

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-second Legislature



Special Session

July 8, 1946

SENATE

Friday, July 19, 1946

The Senate was called to order by the President.

Prayer by the Reverend Gordon Washburn of Hallowell.

Journal of yesterday read and approved.

From the House:

The Committee on Judiciary on Bill "An Act Relating to Rent Controls," (H. P. 1506) L. D. 1219 reported that the same ought not to pass as the matter is covered by other proposed legislation.

Which report was read and adopted in concurrence.

Senate Committee Reports

Mr. Batchelder from the joint Committee on Military Affairs and Appropriations and Financial Affairs on Bill "An Act to Provide for the Payment of a Cash Bonus of \$500 to Maine Veterans in World War II," (S. P. 455) (L. D. 1193) reported that the same ought not to pass.

On motion by Mr. Boucher of Androscoggin, the report and accompanying papers, were laid upon the table pending acceptance of the report.

The same Senator from the same Committees on "Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$500 to Maine Veterans in World War II" (S. P. 456) (L. D. 1194) reported that the same ought not to pass.

On motion by Mr. Boucher of Androscoggin, the report and accompanying papers were laid upon the table pending acceptance of the report.

Mr. Savage from the same Committees on Bill "An Act Authorizing Maine Development Commission to Promote New Industries," (S. P. 457) (L. D. 1192) reported that the same ought not to pass.

On motion by Mr. Leavitt of Cumberland, the report and accompanying papers were laid upon the table pending acceptance of the report.

Mr. Cleaves from the same Committees on Bill "An Act to Provide

for the Payment on a Cash Bonus to Maine Veterans in World War II Based on Length of Service," (S. P. 473) (L. D. 1231) reported that the same ought not to pass as it is covered by other legislation.

Which report was read and accepted.

The same Senator from the same Committee on "Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus to Maine Veterans of World War II Based on Length of Service," (S. P. 474) (L. D. 1230) reported that the same ought not to pass as it is covered by other legislation.

On motion by Mr. Smith of Knox, the report and accompanying papers were laid upon the table pending acceptance of the report.

Thereupon, on motion by the same Senator, the Senate voted to reconsider its action taken earlier in the session whereby it accepted the "Ought Not to Pass" report of the Committee on bill, An Act to Provide for the Payment of a Cash Bonus to Maine Veterans in World War II Based on Length of Service (S. P. 473) (L. D. 1231); and on further motion by the same Senator, the report and accompanying papers were laid upon the table pending acceptance of the report.

Mr. Owen from the same Committees on "Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Sliding-Scale Bonus to Maine Members of the Military and Naval Forces in World War II," (S. P. 460) (L. D. 1211) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

The same Senator from the same Committees on Bill "An Act to Provide for a Sliding Scale Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Races," (S. P. 468) (L. D. 1213) reported that the same ought not to pass.

On motion by Mr. Currier of Androscoggin, the bill and accompanying papers were laid upon the table pending acceptance of the report.

Orders of the Day

The President laid before the Senate, the first tabled and especially assigned matter, House Re-

port "Ought to Pass" from the Committee on Legal Affairs on bill, An Act Amending the Charter of the City of Portland (L. D. 1203) tabled by the Senator from Androscoggin, Senator Currier, pending motion of the Senator from Cumberland, Senator Leavitt, that the "Ought to Pass" report of the committee be adopted in concurrence.

The motion prevailed and the "Ought to Pass" report of the committee was adopted in concurrence and the bill was given its first reading.

Thereupon, under suspension of the rules, the bill was given its second reading and passed to be engrossed in concurrence.

The President laid before the Senate, the second tabled and especially assigned matter, House Report "Ought to Pass as Amended by Committee Amendment A" from the Committee on Judiciary on bill, An Act to Provide and Operate Permanent Housing with Preference for Veterans (L. D. 1205) tabled by the Senator from Oxford, Senator Dow, pending motion by the Senator from Cumberland, Senator Spear, that the bill be indefinitely postponed.

Mr. SPEAR of Cumberland: Mr. President, in the absence of Senator Dow, I would like to re-table this bill until he returns.

Thereup, the bill and accompanying papers were retabled pending the motion to indefinitely postpone the bill.

On motion by Mr. Brown of Aroostook

Recessed until this afternoon at 1 o'clock Eastern Standard Time.

After Recess

Additional House Papers out of order and under suspension of the Rules:

The joint Committees on Military Affairs and Appropriations and Financial Affairs on Bill "An Act Creating the Department of Veterans' Affairs," (H. P. 1488) (L. D. 1195) reported that the same be referred to the 93rd Legislature.

Which report was read and accepted in concurrence.

The joint Committees on Military Affairs and Appropriations and Financial Affairs on "Resolve in Favor of the University of Maine," (H. P. 1493) (L. D. 1200) reported that the same ought to pass.

(Tabled by Mr. Boucher of Androscoggin pending passage to be engrossed.)

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Greenville," (H. P. 1526) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the Resolves read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

The Committee on Judiciary on Bill "An Act Relating to Control of Rentals," (H. P. 1504) (L. D. 1218) reported the same in a new draft, (H. P. 1527) (L. D. 1242) under the same title, and that it ought to pass.

