

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

Wednesday, April 30, 1947.

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

Prayer by the Rev. Earle N. Hubbard of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: The following Communication:

**STATE OF MAINE
SENATE CHAMBER**

April 29, 1947.

Honorable Harvey R. Pease, Clerk
House of Representatives
93rd Legislature

Sir:

Pursuant to Joint Rule No. 8, you are informed that the Senate today indefinitely postponed "Resolve in Favor of Marie P. Bennett, of Auburn," (H. P. 594) (L. D. 366) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 28, 1947.

Respectfully,
(Signed)

Chester T. Winslow
Secretary

The Communication was read and ordered placed on file.

Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Claims on Resolve in favor of Leon Bemis of Farmingdale (S. P. 155) (L. D. 1394) reporting same in a new draft (S. P. 540) (L. D. 1458) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed.

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

Non-concurrent Matter

From the Senate: Bill "An Act to Amend the Charter of Winthrop Water District" (H. P. 1640) (L. D. 1324) which was passed to be engrossed in the House on April 22nd as amended by House Amendments "A" and "C."

Came from the Senate passed to be engrossed as amended by House

Amendment "C" in non-concurrence.

In the House, on motion by Mr. Marsans of Monmouth, the House voted to insist and ask for a Committee of Conference.

Non-concurrent Matter

From the Senate: Bill "An Act relating to the Payment of Fines and Costs and the Salary of the Judge of the Municipal Court in the town of East Livermore, now Livermore Falls" (H. P. 950) (L. D. 555) which was passed to be engrossed in the House on April 23rd.

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

In the House, on motion by Mr. Moulton of North Livermore, the House voted to insist and ask for a Committee of Conference.

Non-concurrent Matter

From the Senate: Bill "An Act Creating an Agency to Rehabilitate the Atlantic Sea Run Salmon" (S. P. 510) (L. D. 1396) which was passed to be enacted in the House on April 24th and passed to be engrossed as amended by Senate Amendment "A" on April 18th.

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

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

Ought to Pass With Committee Amendment

From the Senate: Report of the Committee on Military Affairs on Bill "An Act relating to Eligibility of Certain Veterans for Assistance" (S. P. 287) (L. D. 802) 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 read twice.

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

Committee Amendment "A" to S. P. 287, L. D. 802, Bill "An Act Re-

lating to Eligibility of Certain Veterans for Assistance."

Amend said Bill by adding before the headnote, at the beginning of the first paragraph thereof, the following underlined abbreviation and number: 'Sec. 1.'

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

"Sec. 2. R. S., c. 22, § 300-B, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered 300-B, to read as follows:

'Sec. 300-B. Transfer of funds and effective date. Whenever cases which are receiving assistance, or which are found eligible under the provisions of sections 10 to 17, inclusive, of chapter 22-A, are referred for payment of aid to a public assistance program in which federal funds are available, funds shall be transferred quarterly from the division of veterans' affairs, as defined in chapter 22-A, to reimburse the public assistance program appropriation of the department of health and welfare for the proportionate share of state funds which have been expended from the public assistance program during the quarter. The provisions of this section shall not be effective after June 30, 1949.'

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: At this time I want to move reconsideration of our action on Legislative Document 1416, "An Act Relating to Fees of Register of Deeds."

My purpose in doing this is to prepare an amendment which might well be adopted in connection with one item. The fees generally, in this bill, are increased, about 33 1-3 percent—some of them, and some of them twenty-five percent. In one group, the twenty-five cent fees are increased from twenty-five to fifty; the fifty cent ones, to seventy-five, and the seventy-five to a dollar. The one where the real increase comes is in the miscellaneous records.

A document of 625 words, under the old law, could be recorded for \$1.20. Under the new law it would

cost \$2.70. I believe this would work a hardship in the recording of some leases and miscellaneous documents, that perhaps should be corrected, and in making this suggestion I want to point out that this is not anything that would in any way benefit Attorneys-at-Law because the people who are having these documents recorded have to pay the bill.

The SPEAKER: The gentleman from Auburn, Mr. Williams, moves that the House reconsider its action of yesterday whereby it passed to be enacted "An Act Relating to Fees of Registers of Deeds, being H. P. 1699, L. D. 1416. Is this the pleasure of the House?

The motion prevailed; and on further motion by Mr. Williams the matter was tabled pending passage to be enacted, to be taken up later in today's session.

