

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, April 25, 1947

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

Prayer by Rev. John Frederick Anderson of North New Portland.

Journal of yesterday read and approved.

The gentleman from Farmington, Mr. Mills, was granted unanimous consent to address the House.

Mr. MILLS: Mr. Speaker and Members of the House: We are today equalling the record for legislative endurance; we are coming to the end of our seventeenth week and next week we will be entering upon the establishment of a record which may stand, perhaps, for some time. One thing which will help considerably in bringing us to an expeditious and efficient termination of our duties would be the insistence on the part of the House to tabling whenever it is absolutely necessary to a very short time in the future. In other words, if members ask for tabling to the full extent of the six days' limitation which we have, I hope that you will not give that consent. It is my intention in case such motions are made to offer contrary motions which would result in tabling to a prompter time. If a motion is made for tabling to the full extent of the six day period, I intend to move that it be cut down to perhaps two days and the motions being put by the Chair in the order of precedence will be the longer time first, and in such instances I hope that the longer time will be defeated in favor of the shorter time, but I do not think that will be necessary because I think all of you will not try to take advantage of the full extent of that six-day period. So if we have to have tabling this morning, due to the absence of members on some of these reports or for any other reason, let us try to keep it down to the very near future and make our assignments to the very early part of next week. I thank you.

The SPEAKER: The Chair at this time notes in the balcony the presence of Boy Scout Troop No. 161 from Gardiner. On behalf of the members of this House, the Chair bid you welcome here this morning. (Applause)

Papers from the Senate Senate Reports of Committees Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to Elections in the city of Biddeford" (S. P. 368) (L. D. 1042) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. Batchelder of York
Blanchard of Aroostook
Baker of Kennebec
—of the Senate
Anderson of New Sweden
Atherton of Bangor
Snow of Auburn
Payson of Union

—of the House.
Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. Weeks of So. Portland
Woodworth of Fairfield
Rankin of Bridgton

—of the House.
Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I now move acceptance of the majority report.

The SPEAKER: The gentleman from New Sweden, Mr. Anderson, moves the acceptance of the majority "Ought to pass" report as amended by Committee Amendment "A".

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

Mr. MCGLAUFLIN: Mr. Speaker, I rise in opposition to that motion. Last evening, when I was given such a splendid imitation of my voice in speaking in this House, a young lady said to me: "The first time I heard you speak I thought you were going to have a stroke." (Laughter) I want to assure you members of the House that I don't have strokes; I give them. (Laughter and applause) And one thing more I want to assure you that when you hear a tremor in my voice, it is not from fear. (Laughter)

I was in this House seven years

ago when a purely partisan political bill was presented here regarding the city of Biddeford. The politicians, Republican politicians, came to me and wanted me to support that measure and they frankly stated that it was a Republican measure. When I looked it over I said: "It may be a Republican measure, but it is a rotten one! I will have nothing to do with it except to oppose it," which I did, and that year successfully.

At the following session of the legislature that matter was presented again, and again the politicians came to me from York county, urging me to support that measure. I even had some very fine looking Republican ladies come to me and urge me to support it, but I did not because I thought it was a bad measure but that year the matter was lobbied to such an extent that they passed it. That measure went to a referendum and this Legislature, having passed it, the people of the State, who knew absolutely nothing about its merits, upheld that measure.

At the next session, the people of Biddeford started an initiative; they got the necessary 1200 names and came up to this Legislature. The question then was whether it should be left to the people or whether we, ourselves, should pass the initiated measure. The matter came out in a divided report. The majority was for having it referred to the people. I signed the minority report, that we should pass it right here. Bill Donovan was the representative from Biddeford, at that time, and he and I worked together very hard to get that passed in the House. It passed the House and both branches and did not have to go to the people.

Now right here I want to make my position clear about this matter of going to the people. You have heard me say in this House, and quite emphatically, that I did not believe in sending that to the people to determine our duties up here. I still maintain that position. But when you come to a question of government of a city, that is a different matter altogether; that is a matter that involves your local grudges, and that is a matter that the people should have a right to vote upon.

Now there appeared before this Legislature this measure — I do not know how good this measure

may be — I would not stand for it if it was a second Magna Carta, if the people of that city can not have anything to say about their own local self-government.

The people obviously do not want this bill. Biddeford is a Democratic city, and it has three representatives in this House. Not one of those men want this bill. Every last one of them will oppose it. But, bear in mind that those fellows in this Republican House will have very little show to be heard. I am a Republican, and an honest one, thank God! I am opposed to rotten politics anywhere, and I call this rotten politics, and I am most emphatically against it.

This very year, a bill was instigated by some Democratic political leader in South Portland to change the charter of the city of Portland, and he went as far as to get our Democratic friend from Brunswick to introduce the measure for him. The city of Portland had not asked for any such charter. The city of Portland did not want any such charter. The members of this House unanimously went before the Legal Affairs Committee and opposed it, and the Legal Affairs Committee had the good sense and good judgment to kill it, so it was reported out the next day "Ought not to pass".