Mr. BROWN of Aroostook: Mr. President and members of the Senate, I hate to disturb the serenity of the action of the Senate by rising to oppose a bill which has a majority report, and as things have gone along so smoothly I hate to interject myself into this discussion but I am firmly opposed to rent control of any sort. This is simply a handed down legacy from the New Deal price fixing board which we have consistently opposed in the State of Maine and it is not good policy for the state nor for the people.

We have always had in the State of Maine a regard for the right of a man to own property. It is guaranteed to him by the Constitution and it is a sacred right, the right of a man to own property and to control it. In time of great emergency, in time of war, there might be need for the government to suspend the national laws temporarily but sooner or later we must get back to the fundamental right and the laws which govern the right of property.

Everyone admits that the time will come when we will have to do away with it. The question is when and how. I am reminded of a famous statement made by Horace Greeley after the Civil War when the question was whether we would

retire the greenbacks and return to solid money. We are at the present time, of course, in a condition of inflated currency, and that is half of our troubles. But the right of a man to own property is a direct and positive right guaranteed by the Constitution and guaranteed by the laws of God. It is a sacred right.

Now some people will say, "Well, you are putting property rights before human rights," but if you don't have one, you don't have the other. Next to the right of a man to his moral convictions and his right to worship God is his right to own property and that means to control it and no one else has any right to control the property which he owns.

I said it was a sacred right. If you will bear that in mind, I will go back and prove it is a sacred right. When God said, "Let us create man and give him dominion over the earth and the beasts of the field and the fowl of the air," He gave him the greatest deed, the greatest transaction the world has ever seen. The right to own property is inherent because it is the fruit of man's labor and the command is that man shall labor.

There is one law of the universe which applies to all flesh and that is that everyone who lives must eat. But the birds and beasts and fowls have been given different laws than man. To the beasts, God has given the right to live by robbing and stealing wherever they can get it but to man it was given to work and it is intended for man to work and enjoy the fruits of his labor.

Now, two of the Ten Commandments expressly protect the right of a man to own property. The first is "Thou shalt not steal," which means every man's property is his own and no one has any right to take it away from him without paying him for it. The second is, "Thou shalt not covet thy neighbor's property." And it is property rights that we are talking about, sacred rights, the most valuable rights which a human being has outside of his right of religious opinion. And I say this bill is a direct infringement of a man's property rights.

He has just as much right to say what he wants for it as a man has to sell his farm or do any other business.

Now, renting houses is a business. Many men are in that business, not because they want to be and because there is great profit, but because they have been forced into it by circumstance.

You remember there was a while, a short time ago, before the war, when a common saying was, "I am not going to build a house and pay taxes on it; it is cheaper to rent." And it has been. And then rents were frozen at a very low rate and for four years or more the landlord has been at the mercy of the tenant and has not had much to say about what he should receive.

This bill is just a continuation of that condition. After the Federal Government has dropped it, if they do, why should we take it up? When a man has a house and rents it he is entitled to a reasonable profit, or any profit for that matter because who will say what is a reasonable profit? That is for him to say. But many men haven't been getting any profit whatever from their houses. They have been holding at a very considerable loss all through the war. The cost of repairs doubled and tripled, taxes have gone up, and yet they have frozen the rents right back where they were in 1941.

This bill proposes to freeze them at the present standard where it is now, or where it was on the 30th of June. I haven't the exact date but it means the status before price control went out. It means that no matter whom you have in your house, no matter what damage he may be doing in your house—and there are thousands of undesirable tenants in houses who are practically destroying them—the landlord has no recourse and cannot raise the rent or put out the tenants.

A man told me the other day that he had to build two sets of porch steps, and they cost him \$72. Where is the man who can rent property at that rate? Now you have now, or have had, a 15% raise. How do you know 15% will cover it? All you know is that there is plenty of law on the statute books today protecting tenants. It has always been so. And just try to get a man out of your house under the Maine laws if he cannot find a place to go.

I say that there is plenty of law on the books today to protect a tenant and what we should do is to return to the people the right given them by the Almighty and

the right given them by the Constitution of the United States and by the Constitution of this State, the right of a man to own his property.

Therefore, Mr. President, I move that this report be not accepted.

Mr. DUNBAR of Washington: Mr. President and members of the Senate, I was in hopes that I would get through this special session without inflicting myself upon you to speak for or against any measure, but now that the door has been opened and I am on my feet, I fear for myself as well as you.

I cannot let the arguments of the Senator from Aroostook, Senator Brown, go unanswered. He has stated some things today in his arguments that are not quite true, not intentionally, of course. I am a believer in some form of rent control bill, and let me say this, I am not a New Dealer and notwithstanding the fact that I have heard since I have come here, through friends of mine who have discussed me and my former political affiliation, that that was a detriment to me in seeking any other political office.

It is true that I was an active Democrat and in the counsels of that Party in the State of Maine when the Democratic Party was a Democratic Party and not a New Deal Party. The only Party today that comes anywhere near approaching the Democratic Party as I knew its principles to be, is the Republican Party of today. I severed my relations with the Democratic Party in 1928 and for eighteen years I have been with the Republican Party. That is pretty good service that should entitle me to be among you and work with you and receive offices from you as I have received them from the people of my own county.