House Reports of Committees Divided Report Tabled and Assigned

Report "A" of the Committee on Military Affairs reporting "Ought not to pass" on Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing" (H. P. 1578) (L. D. 1227)

Report was signed by the following members:

Messrs. Savage of Somerset
—of the Senate.
Jennings of Strong
Jordan of So. Portland
Robbins of Houlton
Payson of Union

—of the House.
Report "B" of same Committee on same Bill reporting same in a new draft (H. P. 1736) (L. D. 1478) under title of "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing" and that it "Ought to pass"

Report was signed by the following members:

Messrs. Batchelder of York
Dube of Androscoggin
—of the Senate.
Cousins of Fort Kent
Muskie of Waterville
Stearns of Hiram
—of the House.

(On motion by Mr. Jordan of South Portland, the two Reports,

with accompanying papers, were tabled, pending acceptance of either report, and specially assigned for tomorrow morning)

Divided Report Tabled and Assigned

Report "A" of the Committee on Military Affairs reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing (H. P. 1467) (L. D. 1071)

Report was signed by the following members:
Messrs. Savage of Somerset
—of the Senate.
Jennings of Strong
Jordan of So. Portland
Robbins of Houlton
Payson of Union

—of the House.
Report "B" of same Committee on same Resolve reporting same in a new draft (H. P. 1737) (L. D. 1479) under title of "Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing" and that it "Ought to pass"

Report was signed by the following members:
Messrs. Batchelder of York
Dube of Androscoggin
—of the Senate.
Cousins of Fort Kent
Muskie of Waterville
Stearns of Hiram

—of the House.
(On motion by Mr. Jordan of South Portland, the two Reports, with accompanying papers, were tabled pending acceptance of either report, and specially assigned for tomorrow morning)

The SPEAKER: At this time the Chair notes in the balcony the presence of the American History and Civics Class of Rockland High School, Mr. Lawrence Plummer, Teacher, and on behalf of the Members of this House, the Chair bids you welcome here this morning. (Applause)

Leave to Withdraw

Mr. DeSanctis from the Committee on Claims on Resolve in favor

of Benjamin H. Jones, of Woodland (H. P. 156) (L. D. 119) reported leave to withdraw.

Mr. Boulrier from the Committee on Ways and Bridges reported same on Resolve in favor of the town of Fryeburg (H. P. 145)

Mr. Dean from same Committee reported same on Bill "An Act relating to the Construction, Repair and Maintenance of Bridges on Certain Roads" (H. P. 1634) (L. D. 1315)

Same gentleman from same Committee reported same on Bill "An Act relating to Parkways and Freeways" (H. P. 194) (L. D. 139)

Reports were read and accepted.

Ought Not to Pass

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Paul G. Dustin, of Brewer (H. P. 650)

Same gentleman from same Committee reported same on Resolve in favor of George L. Craft, of St. John, N. B. (H. P. 43) (L. D. 55)

Mr. Boulrier from the Committee on Ways and Bridges reported same on Bill "An Act relating to Town Road Improvement Fund" (H. P. 1105) (L. D. 740)

Same gentleman from same Committee reported same on Resolve in favor of the town of Camden (H. P. 777)

Mr. Dean from same Committee reported same on Resolve Appropriating Money for Certain Portions of Route No. 1 (H. P. 1343)

Reports were read and accepted.

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

Ought to Pass in New Draft

Mr. Bowker from the Committee on Appropriations and Financial Affairs on Bill "An Act to appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1948, and June 30, 1949" (H. P. 413) (L. D. 295) reporting same in a new draft (H. P. 1734) (L. D. 1475) under same title and that it "Ought to pass".

Report was read and accepted, and the New Draft, having already been printed, was read twice under suspension of the rules.

Mr. Robbins of Houlton, offered

House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1734, L. D. 1475, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1948, and June 30, 1949.

Amend said bill by inserting after "Library, State of Maine Departmental Operation" the following item:

'Maine Maritime Academy, \$115,-000.00 \$115,000.00'

And further amend said bill by increasing each total by \$115,000.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker and Members of the House: The purpose of this amendment is to permit the Maine Maritime Academy to continue operations during the next two fiscal years. Before discussing the amendment, I would like to explain briefly to you just what my interest is in the school.

Before the war, my interest in the Merchant Marine was purely academic. It happened that for more than five years I served in the Navy, almost all of that time at sea and a large part of it in either European or Asiatic waters. It impressed itself on me as it must have on anyone who had this experience that the war could not have been won without the Merchant Marine. I was so enthusiastic about it that when I came home a year ago I informed the Governor that if there was anything at any time I could do to further the work of the Maine Maritime Academy, I hoped that he would call on me.