Here, the situation is reversed, but I say that we have the power, because this is a Republican Legislature. Did it ever occur to you what a tremendous power this Legislature can wield? We represent the State. When we step on something, it is stepped on hard. Therefore, it behooves us to be pretty sure that if we step on anybody, we are doing the right thing.

We, in the city of Portland, do not want any Democrats telling us how we are going to run the city of Portland; the city of Biddeford does not want any Republicans telling them how they are going to run their city. We fought the Revolutionary War—or at least our ancestors did—to give us the right of local self-government. The older members of this House can remember that some years ago we adopted the direct primary in the State of Maine. Why did we want the direct primary? It was because we did not propose to have political bosses tell us who should come up to this Legislature. We established an exceedingly cumbersome system

that we still maintain because we would rather go through with all that trouble than to have anybody tell us who is coming up here.

I have stated to you before that in the old days I could not get up to this legislature, I was considered a very dangerous man, and, believe me, I was, and I still am to any crook, whether he is in the Republican Party or in the Democratic Party, I am against him.

We have been condemning Hitler and Mussolini and anybody else that trod upon our rights. I want to remind the members of this House that the Democrats in Biddeford helped win this last war. The Democrats in Biddeford died with the Republican men to help win this war. They may be Democrats, but they are American citizens first, and every last American citizen has an equal right with every other one.

I have been greatly pleased to find this House has repeatedly come right up with votes to sustain justice and fair play. I am telling you again, without fear of contradiction—and I defy anybody to prove to the contrary—that this is an unjust measure. I am not a Democrat, I do not know a dozen people in Biddeford, but I know right from wrong, and I say it is wrong to compel the city of Biddeford to adopt a charter without giving them a chance to say anything about it. I hope from the bottom of my soul that you will kill this motion when it is made.

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

Mr. **NADEAU**: Mr. Speaker and Members of the House: I realize that this bill does not affect your cities and towns but you are the sole judges and this is why we are asking you to vote against the motion of the gentleman from New Sweden. This bill was presented by Senator Davis of West Buxton. I believe he introduced this bill because he hated to say no to a few friends. It is a very short word but sometimes we find it hard to say no, and I think Senator Davis was in that position the day he presented that bill. I feel seriously that Senator Davis had nothing to say in favor or against the bill. All he said was that he was requested to present that bill. The proponents of the bill said at the hearing: "We have no fault to find with the pres-

ent administration," so they seemed to be satisfied with the present administration, but still they wanted to do something to harm the city of Biddeford. Mr. Carey, Mr. Cadorette and I are the duly elected members of this House from Biddeford and we have not found one good reason yet for a change in the election laws of the city of Biddeford, Maine. I travel back and forth weekends and I have not had one person from Biddeford ask me to vote in favor of this bill. Two of the proponents of this bill were candidates for Mayor of the city of Biddeford but, as the law says, just one mayor can be elected; we could not elect them all, and they happened to be defeated.

I, also, was a candidate for office before and I was defeated. That was not the fault of the election laws. Either my opponents were better organized or were better men or had more friends, and I took my defeat and I did not blame it on the law and ask to have it repealed. This is why I ask you to vote against the motion of the gentleman from New Sweden.

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

Mr. **CADORETTE**: Mr. Speaker, I thoroughly endorse all that has been said by the gentleman from Portland, Mr. McGlauffin.

This question before us at this time is not a new issue. It has cropped up in the past legislatures of 1937, 1939, and 1941, as it has in this one. As you have been told, this Act L. D. 1042 changes our present primary law to a non-party designation law, without a referendum. This bill, Ladies and Gentlemen of this House, was not introduced by a member of the Biddeford delegation; it was introduced by a stranger, and no one has ever approached, that I know of, any member of the Legislature from the city of Biddeford to introduce any such bill. Had they approached us, we would have been only too glad to present this by request but it was not done. I can give you a very good reason for that and that is because it is not the desire of the people of Biddeford to have such legislation pass.

Yesterday, through the mail, you all received a copy of a report of the situation in Biddeford as it stands today.

The accomplishments shown on

that sheet were made possible only through hard and conscientious work.

At the hearing, the proponents of this bill said that they had no grievances against the present administration; everything was running smoothly, but they thought it was time for a change. I would say that is a very poor excuse for the introduction of legislation of this kind.

At that hearing, both proponents and opponents were asked by a member of the Committee if it would be agreeable to have a referendum on this bill. We said yes; the proponents said no.