There were two bills before our committee, the so-called Allen bill that had a rent control feature and the so-called Donahue bill.

There was no one before that committee as I recall, and I was there most of the time, that spoke against the passage of a rent control bill. Our committee in Executive Session took those two measures and tried to work out some sort of rent control bill that would tide matters over, not for all time, but for a period of less than one year, for a period ending June 30, 1947, for the purpose that during that

period of time, matters can readjust themselves. Tenants can get relocated without being ousted unless ousted by certain avaricious landlords.

So we prepared this bill permitting them, if they so desired, to raise their rents from what they were on June 30 of this year, not exceeding 15%. Now, the Senator from Aroostook, Senator Brown, says to you that man shall have the right to labor. I cannot quote the Scriptures as well as he can. Of course that was the God given right, that man should have the right to labor, but not to labor and give all his earnings to some landlord that has boosted his rent from 50% to 100%. The beast of the field, so he said, is a beast that lives by preying upon the other beasts and robbing them of their food.

I say that this bill prevents the landlord from robbing his tenant. And when Senator Brown says to you that the landlord cannot put the tenant out, you read this bill. I am fearful that he hasn't. The right still remains. We were very careful of that, not to touch to too much of a degree, but to some degree, the rights that still prevail between landlord and tenant as they now exist in our statutes. And there is nothing in this bill, there is nothing to prevent a landlord from giving the necessary 30 day notice to terminate a tenancy at will. Then the shortest period in which a landlord could return a writ if the tenant was not out and a writ of possession could issue would be 7 days more. The only way we have added to that is that we have permitted in this bill, the judge of the municipal court, or the court before whom the matter is heard, usually the municipal court, to set the issuing of the writ of possession that you give to the officer to go and move the tenant out, for a period of time which shall not exceed 30 days. That is all we have added to this bill so far as tenancy at will is concerned and the ousting of a tenant at will, a possible thirty days, leaving it to the discretion of the Court as to whether or not the tenant is the type of tenant that is saying to the landlord, "You go elsewhere and I will do as I wish with your property."

Whereupon a judge in the usual circumstances would issue a writ at once on a poor unfortunate man

with five or six or eight children who can't possibly find a place to go, so that he is given an extension of time of thirty days after the landlord attains the right to his property. Anything wrong with that? Anything very hard on the landlord as to that?

And the only other tenancy at will that I know of—and in that set up you can see that the ordinary tenant at will would have thirty days notice in writing, warned to get out, thirty days to get ready—he would have then a seven day period before you could be heard on the writ because you have to give him a seven day notice on that writ on your summons and a possible thirty days more, which is 67 days.

The only time when that could be shortened on a tenant at will is where in any instance we find what we call the landlord making a fake lease, so-called fake deeds, under the theory of law, which is the law, that a tenancy at will can be terminated, I think, in seven different ways if I can remember back to my law school days when it was taught to me—seven different ways.

Whereas a tenancy in writing is only one of those. But in order to have a quicker way, we find some landlords will make a fake lease or deed and that cuts the tenancy short at once, without any notice. As was told to me in my law school days and as I believed until I read a recent decision by one of our Justices of the Supreme Court, which says before you can take possession you must give the tenant a reasonable notice.

But the Court has not said what is a reasonable time, and I don't know how long a notice you would give under those circumstances because what might be a reasonable time to remove a tenant from a dwelling house, might not be the same as for a department store.

This bill protects the tenant to that extent, that he would get thirty days or thirty-seven days because you would have to give the seven days for the writ and the thirty days stay of execution from time to time if the Judge of the court saw fit.

This session was called primarily, yes, I thought wholly, to do something for the war veterans. I am sorry that it was called when it was called, but we are here with it and it is our problem and we have got

to finish it. I hope that we will act wisely and promptly and well. But it is the veteran we are going to do something for and this will do something for the veteran and his family who have come back to us. The veteran has not the same rights under this bill, Senators, nowhere near the rights that he had under the so-called OPA regulations and I could not go that far myself in committee, to give him those rights. But let us give him some rights. Let's give him a thirty day additional right, with only the opportunity for the landlord during that period of time, to raise his rent 15% if he sees fit. Let's give him that right until June 30, 1947. Let's not be too niggardly with him.

I think the great majority of the landlords of this state would acquiesce in that and do it without any legislation but it is the other type of landlord, the gouging type, that would like to get something out of him, and he doesn't care if the veteran has fought for his country or not, or to save our institutions.

It is the veteran for whom I am speaking principally. It is for the poorer class of people because they are the renting class. I am not in the renting class except as I am renting an office. I notice an amendment tacked on this bill that was not passed on in committee. I have no objection to it if the majority want to pass it, but let's not turn down this small rent control bill. Let's not do that.

Briefly that is the bill. We have given two rights in this bill. We shut out of the Allen bill the setting up of a new board, a rent control board. We say that this matter can be handled just as well on the civil side of the court and if necessary on the criminal side of the court by giving the tenant the right, if the landlord does raise his rent beyond the 15%, that he can bring a suit at law against him to recover triple damages and we have provided in the bill that his attorney's fees—whatever his attorney's fees might be—should be paid and the Court would fix that. You see the wisdom of that was not because the members of our committee were looking forward to getting any such fees for themselves, but a rent might be raised to a place where he might have \$15 to \$20 damages coming. Well, to go to a lawyer to

try and get it back, would be nonsense for him because no lawyer can afford to take it and there would be no such suits brought and he would not get any redress. So the attorney's fee was provided.

