

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Wednesday, April 18, 1945.

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

Prayer by the Rev. Mr. Aldrich of Augusta.

Journal of the previous session read and approved.

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

Mr. WARD: Mr. Speaker, House Rule No. 41 provides that on a question of moving reconsideration, this shall be done on the same or on the succeeding day. It has been the custom, in the closing days of the Legislature, in order to expedite the business and to enable us to transfer papers with the Senate, to sustain this rule and restrict the time in which we can move for reconsideration to one hour.

In order to expedite the business, I move that by unanimous consent, all matters acted upon at this morning's session be sent to the Senate after the lapse of one hour, the members being given that time in which to move or to file notice with the Clerk of intention to move for reconsideration.

The motion prevailed.

Papers from the Senate

Joint Order

The following Order:

ORDERED, the House concurring, the Public Utilities Commission and Highway Commission make a study of the comparative costs to carriers of supplying freight transportation in Maine, omitting from the study all way costs and all State and Federal taxation including tax on fuel and registration fees, the comparisons to be made between selected classes of carrier types, loadings, and distances,—and be it further

ORDERED, that the results of this study be available for use of the 93rd Legislature on the date of its convening (S. P. 446)

Came from the Senate read and passed.

In the House:

Mr. WEEKS of Waterville: Mr. Speaker and Members of the House: This is a directive that a study be made of the relative costs of rail

and truck transportation. The results of this study would be available to the next Legislature for any consideration which it might wish to give to rail or truck transportation.

In order that the members may have a little more time for its consideration, I move that the Order be tabled.

The motion prevailed and the Order was tabled pending consideration.

Senate Divided Report

Report A of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Establishing Minimum Wages of Labor on Public Works Projects Supported by State Funds" (S. P. 320) (L. D. 831)

Report was signed by the following members:

Messrs. HOPKINS of Kennebec
GOULD of Androscoggin
SPEAR of Cumberland
—of the Senate.

BROWN of Unity
HASKELL of Bangor
—of the House.

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

Report was signed by the following members:

Messrs. POULIN of Rumford
MARSHALL of York
JONES of Waterville
WEEKS of Waterville
RENOUF of Biddeford

Came from the Senate with Report A "Ought not to pass" adopted.

In the House, Report A, "Ought not to pass" was accepted in concurrence.

Mr. WEEKS of Waterville: Mr. Speaker and Members of the House—

The SPEAKER: For what purpose does the gentleman rise?

Mr. WEEKS: Mr. Speaker, I wish to speak upon the matter which we have just considered, therefore I move that the House reconsider its action whereby we accepted Report A.

The SPEAKER: The gentleman from Waterville, Mr. Weeks, has moved to reconsider. The question is debatable. The gentleman may proceed.

Mr. WEEKS: Mr. Speaker and Members of the House: In order that a minimum wage may be maintained and that labor may receive its just share of the profits,

I hope this House will consider the adoption of Report B rather than Report A.

The **SPEAKER**: The gentleman from Waterville, Mr. Weeks, moves that the House do now reconsider its action of a moment ago whereby it accepted Report A "Ought not to pass" on this bill. All those in favor of the motion will say yes; those opposed no.

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

Senate Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Providing for Permanent Sites and Locations of Public Wharves and Port Facilities (S. P. 168) (L. D. 347) reporting same in a new draft (S. P. 444) (L. D. 1172) under title of "Resolve Proposing an Amendment to the Constitution so as to Provide for a \$10,500,000 Bond Issue for the Purposes of Building and Maintaining Public Wharves and for the Establishment of Adequate Port Facilities and Fish Piers in the Cities of Portland and Rockland in the State of Maine, including Permanent Sites and Locations" and that it "Ought to pass"

Report was signed by the following members:

Messrs. **WILLIAMS** of Auburn
WARD of Millinocket
HASKELL of Portland
CONNELLAN of Portland
PEIRCE of Augusta
PASCUCCI of Sanford

Minority Report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Messrs. **DOW** of Oxford
DUNBAR of Washington
Miss **CLOUGH** of Penobscot
—of the Senate.

Mr. **PERKINS** of Boothbay Harbor

—of the House.

Came from the Senate with the Minority Report adopted.

In the House:

Mr. **HASKELL** of Portland: Mr. Speaker, I move you, Sir, that this bill and the accompanying papers lie upon the table until later in today's session pending acceptance of either report.

The **SPEAKER**: The gentleman

from Portland, Mr. Haskell, moves that the two reports with accompanying papers lie on the table pending acceptance of either report, and be assigned for later in today's session. Is this the pleasure of the House? All those in favor will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

Sixty-five having voted in the affirmative and 52 in the negative, the motion prevailed, and the reports were so tabled and so assigned.

Final Reports

Final Report of the Committee on Federal Relations.

Final Report of the Committee on State School for Boys, State School for Girls and State Reformatories.

Final Report of the Committee on State Lands and Forest Preservation.

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

Non-Concurrent Matter

Bill "An Act to provide a Tonnage Tax on Commercial Fertilizer" (H. P. No. 1338) (L. D. No. 989) which was passed to be engrossed in the House as amended by House Amendment "A" on April 12th.

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

In the House:

Mr. **BREWER** of Presque Isle: Mr. Speaker, I move that we insist on our former action and ask for a Committee of Conference.

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

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

Mr. **GOWELL**: Mr. Speaker, I think I do not need to go into this matter any farther. I am going to move that we recede and concur. I do not think we need to go into this matter any farther for you to know my reasons for so doing.

I know that the Department of Agriculture, through their Bureau of Inspection, though they have

very little to do with this bill, will find it necessary this next year to have the funds to perform their duty in fertilizer inspection. I also know that the bill as passed by the Senate, unanimously, as I understand, is a fair bill, based on a three-cent tax on commercial fertilizers—and that applies to every kind of manufactured fertilizer put out by manufacturers in the State of Maine. I also know the provisions of the bill say that the report of this tonnage tax, when submitted to the Department of Agriculture, will be held by the Department of Agriculture as confidential; so I see no reason why at this time we should not recede and concur with the Senate; and, in view of the fact of the previous motion, I would ask for a division.

The SPEAKER: There are two motions before the House, one to insist and ask for a committee of conference, and the other to recede and concur with the Senate. The motion to recede and concur has precedence.

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

Mr. BREWER: Mr. Speaker and Members of the House: The members of the House were kind to us the other day in upholding the way we wanted this tax collected so far as concerns the fertilizer. When I say your fertilizer companies do not want a tonnage tax—I will call your attention to the fact that better than 85 per cent of the fertilizer is sold in Aroostook County, and we offered a solution whereby, by doubling the old formula under which this at the present time is collected, there was no opposition. It was agreeable to us; it was agreeable to our fertilizer companies, and, in that way, we could have had the money. But, for some unknown reason, some of them insist that they must have a tonnage tax so that they will know exactly what these different companies do not want them to know, and that is their tonnage.

I told you that this was not a fair tax, a tonnage tax, to my way of thinking, because it is based on a 2000 lb. ton. A good many of these companies put out what we call double-strength fertilizer. In other words, a company that put out a double-strength fertilizer would pay one-half of what a fellow that puts out a long ton would pay.

Now another situation that enters into this thing—and I am not well enough informed to talk upon it—considerable fertilizer comes into our county from across the border. I have no way of knowing whether there has ever been any argument or not on the formula basis, but I would say to you it would be a question, to my mind, if this tax could be collected on your Canadian fertilizer.

So I hope, that since you have been fair in the past, that you will continue to go along with me in that my way of collecting this tax under the formula is agreeable to everybody, and, under the tonnage tax, it is something that none of our fertilizer companies in Aroostook County want. That is the reason we are objecting to this kind of tax. We do not like the word "tax".

Last year I believe we collected around \$187,000 out of the potato growers in Aroostook County. Most of it came out of Aroostook County for a potato tax on a cent a barrel basis; and, as I say, everybody is agreeable to the old method of doubling the formula. They just object to that word "tax" and they do not want to divulge their tonnage figures. I believe everybody has secrets in their business they do not care about passing along to the other fellow. So I hope the motion of the gentleman from Poland, Mr. Gowell, does not prevail.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: This is an opportunity for the House of Representatives to stand on its own feet.

For the benefit of some of the new members who perhaps have not seen the workings of the Legislature, I will say that you will find on the calendar in the next few days that we are here many non-concurrent matters. They will come in here, and some sponsor of the bill will get up and move to insist on our former action, or adhere to our former action, and, since the other motion to recede and concur precedes it, somebody will move that and sometimes the House will go along. Now in each and every instance this House should think.

This bill has been talked and argued on the floor of this House and fought out, and this House has decided on its action. All it

amounts to is: Is this House going to stand on its own feet, or is it going to be dictated to by the Senate —

The SPEAKER: No! The gentleman is out of order.

Mr. ROLLINS:—by the other body.

The SPEAKER: The gentleman is out of order in referring to action taken in the Senate in order to influence action taken in this House.

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

Mr. GOWELL: The gentleman from Presque Isle, Mr. Brewer, has referred to double-strength fertilizer, or multiple-strength fertilizer, as the case may be, as opposed to single-strength fertilizer. It is true that more multiple-strength fertilizer is produced and sold in Aroostook County than in other sections of the State, so there is no unfairness, in view of the fact that double-strength fertilizer, wherever consumed, pays a three-cent tax. The difference is only comparable. We do, perhaps, manufacture a little less double-strength fertilizer in western Maine than we do in Aroostook County.

Then the speaker preceding the gentleman from Presque Isle has said that there is no objection to the amendment which he offered and that there is serious objection to the tonnage taxes. I do not think, as I have listened to the various ideas that have been suggested here, that that is absolutely true. I have heard a great deal of objection to the amendment, and I have heard very little objection to the tonnage tax that is recommended "Ought to pass" by the committee report.

I do want to point out just one thing more, and that is all. The gentleman from Presque Isle, Mr. Brewer, has said the fertilizer companies of Aroostook County do object to the taxes, and he pointed out to us the other day two of what I consider to be the largest fertilizer companies in Aroostook County: the International Agricultural Corporation and Armour and Company. I will tell you—and it will be borne out by the International Agricultural Corporation and Armour and Company, both of which are large companies doing business in the east—they have this tax in almost every state in the east, and, as far as I know, register no objection to it in the states where they are compelled to pay the tax.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: It so happens I was on the committee before which this matter was presented, and I would like to give you a summary of what I think are the facts concerning costs to fertilizer companies, and I will try to illustrate that point by citing two different conditions which actually exist.

In Aroostook County one brand of fertilizer covers most of the demand. In Cumberland County, as I said the other day before this House, the variety of agriculture which has to be catered to by the fertilizer companies requires a wide range of fertilizer brands. I think I am fair in saying that some companies have as many as fifteen different brands.

Now let us see what happened. Last year, under the old law of a fee for the purpose of covering the costs of analysis, the company that sells one brand paid twenty-five dollars; the company that sells fifteen brands paid \$375. Now this amendment which was carried would provide for double the fee. Now doubling the fee would mean that the concern that paid for one pays only \$50, and the other concern pays \$750. Now that, to my mind is definitely unfair.

Now if we accept the proposed bill which has been passed by the Senate—

The SPEAKER: The gentleman is out of order.

Mr. SWEETSER: You mean that is all I can say, Mr. Speaker?

The SPEAKER: The Senate action cannot be mentioned in this body.

Mr. SWEETSER: May I revise my remarks?

The SPEAKER: The gentleman had better, if he wishes to speak.

Mr. SWEETSER: The bill on which we are asked to concur with the Senate, Mr. Speaker, provides that a tax be paid on a ton basis. Now, if that carries through, the old law still holds, the brand fee is still collected, and the operator who is selling just one brand and possibly ten thousand tons, which is a fair estimate, pays the old fee of \$25, a three cents per ton tax on ten thousand tons, which costs him \$300, making his total expense \$325. The concern in the southern part of the State which has fifteen

brands pays \$375 for a fee and sells probably not more than one thousand tons, and, at three cents a ton that tax gives him \$30, which makes his total an even \$400. Now it seems to me that is fair.

Those are two widely contrasting conditions. One of them, under this proposed concurrence plan pays a total of \$325 and the other \$400, a difference of \$25 in favor of the company selling the larger amount as against the other company. It seems to me that other concerns will fall in line. I hope we can concur with the Senate.

The SPEAKER: The question is on the motion of the gentleman from Poland, Mr. Gowell, that the House recede and concur.

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

Mr. WRIGHT: Mr. Speaker and Members of the House: I just want to call the members' attention to one thing, and that is that the gentleman from Cumberland, Mr. Sweetser, lays great stress on the unfairness of the registration fee.

Now if you pay this tonnage tax you do not correct that inequity one particle; you leave it just as it is. If it is abusive, it is still abusive: you do not change anything. I thank you.

The SPEAKER: The question is on the motion of the gentleman from Poland, Mr. Gowell, that we recede and concur, and, if the Speaker's recollection is correct, the gentleman asked for a division.

All those in favor of the motion to recede and concur 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-two having voted in the affirmative and sixty-six in the negative, the motion is lost.

The question is now on the motion of the gentleman from Presque Isle, Mr. Brewer, that we insist and ask for a Committee of Conference.

All those in favor of the motion will say yes; those opposed no.

A viva voce vote being taken, the motion prevailed.

Mr. SPEAKER: The Chair will appoint on that committee: The gentleman from Fort Fairfield, Mr. Dorsey, the gentleman from Presque Isle, Mr. Brewer, and the gentleman from Limestone, Mr. Wright.

Non-concurrent Matter

Bill "An Act to Permit Establishment of Area Schools" (H. P. 938) (L. D. 541) which was indefinitely postponed in the House on April 12th.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Lord.