I have heard quite a number of members of this House say that they believed in Home Rule, in fact, most of the legislation pertaining to local affairs that I have seen passed in this House did have a referendum tagged on to it. Now, I was a member of the United States Army in 1941 and was discharged in 1945. We fought for democracy. In my estimation, democracy means Home Rule. I believe it is only fair. The citizens of the city of Biddeford pay the taxes, so they should be the ones to decide what type of election law they want. At the last election in September, the citizens of Biddeford voted the city dry after having been wet for many years. They knew what they wanted; they got it. They voted for or against it. Let me say again that this bill does not express the wishes of the citizens of Biddeford so, therefore, Mr. Speaker, I hope that the motion of the gentlemen from New Sweden, Mr. Anderson, does not prevail.

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

Mr. WEEKS: Mr. Speaker and Members of the House: Anything I might say this morning after the address delivered by the gentleman from Portland would be strictly anti-climactic.

I certainly can not add an awful lot to what he has said; he has covered the proposition very thoroughly, efficiently, and well. I will mention a few things that perhaps he did not stress as much as he might have. As the gentleman from Biddeford has said, there is no popular demand in Biddeford for this change. I know quite a few citizens there who, I believe, are

respectable; none of them claim that there is any occasion for a change in the charter and they positively resent being forced to do it against their will.

The gentleman from Portland brought up the question of consistency of action and that refers to committee action as well as legislative action. There has not been one bill presented to the Legislative Committee on Legal Affairs where the representatives from the district concerned were not consulted, were not brought in and asked what their opinion was, and the bill had very little chance of passage except with their approval; amendments were made with their approval and recommendations. Only one exception, which the gentleman from Portland mentioned, that was the Portland situation. It was a bill brought in by an outsider and it was hastily disposed of, unanimously. There can not be any quibbling about this bill. This bill is not the will of the people but let us consider a little bit just what the relationship of the city is to the State, it is that of an agent. They operate under such powers as this body chooses to give to them. They set up a charter skeleton under which they will operate. It is the desire of this body here to see that their agents operate efficiently; and while it is not the desire of this body to set up a political machine anyway, we want to see each town and city doing their best. You have seen the reports from the city of Biddeford; you have heard no uproar such as you heard a few years ago when the Republican Legislature passed this same charter and it has worked ever since, worked well and efficiently.

We are not going to interfere with our agents in performing the duties which we expect them to do. That is ridiculous. We would not do that to any agent or servant.

As I said before, the gentleman from Portland has covered the situation. I feel very honestly and sincerely about this proposition that it should not pass. Therefore I wish to make known my position that I hope the minority report will be accepted and that the motion of the gentleman will not prevail at this time.

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

Mr. CAREY: Mr. Speaker, I rise in opposition to this bill. I believe that there is no reason at the present time for a change in the election law and I hope the motion does not prevail.

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

Mr. JORDAN: Mr. Speaker, I live across the river from the city of Biddeford. I do not suppose that anybody in this House dislikes the methods, some of the methods, of the management, the government, of the city of Biddeford, any more than I do and I have also seen that through the years the city's financial work has been the best that I have ever known. I respect them for that and I certainly could not vote at this time for a change in the form of government of the city of Biddeford.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I suppose all of the members of this House wonder why four rogues signed the "Ought to pass" report. We have not given you any explanation of our position. The present charter that the city of Biddeford is operating under is bi-partisan; you have to register yourself as a Democrat or a Republican before you can vote. That condition does not exist in the many cities and towns all over the State of Maine. This was just one single city singled out. This bill proposes to change that and to run the election of the city of Biddeford on a non-partisan basis. In other words, any man can vote for anyone else regardless of how he is registered. It is true it does not carry a referendum, neither did the original charter in 1931 carry a referendum, neither did the amendments to the present charter carry a referendum. Perhaps it is all right to put a referendum on it, but I can not see why, if we just change the general election laws and make it possible for every single man in the city of Biddeford to vote for whom he sees fit, that we are depriving these people of home rule. None of us are going down there to cast a ballot. I am going to stay in Aroostook; I am not going down to Biddeford and vote for any man down there. Under this change, anybody will be allowed to vote for whom he wishes.

I can not see how the financial structure of the city of Biddeford enters into this. We are not criticizing their finances. They can have the same mayor and the same group, if they see fit, under the proposed change. I just want to bring that out. I do not think this is a roguish bill. I hope that my motion will prevail.

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

Mr. CADORETTE: Mr. Speaker, I would like to say at this time that the State of Maine at the time this law was enacted had no referendum. True, since this law was enacted, it has been repealed once and has been reenacted at the request of 18,000 citizens of the State of Maine.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker and Members of the House: This bill proposes to abolish party designation on a municipal ballot in the city of Biddeford. Its purpose, as explained to us by a few Republican politicians, who sponsored the bill, was to enable the Republicans, perhaps, to pick up a few discontented Democratic votes and thus, in some way, which I was not able to divine exactly, to obtain a larger voice in municipal affairs. The bill, as you have heard, was not introduced by any representative of Biddeford; it carried no referendum clause.