Then the criminal side of it, that if a landlord does so charge, the matter can be handled by the machinery of our government as we have it today, through our county attorney in the several counties of our state.

And if a landlord was found guilty he should be fined not less than \$25 nor more than \$500 or by imprisonment for not more than six months. That could be from one day to six months, or both if they saw fit. Of course it would be a fine.

I have taken longer than I should, but think it over, think it over seriously.

Senator Dow has just passed me a note calling it to my attention that in this bill there is no appropriation, no money that you have to spend and there was in the Allen bill. I believe \$5000 was provided in the Allen bill to set up the board, and it is only, Senators, for the niggardly time—don't forget that—until June 30, 1947. Let's give them that right, and, Mr. President, when the vote is taken, I ask for a division.

Mr. HOWES of Penobscot: Mr. President, I will speak briefly on this matter. I think I will have to support Senator Brown's argument. I don't think a bill of this kind would be received with favor by the people of the State of Maine. I honestly and truly believe it would be a detriment to the soldiers who come home. There are no houses. We need thousands of houses. I have a man working for me who tried his best all summer, and I tried to help him, to get a place to live. There is no place for him to go to live. We have got rid of this rent control and I think we would be awfully foolish to try to put it back. I believe if you put fear into the people they won't dare to build houses. We need houses and we need a lot of them.

Regarding putting people out of rents, I don't know as much about the law as Senator Dunbar does, but I do know of one case where everything was set, they had the notice, but they said the woman in the family was near death and

they called a doctor and he gave a certificate that she could not be moved, and they stayed indefinitely. I never questioned but what she was as well as the rest of us.

We have gotten rid of rent control. I have faith in the people of Maine and America. I believe now is the time to fight it out. In Bangor a few days ago a big party went into a restaurant. The O P A had just closed up so they put the prices up in the air and those people got up and walked out. There was another concern had some butter come in. They had not had butter for a long time. The price was 95 cents. At the end of four days they still had their butter.

I feel we should vote this rent control out now. I believe if we leave this thing alone we will see a lot of houses built in the next year. It is houses we want and houses we have got to have. People are suffering for rents. I could tell you things that perhaps the people back home wouldn't like to hear about, so I am not going to. I know one veteran who had returned with his wife and baby who had to go into a home with nine people. I know they have gone through something. I don't doubt it is the same condition all over the state and all over America, and there is no place to go. Thousands of houses have rotted down in the last few years, and are not fit to live in. Thousands have tipped over. There is no place for the veterans to go to live.

If you go ahead and put this rent control on I think the people who might otherwise build houses won't do it. I don't think they will build the houses that we have certainly got to have. I certainly hope we don't put this on. Let's fight it out. Let's go back into the American way of living now that we've got started. Why go back to something we have had in the past?

Mr. BROWN of Aroostook: Mr. President, I listened as I always do, with amazement at the eloquence of the Senator from Washington, Senator Dunbar. I admire him for it and I admire his learning in law and his gift in presenting arguments. It is wonderful, a gift which he has cultivated by arguments before juries in trials. A lawyer, you know when he accepts fees from clients, goes into court, and presents arguments for which—ever side he may be hired for. The

arguments made and long practice qualifies a man preeminently for arguing before the Senate.

I was a little surprised—no doubt there is a reason for it—that he argued in favor of this bill which provides both civil and criminal punishment, you might say, because I remember very distinctly at the last session of the legislature when we had the so-called “bull bill” before us and were attempting to fix the penalty for the farmer whose stock got out, and the Senator from Washington, Senator Dunbar, argued very successfully, and I agreed with him, you had no right to make a man a criminal in a civil suit, and that there was plenty of law upon the statute books and plenty of civil penalties.

Now, here he is asking you to vote for a bill providing both civil and criminal penalties. A tenant can bring a man to court and if he is successful, can get triple damages. This is civil. Then he can turn around and prosecute him as a criminal and put him in jail for 60 days. In an ordinary man I could not understand how you could be on both sides, but being a lawyer of Senator Dunbar's ability, I can understand how he can support both bills.

I am of the opinion of the Senator from Penobscot, Senator Howes, the thing we need in this country is new houses. There are thousands of veterans coming back who have no homes and they want to get into homes. If you put on rent control for one year the legislature can renew it because you will have as much emergency in a year as you have today. You will have more cases—no new houses will be built and people will be wanting more houses, and the houses we have are going to pieces. The only way you will have new houses built is to assure the man with money who wants to build that he will not be interfered with by the state and nation and told what he has to do with the property. So, gentlemen, I do not believe this legislature wants to pass this kind of bill.

According to Senator Dunbar's idea, and I believe he has a right to his ideas being an attorney at law—he says it makes 30 days difference in getting a man out in extreme cases, so it is only a hindrance and annoyance to the landlord who may be trying to get rid of undesirable tenants, and who

may honestly need more rent. Taxes have gone up. Taxes generally in municipalities have gone up ten percent. Because the cost of labor and cost of lumber has doubled and trebled no man will repair a house under those conditions. He cannot afford to. I have a house which I had hoped for years to repair. I sold my farm and wanted to fix up this place and have a nice, comfortable home. When I found what it would cost I decided to get a few rolls of roofing and fix it up myself, temporarily.