In January of this year he saw fit to appoint me a member of the Board of Trustees. Last week when it became apparent that the Academy was to be omitted from the appropriation bill, the Trustees of the school met and agreed to and all of them signed a brief statement of their views, which I would like to read to you.

The Trustees of the Maine Maritime Academy, in a meeting today, unanimously agreed to make the following statement to the Committee on Appropriations and Financial Affairs.

1. The Trustees believe in the value of the Maritime Academy to

the nation, to the State of Maine and to the youth of Maine.

2. \$115,000 per annum, the amount of the request for funds for maintenance and operation of the Maritime Academy, is the minimum sum necessary to supplement Government grants for the support of this school.

3. The State of Maine is the only visible source for obtaining this portion of the funds essential for continuing the school during the next two years.

4. The per capita cost of this school compares favorably with other maritime academies.

5. If the state makes the funds necessary for operation during this biennium available, the Trustees agree to make every effort to secure new sources of revenue which will enable a substantial decrease in appropriation requests in future years.

This was signed by Ralph Leavitt, Chairman; Charles Phillips, President of Bates College; Edwin Andrews, Bath; myself; Clifford Carver, Searsport; Richard Hallett, Portland; Philip Hussey, Berwick; Ralph Barter, Stonington; and Harland Ladd, Augusta.

Mr. Speaker, I would like to call the attention of the House particularly to paragraph 5. There are two possible sources which we may tap for additional income to the school. One is the students themselves and the other is the Federal Government.

With regard to the students, the situation at the moment is this: During the war years they paid one hundred dollars service charge so that each boy spending three years there paid three hundred dollars. We did not feel that that was enough and at the request of the state maritime academies the Maritime Commission has agreed, starting next year, to permit us to charge a service charge of two hundred dollars. It is our intention, as far as Maine is concerned, and we feel that all the maritime academies will join with us, to request the Maritime Commission at least to double the service charge which we may take from each boy.

With regard to the Federal Government, the situation is that they will subsidize, the Federal Government will subsidize the school during the next two years at the rate of approximately \$300,000 a year.

This includes \$156,000 paid to the students themselves. The five State maritime academies have combined to present a bill to the Congress which would authorize the Commission to double the cash allotment which now approximates fifty thousand dollars. In other words, we are going to ask the Federal Government to increase their subsidy to \$100,000. Now this cannot be accomplished overnight. What the Trustees hope, in effect, is that the State of Maine will see this school through a time of post-war readjustment until we can find out on what basis it will be possible for us to continue this school in permanent operation.

Mr. Speaker, I would like to conclude my remarks by reading one paragraph from one of the editorials which have been written about this school. "Maine ought to keep her school for merchant marine officers-to-be. It isn't just the little port of Castine that benefits from the activities of the Maine Maritime Academy; the entire state benefits so long as this institution for the training of future master mariners and chief engineers keeps its door open to those young men of Maine who are eager to follow the sea as generations of Maine men have followed it, before them."

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

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

Mr. FINNEGAN: Mr. Speaker and Members of the House: I would just like to tell you why as one member of the Appropriations Committee we were unable to recommend this suggested appropriation for the Maine Maritime Academy. I think in order to brief you on the situation there, I would like to read you a letter which I received from our Congressman in February, in order to clarify my own mind and incidentally to clarify yours as to just the conditions existing. I wrote to the Congressman and this is his reply:

"Under the present program the Federal Government is enrolling the Cadets in the U. S. Maritime Service and paying them \$65 a month and allowing them seventy-five cents per day for subsistence. The Cadets buy their own uniforms and textbooks and pay for other service charges such as laundry, etc. The Maritime Commission does

not bear any of the cost of the teaching staff except that the Navy supplies at its cost service personnel to teach Naval Science and Tactics to the Cadets who are also appointed as Midshipmen in the Naval Reserve. Public Law 191, 77th Congress, 55 Stat. 607, requires the Federal Government to match a grant by the Maine legislature up to \$50,000, providing that \$25,000 of the Federal grant may be used only to pay the pro rata cost of training Cadets who are non-residents of the State of Maine. This law also requires the Maritime Commission to lend a training ship to the school, if available. By agreement between the Maine Maritime Academy and the Massachusetts Maritime Academy, one such ship is being used jointly between them, which they have named the YANKEE STATES, each school using the ship for half a year. An annual cruise of three months is a necessary part of the training course. The Congress also appropriates annually an amount necessary to keep the ship and its apparel in repair but does not pay for the cost of operation and maintenance. The appropriation for this purpose in 1947 for each vessel was \$31,250. The Bureau of the Budget has approved \$50,000 for this purpose for each vessel for the fiscal year 1948, but the appropriation has not as yet been made.