The chief opponent of the bill at the hearings was Mayor Lausier, of Biddeford. He is a man of a great deal of presence but he made a very unfavorable impression on all the members of your Committee on Legal Affairs. And because he made an unfavorable impression, you found a bad split in the Committee, and I think that if it had not been for that unfavorable impression, the report might very well have been different.

I am opposed to the bill for two reasons, both of which have already been stressed by the gentleman from Portland, Mr. McGlauffin, and the others, the first is that that is not the kind of politics which I, as a Republican, was taught to practice. Most of us here owe our offices to the Republican party or-

ganization; we take pride in being Republicans, we are not ashamed or afraid to wear our party label at any election, we expect the Democrats to exhibit the same pride, and when a bunch of politicians come up here and say: "Please excuse us from wearing our party label," we know what they mean. They mean that they want to go as far as they like in getting somebody but they can not do it with the party label on. I say: "Keep your party label on and play clean politics."

The other reason is: That every American citizen has a right to be represented in our government. Since no Biddeford representative had any voice in presenting this bill, since no Biddeford official had any voice in presenting this bill, since there is no referendum attached, the people of Biddeford are utterly deprived of the advantages of representative government. We may listen to a few politicians, if we like, but it must be admitted that there are thousands of honest, decent citizens in the city of Biddeford whose rights should be respected and it is the business of this legislature to protect those people and, therefore, I hope the motion to accept the "Ought to pass" report will not prevail.

The SPEAKER: Is the House ready for the question?

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

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

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from New Sweden, Mr. Anderson, that the House accept the majority "Ought to pass" as amended by Committee Amendment "A" report of the committee.

The gentleman from Portland, Mr. McGlauffin, has requested a division.

Those in favor of accepting the majority "Ought to pass" report of the committee as amended by Committee Amendment "A" will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. The SPEAKER: Ten having voted

in the affirmative and ninety-two in the negative, the motion failed.

Thereupon, on motion by Mr. McGlauffin, the Minority Report "Ought not to pass" was accepted.

Additional paper from the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 28th, 1947, at three o'clock in the afternoon, Eastern Standard Time.

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

On motion by Mrs. Hatch of Minot, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Senate Divided Report

Majority Report of the Committee on Public Health reporting "Ought to pass" on Bill "An Act relating to the Enrichment of Flour and Bread" (S. P. 243) (L. D. 660) Report was signed by the following members:

Miss Clough of Penobscot
Messrs. Leavitt of Cumberland
Ela of Somerset
—of the Senate
Violette of Van Buren
Mrs. Hatch of Minot
Mr. Webber of Bangor
Miss Longstaff of Crystal
—of the House

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

Report was signed by the following members:

Messrs. Stearns of Hiram
McClure of Bath
Clements of Belfast

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House, on motion by Miss Longstaff of Crystal, a viva voce vote being taken, the Majority Report "Ought to pass" was accepted in concurrence, and the Bill, having already been printed, was read twice under suspension of the rules

and was assigned for third reading the next legislative day.

Ought to Pass With Committee Amendment

From the Senate: Report of the Committee on Claims on Resolve in favor of Arthur H. Ashmore, of Camden (S. P. 252) (L. D. 714) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A."

In the House, Report was read and accepted in concurrence, and the Resolve read once.

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

Committee Amendment "A" to S. P. 252, L. D. 714, "Resolve in Favor of Arthur H. Ashmore, of Camden."

Amend said Resolve by striking out after the word "the" in the 2nd line, the following words: "general fund of the state," and inserting in place thereof the following: "state police appropriation"

Committee Amendment "A" was adopted in concurrence and the resolve was assigned for second reading the next legislative day.

From the Senate: Report of the Committee on Inland Fisheries and Game on Bill "An Act relative to Closed Season on Deer on Swan's Island, in the County of Hancock" (S. P. 277) (L. D. 817) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

In the House, Report was read and accepted in concurrence, and the Bill was read once.

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

Committee Amendment "A" to S. P. 277, L. D. 817, Bill "An Act Relative to Closed Season on Deer on Swan's Island, in the County of Hancock."

Amend said Bill by inserting a

comma after the word 'Stonington' in the 6th line of said Bill; and by inserting after the underlined word "and" in said 6th line of said bill, the underlined words 'for a period of two years'

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Non-concurrent Matter

An Act relating to Bonds of State Officials and Employees (H. P. 440) (L. D. 259) which was passed to be enacted in the House on April 17th and passed to be engrossed on April 10th as amended by Committee Amendment "A."

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

In the House: The House voted to recede and concur with the Senate.