Mr. LORD: Mr. Speaker, I move that we recede and concur.

I feel, from reports that have come to me since the discussion of this bill last Thursday, that there have been some misunderstandings as to what the vote really was.

As I said in my opening remarks last Thursday the basis of this bill was made upon the report of the so-called Silks report that was made several years ago.

At this time I would like to take just a few minutes of your time to read some of the letters and telegrams that I have received too late to have been read last Thursday.

I have a telegram from Dr. Payson Smith, which says:

"Bill permitting towns to join to support area schools holds great promise for better advantages for our rural youth. They deserve to have their schools brought nearer to the standards of large village and city schools. Trust legislature will adopt this forward looking proposal."

I have a letter from Dean Ernest C. Marriner, of Colby: "I hope your committee will give favorable consideration to Legislative Document No. 541. Unless we people in Maine are willing to abandon our isolationist localism to the extent of at least permitting experiments with area schools, we are doomed to be hopelessly outclassed in educational opportunity by other states. As I said at a hearing before your committee on another bill, in the name of all that democracy means I cannot rid my mind of the firm conviction that the children in small rural communities have the same rights to educational opportunity as have the children of Augusta or Waterville. I am convinced that only area high schools can ever solve our Maine problem."

I have a letter from Dr. Sils, of Bowdoin:

"I am very much interested in the bill to permit the establishment of area secondary schools. A num-

ber of years ago when I was chairman of the Maine School Finance Commission we made a report in which one of our major recommendations was consolidation of schools wherever practicable and wherever desired by the communities.

"As I understand the present bill, such consolidation is permissive, not mandatory. After the war I am sure that there will be districts where it will be highly advantageous to have one modern school building, well equipped, and to transport pupils.

"In traveling in certain parts of the country, namely the Middle West and in some of the Southern states, I have been much struck by the fact that the school buildings are so much better in appearance than ours in Maine, and I found on examination that one reason is because of the consolidation of schools in certain areas. I therefore hope very much that the legislation will be enacted this year."

I have here a letter from Dr. Frederick Hill, of Waterville:

"This is to express my enthusiastic approval of legislative document 541 relating to the establishment of area secondary schools. I firmly believe that this is badly needed legislation, and is the best way in which we can improve the educational facilities for our young people. . . . It seems to me that it is time that definite steps were taken to improve the academic standards in our secondary schools."

I have three telegrams, one from the President of the Maine Teachers' Association; one from the President of the Maine Parent and Teachers Association; one from the President of the Maine School Superintendents' Association, which I will not take the time to read.

Suffice it to say that the reason why I have read these is to try to show to you people that the educators of the State of Maine are quite unanimous in backing the program that we are trying to get by at this session of the Legislature.

Mr. Speaker, would it be in order for me to present an amendment to the bill at this time?

The SPEAKER: It would not.

The question is upon the motion of the gentleman from Camden, Mr. Lord, that the House recede and concur.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I am as opposed today to the passage of this bill as I was a few days ago. I am opposed to the passage of this area school bill because the fathers and mothers of our State, including those of our armed forces, are against this bill.

Now at this time I would like to correct a wrong impression which some of the proponents of this bill have made in regard to what our soldiers are fighting for. Our soldiers are not fighting for the new world of Adolph Hitler; they are not fighting for any New Deal in their United States; they are fighting for what they have today; and it is for our soldiers, not us, to say, when they return, what new school system they prefer for their children.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Springer.

Mr. SPRINGER: Mr. Speaker and Members of the House: I cannot refrain from saying just a few words to contradict the remarks the gentleman just made. He said, as I understood him, that the people in the back districts did not want this bill passed.

I think I stated quite clearly the other day the attitude of the people in the smaller towns and the surrounding territory of Danforth, that did want this bill passed. So I can say this: There is one community or set of communities in the vicinity of my town that wants this bill passed. I have had letters since then, saying they would appreciate anything I can do for it, and asking me to try and see that this bill is passed, because it is a progressive bill.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker and Members of the House: I would like to point out to Mr. Boyker that we and our boys across are fighting for our American way of life, and our American way of life can only be kept going and enhanced and kept up through the education of our children. We are seeing to it that these boys who are across now, that when they come back they will continue their education. Bills have been passed to take care of them. But we are doing nothing for their younger brothers and sisters who are in the lower grades

or just starting kindergarten now. We should help them also.

It is too bad that all of us have not been able to read a two and a half year study which has just been completed: "Education for All American Youth," made by your National Educational Association along with your American Association of School Administrators. They pointed out there that education is not just the problem of educators but is the problem of every American citizen. To try to give our youngsters the type of program they are going to need in the world of tomorrow. One of the things they definitely point to as absolutely necessary is the refashioning of all our school programs and guidance services and doing away with the tens of thousands of weak and ineffectual school districts by consolidating them into larger districts in order to supply the best in education to the half of our youth who live in rural communities. Also we must remember that ill-considered buildings can freeze an outmoded educational set-up for years to come.

Now we have a desire to do this, and we should have the backing of the people in this attempt to do something for our American youth. It is up to each and every citizen to do his own special part in seeing that proper education facilities are made available to your youngsters. I simply wanted to bring these things out.

Again I say, if there is anything you can possibly do for the sake of your own home town and for the sake of yourselves, read this new book that has just come out, "Education for All American Youth," which is available now from your National Educational Association. It is well worth while, whether this thing gets through now or later. It is bound to come, and we might as well be ready for it.

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

Mr. BROWN: Mr. Speaker and Members of the House: I hold in my hand several cards and letters sent in by people from various small communities in this State, all in opposition to this bill.

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

Mr. VICKERY: Mr. Speaker and Members of the House: Depart-

ments of State, like individuals, are subject to frailties in error. I feel, as an individual, that when our Department of Education, in their urge to present the area school problem to the State of Maine, presented a program definitely laid out, as they did within the last two years, designating certain areas as central or area school districts, and when, in their urge to make this project worth while, they mention the matter of Federal funds for the construction of buildings, I think they presented to the people of the State of Maine the problem on a wrong basis, which has more or less reacted in the action here in voting against the area school project. I think the Department of Education acknowledges their error in thus presenting the problem to the State of Maine.

There are, however, latent virtues in the foundation stone of the area school project, latent virtues which I think the present bill before us is bringing to light in a worth while proposition.

This bill as it is now before us, is on a permissive basis, a basis which calls for the cooperation of a group of towns before you can even conceive of an area school. It calls for not only the cooperation of these towns, but it calls for the cooperation of these units with our Department of State, so that there is a proper check on the whole project, a check which is as essential as the brakes on your automobile.

To me, the future of the educational program of the State of Maine is dependent upon the growth of equalization in our rural educational program. It has been true in all towns. I think, as we closed our rural schools and conveyed the children to our village schools we equalized the educational opportunities offered to our children. I feel that this area school bill as it is now presented to us offers equal opportunity, and that we made a mistake the other day when we took the action that we did. I believe we should recede and concur.

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

Miss DEERING: Mr. Speaker and Members of the House: I believe in democracy; I believe wholeheartedly in democracy, and my idea of democracy is to give all

people an equal chance in running their government.

Education is a very important part of your government. This so-called permissible bill simply turns around and says: "The State Legislature will have nothing more to do with the handling of your matters. The State Legislature will no longer be the group you may go to and ask for justice or consideration."

At the present time, if a city or town—and I believe the legal interpretation of "town" means cities and towns, and, therefore "towns" may include cities—if a city or town wants to make an improvement or a change, they come to the State Legislature, state their case, and ask for permission to do it or not to do it.

It is the duty of each and every Legislature to weigh the whole evidence on the result of the bill, the effect the bill will have on the people, the citizens, and, in this case particularly, on the children.

This bill, as I have stated, turns over all of the control of the Legislature. I think it is one of the largest and longest steps they could ask for a group of law-makers to take. In other words, they say: "Go ahead, towns, do all you want to."

I can understand why one member in this House would say that he was very anxious for this bill, because he has admitted that his town wants a larger school. Are we going to set up government which says, "All right, a large town may turn around and say to you small towns, 'You will send your children to our schools; we will have a board of people of not less than five nor more than nine, and they will govern this school. You will only have not more than three people from your town to uphold your interests and guide the expenses of that school. You are more apt to have two, and you are very apt, if you come from a small town, to have one person. What would you like in that school? How do you want the school to be run, and how do you want your tax money spent?'"

That is a very long step, to allow one person from your town to go with a group of people and prorate the amount of money that your town is going to put into a school an indefinite number of miles away. I say it is unjust, because the town that has that school will have the teachers located in

that town. You can see the amount of money they will derive from that in their stores, and the expenditure of money by the teachers. The other towns will not get that. The janitors will come from the town where the school is. A great many of the supplies for that school will come from the town where that school is located.

There is another section over in here, and I think it points out the reason we must act so hastily. "They may receive and expend funds"—and then it goes along with the pro-rating and the rest of it. Your large town may accept the funds and build the school. If they receive Federal aid, the large town that has already been picked out as the town to receive the school will receive the money. Is that fair to your small towns? Is that democracy from the grass roots up? You have nothing to say whether or not you want your children picked up on a street corner very early on a winter morning, packed into a bus and hauled over roads for an unknown number of miles,—it will all depend on where you live and where the school is going to be. After that school is built, it will be too late for you to do anything. The school will be built on the basis of 400 pupils, and it is pretty hard, after you put that much money into a building, to try to do anything about it. That is where you come down to your so-called "squeeze play." If you just relinquish all of your control, the larger town may take the smaller towns and tell them what they are going to do.

If the population in your town should change—and there are towns in the State that will have new industries when this war is over—new industries have already planned to locate and have bought property in the smaller towns—you may have quite an increase in the population of your town, but it will be just too bad for you people, because the money is going into such and such a town over there.

If you want to keep your children at home; if you want to have your children in your town where you can take a personal interest in their education, and where you can take a personal interest in their social development and can watch them progress; you may build your own school, if you can get the money, you can hire your own

teachers and pay all of the expenses, because it is too late to do anything else: you have already had your school group formed to take care of this other school and your money is going to that school, because the Legislature has said they have nothing to do with it—they may do as they see fit.

Now in voting on a bill of this type, it is up to each and every member of the Legislature to weigh it very carefully, to stop and think of what a step this is. It makes no difference who is for it or who is against it at the present time; that should never enter into any bill. You should stop and think what the results are going to be. Are we going to have our children where we can watch them develop? We have already been asked to take an interest in our children. Are you going to have the opportunity to watch your children develop if they are, we will say, ten or fifteen miles away from home? Is the father or mother going to feel able to leave the home at night to go to some social function in this school? Will they have the same opportunity to watch that child that they would if they had him at home?

To my mind, the biggest thing in this bill right here now is: Are we going to hold to democracy? Are we going to hold right down to the things which our country was founded on? Are we going to be able to develop our own ideas on these things, or are we going to have our children uprooted and planted somewhere else or not. That is the question before us today. I ask you to think very carefully, for the sake of the children and the type of education you may have pushed upon them as the result of this bill. I thank you.

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

Mrs. ROBERTS: Mr. Speaker and Members of the House: May I call your attention to just three tiny bits in the bill: In Section 8 it says that union schools may be maintained; a little further down it says that the towns may by concurrent action do so and so; and over on the next page it says "the treasurer may, by vote of the committee * * *." Now no one has to have this unless they want it; it is just a question of whether a few towns would like to have this or not. I

think we should feel that way rather than say that must go through.

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

Mr. BLAKE: Mr. Speaker and Members of the House: In quite a number of years past there has been a good deal of criticism directed at secondary schools, and it has been along one line in particular. Those schools have been charged with devoting altogether too much time to the ten per cent who go to college and neglecting the ninety per cent who never go beyond high school. I think there is some ground for the criticism, but it has been directed at the wrong people. School people could do little about it. Under this bill the Legislature can do something to at least partially answer this criticism.

Under this bill towns may, not "must," but "may" unite and pool their resources and build a school of sufficient size and equipment to give real courses in manual training, domestic science, agriculture, physical education, and perhaps other things. Now if the public is sincere in this criticism, if they really want a broader curriculum in secondary schools, if they want more occupational courses, then the area schools are the answer, and it is the only answer that I can see in this State.

Maine is a state of small towns. Outside of the cities, I do not believe there are half a dozen towns, probably not that many, which can support the kind of school that can give the kind of education that the public is demanding.

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

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I would just like to bring out two or three more points.

There has been a little bit of fear that this might do away with academies. Let me point this much out: I am the member of an academy, Monmouth Academy, and I believe that something like this might very well help academies to exist and continue to exist. At the present time Monmouth Academy serves as a high school not only for Monmouth but also the neighboring towns of Leeds, Greene, Wales,

Curtis Corner, and places surrounding Monmouth. Under the present set-up they send their students to Monmouth Academy, and, since there is no law setting it up, these towns have no say in the running of it along with the joint board which we have of the trustees and town officials. There is no reason why those towns should not have some say in regard to the type of program we offer, according to the ratio of students they send to us.

Also, there is this part to it: If we need additional facilities, why can we not say to these towns: "Look here, let us get together. We might have a little larger school; we might want an extra class; we might want to build a gymnasium. Let us get together. It will cost you just so much. We can all help each other out and have a much better school for our youngsters."

The way it is now, our hands are tied: I cannot do anything; the finances of our school or our town do not allow it. If we could call in these other towns and have them help out to a certain extent, we could give the youth of our section a lot better type of program. We are doing the best we can now, but we are a small school. We are offering four different types of courses in addition to a college preparatory course. We could offer more facilities and different types of programs merely by having these towns come in. I cannot go out and say: "You have got to do that." But if they want to get together and have a better school, we will get together and build our school up, build a gymnasium or whatever we happen to need.