"There are five State Maritime Academies, one each for the States of California, Maine, Massachusetts, New York and Pennsylvania. Each of them is paid on the same basis. The total quota of Cadets in five academies has recently been reduced from 1,250 to 900 by the Bureau of the Budget, that is, as to the number that can be paid from Federal Funds. A meeting with the five academies is to be held by Rear Admiral Knight on February 19th in New York to agree as to the number of Cadets to be assigned to each of the academies.

"The Bureau of the Budget has recommended an appropriation of \$950,000 for the payment and subsistence of 900 Cadets for the fiscal year 1948 at the five academies but the appropriation has not as yet been made. The Bureau of the Budget has also recommended sufficient funds for the operation of the U. S. Merchant Marine Academy at Kings Point for the fiscal year 1948 with a Cadet Corps com-

plement reduced from 2,500 to 1,250. Therefore, it would appear that the policy of the Bureau of the Budget is that these schools should be continued. Rear Admiral Knight does not feel that the Bureau of the Budget would favor the operation of the State Academies as entirely Federal undertakings without any contribution from the States themselves.

"Actually, the Federal participation in these schools is similar to the Navy R. O. T. C. which is maintained at fifty-two universities, under which the students take peacetime training in Naval Science and Tactics under Naval officers and are paid a tuition at the University and \$50 per month and are furnished with their uniforms and textbooks at a cost of about \$16 a month, or practically the equivalent of the \$65 the Maritime Commission pays them at the State Maritime Academies in the Cadet Corps, from which they must purchase their own uniforms and textbooks. The graduates are commissioned as Ensigns in the U. S. Naval Reserve and as Ensigns in the U. S. Maritime Service since they are being trained principally as officers in the Merchant Marine."

That is about the set-up as—that is the set-up—which was agreed upon by Senator Leavitt as to the facts, that is, there is no disputing any of those statements.

I recently, just to be sure if there was any change in the thing, I wrote to the Congressman again and I have a letter under date of April 22nd, which said:

"The number of students to be accepted is up to the Boards of the five Academies,—Maine, Mass., Pa., N. Y., and Calif. It has been suggested that Maine have 200, Pa. 95, etc., but Pa. is not satisfied with the suggestion, and it is still in the air. The Massachusetts Maritime Academy is continuing."

Now as a war-time measure and as a war-time service nobody has any question that this school functioned very well. Nobody has any fault to find with the teaching, the worth-whileness of the school, or any of those things. Some boys have made some very good contributions I am sure but the fact remains that the Maritime Commission are withdrawing from this scene, but what they are actually doing is this: They are paying these boys \$65 a month, which on the basis of 200 students, that is the

way this thing was set up, that means \$156,000. They are paying seventy-five cents a day for their board which is \$54,800. They are allowing supplies of up to \$10,000; the maintenance of the ship, which amounts to \$31,000, that is depreciation and repairs, and then there is a grant of \$50,000 provided that one-third of the enrollment of this school is from out of the state. In other words, \$25,000 of that is specifically tagged to be used on out-of-state students. Now how that actually comes out, as far as the State of Maine is concerned, when the Maritime Commission withdrew from this scene except for the stuff that we have just mentioned, namely really a subsidy to the boys and some food and the \$50,000 grant, that is about what it amounts to, \$25,000 of which is earmarked for out-of-state students. What that puts up to the State of Maine is a teaching staff of \$65,000, that is the per annum cost of the teaching staff. The ship's crews for these cruises is a \$40,000 item; the fuel, \$5,000; the utilities, \$3,000; ships supplies, \$5,000, and an \$8,000 insurance tax which, I suppose, is for the ship, whatever—I don't know. But the net result is to unload onto the State of Maine \$111,000 of these fixed charges, the appropriation has been modified from \$150,000 to 115,000 but that is contingent upon their being able to operate a cheaper ship. Much of that must be taken in the hope that they will be able to go through with it, there is nothing too certain about it from my standpoint, but I am not going to debate that issue.