Now, people of means—I do not mean myself—are not going to build. They are on strike. They have gone on a buyers' strike the same as those misguided people have gone on strike against stores and are picketing—but I should not go off on this line. Let's look at this bill. It is taking away the property rights of men, the sacred rights. It is setting up a bill which gives two penalties, civil and criminal. You are not helping along the building of new houses and you are not helping the veteran who is without a house because the man who is occupying a rent can stay about as long as he wants to. A man who is going to build is facing rent control—he doesn't know for how many years—this bill provides it for one year—but with it hanging over him, no man will go and build a house with the extremely high costs that prevail today, with the hope of getting rent out of it.

I say, Mr. President, and want to call Senator Dunbar's attention to it, if you want houses built, you have got to take off rent controls.

Mr. SMITH of Knox: Mr. President, there is no question if this control bill goes on that—I know this as a builder and contractor—it is going to interfere with the building of new houses because people who would put the money in would not dare to take the risk.

Mr. MORRILL of Cumberland: Mr. President, in my mind there are two questions, and I am addressing them especially to the Senator from Washington, Senator Dunbar. I am wondering in the case of a landlord—definitely not one of the unscrupulous landlords who were mentioned—but a landlord who has been oppressed by the Federal OPA and who, since the lapsing of the OPA advances his rents more than 15 percent, not because he wants to

make an enormous profit but because he wants to catch up on the losses which he has had and make a little profit—whether it is fair and proper that he be subjected to criminal prosecution and a penalty of triple damages by suit. This is the second question—whether or not this criminal penalty should be a mandatory penalty. I notice this bill reads, "Whoever violates the provisions of this act shall be punished by fine." It makes anyone who since June 30, 1946 has raised his rents over 15 percent of what he had previously, a criminal, if his tenant wishes to prosecute. I may be wrong about this. I am not a lawyer but I believe in reading this bill that this is the case and is the trouble with it.

Mr. CURRIER of Androscoggin: Mr. President and Senators, as amazing as it may be to some of you, when a child I was taught the Ten Commandments and the principles of the Golden Rule, and I lived by them a long time and unfortunately I went into politics and became disillusioned, but there is one Commandment I remember and that is, "Thou shalt not steal." There is a young veteran in the city of Portland who has three children. His earning capacity at the present time varies between \$37.00 and \$40.00. He had three rooms in the slums. I don't know who owns the house. I don't know who the landlord is. Maybe he is here—I don't know. However, he was paying \$12.00 a week and it was a great deal too much. The day after the federal rent control went off the rental was boosted to \$22.00 a week. Now, at the time I was living up to the principles of the Commandments and the Golden Rule I could never spend more than—to balance the budget—with in 33 1/3% of my weekly wage for rental, and I say that a landlord who will boost the rent from \$12.00 to \$22.00 over night is guilty of theft, piracy, indecency and complete rottenness, and more so when he does it to one of our ninety odd thousand heroes of Maine.

Mr. DOW of Oxford: Mr. President, I had not intended to talk on this bill but that is not stereotyped for as a matter of fact, I told the author I would not speak being primarily against it. It is said that it will stop the building of houses. I want to call one fact to the at-

tention of the Senate, one fact that came out in committee. We had one man appear before the committee who was a landlord. If my memory is correct, he said he had 700 rents which his concern owned and he had 350 more under construction. He would like to build 900 more, and he spoke in favor of the rent control bill. It apparently was not stopping him any.

The PRESIDENT: The question is on the motion of the Senator from Washington, Senator Dunbar, that the Senate adopt the "Ought to Pass in New Draft" report of the committee.

Mr. CROSS of Kennebec: Mr. President and members of the Senate, I would merely like to point out in the new draft there appears to be no restriction on new building and no mention of the rent which would be set. Apparently anyone building a new building could set any rent he pleased; so I don't think it would affect new building.

Mr. BOUCHER of Androscoggin: Mr. President, I thought I would not be drawn into this argument. I am not a landlord but my wife is and I don't want her to go to jail. We bought, back in 1938, two tenement houses in Lewiston. At the time we bought them we found the rents at the time were on the level of 1932, the depression level. Some of those rents were as low as \$10.00 a month and others ran up to \$3.50 a week. 1938 was not a prosperous year so we didn't raise the rent. 1939 was not a prosperous year and so we didn't raise the rent, and then the War came along and froze them at that same level. Now, during the War we have been paying tenants to stay in our rents because of the last experience I had, in one of these \$120 a year rents the tenant moved out and it cost me over \$100 to renovate the tenement and put it so people could rent it. If you add onto that expense the taxes, and taxes in Lewiston I am sorry to say were increased as they were in many communities, and if you add onto that the water bill and insurance, I am afraid if you pass this bill I will have to keep on paying people to occupy the rents.