House Reports of Committees Ought to Pass Consolidated Bill

Mr. Jordan from the Committee on Inland Fisheries and Game on the following Bills:

Bill "An Act relative to Three-day Fishing Licenses" (H. P. 489) (L. D. 348)

Bill "An Act relative to Resident Hunting Licenses (H. P. 490) (L. D. 349)

Bill "An Act relative to Non-resident Hunting Licenses (H. P. 491) (L. D. 350)

Bill "An Act relative to Junior Non-resident Hunting Licenses" (H. P. 492) (L. D. 351)

Bill "An Act relative to Resident Fishing Licenses" (H. P. 493) (L. D. 352)

Bill "An Act relative to Fees for Registered Guides" (H. P. 494) (L. D. 353)

reported same in a Consolidated Bill (H. P. 1728) (L. D. 1464) under title of "An Act relative to Hunting, Fishing and Guides' Licenses" and that it "Ought to pass."

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Mr. Tabb from the Committee on Agriculture on Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines" (H. P. 1365) (L. D. 987) which was recommitted reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill was tabled pending first reading.

House Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation on Bill "An Act relating to Pari Mutuel Pools" (H. P. 475) (L. D. 277) reporting same in a new draft (H. P. 1729) (L. D. 1462) under same title as amended by Committee Amendment "A" and that it "Ought to pass." (Committee Amendment "A" printed as L. D. 1463)

Report was signed by the following members:

- Messrs. Noyes of Hancock
- Haskell of Penobscot
- of the Senate.
- Jordan of Saco
- Elliott of Corinth
- Burton of Milo
- Lombard of Yarmouth
- Morison of Wilton
- of the House.

Minority Report A of the same Committee on same Bill reporting same in a new draft under same title (H. P. 1729) (L. D. 1462) that it "Ought to pass"

Report was signed by the following member:

- Mr. Ela of Somerset
- of the Senate.

Minority Report B of the same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

- Mr. Burgess of Limestone
- of the House.

(On motion by Mr. Bowker of Portland, the two reports, with accompanying papers, were tabled, pending acceptance of either report, and specially assigned for Monday, April 28th)

House Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation on Bill "An Act Increasing the Share of the State in Pari Mutuel Pools" (H. P. 1563) (L.

D. 1192) reporting same in a new draft (H. P. 1730) (L. D. 1460) under same title as amended by Committee Amendment "A", and that it "Ought to pass."

(Committee Amendment "A" printed as L. D. 1461).

Report was signed by the following members:

- Messrs. Noyes of Hancock
- Haskell of Penobscot
- of the Senate.
- Jordan of Saco
- Burton of Milo
- Lombard of Yarmouth
- Morison of Wilton
- of the House.

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

Report was signed by the following members:

- Messrs. Burgess of Limestone
- Elliott of Corinth
- of the House.

Minority Report B of same Committee reporting same in a new draft (H. P. 1730) (L. D. 1460) under same title and that it "Ought to pass."

Report was signed by the following member:

- Ela of Somerset
- of the Senate.

(On motion by Mr. Bowker of Portland, the two reports, with accompanying papers, were tabled, pending acceptance of either report, and specially assigned for Monday, April 28th)

Passed to be Engrossed

Bill "An Act relating to Increasing the Maximum Payment in Aid to the Blind" (S. P. 488) (L. D. 1354)

Bill "An Act relating to Tagging and Marking of Beaver" (H. P. 1720) (L. D. 1449)

Bill "An Act relating to Bounty on Bears" (H. P. 1721) (L. D. 1450)

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

Bill "An Act relating to Hunting and Trapping Seasons" (H. P. 1722) (L. D. 1454)

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

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

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

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

House Amendment "A" to H. P. 1722, L. D. 1454, Bill "An Act Relating to Hunting and Trapping Seasons."

Amend said Bill by striking out in Section 2 all of the 2nd paragraph which reads as follows:

"Muskrats shall be taken only by the use of steel traps or shooting." and insert in place thereof the following underlined words: 'Muskrats shall not be taken by the use of wire nets, box traps or any trap other than the ordinary steel trap.'

House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended and sent to the Senate.

Passed to be Engrossed (Cont'd)

Bill "An Act relating to the Salaries of the Officers of the Legislature" (H. P. 1723) (L. D. 1451)

Bill "An Act Increasing the Salaries of the Clerks in the Office of Clerk of Courts in Oxford County" (H. P. 1724) (L. D. 1452)

Resolve in favor of Fox & Ginn, Inc. (H. P. 1599) (L. D. 1267)

Resolve Proposing an Amendment to the Constitution to Regulate Traveling Expenses of Members of the Legislature (H. P. 1727) (L. D. 1459)

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

Amended Bills

Bill "An Act to Amend the Charter of the City of Augusta by Providing for the Appropriation of School Funds by the City Council" (S. P. 215) (L. D. 572)

Bill "An Act Increasing the Salary of Register of Probate in Androscoggin County" (S. P. 221) (L. D. 569)

Bill "An Act relating to Registration in Optometry" (S. P. 291) (L. D. 818)