The net result of it all is that the State of Maine subsidizes 200 boys, if the school is made up of that, one-third of them must be from out of the State, if they are going to get this \$25,000 subsidy; if they are not, they are going to be shy \$25,000 of this program. There are no reserves for the State of Maine; there is no taxable property from which the State can get a revenue; there is no assurance expected or required from any of these students that they shall continue in the Maritime Service. As a matter of fact, a great many boys, who are now entering college and building up seeking to extend their education, abandoning the service. The estimate varies as to the number who are in the service, actually who have been trained, from 45

per cent to some more or some less, but it might be safe to say that 50 per cent continue in the Maritime Service for about—until they seek their own method of making a livelihood. Now, as I say, as a war-time measure it was an excellent thing, it functioned very well, it did a very commendable service, but we are unable to see—at least I on the Appropriations Committee—I think I speak for most of the members, could not justify a subsidy at this point, of a direct subsidy, of \$750 approximately, for each boy, one-third of whom must be from out of the state, in order to get advantage of that \$25,000 grant. Therefore, we thought that this matter was going to be decided as an emergency and a few felt that if the State of Maine desired to continue on that basis, then you should have a chance to pass on that yourself. I am simply presenting the facts and the decision is up to you.

The SPEAKER: The Chair recognizes the gentleman from Northeast Harbor, Mr. Savage.

Mr. SAVAGE: Mr. Speaker and Members of the House: I think this proposition of the Maine Maritime Academy has considerable merits. The future of that Academy is pretty unclear; that is likewise true with many of the other maritime academies in all probability, since they are evidently supported in part by state funds in each instance. Some of the things in connection with the Maritime Academy are not clear to me. I suppose they would not be to any one who has not made a particular study of that particular thing. However, we are still too near the war; the immediate post-war effects, to drop this thing at this time, it seems to me. I feel that the money is a rather large sum, to be sure; we seem to have appropriated other large sums here without exactly knowing what we are going to do to raise the money to pay for them. Was this thing some years in the future, I mean, were we now some years in the future, could we have seen all that would have happened within that time, we could form a much better mature judgment. That is not the case; we are still very near to the end of the war. What the federal government may conclude to do in the immediate future years, we do not yet know. It seems to me that it would be

unwise, at this time, to deny this appropriation. I hope the motion of the gentleman from Houlton, Mr. Robbins, will prevail.

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

Mr. PERKINS: Mr. Speaker and Members of the House; I rise in support of the motion of the gentleman from Houlton, Mr. Robbins. As you know, I come from a section of the State where the livelihood of most of the people is made from the sea and come from a race who for generations back has followed the sea, and it seems to me that due to the record made by the boys of the Maritime Academy during the last war and the record that they are making now upon the high seas of the world, it seems to me to give these boys from the coast of Maine an opportunity to study navigation and seamanship, that it is most wise for us to continue, at least temporarily, our support of the Maritime Academy. There are boys from my town in the school; there are boys in my town who have graduated from the Maritime Academy and who did noble service in the last war and are now on the high seas. And I hope Mr. Speaker and Members of the House, that the motion of the gentleman from Houlton will prevail.

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

Mr. MILLS: Mr. Speaker, we have, last summer, and during this regular session, voted State funds for our institutions, high schools, over which the State has no vestige of control; we have done that freely, not without objection from some of us who opposed that appropriation on general principles, but are we to forget our own; are we to turn away from our own public institutions, our own institutions of learning which we sponsor, which we absolutely control, and start building up a system in the State over which we have no control and which are able to come here and, through their many friends, alumni, are able to take large sections of the public treasury. Now Maine, from the very early days of America has been manning the seaways of the world, from the shores of the Kennebec, the shores of the Penobscot, our men have gone out to India and brought back the wealth of the Indies. During the latter part

of the 19th century, we slipped back in common with the rest of America, as a seafaring nation. During this last war, there was performed a miracle, it seems to me, in the way the merchant marine was built up in Maine. Maine contributed its share, it always did in the past, to the performance of that miracle. Now, is the situation so completely changed that we are going to pull back and draw out of the picture as far as the merchant marine and seafaring affairs are concerned? We all know that the international situation is fraught with danger. It is not the time for us to drop our guard and the reason I speak along that line is this: This Maine Maritime Academy is producing men, who, when they graduate, are both officers in the merchant marine, competent to be third mates, or engineers; also they are officers in the Naval Reserve. And those officers the Navy had during this last war, who came from the merchant marine were some of the best that were available. They knew how to handle ships and they knew how to do the Navy's work with the minimum of Navy red-tape. I say that there is a great obligation on us to keep America strong on the seaways and, if it costs us \$115,000 for Maine's contribution, then it is cheap at that price.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Sargent.