I am not against control of rents but I feel this bill should be broken down so there would be distinction between \$12.00 a week rentals and \$2.50 a week rentals. I think there should be a breakdown so as to

give the landlord,—the owner of the property,—if not a profit, at least an even break. I don't know how I am going to vote on this matter because I am getting tired of paying people to occupy a rent. I think in our case 15 percent would be \$2.87½ and I don't know how I could collect it. I will either have to give the tenants half a cent or charge them half a cent more and if I do that I will be violating the law. I think I will move to table the bill so we can work out some way to break it down and give everyone concerned a fair deal. I move the bill be tabled at this time.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the bill be laid upon the table pending the motion of the Senator from Washington, Senator Dunbar, that the Senate adopt the unanimous "Ought to Pass" report of the committee.

A viva voce vote being had
The motion to table did not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Dunbar, that the Senate adopt the "Ought to Pass in New Draft" report of the committee, and a division of the Senate has been asked.

A division of the Senate was had.

Fifteen having voted in the affirmative and sixteen opposed, the motion to adopt the "Ought to Pass in New Draft" report of the committee did not prevail.

Mr. BROWN of Aroostook: Mr. President, I move that the bill be indefinitely postponed.

Mr. BOUCHER of Androscoggin: Mr. President, I am not in favor of postponing this bill. I am in favor of a rent control bill but I don't like this bill in its present form. That is why I asked to have it tabled. I do think we need a rent control bill for the protection of the poorer class of this state.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Brown, that the bill be indefinitely postponed.

Mr. DUNBAR: Mr. President, when the vote is taken, I ask for a division.

A division of the Senate was had.
Thirteen having voted in the

affirmative and seventeen opposed, the motion to indefinitely postpone did not prevail.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending consideration.

The Committee on Appropriations and Financial Affairs on "Resolve to Create an Educational Surplus Property Pool," (H. P. 1509) (L. D. 1223) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Education on Bill "An Act Relating to Additional Training by Normal Schools," (H. P. 1498) (L. D. 1208) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Public Utilities on Bill "An Act to Incorporate the Sullivan Water District," (H. P. 1503) (L. D. 1207) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted in concurrence, and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and under suspension of the rules the bills as amended were read a second time and passed to be engrossed in concurrence.

The Committee on Salaries and Fees on Bill "An Act Adjusting the Salaries of All Full-Time State Employees and Appropriating Money Therefor," (H. P. 1501) (L. D. 1209) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report read and accepted, Committee Amendment "A" indefinitely postponed, and the bill passed to be engrossed as amended by House Amendment "B".

In the Senate, on motion by Mr. Currier of Androscoggin, the report and accompanying papers were laid upon the table pending adoption of the report in concurrence.

The Committee on Public Utilities on Bill "An Act to Incorporate the Brewer Water District," (H. P. 1497) (L. D. 1204) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading; Committee Amendment A and House Amendment A were read and adopted in concurrence, and under suspension of the rules, the bill as amended by Committee Amendment A and by House Amendment A was given its second reading and passed to be engrossed in concurrence.

Senate Committee Report

(Out of Order)

Mr Cleaves from the joint Committees on Welfare and Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations," (S. P. 460) (L. D. 1191) reported that the same ought to pass.

Which report was read and adopted, the bill read once, and under suspension of the rules, read a second time and passed to be engrossed.

Sent down for concurrence.

Additional House Papers out of order and under suspension of the rules:

The Majority of the Committee on Education on "Resolve to Authorize State Board of Vocational Education to Approve and Supervise Industrial Training Programs," (H. P. 1502) (L. D. 1210) reported that the same ought to pass as amended by Committee Amendment "A".

(signed)

Senators: OWEN of Kennebec
BISHOP of Sagadahoc
LEAVITT of Cumberland

Representatives:
BLAKE of Dexter
ROBERTS of Westbrook
MARSANS of Monmouth
RUSSELL of Gorham
LORD of Camden

The Minority of the same Committee on the same subject matter

reported that the same be referred to the 93rd Legislature.

(signed)

Representative:

ELIZABETH DEERING
MOFFATT of Bath

Comes from the House, the Minority Report read and accepted.

In the Senate, on motion by Mr. Leavitt of Cumberland the majority report of the committee, "Ought to Pass as Amended by Committee Amendment A", was adopted in non-concurrence and the resolve was given its first reading. Committee Amendment A was read and adopted in non-concurrence, and under suspension of the rules the resolve was given its second reading and passed to be engrossed as amended by Committee Amendment A, in non-concurrence.

Sent down for concurrence.

Emergency Measure

Bill, "An Act to Incorporate the Town of Hampden School District." (S. P. 458) (L. D. 1229)

Which bill, being an emergency measure and having received the affirmative vote of thirty members of the Senate and none opposed, was passed to be enacted.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Spear of Cumberland. the Senate voted to take from the table House Report "Ought to Pass as Amended by Committee Amendment A" from the Committee on Judiciary on bill, An Act to Provide and Operate Permanent Housing with Preference for Veterans (L. D. 1205) tabled by that Senator pending motion by the same Senator that the bill be indefinitely postponed; and that Senator yielded to the Senator from Oxford, Senator Dow.

Mr. DOW of Oxford: Mr. President and members of the Senate, I want to thank this body for the courtesy and consideration they showed me this morning in laying this bill upon the table until this afternoon as I could not be here. I appreciate it.