Bill "An Act Increasing the Salaries of the Judge and Recorder of the Saco Municipal Court" (H. P. 949) (L. D. 554)

Resolve Providing for Certain Construction at the Pownal State School (S. P. 174) (L. D. 526)

Resolve in favor of George P. Milne and Jesse B. Lewis, both of Hallowell (H. P. 1019) (L. D. 651)

Resolve in favor of W. E. & R. E. Andrews, of Bingham (H. P. 1151) (L. D. 766)

Resolve Appropriating Moneys for Military Expenses (H. P. 1262) (L. D. 934)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, Bill "An Act Relating to the Taxation of Railroads," (H. P. 1626) (L. D. 1298) (In House, Read the Third Time.) tabled on April 21st, by the gentleman from Portland, Mr. Haskell, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. Haskell presented House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1626, L. D. 1298, Bill "An Act Relating to the Taxation of Railroads."

Amend said Bill by adding at the end thereof a new section to read as follows:

'Sec. 3. **Effective date.** The provisions of this act shall become effective on January 1, 1949.'

House Amendment "A" was adopted.

The SPEAKER: Is it the pleasure of the House that the bill pass to be engrossed as amended?

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

Mr. JORDAN: Mr. Speaker, when I move to indefinitely postpone this bill I am not speaking personally but in order to start you thinking.

This bill came originally to the Taxation Committee, and I am afraid we must admit it was not given much attention because at the time, before we had ever heard of it we had also acted on a measure which gave \$275,000 of this money for the A.D.C., and therefore we did not consider that we could pass both bills as they conflicted.

Now the amendment puts a different light on the matter. I would like to tell you exactly what it will

do. Now I am talking on the first and second matters combined, because what goes for one goes for the other, and the figures I am giving you are the total combined figures of the two.

Now both the railroads and the telephone companies pay two kinds of taxes; they pay a capital stock tax which together aggregates somewhere around \$274,000 which has been returned to the cities and towns in relation to the capital stock; and then they pay an excise tax which in the aggregate amounts to around \$1,900,000, and that is always paid to the State. Now \$1,900,000 and \$274,000 is \$2,174,000 approximately. Now these two bills before you say they want to keep half of it in the State and return half of it to the towns which would give \$1,087,000, approximately, back to the towns. As the State receives now \$1,900,000 and their share, if this bill passed would only be \$1,087,000, there is a difference of around \$800,000 which the State of Maine would have to find new taxes for. That is the reason for my motion, for you to decide whether you want to, two years from now, have the State to go out and get \$800,000 of new taxes.

Now they claim it is a detriment to the towns that they did not get this money back. When this law was passed, the method of taxation was such they only had the State tax. As I look at it, when they passed this law and changed from the real estate value because they got into trouble with taxing the railroads and taxing the telephones, finding a proper method for taxing the railroads, they came to the State and asked the State to tax them. The State said, "Well, we might be able to give you the money back but we need it and if we give you the money back we will take it right back again from you through raising the State tax and the towns will get just as much benefit by letting this money stay here and have a lower State tax. And it would be the same thing today if we gave the money back to them and raised the State tax. We would just be giving them \$800,000 with one hand and taking \$800,000 back with the other. So the only way the cities could get any benefit out of this would be when they get this money back for the State to get \$800,000 out of an income or a sales tax or some other kind of a tax to

replace it, so that the citizens will be taxed by the State and not by the city.

Now that is the situation. As I say, personally I have not any interest except as a citizen of Maine, but personally I shall vote for indefinite postponement, but it is up to this House to decide.

The SPEAKER: Does the Chair understand that the gentleman from Saco, Mr. Jordan moves the indefinite postponement of this bill?

Mr. JORDAN: I do, Mr. Speaker.

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

Mr. HASKELL: Mr. Speaker and Members of the House: A week ago today we had quite an extensive discussion relative to this particular matter. Since that time, this House has taken definite action upon the ADC bill. However, I still think there is some confusion existing in the minds of the members of this House as to whether or not there is any conflict between this measure and your ADC measure.

A week ago, in answer to a question of a member of this House, I said that there was the possibility of conflict. The only conflict at all is on the matter of financing.

Under the bill which we passed here yesterday on ADC, in Mr. Williams figures there were included approximately, from the railroad tax, ninety odd thousand dollars which had previously been distributed to the municipalities. So it is true that there is a conflict to that extent. However, I submit to the Members of this House, most sincerely, that, as my good friend from Saco says, it is a matter of policy to be decided.

It was quite clear, yesterday, that this House was in accord that we should accept, that is, the municipality should accept, relief to the extent of some \$861,000 for the aid of dependent children and board and care of neglected children. However, this particular measure here, and I hope I may be able to make this point clear to the House, is that if you follow along on that plan, you are relieving the municipalities, it is true, but you are doing it with money which actually belongs to the towns. If this theory is correct, that under the original law it was intended and should still be intended that the towns should have a major portion, at least 50%, of the funds collected from the rail-

roads. Actually, I do not think it makes any particular difference how we attack this problem just as long as we keep it clear in our minds and I believe it is the feeling of this House that the municipalities should receive some relief. I think that is the feeling of the majority of the Members of this House.