It has been said by somebody that you will never have more than three on your board. How many do you have in your town now? If you happen to be from a town that sends your youngsters to some other town, you have absolutely no representation on the board. This would at least give you representation according to the ratio of your pupils to the whole number. Also, on the matter of expense, your town would feel better about contributing to the education of your youth. So far as the travel part is concerned, it is true that it may necessitate going a little bit further in some cases. In the case I just mentioned, Monmouth Academy and the other towns, they are travelling that distance now. It would be

merely a question of getting the money to build a better type of school. In a good many cases you would find your area schools would mean very little difference so far as your finances are concerned. Do not forget: You do not have to vote for it; if a town doesn't want it, it doesn't have to have it for ten or fifteen years, but if towns want to get together and help each other out and have a better school for their youngsters, they can get together and can do it.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I want to ask you, in passing judgment on this bill, to use your common sense—and we do have common sense. This bill is a statewide bill, and the proponents of this bill and our educational department know that these towns who do not vote to go into this area school system today will tomorrow be compelled to go into that system.

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

Miss DEERING: Mr. Speaker, I would like to clear up one or two points that may be rather vague to people that have not been following our educational processes. For one thing, I would like to say there is nothing at the present time that keeps you from consolidating with other schools. We are consolidating at the present time; various towns are picking out the high school or academy they wish to send their pupils to.

I think, in bringing out these things, it makes it a little easier if you can take an example of your own situation. In our section we have the choice of sending our youngsters to the high school in Bath, to Lincoln Academy or to North Yarmouth Academy. They are accepted in any of these schools. Some of the parents prefer our high school, some prefer Lincoln Academy, some prefer North Yarmouth Academy. They still have a right to that choice. The town pays the tuition for these youngsters. We have passed two or three bills during this present session of the Legislature to reach children in isolated communities for this same reason. In the case of our island children, children way back in sections where it is difficult for them

to get out, we have consolidated. The only difference is at the present time you have your choice, but, as the statement was made, "We have to force them to take this now. It is the best time; they are more educationally minded, and, if we do not push it through this session we may never push it through."

If anything is as helpful as that, why should we be asked to take it hastily and immediately? You have the power to consolidate; you may consolidate. This word "may" simply states you do not have to do it immediately; but the Legislature says, "We have nothing to do with it: when you want to, you go right ahead, and we have no recourse. I still say: What chance are you going to have in a small town. You have an example of it right here in your own Legislature. Some of you folks come from class towns: you are allowed to come one session or two sessions, and then you wait your turn. In the meantime you as a representative contact these various towns to see what they want. If we are going to have fair play; if we are going to protect these towns and give them a chance, leave the law as it is now for consolidation and let them take their choice. If you take this area school, it not poppycock, because the plans are made, the sites are all picked out. I have had towns contact me, saying that they have had the plans drawn, they know an area school will be in such and such a place, and they do not want it for the sake of their children. Parents do not want their children to be picked up early in the morning and put on busses and hauled to school, stay there until the school is out; and you are going to meet even more opposition when this war is over, because fathers and mothers, after being bounced on busses all over the country, know what it is to get up before daylight and bounce to your destination, work all day, and bounce home again. It is not fair to your children; it is not fair to the future of education, and decidedly not fair to your small towns to have this superimposed upon them.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Springer.

Mr. SPRINGER: Mr. Speaker and Members of the House: I think I am the only one who has not had

the floor a second time, so I will improve the opportunity.

There seems to be considerable interest on this bill, and I do not know why we should not be interested, because, to my mind, a lot of people back in our homes are going to watch this bill pretty carefully. It means something for our present youngsters and the future generations.

I would like, if I could, to visualize to this extent. Some thirty years ago they changed from the oldtime system of having local superintendents of schools. I wish it were possible that our good friend, Harvey Pease, could press a button up there and all of a sudden a record could go on and give all the oratory that probably resounded in this hall for and against that bill. But, finally, of course, the House and the Senate passed the bill, and we have the present set-up, and I am sure no one would want to now change to the old system.

There must be something about this proposed law which is different than the present consolidation of schools, and I think, if you read it carefully, you will find out that it is.

I am not going to speak very long, because I am watching the clock too. But the difference is just this: This bill is intended to give those towns a chance to consolidate if you will let them, that is all.

I want to refute one thing, and that is about this transportation business. There must be plenty of you members in this hall that know the system of transportation is excellent, and, when it comes to the fact of children getting up before daylight, I do not know of any such instances at all. In our particular district, the scholars that are being hauled into our town, attending our schools, do not go half as far as they did under the old system. And there are no youngsters six years old who can walk a mile and a half without transportation. Who would send a child out on a morning when it was twenty below zero, and say, "Go to school." You can't do it. We have a system of transportation and it is here to stay. Let us vote for this bill and give a chance to those towns that really want to get together on this area proposition. As the gentleman stated here, they can have more vocational subjects by having con-

solidation. I hope that we vote in the right way on this bill.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: We have heard this ably advocated by the educators, those who are directly connected with the educational problems of our State. We have heard the gentleman from Camden, Mr. Lord, read telegrams from the great educators of our State. I would just like to call the members' attention, if it is not out of order, to Page 3 of our calendar, under "Petitions Requiring Reference." I see a remonstrance of Alma D. Abbott and 116 others against this bill, presented by the gentleman from Canton, Mr. Forhan. That being on the Advance Calendar, I thought the gentleman would call your attention to it. That represents the people of Maine who are against this system which this bill provides for.

I hope the motion of the gentleman from Camden (Mr. Lord) does not prevail.

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

Mr. PRATT: Mr. Speaker and Members of the House: I am heartily in accord with the system of consolidation of schools within a town if and when that consolidation does not work a hardship that outweighs the advantages received; but, when it comes to the area set-up as set forth in this bill, I cannot conscientiously go along with it, first, because it will certainly entail hardship upon pupils in outlying districts. I know of children, even in towns, in the months of November, December and January, under our transportation system, that have to leave home before daylight in the morning in order to attend school. I am opposed to this bill in the second place because I feel that it is a wedge that will certainly lay open to centralization of power in the Federal government over our educational system, and I feel it is high time for cities and towns and states to retain some of their sovereign rights. We have already yielded too many, and I, for one, feel it is high time for us to say "No" in terms and tones that the people of the New Deal might well understand just where we stand today.

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

Mr. BOWKER: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves the previous question. In order for the Chair to entertain the motion for the previous question requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained. The question before the House is: Shall the main question be put now? That question is debatable.

All those in favor of the main question being put now will say yes; those opposed no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Camden, Mr. Lord, that the House recede from its previous action. The gentleman from Dexter, Mr. Blake, has asked for a division.

All those in favor of the motion to recede 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: Thirty-nine having voted in the affirmative and eighty-seven in the negative, the motion is lost.

The Chair recognizes the gentleman from Woodstock, Mr. Judkins.

Mr. JUDKINS: Mr. Speaker, I move you, Sir, that we adhere to our former action.

The SPEAKER: The gentleman from Woodstock, Mr. Judkins, moves that the House adhere to its previous action. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act relating to Salaries and Expenses of Members of the State Liquor Commission" (H. P. 1467) (L. D. 1170) which was passed

to be engrossed as amended by House Amendments "A" and "C".

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

In the House:

Mr. WESTON of Farmingdale: Mr. Speaker, I move that we adhere to our former action.

The SPEAKER: The gentleman from Farmingdale, Mr. Weston, moves that the House adhere to its former action.

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

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

The SPEAKER: The motion to recede and concur takes precedence. All those in favor of the motion to recede—

Mr. ELA of Anson: Mr. Speaker, would you please direct the Clerk to read the amendment which the difference is about?

The SPEAKER: The Clerk will read House Amendment "C", which has been reproduced and distributed in the House under Filing No. 215.

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

House Amendment "C" to H. P. 1467, L. D. 1170, Bill "An Act Relating to Salaries and Expenses of Members of the State Liquor Commission."

Amend said Bill by striking out in that part designated as "Sec. 5" the underlined figures "\$6,000" and inserting in place thereof the underlined figures "\$5,000"; and by striking out in said section the underlined figures "\$4,000" and inserting in place thereof the underlined figures "\$3,500".

In the House, on April 16th, read and adopted.

In the Senate, on April 17th, indefinitely postponed.

The SPEAKER: The Clerk will read House Amendment "A", which was reproduced and distributed to the members of the House under Filing Number 200.

House Amendment "A" to H. P. 1467, L. D. 1170, Bill "An Act Relating to Salaries and Expenses of Members of the State Liquor Commission."

Amend said Bill by inserting before the headnote in the 1st para-

graph 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 2 years only, after which period the present statute shall return to full force and effect.'

In the House, on April 12th, read and adopted and sent up for concurrence.

In the Senate, on April 17th, read and adopted in concurrence.

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

Mr. WESTON: Mr. Speaker, perhaps I misunderstood. I thought the Clerk said \$3,000.

The SPEAKER: The amount is \$3,500. The question is on the motion of the gentleman from Rumford, Mr. Poulin, that the House recede and concur with the Senate.

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

Mr. ROLLINS: Mr. Speaker, I move that this matter lie upon the table until later in the day.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the matter lie upon the table for consideration later in today's session. Is this the pleasure of the House?

Calls of no. no.

The SPEAKER: All those in favor of the motion of the gentleman from Greenville, Mr. Rollins, that the bill, with accompanying papers, lie upon the table until later in today's session will say yes; contrary minded, no.

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

The SPEAKER: The question is on the motion of the gentleman from Rumford, Mr. Poulin, that the House recede and concur with the Senate.

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

Mr. CARPENTER: Mr. Speaker, the Liquor Commission, I want to remind you, is a monopoly. The only reason I have heard that the Liquor Commission should get a lot more money than anyone else up at the State House is because they handle a lot of money. I have heard various estimates, six to eight million dollars. I do not see how you can set salaries on that basis.

Now the Governor handles a business of thirty to thirty-three million dollars a year, and the Governor gets five thousand dollars a year salary. The Secretary of State handles a business that involves a lot of money. Now we proposed to give the Secretary of State five thousand dollars, and I do not see why it is not fair to give the Chairman of the Liquor Commission five thousand dollars and his assistants thirty-five hundred dollars, I think it is. I do not see why that is not a fair proposition, and so I do not favor the motion to recede and concur.

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

Mr. COLLINS: Mr. Speaker, rulings of the Salaries and Fees Committee have been overturned so many times that I hesitate to speak, and yet I think there is some justification in the amount recommended by the Salaries and Fees Committee. I believe the volume of business done does require judgment. We are not saying anything about the amount of business but there are a lot of details that require judgment and administration. I think that the bill as recommended by the committee should be adopted.

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

Mr. WESTON: Mr. Speaker, I do not want the House to get the wrong impression. I have no hard feelings against any member of the Liquor Commission. I want that understood, but I think a \$2000 raise in one year is quite a lot—it is a total year's pay for some people in the State. That is the reason I am opposed to it. There are no personalities involved.

The SPEAKER: The question is on the motion of the gentleman from Rumford, Mr. Poulin, that the House recede and concur with the Senate. All those in favor of the motion will say yes; contrary minded, no.

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

The SPEAKER: The question is now on the motion of the gentleman from Farmingdale, Mr. Weston, that the House adhere. The Chair will explain to the members of the House that the motion to adhere, if carried, will kill the bill altogether.

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

Mr. WESTON: Mr. Speaker, I withdraw the motion.

The SPEAKER: The motion is withdrawn.

Mr. WESTON: I move that the House insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Farmingdale, Mr. Weston, now moves that the House insist and ask for a Committee of Conference. All those in favor of the motion will say yes; contrary minded, no.

A viva voce vote being taken, the motion prevailed, and the Chair appointed as conferees on the part of the House:

Messrs. WESTON of Farmingdale
ROLLINS of Greenville
CARPENTER of Augusta

On motion by Mrs. Lord of South Portland, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

The SPEAKER: The Chair will remind the members of the House that it is the rule of this House that no applause shall be entered into whatever. We do not mind the applause after the motion is carried. Will the members please refrain from applauding until at least after the motion is carried?

Communications

Communication from the Secretary of the Senate announcing the appointment of the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act to Accomplish Conformity to State School Building Standards" (S. P. 197) (L. D. 487)
Messrs. BISHOP of Sagadahoc
OWEN of Kennebec
LEAVITT of Cumberland

Communication from the Secretary of the Senate announcing the appointment of the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act to Simplify Finances of the Department of Education" (S. P. 191) (L. D. 490)
Messrs. OWEN of Kennebec
CLEAVES of Cumberland
SAVAGE of Somerset

Communications were read and ordered placed on file.

Remonstrance Requiring Reference

Remonstrance of Alma D. Abbott and 116 others of Sumner against

L. D. 541, Bill "An Act to Permit Establishment of Area Secondary Schools" (H. P. 1482) (Presented by Mr. Forhan of Canton)

Was ordered placed on file and sent up for concurrence.

First Reading of Printed Bills

Bill "An Act relating to the Enforcement and Collection of Dog Licenses" (H. P. 1478) (L. D. 1184)

Bill "An Act Amending the Charter of the Town of Norridge-wock School District" (H. P. 1481) (L. D. 1185)

Resolve in favor of Several Academies, Institutes and Seminaries (H. P. 1479) (L. D. 1186)

Bills were read twice, Resolve read once, and tomorrow assigned.

Passed to be Engrossed

Bill "An Act to Create the Town Road Improvement Fund" (S. P. 352) (L. D. 891)

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

Mr. Dutton of Bingham, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 352, L. D. 891, Bill "An Act to Create the Town Road Improvement Fund."