With respect to the report of the Judiciary Committee on this bill, I will say that the committee had before it two bills of somewhat similar intent except that one was labeled temporary and one permanent. Legislative Document 1206 is an act to provide temporary housing for veterans of World War II and it received an unfavorable report, and I think that report has been accepted by both branches of this legislature.

Legislative Document 1205, the one now under consideration, came out with the unanimous "Ought to Pass" report. As I understand the reason, if I do understand it correctly, the reason for this bill is is that the Federal Government had certain places in the State of Maine, I think in Portland, South Portland, Bath, Presque Isle and possibly Kittery—and I am not trying to give the complete list because I cannot remember it and it may be that I have not included some that should be in—the Federal Government has built houses for the use of war workers during the war. It is thought that they will be on the market to be sold. The Federal Government is appealing, it seems, to the municipalities to take those over if they would like to do it.

One argument made before our committee was that thereby the town or city could control them and keep them from running down. I understand also that it says in the bill that preference will be given to veterans to occupy these houses, so the title not only has something about permanent houses but also has something about veterans, which ties in with the main reason and is, in fact, the only reason why we are here.

There has been some amendment to the bill but I will not discuss that because it is merely a clarifying amendment, as I remember it.

If this bill should become a law, I understand that these various municipalities could buy from the Federal Government, provided they were willing, these housing projects and operate them as a community proposition. I don't remember, in the hearing before the committee, of any opponents to this bill. I think our meeting was a little irregularly conducted due to the fact that this is a special session. When these two bills were heard there were no opponents. Later on a proponent ap-

peared who had had automobile trouble and asked to be heard and I gave him the right to be heard later, and when he was heard later other people interested in the measure and particularly opposed to temporary housing wanted to be heard too and I gave them that opportunity.

I don't remember that they were particularly opposed to this Legislative Document 1205. It seems to me the issue, if issue there be, is whether or not the government, federal or municipal or state, should enter into the owning and operation of houses. The question seems to be, would this bill allow that to happen and if so do you approve of it? It seems to me that is the whole issue here and there is no other issue. I think the people who opposed the bill put up no other issue except that possibly they are opposed to government ownership as a permanent proposition. And there was cited before the committee the condition in England at the present time where building is nearly stagnant because of the ration which the government has imposed, as I remember it, of four to one. In other words, the government builds four houses and private industry is entitled to one, and until the government builds four, private industry cannot build that one and the government might never build four.

It seems to me that is the issue in this case; do you believe in government running building projects, operating houses, and do you think that if this bill should pass it will allow that.

Mr. HOPKINS of Kennebec: Mr. President, I am opposed to this bill. I am perfectly willing that the Federal Government should retain the houses it has until such time that it sees fit to sell them to private owners. It is my opinion that we have less houses in this country today that we would have had if the government had never entered the housing field and I think we will have more houses in this country a year or two years from today if the government gets out of the housing field.

I made an effort to find out who in particular was interested in this bill and I have been unable to do so. If housing of this sort were turned over to public authorities, it would create conditions which are not consistent with private

ownership and are against the American way. I definitely oppose all legislation of that sort. I think if the government has surplus housing it should sell it and get it occupied as quickly as possible.

Housing is restricted more today by requirements of labor such as that a plumber must call a carpenter to bore a hole for him and things of that sort, than any other single source. The government has a tremendous amount of building supplies. It doesn't know how much it has on hand, and no effort is being made to get these supplies into the market although everybody knows that shortage of building material is one of the most critical things in getting houses for our veterans. We have got to get materials back into the market for building and we have got to get the manpower back into the building field.

Last winter I attended a building conference at which statistics were given on the amount of material held out of the market as near as it was known at that time and also statistics on the ages of men engaged in the building trades today. It is away up. No young men are coming in. Restrictions are keeping young men out of the building trades to build houses. We must, if we are going to have houses, do one of two things, turn it all over to the boys who believe in centralized planning—if we do that we get houses—or we will take all housing projects out of the control of the boys who believe in centralized planning and get it back into private ownership where the competitive features of building and renting houses prevail. That is the way I believe in. This bill is inconsistent with that way.

If you think we are going to continue down the road of bureaucratic meddling forever, vote for this bill. We might in that case have a few more houses in some of our cities. And we might also, if we put our municipalities into the housing business, have some who would be financially embarrassed thereby. If you think we are going to get the building of homes where they are needed, throw this bill in the ashcan where it belongs and insist on doing housing the American way.

I don't know what is the motion on this bill at present but I hope the bill does not pass.

Mr. BROWN of Aroostook: Mr. President, I too, as might naturally be expected, am opposed to this bill. I see no reason why the State of Maine should engage in housing in competition with private industry any more than it should run our farms or factories or any other business, and I know that there is and always has been objection on the part of labor to the State of Maine even in its State Prison making things which might possibly enter into competition with free labor.

I am therefore opposed to this bill. It is un-American and we don't want to get our towns and municipalities into the position of owning property and running it in competition with the private citizen.

