

Mr. Williams thereupon offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 346, L. D. 894, "Resolve, Authorizing Preparation of a Digest of the Opinions of the Law Court."

Amend said Resolve by striking out the last sentence of the 2nd paragraph of said Resolve and inserting in place thereof the following: 'For the purpose of carrying out the provisions of this resolve the sum of \$10,000 for the fiscal year ending June 30, 1946, is hereby appropriated from the general fund of the state. Any unexpended balances shall not lapse, but shall remain a continuing carrying account until the purposes of this resolve have been accomplished.'

A viva voce vote being taken, House Amendment "A" was adopted and the resolve had its second reading and was passed to be engrossed in non-concurrence and sent up for concurrence.

The SPEAKER: Resolve Authorizing Commissioner of Agriculture to Employ Poultry Expert, Legislative Document 655, which was recalled from the Governor's office earlier in the day is now in the possession of the Clerk.

The Chair recognizes the gentleman from Kennebunkport, Mr. Adams.

Mr. ADAMS: Mr. Speaker, I move that this matter be tabled until tomorrow morning.

The SPEAKER: The gentleman cannot at this time table the matter; there is no motion pending; it is just in the hands of the Clerk. If the gentleman has a motion he cares to make, he can then table the matter, pending the motion.

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move that the House reconsider its action whereby this resolve was finally passed.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, under suspension of the rules, now moves that the House reconsider its action whereby this resolve was finally passed. Is this the pleasure of the House?

Calls of no, no.

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

Mr. BREWER: Mr. Speaker, may I ask for what purpose this is to be reconsidered?

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, may

ask the gentleman from Kennebunkport, Mr. Adams, a question, and he may answer if he chooses.

Mr. BREWER: I would like to ask Mr. Adams why he recalled this bill.

The SPEAKER: The gentleman may answer if he chooses.

Mr. ADAMS: I wanted it to be taken up for further consideration.

Mr. Rollins was granted unanimous consent to address the House.

Mr. ROLLINS: Mr. Speaker and Members of the House, the only motion that I was to make—I was to make a motion in order to have a motion before the House, so it can lie upon the table until tomorrow morning.

The SPEAKER: The gentleman's motion was entirely correct.

Mr. BREWER: It is perfectly all right with me, Mr. Speaker.

The SPEAKER: The question is on the reconsideration of the former action of the House, under suspension of the rules, whereby this resolve was finally passed. Is this the pleasure of the House? All those in favor of the motion will say yes; contrary minded no.

A viva voce vote being taken, the motion prevailed, and on further motion by Mr. Rollins, the resolve was tabled pending final passage.

The SPEAKER: Is there any other business that can possibly be done?

On motion by Mr. Payson of Portland, the House voted to take from the table the first tabled and specially assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to the Poll-Tax" (H. P. 524) (L. D. 255) tabled on April 4th by that gentleman, pending motion of Mr. Jalbert of Lewiston to accept the report.

The Chair recognizes the gentleman from Brunswick, Mr. Brown.

Mr. BROWN: Mr. Speaker, I think this bill has been tossed around about enough; I think it has been tossed about too much. The bill had a fair hearing—I am sorry to say—in fact I think it was as fair a hearing as we ever had on any bill in this House. I attended that hearing. It seemed like a county fair. In fact it was the only time in the history of the Judiciary Committee that they really relaxed and had a good time. I think the Legislature ought to pass this bill, and I will tell you why:

"An Act Relating to the Poll Tax
—L. D. 265

The Legislature ought to pass it, even if it gets our goat,
Shows a way to make some money; just be good and go and vote.

Never fail to cast your ballot; put that "X" mark plainly down, That will get you back your money though it bankrupts your home town.

You may think that I am joking—passing out a smart wisecrack,

You may think that I am poking fun at you behind your back,

For you know how long you've waited—you still wish and hope and pray

That **some** tax might be abated long before your dying day;

Now—"Eureka!" You have found it and your heart is filled with glee;

You just vote at each election and you get that poll tax free."

The **SPEAKER**: The question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the "Ought not to pass" report of the committee. Is this the pleasure of the House?

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

On motion by Mr. Ward of Millinocket,

Adjourned until ten o'clock tomorrow morning.