Mr. SARGENT: Mr. Speaker, I do not wish to tire you by repeating any of the statistics in regard to this school which have been very clearly presented to you. However, I do wish to have you remember that this school makes possible an education for many boys who would not, otherwise, receive anything higher than the grade school training. This being so, I think that we should continue this school for the next two years, at least. The gentleman from Bangor spoke of subsidizing the students at this school. I do not understand the distinction between subsidizing the boys in this school and subsidizing the pupils in our common schools with the use of State money for the education of our young people. I hope the motion of the gentleman from Houlton will prevail.

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

Mr. MELOON: Mr. Speaker, I do wish to strongly endorse the statements as outlined by Mr. Robbins of Houlton. I believe that I can go along very forcibly and strongly, in my own mind, with the remarks made by Mr. Mills of the vital necessity of the graduates of this school in the present chaotic world crisis. I am very glad to go along with that.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

Mr. COUSINS: Mr. Speaker, during the last war I served in the U. S. Marine Corps, which, I assure you, has absolutely nothing to do with the Maritime Service. However, much as the Marine Corps, in a friendly way, did not get along with the Navy, we had every admiration and respect for the Maritime Service. They got the stuff there for us and they certainly did a wonderful job; nobody even questions it. And now, for a few thousand dollars, the State of Maine could continue the school which has been doing wonderful work and which, in the period of the next two years, will either solve its problems or quit at that time. I think we would be making a tremendous mistake if we did not do something about it. Our history in the Legislature of the State of Maine shows that we did not do this after the last war. We had two schools; we had a medical school and we had a law school at the University of Maine, and for a few thousand dollars, a very, very, few thousand dollars, we let them drop and now we would like very, very much to start them up again but it is going to cost millions now. So don't let this happen with the Maritime Academy, keep it going for a few years, see if it is any good, see if it is going to work out all right in peacetime; then if it does not, drop it, but keep it going for a few years.

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

Mr. McCLURE: Mr. Speaker, representing a shipping city, Bath, I feel that we should endorse this Maritime Academy. We have the record of building the best ships in America, if not the world. A ship is like the State; it is no better than the officers and crew that man it. I believe we should continue to have

our Academy so we can have that crew and officers to man it.

The SPEAKER: Is the House ready for the question?

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

Mr. FINNEGAN: Mr. Speaker and Members of the House: I do not want to be misunderstood in this matter or misquoted. I just want to bring to your attention the fact that in this program, and it has merit, I am not denying that, these boys are actually receiving a subsidy of approximately a little more than \$2,000 per year per boy, for which no adequate return, no agreement is required that they shall continue in the Maritime Service five minutes. There is no money coming back to the State. We have, in this program, to get the grants, we are required to subsidize the State of Maine to the extent of this grant, one-third of its enrollment from out of the State. Now, I am going to dispute the worthwhileness of it, I am just going to leave it in your minds and I will very happily go along with the decision of this group. That is the purpose of having it on this floor this morning. We, of the Appropriations Committee, could not justify ourselves a subsidy to the extent that is required in this program but if you can justify it, I am happy to go along with you.

The SPEAKER: The question before the House is upon the motion of the gentleman from Houlton, Mr. Robbins, that the House adopt House Amendment "A" to H. P. 1734, L. D. 1475, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1948, and June 30, 1949.

All those in favor of the adoption of the amendment will please say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

The SPEAKER: Seventy-nine having voted in the affirmative and twenty-four having voted in the negative, House Amendment "A" has been adopted.

Thereupon, the bill was assigned for third reading tomorrow morning.

Ought to Pass in New Draft (Cont'd)

Mr. DeSanctis from the Committee on Claims on the following Resolves:

H. P. 1, L. D. 3, Resolve in Favor of Gunner J. Sandstrom, of Stockholm.

H. P. 2, L. D. 4, Resolve in Favor of Alfred W. Mahoney, of Sheepscot.

H. P. 3, Resolve in Favor of Adeline Mattson, of Stockholm.

H. P. 4, Resolve in Favor of Mildred L. Karnes, of Haynesville.

H. P. 25, Resolve in Favor of Perry W. Wright, of Orono.

H. P. 27, Resolve in Favor of Donald L. Keith, of Pownal.

H. P. 28, Resolve in Favor of Blanche Hagar, R. N., of Moscow.

H. P. 29, Resolve in Favor of Ervin D. Ames, of Poland.

H. P. 30, Resolve in Favor of Alexander Martin, of Raymond.

H. P. 45, L. D. 57, Resolve in Favor of George D. Murray, of York Village.

H. P. 47, Resolve in Favor of Donald H. Thurlow, of Pine Point.

H. P. 48, Resolve in Favor of Kenneth S. Taylor, of Belfast.

H. P. 49, Resolve in Favor of James McGuire, of Belfast.

H. P. 50, Resolve in Favor of Lee Good, of Monticello.

H. P. 51, Resolve in Favor of Leon H. Libby, of Saco.

H. P. 52, Resolve in Favor of Charles L. Littlefield, of Cape Neddick.

H. P. 81, L. D. 69, Resolve in Favor of Guy W. Sheaff, of Weeks Mills.

H. P. 82, L. D. 74, Resolve in Favor of Everett York, of Otisfield.

H. P. 84, L. D. 70, Resolve in Favor of Russell W. Glidden, of Gardiner.

H. P. 85, L. D. 71, Resolve in Favor of Earl C. Parker, of Brewer.

H. P. 87, Resolve in Favor of Lawrence E. Perkins, of Hebron.

H. P. 88, Resolve in Favor of Vertie Pease, of Phillips.

H. P. 89, Resolve in Favor of William J. Hutchings of Portland.

H. P. 90, Resolve in Favor of Charles H. Perkins, of Ogunquit.

H. P. 107, Resolve in Favor of Harold Bowden, of Ellsworth.

H. P. 110, L. D. 94, Resolve in Favor of Berry Hill Orchard Company, of Livermore.

H. P. 158, Resolve in Favor of Clarence Pierce, of Princeton.

H. P. 160, Resolve in Favor of Almon D. Hodgkins of Bar Harbor.

H. P. 162, Resolve in Favor of Norman L. Higgins, of Litchfield.

H. P. 163, Resolve in Favor of Ralph D. Brann, of Gardiner.

H. P. 164, Resolve in Favor of Paul J. White, of Norway.

H. P. 222, L. D. 187, Resolve in Favor of Blanche Griffin, of Kingman.

H. P. 223, L. D. 180, Resolve in Favor of Grover C. Small, of Deer Isle.

H. P. 224, L. D. 161, Resolve in Favor of Liston C. Bean, of Bryants Pond.

H. P. 225, L. D. 162, Resolve in Favor of Jesse N. Mills, of Southwest Harbor.

H. P. 226, L. D. 163, Resolve in Favor of Dr. P. F. M. Gilley, of Southwest Harbor.

H. P. 227, Resolve in Favor of William Carr, of Stillwater.

H. P. 228, Resolve in Favor of Dana E. Walton, of Costigan.

H. P. 229, Resolve in Favor of Estate of Edward Billings, late of Deer Isle.

H. P. 230, Resolve in Favor of Irene R. Wells, of Brooklin.

H. P. 231, Resolve in Favor of Ruth Cook, of Wilton.

H. P. 232, Resolve in Favor of David Reed of Boothbay Harbor.

H. P. 233, Resolve in Favor of Wilson G. Francis, of Prospect Harbor.

H. P. 275, Resolve in Favor of John A. Nickerson, of Amherst.

H. P. 305, Resolve in Favor of Ruth A. Noble, of Livermore Falls.

H. P. 326, L. D. 204, Resolve in Favor of Lloyd J. Leighton, of Winthrop.

H. P. 327, L. D. 205, Resolve in Favor of Wilson Hanscom, of Carmel.

H. P. 329, Resolve in Favor of L. Dyer Andrews, of Orrington.

H. P. 330, Resolve in Favor of Frank F. Atkinson, of Levant.

H. P. 331, Resolve in Favor of Archie L. White, of Bucksport.

H. P. 332, Resolve in Favor of Elzear Plourde, of Keegan.

H. P. 333, Resolve in Favor of Robert Allen Vaughn, of Bangor.

H. P. 422, L. D. 252, Resolve in Favor of Arnold Flood, of Cooper.

H. P. 423, L. D. 253, Resolve in Favor of Alice Richardson, of Aurora.

H. P. 424, Resolve in Favor of Chauncey McFarland, of Bar Harbor.

H. P. 425, Resolve in Favor of Hoyt Richards, of Mt. Desert.

H. P. 426, Resolve in Favor of Seth Bachelder, of Dryden.

H. P. 427, Resolve in Favor of Elliott P. Oliver, of Nobleboro.

H. P. 428, Resolve in Favor of James A. Holmes, of Alexander.

H. P. 429, Resolve in Favor of Colin Peasley, of Charlotte.

H. P. 481, L. D. 314, Resolve in Favor of Lewis W. Philbrick, of Kenduskeag.