Mr. SPEAR of Cumberland: Mr. President, I'd like to add a few words to what has already been said. As you undoubtedly know, I don't believe in public ownership by such means as we are now trying to legislate, in competition with private ownership. I don't see why we should not be in the lumber business or law business or any other business if we are going into the real estate business. As some of you know, I bought a village 20 years ago in the city of Bath. I bought it from the United States of America. It was a disgrace to the city when it was turned over to me. Talk about slums. You have no idea of the houses inside and out. There were 113 units. Eight were occupied. Two families kept their coal in the bath-tub. They bought only enough for the kitchen range. They had a government agent and he got good wages per week. He had another job somewhere else that he got good pay for. He hired his son at 25 percent of his wages to run the project. That isn't the whole story. Getting down to what would happen, I think, if a municipality owned such a project, the houses would be painted alike. There would be similarity. People who care, don't like to be regimented. They like to fix up their homes differently so they will be proud of them. If publicly owned and rented to them, they have no especial interest. All kinds of people who create slums might come in; but if privately owned they won't stay long. I hope that my motion will prevail. I ask for a division.

The PRESIDENT: The question before the Senate is on the motion

of the Senator from Cumberland, Senator Spear, that the bill be indefinitely postponed. A division has been asked.

A division of the Senate was had. Twenty-four having voted in the affirmative and four opposed, the motion to indefinitely postpone prevailed.

Sent down for concurrence.

On motion by Mr. Currier of Androscoggin, the Senate voted to take from the table House Report "Ought to Pass as Amended by Committee Amendment A, on bill, An Act Adjusting the Salaries of All Full Time State Employees and Appropriating Money Therefor (H. P. 1505) (L. D. 1209) tabled by that Senator earlier in today's session pending consideration of the Committee report; and on further motion by the same Senator the report of the Committee was adopted in concurrence and the bill was given its first reading.

The PRESIDENT: For the information of the Senate, the Chair will point out that Committee Amendment A was indefinitely postponed in the House.

Thereupon, Committee Amendment A was indefinitely postponed in concurrence.

House Amendment B was read and adopted in concurrence and under suspension of the rules, the bill was given its second reading and passed to be engrossed as amended by House Amendment B, in concurrence.

Passed to be Enacted

Bill "An Act Waiving Certain Requirements for Veterans in State Employment." (S. P. 466) (L. D. 1215)

Bill "An Act Enlarging the Powers of the West Paris Village Corporation." (S. P. 471) (L. D. 1217)

Emergency Measures

Bill "An Act Relating to the Packing of Sardines." (S. P. 470) (L. D. 1214)

Which bill, being an emergency measure and having received the affirmative vote of 27 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act to Incorporate the North Haven Port District." (H. P. 1495) (L. D. 1202)

Which bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act to Incorporate the Town of West Gardiner School District." (H. P. 1522) (L. D. 1225)

Which bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act to Incorporate the Pittsfield School District." (H. P. 1523) (L. D. 1226)

Which bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act to Incorporate the Cannan School District." (H. P. 1524) (L. D. 1227)

Which bill, being an emergency measure and having received the affirmative vote of 30 members of the Senate and none opposed, was passed to be enacted.

From the House:

"Resolve to Authorize State Board of Vocational Education to Approve and Supervise Industrial Training Programs." (H. P. 1502) (L. D. 1210)

(In the Senate on July 19th, passed to be engrossed in non-concurrence).

Comes from the House, that body having adhered to its former action whereby the Minority Report, "Referred to the 93rd Legislature" was accepted.

In the Senate, on motion by Mr. Brown of Aroostook, the Senate voted to adhere.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Resolve in Favor of the University of Maine (L. D. 1200) tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator the Resolve was passed to be engrossed in concurrence.

On motion by Mr. Brown of Aroostook

Recessed until this evening at seven o'clock Eastern Standard Time.

After Recess

The Senate was called to order by the President.

From the House, out of order and under suspension of the rules:

The joint Committee on Military Affairs and Appropriations and Financial Affairs on Bill "An Act Providing for Construction of Dormitories at the University of Maine and Appropriating Moneys Therefor," (H. P. 1490) (L. D. 1197) reported the same in a new draft (H. P. 1530) (L. D. 1246) under the same title and that it ought to pass.

Which report was read and adopted in concurrence and the bill in new draft was given its first reading.

Mr. BOUCHER of Androscoggin: Mr. President, I move that this report and accompanying papers be laid upon the table pending assignment for second reading.

A viva voce vote being had

The motion to table did not prevail.

Mr. BOUCHER: Mr. President, I move that the bill be indefinitely postponed.

A viva voce vote being had

The motion to indefinitely postpone did not prevail.

Thereupon, under suspension of the rules, the bill in new draft was given its second reading and passed to be engrossed in concurrence.

Passed to be Enacted

Bill "An Act to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945 (S. P. 465) (L. D. 1216).

Bill "An Act Amending the Charter of the City of Portland." (H. P. 1496) (L. D. 1203).

Emergency Measure

Resolve in Favor of Ricker Classical Institute and Junior College." (S. P. 467) (L. D. 1212).

On motion by Mr. Hopkins of Kennebec, the Resolve was laid upon the table pending passage to be enacted.

Emergency Measure

"Resolve in Favor of the Town of Charleston." (S. P. 472) (L. D. 1228).

Which bill, being an emergency measure and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

On motion by Mr. Brown of Aroostook.

Adjourned until tomorrow morning at 8:30 o'clock Eastern Standard Time.