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

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

Sec. 2. Limitations. It is the intent of the legislature that the provisions of this act shall be in addition to any blanket road resolve, so called, passed by either the 91st or 92nd legislature and the money appropriated by such blanket road resolves shall be expended only for the purposes designated in such blanket road resolves.

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

Mr. DUTTON: Mr. Speaker and Members of the House: I regret at this late day that it is necessary for us to make any remarks in regard to blanket road resolves. We have heard the so-called Town Road Resolves dubbed as pork barrel money.

Members of the House, I want you to take your calendar and look on the opposite page and see who

the real pork barrel people are. These measures which are introduced here under special resolves call for the appropriations, in some instances, of as low as one hundred dollars to help dig the people of these back towns out of mud holes, and yet they call us pork barrel advocates, and if you will look on the opposite page, you will see what it represents—\$100,500,000—oh, I have got that wrong—way wrong—it is only \$10,500,000. Is that all? I thought the whole proposition was eventually to cost \$100,500,000. Whichever it is—if it is not so much as that, then I offer my apology.

Now I was in this House thirty years ago, when they dubbed our road resolves "pork barrel money". I was here thirty years ago when the Legislature voted \$2,000,000 for the city of Portland for a pier. Well, they said it would be paid for. I am going to assume that is true, but they were so long in paying for it, that the interest on the money would equal nearly as much as the first appropriation.

I have no shame for the pork barrel resolves. The State of Maine, a state with a large road construction to build, has built, under special resolves, State-aid and First-class money, the road system which we have and enjoy today.

I want to say to you that from the Canadian line through to Portland, with the aid of our present road construction system, we have built a road which has stood up during this war to provide transportation for the sinews of war which have saved your boys and girls on the fighting front today. They went back as far as the Canadian line, by the aid of resolves which I have been instrumental in getting in this Legislature, and built a highway which permitted the transportation of huge logs over these roads to as far as your Portland shipbuilding yards. Those logs, members of this House, some of them, were three feet in diameter at the butt, and they were as long as maple and birch trees grow in the State of Maine, to be of any value. They were transported through to Portland. Several million of them were stopped in Bingham—for what purpose? For the purpose of being changed into your airplane stock at Bingham. Those mills have manufactured the stock which has gone into many of our

defense airplanes and offense airplanes. That work is done up there. Those huge logs are cut up into short pieces and they are veneered. I say to you, members of this House, that that airplane stock is as thin as a piece of tissue paper; and then it is cemented and veneered together in thick sections, as thick as the top of these desks. The girls and the men work side by side, and they have produced this stock for the airplanes, and your sons and your daughters and your brothers and your sisters have been carried through in total safety in those airplanes.

Now I have no shame and no apology to make for special resolves. In offering this amendment I have been very careful not to ask to take away one single word of the so-called Howes Bill. Now I realize, members, that two measures were introduced before the Ways and Bridges Committee. They totalled up to the same thing. After the first part they went on by saying: "The object of this measure shall be to do away forever with all pork barrel money"—or special resolves, if you please.

Now two years ago we appeared here in this Legislature and we passed special road resolves. In our loyalty to the government we have not spent that money; we have not used it; we did not take laborers for that purpose, believing that the money would lay there undisturbed until such time as the war would be over and we would be privileged to go ahead with that special resolve construction work.

We have come here to this session of the Legislature and we have presented before that Ways and Bridges Committee special resolves of equal value. The nigger or the woodchuck, whichever it may be, is just beginning to crawl out of the woodpile. I was promised, in the hall of this Legislature, in the presence of a very fine gentleman in this House, that that measure, when it came into this House, would have an amendment on it that would provide that our special road resolves should not be interfered with in any manner. That was the promise that was accorded to me, and yet that bill appeared in the House and was sponsored, and passed, unmolested by anyone, without a single amendment upon it. And now they come out brazenly and say they think they

should take over the special road resolves of two years ago, honestly accorded to your home towns, and tie them on to the Cross Bill, because they haven't any money to work it with. True, I knew the Cross Bill did not have sufficient money to do what has been promised it would do and should do. The mere passing of a bill in this Legislature does not create a source of money that is inexhaustible by any means.

The Cross Bill tells us, or rather the sponsors of it tell us, that we can go into our mud roads, stir them up with a road machine and have a very satisfactory road, a road that will hold up and even stand for a long time.

Now you members here know altogether too much about road construction to believe any such stuff. Anybody knows that when a road is stirred up with a road machine, when the first rain appears on it, and the first traffic goes over it, you still have got a mud hole just the same. Do not be fooled by that kind of a proposition. It is going to take nearly as much money under the Cross Bill to build a good road as it will under any bill. You have got to have a base of rock or gravel to build upon. Anyone in this House that knows anything about roads knows that.

I believe in being fair and honest in regard to this matter. This Cross Bill is a good bill in lots of ways, but lobbyists in this House—and this House has been infested with lobbyists for a long time, lobbying for this Cross Bill—they have put forward the idea that we can go forward with the Cross Bill and everything is provided to take care of us. We are told by the Ways and Bridges Committee that if we pass the Cross Bill, we cannot have our road resolves, that it will be impossible, and the question of our road resolves of two years ago, which I consider an honest obligation of the State of Maine, is in question, although we are assured on the one hand that they are safe, and on the other hand, that they are not.

Now supporters of the Cross Bill wish to take all of the resolve money to put the Cross Bill into effect. I have no objection to your doing away with your special resolves in the future, but let us take care of the obligations which we have contracted; let us not be

fooled into accepting something which does not do what they say can be done.

I heard Ira G. Hersey, thirty years ago in this House, say: "Boys, it is bad when you swap your inheritance for a mess of pottage", but, he said, "Boys, when you do not get the pottage, it is Hell."

Now we have been promised a lot of things here that it will be impossible to give to you, and we are swapping our birthright for that mess of pottage. We are promised a six-lane road running from Kittery to Fort Kent. There is not a person in this House who would ever live long enough to see a road get past Bangor if it ever got past Portland. Six lanes! The gentlemen that blow hard for some of these bills here perhaps could blow the snow off of six lanes of road up in Fort Kent, but you and I do not believe they could even get it off with a road machine. (Laughter) If you are going to build a six lane road, you are going to be nowhere near Fort Kent with it. Sensible people in Aroostook County know that if you built them a two lane road, you are doing a pretty good job. You reverse this proposition of a super highway from Kittery to Fort Kent, and you start in and let it read "a two lane highway from Fort Kent to Kittery," and you see how the tune will change. It makes a difference where you start with this road, whether you start at Fort Kent or whether you start at Kittery. Don't you people in Fort Kent or Aroostook County be fooled by any of these foolish propositions. They will not even attempt to do the things that have been promised to you.

Your State Highway Commission is laboring under a terrible handicap in these days to do the business they wish they could do, and when you pass measures here that take away the last dollars they have, you are making a mistake. Don't expect the Highway Commission to go off on any tangent on a six-lane highway, for they have a good deal more sense than that, and we should have more sense than to believe half of the propaganda that is passed to us.

The SPEAKER: The question is on the adoption of House Amendment "A".

The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I do not know but what I am one of that blow-hards that has been so ably referred to. For that reason, I think I will explain a few things regarding this bill, which I had no intention of doing when this amendment was offered, because I cannot tell what might be the intent of the gentleman from Bingham, Mr. Dutton, whether he intends to have his amendment adopted or, in the final analysis, to kill the entire bill.

In the first place, this is not a mud-raking bill. True, they may machine some roads, but I call your attention to Section 42-C:

"Purpose of expenditures. The expenditures of this fund shall be for drainage, machine grading and graveling" and tarring and other stabilizing materials. I think that is the use of this money.

As far as this amendment is concerned, I heard some reference to some agreement which was made here to have such an amendment adopted. I think it is nothing but what I would tell to this House or say anywhere else, that members of the Ways and Bridges Committee approached me and asked if I would be willing to have such an amendment if these resolves would be allowed by this session of the Legislature.

Now I have no wish to remove anyone's resolve. After that was in, they came to the Legislature, and I told some of the members of the committee that I was willing to have such an amendment, but, when the committee came to draft the amendment which they presented, not I, they could not agree what they wanted for an amendment, and even at the beginning of debate, they are still in a quandary as to what they want. I think they did it in all fairness. I think they wanted to see the bill live or die on its merits.

As far as road resolves and pork barrel money are concerned, I can see nothing to change my position. We who were here two years ago in the 91st Legislature will recall that on the second week of that Legislature I introduced a bill doing away with pork barrel resolves, which passed this body, and then passed on to another body which I am not permitted to mention, and there it was killed. I think that is clear to many members of the House, so this year, in the remarks

I make in regard to pork barrel legislation I will admit that the pork barrel money is spent to good advantage. However, I think yesterday it was quite evident to the members of this House that the time has come when we must adopt some program for looking after our unimproved roads. We have a State-aid program, Secondary-road program, Federal-aid program, and our Third-class program, and now all we are asking to do is to set up our unimproved road program.

Now we all know, as the gentleman from Bingham (Mr. Dutton) has so ably presented to you, there is no money to put up ten percent or a million dollars for this, as one of the bills which came before us, which has already died, provided for. But this bill does not say how much; it says what will be put up. I believe that the Committee on Ways and Bridges are amply able to say how much money is available at this time. I have seen the figures in the tentative budget in which they are setting up a figure of \$200,000 for unimproved roads. That is a small amount, but that is a step in the right direction.

Those of us who are interested in this program are interested in starting some movement for equitable distribution of money for building of our unimproved roads, so I have no objection to this amendment. If the members of the House wish to go along with the pork barrel for this session, I am not objecting to it, but if there is any movement to change the wishes of this House yesterday, to do away with the whole program, I think it is time to find it out.

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

Mr. ELLIOTT: Mr. Speaker and Members of the House: I never made an address in my life. The only way I got through high school was by having a good driving horse and taking a lady teacher out skating, and she wrote my graduating exercises. (Laughter)

Yesterday, I had in my hand the House paper which dealt with the special resolve four years ago; today I have here H. P. 1370, which dealt with resolves of two years ago. The closing statement says: "Any balance of appropriation remaining unexpended at the end of any fiscal period shall be available for use during the ensuing fiscal year." The assistant engineer of

the Highway Department told me that, according to their best interpretation of the law and the Attorney General's interpretation, that this money which was appropriated two years ago and unexpended is still available to the towns.

Now I would like to call your attention to that part of the Governor's Inaugural Address, which was mentioned yesterday, where he said: "Special resolves for roads and bridges are an anomaly in our highway matters and a nuisance in our Legislative sessions." I did not know what the word "anomaly" meant, so I looked it up in Uncle Webster, and I found that the definition was "Deviation from the common rule or irregularity."

I think in this resolve we have here we see some of the irregularities. I don't wonder that the committee wants to take home their special resolves. I understand in the past—I am not talking about the present—but in the past there has been an unwritten law that the members of the Ways and Bridges Committee took up to \$5000 to distribute as they saw fit, each one, before they divided the rest up among the different counties. In this book here, the resolves which have passed, we find in one county which had a member of the Ways and Bridges Committee on it, in his particular town there was that year appropriated \$3000. In another county a member of the Ways and Bridges Committee had \$3500 which was appropriated to his individual town.

Now my contention is that this is not a fair distribution of the money, and, for my part, I hope that this amendment is not accepted. If it would be in order, I would move that the amendment be indefinitely postponed.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I am willing to trust the members of this House to see where this money shall be spent in preference to the Highway Commission. I recall an instance several years ago in my town where money had been designated for a certain piece of road, but that money had been taken and spent in some other counties. I came here to Augusta and got on the right side of the proper authorities and that money was provided for

the town of Bethel. I believe, so far as this special resolve money is concerned, that the legislators should say where it shall be put.

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

Mr. BERRY: Mr. Speaker and Members of the House: Being a new member, this is entirely new to me. I thought the other day that perhaps we had this question settled, but I am learning that these things still come back. It appears that this road resolve money—the old method of getting it dies hard.

We went into the situation yesterday in regard to the need for this road improvement program, and the House voted for it. Now they come along with an amendment which would tend to delay the setting up of this method of handling and distributing the money.

I have heard the argument here by the gentleman from Bingham (Mr. Dutton) that this road resolve money would not be available if we did not accept this amendment. I cannot go along with that statement. I understand that the committee has already set up at least \$150,000 to take care of the resolves that have already gone in. Under your highway fund reports here, where they are asking monies for this year, they have requested \$200,000 for the maintenance of unimproved roads. If I understand it, that is your R. F. D. money. They are asking for over four million dollars for the maintenance of State-aid highways, and that is over a million dollars more than in previous years. Taking your \$150,000 that you are already setting aside for your resolves and your \$200,000 for the R. F. D. money that goes onto that very type of road we want, that gives you around \$350,000, and it would seem that out of a four million dollar appropriation they might very easily find at least \$100,000 more to go with that, if they wanted to, and you would have more money going into these towns under this road improvement bill than you will be taking home under resolves.

The need for this program, I believe we are all agreed, is very great. When I look back into my area that I represent and see these farmers coming out there on their dirt roads, loading their milk into trucks and tractors and drags and any method they can get it out, wallowing through mud, at a great

disadvantage in handling their provisions, boarding their children in towns where they can go to high school, because they cannot get over these roads, not being able to get out and receive proper medical care which many families are in need of, I cannot understand why we are delaying putting this program into effect.

If the members of this House want something to take back to their constituents, I suggest you go down to the Governor's office and get one of those flags and take them back to your town officers and say, "Gentlemen, this is what we are bringing back to you." But, thank God, we have laid the foundation for a rural roadbuilding program that will get the rural people all over the State of Maine out of the mud.

I hope this amendment is not adopted.