Now I noticed this morning in the paper that there apparently is a further report coming out from the Taxation Committee at some future date which proposes to provide, further relief of municipalities to the tune of \$3,000,000 annually. Therefore, it seems to me, at the moment, that although, perhaps, the fundamental picture is clear in our minds the manner of how we are going to approach the problem is not clear. For that reason and because we have so many pending proposals, I am opposed to the indefinite postponement at this time of this measure. I think it should be kept alive until this issue is crystalized a little further. However, that decision I leave it to the House.

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

Mr. THOMPSON: Mr. Speaker, I hope this bill is not indefinitely postponed. As near as I can make out from my good friend, Mr. Jordan, he is worrying about the legislature two years from now, I think we have trouble enough with this one, let the next legislature take care of their own interests.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Milo, Mr. Burton.

Mr. BURTON: Mr. Speaker, and Ladies and Gentlemen, as a member of the Taxation Committee, we have tried to bring out bills that might bring in some more revenue to the State of Maine. Now I am not real sure of my figures here—the former gentleman was nearer than I am—but these bills do take yearly from the income of this State approximately one million dollars and it is a question in my mind that there is nothing in sight yet to provide for putting back in the State revenue this nearly one million dollars per year, which has been current revenue over the years.

Now the policy of channeling this back does not seem reasonable, particularly at this time, because we have not any revenue, and we do not know how much we will have to

back it up. However, the matter is entirely in your hands. I just wanted to make that entirely clear. When I mention approximately one million dollars or nine hundred thousand dollars, of course that includes the following tabled amendment.

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

Mr. HASKELL: Mr. Speaker and Members of the House: In regard to a few of the remarks just made, I should like to call attention of the House to the fact that this measure which we have passed, the Williams bill, also must have new revenue to make it effective. I hope both measures may receive equal consideration.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Saco, Mr. Jordan, that this matter be indefinitely postponed.

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

A viva voce vote being doubted, A division of the House was had.

The SPEAKER: Nineteen having voted in the affirmative and fifty-seven having voted in the negative, the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, since we came to the Legislature, the matter of relieving cities and towns has been constantly before us. Everyone wants to do it and for that reason certain bills which are designed to do it seem to be progressing here without any particular connection or with any decision as to the final amount by which we do intend to relieve cities and towns.

When this bill was tabled a week ago, I thought that it should be kept alive until some decision was made on that matter. On bills which are now in process of being passed we have apparently an intention to relieve cities and towns by the State aid bill for teachers' salaries, which is partial relief; we intend to relieve cities and towns on the ADC bill, on the gasoline tax bill, and if we may believe the papers, if the proposed taxation measure is passed, several millions of relief funds are included in that but there has been very little con-

sideration of the best measures of relief. If you add them up all together, they come to more than the entire State property tax that is now being levied.

I am extremely reluctant to make a motion to hold up these bills but until there is some crystallization of opinion as to the total amount by which municipalities should be relieved, it seems to me unfair that one bill should go along ahead of the others. And because I am partially responsible for the decision being deferred on this measure, I believe now that until we get a vote on the major tax bills and on the provision in it that is designed to relieve cities and towns, this bill should be held up and I therefore move that it be laid on the table. I will take it from the table just as soon as the other bill which involves this principle is before the House.

The SPEAKER: The gentleman cannot debate the motion to lay on the table and the Chair will further state that the gentleman must assign a time.

Mr. CHASE: I would assign it to Tuesday, Mr. Speaker.

Thereupon, on motion by Mr. Chase, the matter was tabled pending passage to be engrossed and was specially assigned for Tuesday, April 29th.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act Relating to Taxation of Telephone and Telegraph Companies." (H. P. 1629) (L. D. 1302) (In House, read the Third Time.) tabled on April 21st, by the gentleman from Portland, Mr. Cole, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. Cole presented House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1629, L. D. 1302, Bill "An Act Relating to Taxation of Telephone and Telegraph Companies."

Amend said Bill by adding at the end thereof a new section to read as follows:

'Sec. 3. Effective date. The provisions of this act shall become effective on January 1, 1949.'

House Amendment "A" was adopted.

On motion by Mr. Wight of Bangor, a viva voce vote being taken,

the matter was tabled pending passage to be engrossed and specially assigned for Tuesday, April 29th.

Mr. Bowker of Portland was granted unanimous consent to address the House.