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

Mr. PRATT: Mr. Speaker and Members of the House: Yesterday I spoke just briefly in support of this town road improvement bill. I am still a supporter of this bill. I believe it is just—I believe it is for the best interests of our entire road system, and I honestly believe that, yet in the interests of fair play, I would not want to violate any funds that had been set up in good faith that have already been established. I could go along with this amendment as touching those funds already set up, but I could not support the amendment if in any way it limits or destroys the Cross Bill.

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

Mr. LACKEE: Mr. Speaker, it seems appropriate at this time to explain somewhat about the committee's stand relative to this amendment. The committee reported the Cross Bill unanimously "Ought not to pass" because of the fact that it could not figure out any fund that we could attach to it.

Now as far as I know of the division of funds, I have been on this same committee three years, and they have been apportioning approximately the same each year, and it has been my experience to take home the least of any member of my delegation in the past, and I think that goes for most of the committee.

Now as far as allocation to the counties goes, this is as far as the committee goes; the rest of it is taken care of entirely within the county, so if there is any dissatisfaction, as far as distribution is concerned, it is entirely up to the counties.

Now the main thing we would like to know today is, if the bill is passed and this committee must recommend some fund to do it with, the thing they would like to know is whether you want this year's resolves as set up, take them home the same way, or whether or not you will have \$150,000 so allocated placed within this fund. The committee is only interested that far in your decision as to which we can do.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker, I ask that when the vote is taken, it be taken by a division.

The SPEAKER: The question is on the motion of the gentleman from Corinth, Mr. Elliott, to indefinitely postpone House Amendment "A", and the gentleman from Madison, Mr. DeSanctis, has asked for a division. A vote for indefinite postponement is a vote against the amendment and will kill it.

All those in favor of the motion of the gentleman from Corinth, Mr. Elliott, to indefinitely postpone House Amendment "A" will rise and stand in their places until counted and the monitors have made and returned their count.

A division of the House was had. Twenty-six having voted in the affirmative and 84 in the negative, the motion for indefinite postponement did not prevail.

Thereupon, House Amendment "A" was adopted, and the bill had its third reading and was passed to be engrossed in non-concurrence and was sent up for concurrence.

Passed to be Engrossed

(Continued)

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

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

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

Mr. ANDERSON: Mr. Speaker, I am going to make a motion on this, but before I do I want to explain to the members of the House my reasons for doing so. We have at the present time several measures going through the Legislature. This bill has been held up until as late as possible, in order that we might incorporate in the bill those laws that have been passed and signed by the Governor at the present time. However, there are other measures that are on the way through, and if they do pass, they will necessarily have to be incorporated in this bill. For instance, Hancock fox hunting season — if that measure passes, it will necessarily be incorporated in this bill. As the laws are passed and signed, the amendments are being prepared, and, in order that we may not delay the action, and so that we can get these amendments on immediately after the laws have passed, I move that this measure be tabled until the amendment can be prepared.

The SPEAKER: The gentleman from Oxbow Plantation, Mr. Anderson, moves that this bill be laid upon the table pending its passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

Passed to be Enacted

An Act Amending the Unemployment Compensation Law as to Unemployment Compensation Fund (H. P. 1253) (L. D. 878)

An Act to Grant a New Charter to the City of Rockland (H. P. 1425) (L. D. 1113)

Resolve for the Purchase of One Hundred Copies of "The Length and Breadth of Maine" (S. P. 93) (L. D. 135)

Resolve providing for the Payment of Certain Pauper Claims (H. P. 1448) (L. D. 1145)

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 appointed the following Conferees on the part of the House on the Committee of Conference on the disagreeing ac-

tion of the two branches of the legislature on

Bill "An Act to Accomplish Conformity to State School Building Standards" (S. P. 197) (L. D. 487)

Mr. THOMPSON of Brewer

Miss DEERING of Bath

Mr. DONAHUE of Biddeford

and the following Conferees on

Bill "An Act to Simplify Finances of the Department of Education" (S. P. 191) (L. D. 490)

Miss DEERING of Bath

Messrs. THOMPSON of Brewer

ELA of Anson

and the following Conferees on

Bill "An Act relating to Licensing Automobile Dealers" (H. P. 1322) (L. D. 965)

Messrs. PAYSON of Portland

MORRISON of Winter

Harbor

CARPENTER of Augusta

The SPEAKER: The Chair would urge the members of these Committees of Conference that they try to get together with the members of the Senate as soon as possible and make their report back to the House. The report goes to the House in which the request for conference arises. If the committees will attend to their duties in this respect, it will greatly facilitate the closing of this Legislature.

On motion by Mr. Ward of Millinocket,

The House recessed until two o'clock.

After Recess—2 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair now lays before the House the first today assigned matter, tabled earlier in today's session by the gentleman from Portland, Mr. Haskell, Majority Report of the Committee on Judiciary "Ought to pass in new draft" on Resolve Proposing an Amendment to the Constitution Providing for Permanent Sites and Locations of Public Wharves and Port Facilities (S. P. 168) (L. D. 1172) under title of "Resolve Proposing an Amendment to the Constitution so as to Provide for a \$10,500,000 Bond Issue for the Purposes of Building and Maintaining Public Wharves and for the Establishment of Adequate Port Facilities and Fish Piers in the Cities of Portland and Rockland in

the State of Maine, including Permanent Sites and Locations" and that it "Ought to pass" and the Minority Report "Ought not to pass" on the same measure, and the Chair recognizes the gentleman from Portland, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: The majority of your Committee on Judiciary, in regard to this pending measure, has reported the same "Ought to pass". In so doing, it seems to me that they were motivated by the idea that this proposed measure had sufficient merit and would affect the economic welfare of a sufficient number of citizens of this State to warrant the submission of the proposal to the voters in a referendum. I know that these feelings were my own. I felt, and I still feel, that the measure is of such far-reaching importance to all the citizens as to warrant giving them the right to pass on the same. I therefore move, Mr. Speaker, the acceptance of the majority report.

The SPEAKER: The question is upon the acceptance of the majority "Ought to pass in new draft" report.

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

Mr. ALLEN: Mr. Speaker and Members of the House: This issue has been clearly put before the people of Maine as well as the members of this Legislature. There is no need to go into a lengthy discussion of the bill and the issues here involved. You have read it in your daily papers, you have talked about it in your homes; it has been brought to the attention of the citizens in all parts of the State. Thousands of our citizens are in favor of having this measure go to the people in a referendum, thousands in every county in every part of the State, thousands of our older citizens and our younger citizens, with an eye to the future, have faith, faith in Maine, faith that this is a progressive step for the benefit of all our citizens.

Because thousands are in favor of sending this to the people, where it should be decided, I not only heartily endorse the motion of my colleague, Mr. Haskell, but, when the vote is taken I ask that the record show that I asked for a roll call.

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

Mr. JACOBS: Mr. Speaker and Members of the Legislature: I am perfectly willing to go on record on a roll call vote or any other against this proposal for the Port of Portland for \$10,500,000.

We have had one experience along this line in the years gone by. I was a member of the Legislature some years ago when they came down here from the City of Portland and asked the citizens of this State and the members of the Legislature to appropriate \$1,200,000 for a pier. It was advertised in glowing terms by the proponents of the bill at that time. I remember well one of the orators of that day, when he stood before that committee and pleaded for this \$1,200,000. He said, "This will make Maine the garden spot of this world; the flowers will bloom in the daytime, if you allow this to be carried out."

What happened in the meantime? This pier, so-called, has cost the State of Maine \$1,815,000, and all the revenue that we have received was in the year that Governor Brann was Governor of Maine, when there was returned to us \$25,000.

Now do we want to repeat this thing after we have been burned once? Upon good authority, at that time, we were assured that Maine would prosper like a rose in the noonday sun, and yet State of Maine taxpayers have paid for this Port of Portland during the past years \$1,800,000.

Now this calls for a larger sum of money, and what assurance can they give us that this will not be just a duplication of what happened in the days gone by? I believe the taxpayers of Maine should have something to say about it. And all this cry of thousands of people in these counties and in this State, is not, in my opinion, from the heavy taxpayers who are taxed for this burden but from women who do not pay and the men who pay a small poll tax. I believe the time has come when we should not jeopardize the State of Maine to this amount of \$10,500,000 for a pier.

We have two agencies in the State, the Maine Central Railroad and the Grand Trunk or Canadian National, and they are doing a good job in the City of Portland and State of Maine. Now why ask us at this time to appropriate \$10,500,000 of our money, of the tax-

payers' money, for another foolish venture, in my opinion just as foolish as it was in the years gone by! I hope the motion of the gentleman from Portland (Mr. Haskell) will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Savage.

Mr. SAVAGE: Mr. Speaker and Members of the House: I have a few little things I would like to say about this bill, and, for the purpose of speaking, it has been reduced to writing.

Our present State debt is about \$17,000,000 — Highway and Bridge Bonds, \$15,242,500; War Bonds, \$1,650,000; Agricultural Bonds, \$315,000.

In addition there are \$2,120,000 of self-liquidating Toll Bridge Bonds.

Thus an increase of \$10,500,000 would bring the total debt to \$29,867,500, or, excluding the self-liquidating bonds, a total debt of about \$28,000,000. The \$10,500,000 represents an increase of just over 60% in excess of the \$17,247,500.

They seek to justify this by the increase in the overall economy of the State that will result if the Piers are built. Each member of this Legislature received a copy of a letter in which a steamship agent from Portland asserted that if 100 additional ships came in and out of Portland Harbor each year, the figure he uses in estimating the new Pier business, they would leave from \$4,325,000 to \$8,656,000 in the Port of Portland. The major items were stevedoring, purchase of supplies, ship repairs and sailors' expenses ashore. Let's take the top figure of \$8,656,000 and compare it with our present State economy. Let's leave out of our figures all business within the State except just one item, payrolls upon which a payroll tax is collected. That item alone amounts to about \$400,000,000 in the last 12 months. Their \$8,656,000 is about 2½% of taxable Maine payrolls alone. Are we justified in taking on a debt of \$10,500,000 or 60% over our present debt, to give Portland an increase in her economy in an amount of only 2½% of only a part of the State-wide economy? Certainly this business is desirable, whether in Portland, Rockland, Eastport, or Fort Kent, but will all of the people be convinced that the means justifies the end? We are not being asked the

question, "Do you want this thing badly enough to pay for it?" If we were being asked that question the sponsors would have added to their resolve a means of paying for it, via a sales tax or an income tax or an increase in the property tax. With such a proposal, we as legislators and the voters as taxpayers would have had a fair and honest question. Is this thing worth its cost?

As proposed, however, the question is, "Do you want Portland and Rockland to have this venture provided the cost will be assessed against future taxpayers?" There is certain honest justification for the conviction that we have no moral right to mortgage the future income of all of the citizens to acknowledge the present wishes of a limited few of our citizens.

The Governor has recited in his inaugural address, the unenviable position of Maine as related to our cost per capita in debt service. Here is another \$430,000 per year of debt service, for 30 years, that seems certain to be a taxpayer's burden. Certainly, \$430,000 is, as the proponents point out, only 1% of the State revenue but it is also about 14 1-2 million dollars. Here in this Legislature we have learned that income and expense are not too well balanced and that present expense is just about equal to present income? How, other than curtailment of existing essential services, can you expect to raise \$430,000 per year except by increased taxes? Let the sponsors face the facts of the issue and put to you and to the voters, a revenue measure that will raise this \$10,500,000. Increased debt is no more desirable in public financing than in your own personal balance sheet. The remark has been made that one of the sponsors, not now a member of the Legislature, will introduce a bill in the next Legislature to change our State motto, if his resolve fails of passage. It may well be that failing in passage, the action of the Legislature will, on the contrary, be giving full acknowledgment of the real meaning of "Dirigo." Maybe we will truly be leading the way toward a new concept of public financing that will dispute the theory popular in the last decade that debt piled upon debt is the sound approach to successful public administration. True, \$10,500,000 is not a lot of money when measured by a yardstick of Federal expenditure.

It is not much more than the cost of one new destroyer for our Navy. Not one of us would raise his voice in opposing Federal debt essential for the successful prosecution of the War and all of us are willing to pay our fair share, in taxes, for that 8 or 10 million dollar destroyer. But when it comes to wharves and fish piers, let's have an honest willingness to pay for them and not add the cost of them on to public debt that at best is going to confound many future generations of our citizens.

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

Mr. PEIRCE: Mr. Speaker and Members of the House: I have listened with much interest to the able arguments already presented, showing the wisdom of the acceptance of the majority report "Ought to pass" on this resolve.

They have been devoted to the long-range view of the sound increase of the economy of the State resulting from the building of this facility; a benefit so great that the pledging of the State's credit is not only justified, but called for.

I wish to stress merely one point—and that is that this proposition is essentially one which must be financed by a State Bond Issue, and not be bought and paid for by an immediate and self-liquidating revenue measure incorporated in the resolve.

In the first place, the creation of port facilities in the shape of wharves and fish-piers on our coastline is a definite means of making our State of Maine forge ahead as a hub and center of Maritime Commerce; and to prevent it from lapsing into a remote recreational area to which can come the vacationists of our sister states for rest and relaxation, for a well deserved rest from their arduous labors at the Port Authorities in Boston, New York, Philadelphia, and the like.

Is the State of Maine to be content to be merely the Hunting and Fishing Ground for the vacationists of the Nation? If so, we are selling the precious birthright of our superior location, for a mere mess of pottage. We need not lessen our activities as the Vacationland of America; but let us also take steps forward to become a term-time creator of constructive business enterprise of our own, to the end that

vacation time may be deserved and appreciated.

To argue against this resolve on the ground that the reserves derived from the passage of freight over the piers may not be sufficient to pay off entirely the State Bonds in thirty years is the same as arguing that the State should never pledge its credit for the construction of a system of State Highways, because those highways will not directly amortize the State Bonds issued, for their construction.

The sound view of these port facilities is that they are merely our Highway to the Sea. Without them, Maine cannot be a Port of Call in the mature commerce of the world. Without these wharves no ship can come to Maine and unload her cargo from abroad and take on another and depart to the far corners of the globe. Those eighty to one hundred and twenty ocean-going ships which would each year come to these piers must of necessity pass us by and go to the nearest neighboring wharves in our sister states, simply because the State of Maine has been so short-sighted as not to have her own Highway to the Sea.

In the case of our State roads, there is no direct return to the State Treasury. The State builds them and pays for them in toto, on the ground that the general economy is enhanced a hundred-fold because of them.

With the building of this facility, the same argument holds true; but here, we are building a facility which produces a great amount of revenue—an amount certainly sufficient to operate it and to maintain it for all time in the same condition as when first completed.

Just how much farther it will go toward amortizing itself is a question of abiding faith and hope.

My opponents must admit that it may even do all of that. Likewise I frankly admit that it may not directly pay back all the initial investment. But I say to you, when this facility pays its running expenses and depreciation, that the State will all the time own the facility, just the same as it owns this State House, and with the general State Economy being enriched by eight millions of dollars per year in direct cash benefits, left behind by the 100 ships per year that use the wharves—that, in and of itself is ample justification for the accept-

ance of the majority report of this committee.

This eight million dollars does not include the savings in freight rates to all our pulp and textile mills, nor the savings to every householder in Maine on the lower costs in the articles of daily life. This eight millions is simply the amount of fluid cash that is left behind in the area of these facilities, that would be put into circulation in Massachusetts if we drive those ships away from Maine to tie up there, because we have no place for them here.

This money which is 2% of the wage payroll of the entire State would be pumped into our economic system, to be spent over and over again within our borders. This, in itself, is ample justification. It is the Highway to the Sea which will make this possible; and it is the refusal to build this Ocean Highway which will forever seal our fate; and at the same time deny us this richest pearl of ocean commerce. With this facility we can reassert ourselves and become one of the foremost maritime states of the union; without it, we can lapse into a state of innocuous desuetude, and bask in the shade of our neighbor's maritime prosperity.

I sincerely hope this body will take the sound and long-range view, accept the "Ought to pass in new draft" majority report of the committee, and build this Highway to the Sea.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I am not afraid to go on record against this Resolve—either on the floor or by a recorded vote. I do not believe this is sound legislation. The entire presentation of the resolve has not been marked by straightforward presentation of facts.

1. The Legislature and the voters have been told, by signed statements of the sponsors that, and I quote from the statement of March 6th, "The State will own a \$10,000,000 revenue producing property which will be entirely paid for out of earnings and requiring no capital outlay by the State," and "at the date of complete amortization of the bonds, be the sum of \$3,000,000 (the depreciation or maintenance reserve) which will belong to the State over and above the value of

the property." By verbal statement the sponsors acknowledge the likely inaccuracy of any such projection of earnings but by admission to the members of this Legislature or by public acknowledgement in their supporting newspapers they continue to insist upon their original claims. To my knowledge they have made no general admission that their case was badly overstated.

2. In the promotion of the original State Pier, a part of the cost of the property, recorded in the balance sheet of the State Auditor's reports, is the item "Entertainment \$1,750." The sponsors of the original State Pier bonds used a part of the proceeds of the original bond issue to entertain, generously, the newspaper editors of the State. After the Resolve was sold to the Legislature and later sold to the voters, the expense incurred was taken from the proceeds of the bond issue. In this current effort, the Port Authority is collecting income from rental of the present State Pier to the U. S. Navy, the pier that has cost the taxpayers \$2,500,000. None of this revenue has yet appeared as income to the State, but, the sponsors say, they are using some of it to pay for full page newspaper adds urging you to vote for this resolve. I received, by mail, a copy of a full page add in which it was represented that "this page endorsed by public operated business men interested in the future development of Maine."

I have only the word of the sponsors that the Port of Portland paid for this series but if true, with the money representing income from a State owned venture, and at a time when the State can well accept any and all sources of honestly earned income, is it a straightforward procedure to use State owned funds to promote further expenditure by debt, of far greater funds in a venture so loosely controlled that this sort of a thing is done?

3. Why is the most insistent argument "let the voters decide the issue?" Is it confidence that once clear of this Legislature the same type of promotion will permit the venture to prevail before the voters? Do the proponents intend to continue their insistence that the present Pier is a sound money maker earning 5% for the State?

They have made no public reference that I have seen wherein they acknowledged that the Pier failed

even to earn operating expenses in the five years prior to the Navy contract. Do they intend to continue the fiction of a 5% return? A 5% return on the \$2,500,000 of taxpayers money already invested in the venture would be \$125,000 a year. The actual return to the State is zero as your budget will indicate. In the '43-'44 years they collected \$91,000 mainly from the Navy lease. The expenses, including \$2,500 per year for the directors to direct a State Pier upon which only the Navy had access amounted to \$25,800 leaving net for the Port Authority of \$65,100, but net to the State of Maine of zero. This money is Port of Portland money, being spent in part at least to influence you to give them more taxpayers money with which to produce more fiction earnings.

If this Legislature elected by the people, and sent here at taxpayers' expenses, has not the time or interest with which to study and to conclude the merit of this venture, and having determined whether or not the thing is sound, to vote on it with fearless honesty, then it is at best a confusing thing to pass on to the voters with public funds arrayed on one side and who, if anyone, arrayed on the other.

4. Constructive criticism demands a constructive plan that will answer the faults of the plan. Let the sponsors acknowledge that 30 year earnings in excess of operating expenses are at best but a brave hope. And having acknowledged it let them acknowledge that they have no moral right to pass this likely debt into the uncertain years of the future, and having acknowledged that debt for such a venture is an unsound basis upon which to build for our future let them amend their resolve to permit this Legislature and the voters to say whether they want this thing enough to stand up and pay for it. It amounts to less than \$13 per person in the State, if paid for without the requirement of the 30 years of interest burden. Why not ask this Legislature if they want to accept the increased tax burden necessary to pay for this second venture in public owned Port facilities. The argument "Let the people decide" would then have solid foundation below it, for then, regardless of the ultimate cost whatever new tax measure they select, would be there to stay until the

thing was built and paid for. Let them go a step further, if they want a fair answer to their request. Let them ask you for \$3,000,000 or \$4,000,000 of your present unappropriated surplus of the general fund. Give up your U. of M. resolve, kill your State Hospital resolves and use up your other reserves earmarked for projects less worthy than this wharf and fish pier resolve. Then and only then are you tying together the desire to have with the willingness to pay and then and only then is this thing being presented on a fair and fearless basis to stand or fall on its own merit. Personally, if the resolve were so constructed I would vote for it and gladly pay my \$13 as my share toward any enterprise that had the most remote chance of developing Maine. I believe in developing Maine and I believe that Maine can and will be developed, but however that development is accomplished let's accomplish it in a sound, straightforward manner wherein full presentation of the facts gives to everyone of us a full and fair understanding of the merits of the venture.

Mr. Speaker, I hope the motion of the gentleman from Portland (Mr. Haskell) does not prevail.

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

Mr. PERKINS: Mr. Speaker and Members of the House: I had not supposed the time would ever come when it would be necessary for me to stand in this House in order to speak and prevent the destruction of the business interests of my own town.

The final passage of this resolve by the people would take from Boothbay Harbor, my home town, over \$600,000 worth of business I had hoped that this matter might be disposed of here this afternoon without much debate, because I think it is just as dead as anything can be. But, Mr. Speaker, I feel, with the remarks that have been made, I should attempt to clear up a few statements that have been made to you.

In the first place, what is it we are asked to do? Under the Constitution of our State, the Legislature may propose amendments to the Constitution to be voted upon by the people. We propose the amendments; they vote upon them in what has been termed here a referendum. There are two steps:

first, we must propose; second, the people vote upon it.

It was argued here two years ago upon another matter, and here at this time, that we should let the matter go to the people in order that the people might vote upon it. That is not our duty. It is our duty here, upon our oaths as members of this Legislature, to determine, first, whether there is any demand for such an amendment to the Constitution they now ask us to propose. We have no right, under our oaths as members of this House, to refer anything to the people of the State of Maine simply in order to pass the buck. We must first face the issue squarely here under our oaths.

In this bill, what do they ask? They ask us to refer it to a special election. I would assume in a special election there might be more votes cast in the County of Cumberland than there would be cast in the whole of the remainder of the State.

Now the part of the Constitution which they ask us to propose the amendment to was passed first as Article 6 of the Constitution of this State, and was first passed in 1847. And Article 6, as adopted by the people of the State at that time, was this: "The credit of the State shall not be directly or indirectly loaned in any case. The Legislature shall not create any debt or debts, liability or liabilities, in behalf of the State, which shall, single or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed three hundred thousand dollars." --What for? "except (1) to suppress insurrection, (2) to repel invasion, (3) or for purposes of war."

That constitutional amendment was adopted in 1847, and our court in the Opinion of Justices, 53 Maine at 588, said: "Prior to this amendment, there was no constitutional limitation to the power of the Legislature to create debts in behalf of the State. The general design was to provide a perpetual check against rashness or improvidence." "The credit of the State shall not be directly or indirectly loaned in any case." This indicates the great purpose of the amendment.***The object of the amendment cannot be misunderstood. Its binding force cannot be denied. It is the calm and deliberate expres-

sion of the popular will, embodied in the solemn form of a constitutional restriction upon legislative action."

Now, in order for the members of this House to vote to propose an amendment to the Constitution of our State, we must be satisfied that there is a great and overwhelming popular demand for an amendment to our Constitution before we propose it.

The amendment to Article 6 of our Constitution was unchanged until 1912, when it was amended, which was amendment XLI to our Maine Constitution and appears on Page 50 of the revision. I might say that these three constitutional amendments that were passed were passed and sent to the people by the 79th Legislature in 1919; and, at a special session in 1920, I will say, Mr. Speaker and Members of the House, that it was my privilege to serve as a member of the 79th Legislature, twenty-six years ago, and there was then proposed an amendment to the Constitution which was adopted. I quote: "or for the purposes of building and maintaining State Highways." That was in 1912, the first one; and we all recall that was just about the time of the advent of the automobile and the demand for good roads, and there was a demand for a constitutional amendment that we might build our road system. Also, let me say to you, Mr. Speaker and Members of the House, that that was a public purpose.

In 1919, Article 9 Section 14, which is the same one, that was amended in this language: "or for the purpose of building and maintaining public wharves and for the establishment of adequate port facilities in the State of Maine." That is the State Pier. Article XLII was also proposed at that time as an amendment, and this increased the State debt limit from \$300,000 to \$800,000.

Amendment XLIII, in 1919, amended that Section 14 of Article IX by adding these words: "intra-state, interstate and international bridges," so that we could issue bonds for this purpose—and there was a great public demand for it at that time.

Then at the Special Session held in 1920, this amendment was proposed and adopted finally by the people: "to provide for the payment of a bonus to Maine Soldiers

and Sailors in the war with Germany."

Those four amendments—at least three of the amendments, I had something to do with proposing to the people of the State of Maine. At that session there was proposed the amendment, as we call it, for the State Pier, and let me say lest I forget it, that we must here determine whether there is any demand to submit a constitutional amendment to the people—we cannot pass the buck.

There are certain states in this Union of ours where a constitutional amendment, before it may be voted upon by the people, must pass two successive legislatures, both houses; and one of those states is Mississippi and the other is the great State of New York.

Now when they asked in 1919 to amend the Constitution to have a State Pier down in Portland, they promised great things; and I might say my recollection is that there was no debate on any of these constitutional amendments in the House—they simply passed along, got their two-thirds vote, and went to the people. A member of that House, one Henry F. Merrill, of Portland, now a director of the Port of Portland, stood me right up against the wall where that thermostat is, and showed me all the glories of the world that were going to result from the building of a State Pier. At that time I was a member of the Committee on Sea and Shore Fisheries, and I was not interested particularly in much of anything else; and there has been nothing presented to the members of this House, either before the committee or anything I have ever seen, that would warrant me, or, I believe, any other member of the House in voting to send this to the people. There is no demand for it. Furthermore, the best criterion, the best standard, of whether building State Piers in Portland would be of any benefit to the State is what happened under the first State Pier, when the State put in \$2,027,000, and, in the last six years, has gotten out of it \$25,000.

Furthermore, let me call your attention to the fact that this \$10,500,000, Mr. Speaker and Members of the House, will not do the job, because, if it would have done the job they never would have given a million dollars to the City of Rockland. I do not blame the people of Rockland at all for getting what

they can if they can get it; but I do not think the City of Portland or anybody else ought to get this money at my expense or at the expense of the taxpayers of this State.

Now here we are again, being asked to give the City of Portland \$9,500,000 of our money. Is there any reason why we should? I do not think so. I do not come here for my town asking the Legislature of the State to give me or my town anything; all I am asking this Legislature to do is to leave us alone. If we cannot stand on our own two feet down there we will go down. You are just pouring money down a hole over there if this bill should go through.

Now let me say this: I say that the State of Maine, the City of Portland, and the City of Rockland have no right to ask this Legislature to send a resolve to the people of this State, the result of which would be to ruin the town which I have the honor to represent.

I have here in my possession all of the figures on the landing of fish in this State back to the time when they first kept them. They talk about the fish business. We have about one-third as many fish landed at Boothbay Harbor as they land in the City of Portland or in the whole of Cumberland County. Washington County has a lot and so has Hancock. In 1944, in Lincoln County, we landed 9,056,248 pounds of fish; in 1943, 13,526,834; in 1942, 11,810,421; and back in 1941, 8,572,089. Rockland didn't do so well prior to that. In 1944 they went to 30,000,000 and beat Portland 3,000,000. Mr. Newell says, "That is fine; we will let them in and share with us." But they want to take from my town 11,000,000 pounds of fish landed in my town at a value of \$600,000 and a means of employment to forty or fifty families in that town.