Mr. BOWKER: Mr. Speaker and Members of the House: I would just like to point out to the members of the House that the Appropriations Committee met this morning in executive session. Early on Monday morning, we will have a complete, up-to-date financial picture, including action taken by this House on bills today, so that at that time we hope to be able to point out just what we have for revenue and what has been passed that is calling for expenditures of money, what is pending calling for appropriations at that time. So I will say that I am glad to see that last measure put on the table so that on Monday the members of the House will have that information that everybody has been waiting for.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, "Resolve, to Authorize a Forest Survey for the State of Maine." (H. P. 1047) (L. D. 686) (In House Read the Third Time), tabled on April 21st by the gentleman from Rockland, Mr. Sleeper, pending passage to be engrossed.

The Chair recognizes the gentleman from Bangor, Mr. Webber.

Mr. WEBBER: Mr. Speaker, I note the absence of the gentleman from Rockland, Mr. Sleeper. In view of that fact, I move that this matter be laid on the table and specially assigned for next Tuesday.

Mr. MILLS of Farmington: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MILLS: Mr. Speaker, I move assignment to Monday.

The SPEAKER: The gentleman from Bangor, Mr. Webber, moves that this matter be laid on the table pending passage to be engrossed and be specially assigned for Tuesday, April 29th.

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

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

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that this matter be laid on the table and specially assigned for Monday, April 28th.

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

A viva voce vote being taken, the motion prevailed and the matter was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report, "Ought to pass" with Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act to Incorporate the Lincoln-Chester Bridge District." (H. P. 499) (L. D. 354), tabled on April 22nd, by the gentleman from Bangor, Mr. Webber, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WEBBER: Mr. Speaker and Members of the House: By way of explanation, I would like to say there are two bills before this Legislature, one before Ways and Bridges and one before the Legal Affairs Committee. In view of that fact, it will be some time before we know the fate of the bill before the Ways and Bridges Committee. I move that this lie on the table and be specially assigned for next Tuesday.

The SPEAKER: The gentleman from Bangor, Mr. Webber, moves that this matter be laid on the table pending acceptance of the committee report and be specially assigned for Tuesday, April 29th. Is this the pleasure of the House?

A viva voce vote being taken, the motion prevailed and the matter was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Majority Report "Ought not to pass", House Minority Report "Ought to pass" of the Committee on Inland Fisheries and Game on "Resolve, Permitting Fly Fishing in Certain Waters of Franklin County." (H. P. 1171) (L. D. 847) tabled on April 23rd, by the gentleman from Eustis, Mr. Carville, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. CARVILLE: Mr. Speaker, owing to the fact that I have two amendments prepared here that have just come in, and two of my colleagues would like to have the week-end to look them over, and because two of the opposition are visiting State institutions, I would like to retable this for all concerned until Tuesday.

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

Mr. MILLS: Mr. Speaker, I move assignment for Monday.

Mr. CARVILLE: That is all right, Mr. Speaker. I had just as soon have it changed to Monday. I did not get that point.

The SPEAKER: The gentleman from Eustis, Mr. Carville, moves that this matter be laid on the table, pending acceptance of either report and be specially assigned for Monday, April 28th.

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

A viva voce vote being taken, the motion prevailed and the matter was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Compensation of Senators and Representatives." (H. P. 1211) (L. D. 855) (In House, motion to substitute the bill for the committee report failed and subsequently this vote was reconsidered.), tabled on April 24th, by the gentleman from Limestone, Mr. Burgess, pending motion of Mr. Bell, of Thomaston, to substitute the bill for the report.

The Chair recognizes the gentleman from York, Mr. Marshall.

On motion by Mr. Marshall, a viva voce vote being taken, the House voted that the matter be retabled, pending the motion of the gentleman from Thomaston, Mr. Bell, to substitute the bill for the report, and be specially assigned for Monday, April 28th.

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

On motion by Mr. Sharpe of Anson, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Relating to Distribution of Information Concerning Wild Life and Providing for Revenue Therefor." (H. P. 1583) (L. D. 1236) tabled on April 22nd by that gentleman pending acceptance of report; and on further motion by the same gentleman, the "Ought not to pass" report of the committee was accepted.

On motion by Mr. Plummer of Lisbon, the House voted to take from the table the fifth tabled and unassigned matter, "Resolve, in Favor of Marie P. Bennett, of Auburn." (H. P. 594) (L. D. 366) tabled on April 24th by that gentleman pending first reading.

On motion by Mr. Snow, of Auburn, the resolve was given its first reading.

Committee Amendment "A" was read by the Clerk as follows:

Committee Amendment "A" to H. P. 594, L. D. 366, "Resolve in Favor of Marie P. Bennett, of Auburn."

Amend said Resolve by striking

out the figures "\$1,600" in the 2nd line thereof and inserting in place thereof the figure '\$200'

Committee Amendment "A" was adopted; and the Resolve was assigned for second reading Monday, April 28th.

The SPEAKER: If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Plummer of Lisbon,

Adjourned until Monday, April 28th, at 3:00 P. M., Eastern Standard Time.