Now what is going to happen eventually if this thing should receive passage and be accepted by the people? It means those families inside of a year would be on the town for lack of employment, or they would have to follow the fish and go to Portland or somewhere else.

Now the population of my town, Mr. Speaker — and these figures are taken from the Maine Register — is 2121 — I suppose I am the "1."

The valuation is \$2,714,590. Rockland has a population of 8899, and its valuation is \$6,727,699; while the City of Portland has a population of 73,643 and its valuation is \$78,145,425. Now the City of Portland is about thirty-six times as large in population and about as many times as large in valuation, and has not quite three times as many fish landed as in our town, and they want to come down here and steal from us eleven or twelve million pounds of fish and land it over in Portland and let our people starve. That is all there is to it.

Furthermore, we have had two disastrous fires in our town down on our waterfront, six or seven buildings gone; and we would be tickled to death to have some of this money, perhaps half a million dollars, to lay out on our waterfront. Portland wants to improve their waterfront — I don't blame them — but I ask them not to do it at my expense.

Now, Mr. Speaker and Members of the House, the town I have the honor to represent is situated about midway between Portland and Rockland, and I do not think anyone would deny that if this resolve becomes part of the Constitution my town would be ruined; it would lose \$600,000 worth of business, and all we would have left would be a little lobstering and our summer business. Now I do not think that that is a fair proposition at all.

I will say as I did when I opened: I never supposed it would be necessary for any member of this House from any town in this State to stand up in this House and ask the House to vote no upon the pending question in order that his people might have the right to stay in the sun.

Furthermore, Mr. Speaker, we have a freezer plant down there, and one of the directors of the Port of Portland is one of the principal owners, and, let this bill pass and out goes the freezer plant and everything goes to Portland.

I hope, Mr. Speaker and Members of the House, that you will kill this thing right now. It is probably dead anyway, but let us kill it right here, stop talking and go home.

I hope the motion of the gentleman from Portland, Mr. Haskell, does not prevail.

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

Mr. CONNELLAN: Mr. Speaker and Members of the House: I almost hesitate to get up on my feet. I was a little worried, but one thing gave me courage. The gentleman from Boothbay, Mr. Perkins, was in the wrong article of the Constitution. For his information he was talking about Article IX.

As I see it, there are two ways to back this problem. One is with a slide rule and the other is with faith and courage. I think the proponents of this measure are using the second method. They have faith in the future of the State of Maine; they have the courage of their convictions. This courage is backed up by the sound and mature judgment of some of the leading figures in the State of Maine. I do not have to tell you who they are.

I think the problem resolves itself as to whether or not we are afraid to face the future. Some mention has been made of the burden that this will place on taxpayers. I want to say right here and now that I expect to be a taxpayer in the State of Maine probably as long as anyone in the House and I also believe that the boys who are fighting overseas, when they return, will probably be taxpayers for some time. I say to you, that if you return to your home from this 92nd Legislature, having killed this measure, when you sit back in your Chairs and start complimenting yourselves on your prudence, and you show the boys, when they come back, a nice balance sheet of the State of Maine, an unappropriated surplus, plenty of money in the bank, a beautiful vacationland and no jobs, they will thank you; they will put their arms around you and they will pack up and go to some place else.

Figures are easily used to prove both sides on an issue. It depends on the results which you want to achieve. Now figures have been presented to the House of Representatives and to the remainder of the Legislature, which have shown that, based on faith and courage and vision, this project could very easily be a paying proposition. I am willing to be a little more conservative. I will not only say that it might pay for itself, but I will say to you that if it cost the State of Maine \$5,000,000 in cash to build this project, this Legislature would be doing more for the State of

Maine than they have yet done on any other measure that I have seen.

Some reference has been to the old State Pier. I could probably spend an hour differentiating between the old State Pier and the proposed piers. I will only say this: I think that it will be granted by our competent opposition that the old State Pier has been saved financially to the State of Maine. It has been saved by World War Two. When the United States Navy was looking for an Atlantic base, they did not go to Boothbay Harbor; as a matter of fact, they did not go to our good friends in Rockland; they went to Portland to the old State Pier. They are now in possession of the old State Pier under a lease, and as I am not a mathematical genius, and do not know how to work a slide rule, I cannot tell you exactly what the financial status is, but I have been given to understand—I think it will be admitted by the opponents—that the State pier will pay for itself because of the acquisition by the Navy.

While the opponents say, "That was a lucky break", one of truly many lucky breaks that World War Two brought, I do not consider them lucky but probably some people do. I will say that if that was a lucky break, and that is the thing that saved the old State Pier, that is one of the things that resulted from the gamble that was taken back in 1919. If the gamble had not been taken, the State of Maine's contribution to the war effort, so far as providing an Atlantic base, would have been nothing, and I do not think there is anyone here who can question the value that the old State Pier has played in the war effort.

I could think of many other things to discuss, but I do not think that anything that I say is going to change anybody's mind. I think we are all pretty well decided. There are those honest men who believe that this should not go to the people. These are men who have lived in the State of Maine all their lives and are trying to do what they think is best for the State of Maine. There are others just as honest, perhaps sometimes misguided, who believe that this should be submitted to the people.

The men who have this belief are the men who built the Bath Iron Works—they did not build it but took it from the depths into

which it had fallen. They are men who came to Portland and took a ledge on the Atlantic coast and built a \$10,000,000 shipbuilding company which has contributed to date over two hundred ships to her Merchant Marines. These shipyards in South Portland are probably on their way out of the picture. One has closed already; the other has an opportunity for a future and this opportunity lies chiefly in this measure which is now before you. I believe that this other shipyard will continue despite the rumors to the contrary and regardless of the outcome of this proposition, and the reason that it will continue is because you have a man of courage, faith and vision who is still behind it.

The more I talk, the more I can think of to say, but as I have said before, you people have probably made up your minds. Some have criticised the presentation of this. Well, "to err is human" and probably if it had been presented in some other manner, that might have been subject to criticism also. I honestly hope and believe that whatever you do in this House will be as a result of your honest and sincere conviction, but I say: "Have courage and have vision and give the State of Maine something that will carry it through the years to come, even though it might cost five million dollars," and I hope that the motion of the gentleman from Portland, Mr. Haskell, prevails.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I have been given to understand this is the last war. Let us not have the vision to look forward to a second war to draw the State of Maine out of the ditch.

I believe it is my duty, in the interests of the State of Maine as a whole, to stand up here and say something in opposition to this bill. Some of my bills and those which I have been interested in have not been passed by this House, but I want to congratulate you ladies and gentlemen who are present here this afternoon on the good judgment you have shown in disposing of all bills and resolves which have been placed before you. We are soon to return to our homes and to our constituents. Let us keep our record good. I have said before,

"We are the keepers of the public fund." Let us not now reach down into the till and take out ten and a half million dollars to be invested in a project wherein we have no guarantee that even the interest will ever be returned to the taxpayers of the State.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Haskell, that we accept the majority "Ought to pass in new draft" report of the committee. The Chair recognizes the gentleman from Camden, Mr. Lord.

Mr. LORD: Mr. Speaker and Members of the House: I feel it my duty at this time to read a short letter I have received under date of April 16th, 1945:

"Dear Mr. Lord::

The directors of the Camden-Rockport Chamber of Commerce have endorsed the following resolution and will appreciate any action which you may take to further the passage of the Maine Port Bill by the legislature.

RESOLVED: Because of the importance to the entire state of Maine of the Maine Port Bill, the Camden - Rockport Chamber of Commerce respectfully urges the passage of this bill by the 92nd Legislature so that the people of this state may have their rightful opportunity to consider, discuss and finally to vote by referendum on this measure. The 92nd Legislature will assume a grave responsibility if it denies to the people of Maine this opportunity.

(Signed)

CAMDEN-ROCKPORT CHAMBER OF COMMERCE.

Board of Directors."

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

Mr. HASKELL: Mr. Speaker and Members of the House: The question of private capital versus subsidy investment, as I judge this bill, is the most important issue we have got to consider.

In Portland Harbor today, while the State Pier is being leased to the United States Navy, shipping is being taken care of reasonably well. As a specific example of what private capital is ready and willing to do in Portland Harbor today, let me say that within the last 90 days it became apparent that France needed wheat in great quantities. Docks 7 and 8 of the Grant Trunk piers

were made available for that shipment at a cost of forty or fifty thousand dollars of private capital investment, and today ships are being loaded down there at the rate of 1200 bushels of wheat an hour. Private capital to the same degree is going to be ready and willing to acknowledge those needs whenever the service is required.

Let us look at the fish angle of the venture in Portland. The area that the proponents seek to put bulldozers through in the construction of the new piers actually has installed and working today more fish freezing capacity and more fish storage capacity than the proponents have in their own venture, and the jobs that are being done by private capital amount to about seven hundred. What is going to become of those people when their own jobs and their own businesses are cleaned out of the area and in their place comes a fish venture less in capacity than that which is in successful operation down there today?

In the proposal for these piers was the sum of \$252,000 income from the fish pier. Specifically, the State of Maine is going to get \$90,000 for being in the fish freezing business. We are also going into the fish storage business and are going to get \$67,000, because we are going to make 13,000 tons of ice and sell it at five dollars a ton. Today, in this same area, these same services are being performed by private capital that pays a tax of \$40,000 to the City of Portland. Those are the facilities which they seek to wipe out. I ask you if it is not consistent, if this venture is sound and right, for another Legislature to come over here, with the argument of cheap money—and this goes free of Federal taxation—and say "Let us take over something that is really good, something we can really make money on—let's take over the power companies and the railroads and make money on that; let's take over wholesale food and retail food, and then let's take over growing food." It is an approach to State Socialism when you go in and wipe out private industry being successfully operated by private capital and replace it with a public venture.

I hope the motion of the gentleman from Portland, Mr. Haskell, does not prevail.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Haskell, that the House accept the majority "Ought to pass in new draft" report of the committee. The gentleman from Portland, Mr. Allen, has asked for a roll call vote. Under the Constitution, in order for the yeas and nays to be called, it requires the consent of one-fifth of the members present. All those in favor of the yeas and nays being called 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: Thirty-six having voted in favor of the roll call vote, thirty-five being more than one-fifth of the members present, the vote will be taken by the yeas and nays.

The question upon which the House is voting is upon the motion of the gentleman from Portland, Mr. Haskell, that the House accept the majority "Ought to pass in new draft" report of the committee. A vote of yes is a vote to accept the majority report. A vote of no is to not accept it.

Mr. DUTTON of Bingham: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. DUTTON: Mr. Speaker, I feel convinced that we do not understand just how we are voting at this time.

The SPEAKER: The Chair will explain again. A vote of yes is a vote to accept the majority report of the committee "Ought to pass in new draft."

The Clerk will call the roll.

YEA—Allen, Baker, Bell, Bernier, Bird, Rockland; Blake, Brownfield; Bowker; Brown, Brunswick; Byron, Carpenter, Augusta; Chase; Cole, Casco; Connellan, Cyr, Dean, Dow, Ellingwood, Emerson, Gowell, Grenier, Hanson, Harrison; Haskell, Portland; Jalbert; Jordan, Saco; Jordan, South Portland; Legard, Letourneau, Lombard; Lord, Camden; Lord, South Portland; Marshall, McFee, Meloon, Moulton, Ouellette, Palmeter, Pascucci, Patterson, Payson, Peirce, Plummer, Pratt, Prout, Rankin, Roberts, Russell, Snow, Stillings, Sweetser, Walsh, Ward, Warren, Weeks, Weston; Williams, Auburn; Wood.

NAY—Adams, Ames, Anderson, Benn, Berry; Bird, Washington; Blake, Dexter; Boulder, Boyker, Brewer; Brown, Milford; Brown, Unity;

Burton; Carpenter, Skowhegan; Christensen; Cobb, Bangor; Cobb, Gardiner; Cole, West Gardiner; Collins, Conant, Corson, Cousins, Crosby, Deering, DeSanctis, Dicker, Downs, Dutton, Edwards, Ela, Elliott, Forhan, Gallant, Gay, Gillies, Gross, Hamilton; Haskell, Bangor; Hawes, Hayward, Heanssler, Hemphill, House, Jacobs, Jennings, Jewett, Judkins; Knight, Clinton; Knight, Jay; Leathers, Lee, Longstaff, MacKinnon, Marsans, Morneault; Morrison, Rumford; Morrison, Winter Harbor; Morse, Nadeau, Perkins, Poulin, Rollins, Ross, Sanborn, Sargent, Savage, Smith, Southard, Springer, Thomas, Thompson, Thorndike, Tozier, True, Vickery, Webber, Welch, Wight; Williams, Clifton; Williams, Topsham; Wright.

ABSENT—Boutin, Coombs, Daigle, Donahue, Dorsey, Jones, Lacharite, Lackee, Martin, Renouf, Smart, Wells.

Yes, 57.
No, 81.
Absent, 12.

The SPEAKER: The result of the roll call vote is 57 yes, 81 no and 12 absent. The motion therefore fails.

Thereupon, on motion by Mr. Perkins of Boothbay Harbor, the minority report "Ought not to pass" was accepted in concurrence.

Passed to Be Engrossed

The following Bills and Resolve taken up by special assignment:

Bill "An Act relating to the Enforcement and Collection of Dog Licenses" (H. P. 1478) (L. D. 1184)

Bill "An Act Amending the Charter of the Town of Norridgewock School District" (H. P. 1481) (L. D. 1185)

Resolve in favor of Several Academies, Institutes and Seminaries (H. P. 1479) (L. D. 1186)

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

Passed to Be Enacted

(Out or order and under suspension of the rules)

An Act relating to School Superintendents (S. P. 431) (L. D. 1151)

An Act relating to Powers of Attorney and Other Instruments by Persons in the Armed Forces (S. P. 432) (L. D. 1148)

An Act relating to Public Administrators (S. P. 433) (L. D. 1150)

An Act to Incorporate the "General Mortgage Company" (S. P. 434) (L. D. 1152)

An Act Amending the Unemployment Compensation Act as to Employer's Experience Classifications (H. P. 1077) (L. D. 926)

An Act relating to Bounty on Porcupines (H. P. 1342) (L. D. 993)

An Act Authorizing Towns to Cooperate with Highway Commission in Maintaining Town Roads and with Federal Government and Commission in Building Secondary Roads (H. P. 1437) (L. D. 1118)

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 Salary of Justices of the Supreme Judicial and the Superior Courts (H. P. 1466) (L. D. 1167)

(On motion by Mr. Morse of Oakland, tabled temporarily, pending enactment.)

An Act relating to Pollution in Cobbosseecontee and Annabessacook Lakes (H. P. 1471) (L. D. 1173)

Resolve Providing for Purchase of Land for the Pownal State School (S. P. 436) (L. D. 1153)

Resolve Authorizing Purchase of Jefferson Camps (H. P. 1424) (L. D. 1097)

Resolve, in relation to Status of Certain Persons in re Teachers' Retirement Association (H. P. 1472) (L. D. 1175)

Resolve relating to Appointment of Special Committee to Study Proposals to Establish Technical and Vocational Institutes (H. P. 1473) (L. D. 1176)

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.

The SPEAKER: The Chair now lays before the House the eighth item, An Act relating to Salary of the Justices of the Supreme Judicial and the Superior Courts (H. P. 1466) (L. D. 1167) tabled a moment ago by the gentleman from Oakland, Mr. Morse; and the Chair recognizes that gentleman.

Mr. MORSE: Mr. Speaker and Members of the House: I am about

to move for the indefinite postponement of this Item 8, An Act relating to the Salary of the Justices of the Supreme Judicial and the Superior Courts. In support of this motion I have just a few words to say in explanation of my reasons for making it.

I simply wish to say that I cannot bring myself to vote to raise the pay of our Justices when they are already the highest paid officials in our State, also—and this is especially true—when the raise of \$2,000 is an amount larger than the total pay of most of our State employees. This raise would cost the State about \$24,000 each year, and as I understand it, it could never be reduced or taken away. Also a large part of this money would simply go to the Federal government as income tax. While they may need it, I do not feel that our State should contribute to the Federal government in this manner.

I now move, Mr. Speaker, that this bill be indefinitely postponed, and I hope my motion will prevail.

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

Mr. CARPENTER: Mr. Speaker and Members of the House: I think the impression sometimes gets around the House that perhaps we are miserly with our State employees. Such is not the case. I am going to read figures from the Governor's message:

"Maine ranks twenty-sixth among the states in per capita income and twelfth in direct operational expenses."

This bill calls for an additional burden on the taxpayers of Maine amounting to \$28,000. The gentleman from Oakland, Mr. Morse, says \$24,000. It is hard to judge that too close, because some retired justices are working on the bench today; so I will take my figure. This bill calls for \$28,000 to be distributed to fourteen employees of the State that are already receiving \$109,500 per year. It is divided so that the Chief Justice gets \$9000, six Supreme Court Justices get \$48,000, and seven Superior Court Justices get \$52,500, making a grand total of \$109,500.

What kind of reaction are we going to get from our constituents if we let this bill get by? I know how I would feel towards a person I had elected to the office we hold if he or she voted for a bill like this.

The proponents say that unless we pay more money we do not get the right kind of men. A few weeks ago a friend of mine was elevated to the Bench, and I defy anyone to name a better man. Justice Merrill took this position at the present salary, before the Legislature had even heard of such a fantastic bill as this one which has been presented to us. Now I believe that Justice Merrill was getting more than \$7500 a year in his private practice. So why would he accept this position? I asked an esteemed lawyer in this House that very question, and his reply was that being appointed to the Bench is an honor that most lawyers look forward to, and besides, he pointed out, the salary is very, very good, the position secure, and when a Justice retires, he does so at three-quarters pay—in other words \$6000 per year, \$115 per week for the rest of his life. In your mind's eye, look around your home town and city and see how many men you will find who at the age of 70 have all their bills paid and receive \$115 a week.

But this bill asks for \$28,000 more right now for this group, plus this retirement pay. And this is for a group, as Mr. Morse pointed out, that once this salary is fixed it is fixed by the Constitution of Maine, and we have just seen how hard it is to upset the Constitution of Maine, so it will always be there.

Now here is my reasoning on this matter. We have been rather rushed on these salary bills. Now there will be another Legislature in eighteen months. Let us let the people of Maine think this over, and then, if this demand for more money is just, they can bring it up before the 93rd Legislature or a special session, if we have one. The Justices are getting a salary now so they will not suffer in the meantime; they all took this position at the present rate, and it will not add anything to the ability of the present Bench if we increase them \$28,000. So I believe the wise course for this Legislature is to agree with the gentleman from Oakland (Mr. Morse) and indefinitely postpone this bill.

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

Mr. DOWNS: Mr. Speaker and Members of the House: I certainly had hoped that this day might pass and I be allowed to sit in my seat

untroubled and unmolested; but, as a member of the Salaries and Fees Committee and as a citizen of the State of Maine, I believe that I should tell you as clearly and as concisely as I can, in my own feeble way, why and how the Committee on Salaries and Fees arrived at their decision.

In the first place, I regret that the highest tribunal in our State has to be kicked around like a football in the halls of legislation, as this particular bill has been. From time to time, since the report of the committee came out, we had arrived at a fair decision and honest the adjourning hours of this body, agreement only the next minute to have it kicked over; and today, in the agreement is again nullified and you are asked to indefinitely postpone what was the impartial decision of your Committee on Salaries and Fees.

My esteemed colleague has reminded you that this increase equalled the large amount of \$24,000. It is a large sum of money when we think of \$24,000 in terms of dollars and cents; it is an astounding sum; but I submit to you that many litigants have in the courts of Maine cases which involve many times the amount of \$24,000; and I submit to you, if you, one of the members of this House, were one of these litigants: What is the type of man that you would want to decide the cause between party and party? I submit to you in the same breath, that there are an innumerable number of men who are hoping and praying that sometime they may be elevated to the Bench, not for the salary which it involves but for the honor that comes with it.

Many of the older members in this House recall the trial of one of our State officials. It was a tiresome thing and consumed days. It was presided over by a member of the legal profession. I watched him carefully, and it was the work of an artist. When it was over, I said to him, "It would give me pleasure to see you elevated to the Bench," and he instantly said, "Tell that to the Governor." I never had the opportunity to tell it to the Governor, but, after a recent appointment was made, I said to him, "I would like to have seen you had that appointment," and he said, "Doc, I couldn't afford it." I think he told the truth. I believe he told

the truth because he is pulling down in his own private practice many times what this salary would pay him. But he is the type of man who should occupy the Bench of this State, a man in the prime of life, a man of ability and a man of honesty.

For several terms it has been my privilege to try, in my own weak way, to guard the salaries and to guard the treasury of this State. After four terms in this House, I am not ashamed of my record in that particular instance, and I am not ashamed today to go on record as supporting the report of the committee, because I believe it is giving justice where it is due.

We have been reminded of the munificent salary of \$115 a week, if I got the figures right, that has been paid some of our Judges. Recently I had the opportunity to go over the income tax return of a man who had been working in the Portland shipyard, and I am saying to you that his weekly salary had been higher than this munificent amount of \$115 a week. This man could read and write, but he could not comprehend the statutes of the State of Maine. I can not.

I have no fear this afternoon, Ladies and Gentlemen, in standing on the floor of this House and defending the action of our committee. I am not playing politics. If my head falls in the basket, it is a good place for it, but at least I have done my duty. This criticism which has been extended to the Judges of Maine—and better Judges do not exist in the Nation—I believe the way this thing has been kicked around like a football is a slap in their face.

Twenty-four years ago as a stripling, it was my privilege to serve in this Legislature, and I served under the Speakership of a man who later adorned the Bench. I regret—and when I say that I mean it—I regret that it is my duty this afternoon to stand here and defend a matter which really should not require any defense. He needs no defense; his record needs no defense; and, for the short years of life which are left to him, let it not go down on the record that the 92nd Legislature took away from him what would be a slight but fair reward.

I certainly trust that the motion of my colleague does not prevail.

The SPEAKER: The question is on the motion of the gentleman

from Oakland, Mr. Morse, that L. D. 1167, "An Act relating to Justices of the Supreme Judicial and Superior Court," be indefinitely postponed.

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

Mr. WARD: Mr. Speaker and Members of the House: As a member of the Committee on Salaries and Fees, I rise to oppose the motion to indefinitely postpone this matter. Your Salaries and Fees Committee, in taking this measure under consideration, due to the fact that it involved twelve positions instead of one, gave the matter very careful and earnest consideration, and this salary measure was discussed at some length, and finally it received the unanimous endorsement of the committee.

I believe the committee, in reaching its conclusion, recognized the fact that our courts must be maintained on the highest plane possible, and that we must secure men for appointment on that Bench who are the most outstanding members of the legal profession in the State of Maine.

In state after state through the Nation the salaries paid to the members of the Judiciary far outdistance the salaries paid to any other State employees, and in the State of Maine, time and time again, appointments have been offered to outstanding members of the legal profession who, as much as they would desire to accept, have been obliged to decline because they simply could not afford to accept them.

Now it has been said here in the State of Maine that only a rich man can be elected Governor, that a man of moderate means cannot get himself elected. Now we have in the State of Maine practically the same situation in regard to our courts, and if the members of this Legislature wish to have it remain that way, you will indefinitely postpone this measure, but if you wish to have it so that any outstanding member of the legal profession would be in a position to accept an appointment to the Superior Court or the Supreme Judicial Court, regardless of the size of his pocket-book, I believe you will go along with the unanimous report of the committee.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I am not an attorney, therefore I have no ambition to be elevated to the Bench, because it is an impossibility. But I do stand before you as I have before — I stand on my word. I have agreed to let this bill be as it is, as it was reported from the committee. I still stand in that same position. The fact that this bill relates to the highest court in the State of Maine, the members of which I have the highest esteem for, and because of the confidence I have in the present executive officer of our State in the future to pick from the attorneys in our State the best men to fill what vacancies arise, I believe, and I think each one of you know that the type of man who will be selected for this office can earn all this raise amounts to in one single year, and this raise is for twelve men.

We cannot have everything, and we have just saved the State of Maine, by the opponents own admission, five million dollars, therefore I feel that with our present resources we are amply justified in spending this extra money. I hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The question is on the motion of the gentleman from Oakland, Mr. Morse, that L. D. 1167, Bill "An Act relating to Salary of the Justices of the Supreme Judicial and the Superior Courts," be indefinitely postponed. All those in favor of the motion will say yes; contrary minded no.

A viva voce vote being doubted,

A division of the House was had.

Fifty having voted in the affirmative and 56 in the negative, the motion did not prevail.

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

The SPEAKER: The House is proceeding under Orders of the Day, having disposed of all matters excepting the tabled and unassigned matters.

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

Mr. PAYSON: Mr. Speaker, I move to take from the table the second tabled and unassigned matter, An Act to Incorporate the Portland

Wharf District (H. P. 1328) (L. D. 972), in the House passage to be enacted reconsidered, and tabled by me on April 17th pending enactment.

As this bill apparently serves no useful purpose, I move its indefinite postponement.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves the indefinite postponement of this bill. Is this the pleasure of the House.

The vote was declared.

The SPEAKER: The Chair is informed that there was an objection.

All those in favor of the motion to indefinitely postpone this bill will say yes; those opposed no.

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

On motion by Mr. Rollins of Greenville, the House voted to take from the table the third tabled and unassigned matter, Resolve Authorizing Commissioner of Agriculture to Employ Poultry Expert (H. P. 1047) (L. D. 655) which was recalled to the House by Joint Order and final passage reconsidered, tabled on April 17th by that gentleman, pending final passage.

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

Mr. ROLLINS: Mr. Speaker, since I tabled this bill only to facilitate the work of this Legislature, I have no motion to make.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Adams.

Mr. ADAMS: Mr. Speaker, I move that this resolve be indefinitely postponed.

The SPEAKER: The gentleman from Kennebunkport, Mr. Adams, moves that this resolve be indefinitely postponed.

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

Mr. PEIRCE: Mr. Speaker, may I ask that the Clerk read the title of the resolve.

CLERK (reading): Resolve Authorizing the Commissioner of Agriculture to Employ Poultry Expert (H. P. 1047) (L. D. 655).

The SPEAKER: The question is on the motion of the gentleman from Kennebunkport, Mr. Adams, that this resolve be indefinitely postponed. All those in favor of the motion will say yes; contrary minded, no.

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

On motion by Mr. Weeks of Waterville, the House voted to take from the table the fourth tabled and unassigned matter, Joint Order relative to Public Utilities Commission and Highway Commission to make a Study re Carriers Supplying Freight Transportation in Maine (S. P. 446), tabled on April 18th by that gentleman, pending passage; and on further motion by that gentleman the Order received passage in concurrence.

The SPEAKER: Apparently the House has no further business to transact.

The Clerk will read the notices.

On motion by Mr. Ward of Milinocket,

Adjourned until ten o'clock tomorrow morning.