H. P. 483, L. D. 345, Resolve in Favor of Guy R. Baker, of Wells.

H. P. 484, Resolve in Favor of Clyde Spaulding, of Caratunk.

H. P. 485, L. D. 346, Resolve in Favor of Robert J. Greig, of Portland.

H. P. 584, L. D. 357, Resolve in Favor of Dr. S. S. Greenleaf, of Bethel.

H. P. 585, L. D. 358, Resolve in Favor of Robert L. Stockford, of Madison.

H. P. 591, L. D. 363, Resolve in Favor of Willis P. Atwood, of Auburn.

H. P. 592, L. D. 364, Resolve in Favor of Albert Walker, of Rowes Corner, Auburn.

H. P. 593, L. D. 365, Resolve in Favor of Paul Caron, of Auburn.

H. P. 597, Resolve in Favor of Joseph L. Rawlinson, of Portland.

H. P. 598, Resolve in Favor of Ralph R. Estes, of Auburn.

H. P. 599, Resolve in Favor of Raymond Tassinari, of Auburn.

H. P. 640, L. D. 431, Resolve in Favor of Owen D. Porter, of Augusta.

H. P. 641, L. D. 432, Resolve in Favor of Josephine Heath, of Verona.

H. P. 643, L. D. 434, Resolve in Favor of Guy E. Albee, of Bangor.

H. P. 644, L. D. 435, Resolve in Favor of Earl L. Bartlett, of Bangor.

H. P. 646, Resolve in Favor of Joseph P. Gorham, of Augusta.

H. P. 647, Resolve in Favor of Lydia Bryant, of Skowhegan.

H. P. 648, Resolve in Favor of Harold Butler, of Norridgewock.

H. P. 649, Resolve in Favor of John F. Kneeland, of Lewiston.

H. P. 813, L. D. 469, Resolve in Favor of Samuel Clark, Jr., of Oakland.

H. P. 815, L. D. 471, Resolve in Favor of Richard Rollins, of Hebron.

H. P. 820, Resolve in Favor of Charles G. Roberts, of Sanford.

H. P. 821, Resolve in Favor of Mandel Bachelder, of Lincoln.

H. P. 822, Resolve in Favor of E. F. Additon, of Greene.

H. P. 893, Resolve in Favor of Carl J. Broggi, of Sanford.

H. P. 894, Resolve in Favor of Russell Wolfertz, of Biddeford.

H. P. 895, Resolve in Favor of Maurice Sandler, of Biddeford.

H. P. 896, Resolve in Favor of Edward J. Albair, of Caribou.

H. P. 897, Resolve in Favor of Royal Robbins, of Deer Isle.

H. P. 971, Resolve in Favor of Evelyn T. Wilbur, of Kingfield.

H. P. 1147, L. D. 763, Resolve in Favor of E. Earle Harvey, of South Portland.

H. P. 1152, Resolve in Favor of Harland L. Leighton, of West Scarborough.

H. P. 1153, Resolve in Favor of Mrs. James McGregor, of Rumford.

H. P. 1156, Resolve in Favor of Orman Wooster, of Southwest Harbor.

H. P. 1267, L. D. 936, Resolve in Favor of Walter E. Henderson, of Newport.

H. P. 1268, Resolve in Favor of G. P. Fenlason, of Princeton.

H. P. 1269, Resolve in Favor of Perry Lawson, of West Tremont.

H. P. 1352, L. D. 953, Resolve in Favor of Conley & Fahey Funeral Home, Inc., of Lewiston.

reported a Consolidated Resolve (H. P. 1738) (L. D. 1476) under title of "Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals" and that it "Ought to pass"

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act Adjusting the Salaries of All Full-time State Employees" (H. P. 1451) (L. D. 1048) reported same in a new draft (H. P. 1735) (L. D. 1477) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts having already been printed, the Bill was read twice under suspension of the rules, the Resolve read once and tomorrow assigned.

Ought to Pass Printed Bill

Mr. DeSanctis from the Committee on Claims reported "Ought to pass" on Resolve in favor of Carrie M. Brawn, of Guilford (H. P. 1053) (L. D. 692)

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

Ought to Pass With Committee Amendment

Mr. Smith from the Committee on Agriculture on Bill "An Act relative to Licensing Dealers in

Livestock" (H. P. 1254) (L. D. 926) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

The SPEAKER: The Chair recognizes the gentleman from Randolph, Mr. Kent.

Mr. KENT: Mr. Speaker and Members of the House: I move the indefinite postponement of this bill. This bill calls for a license from every man who wants to buy or sell a cow over six months old; it also requires that every farmer who buys or sells a cow shall make a report within three days to the Commissioner of Agriculture. A record of every animal sold in the State of Maine over six months old will have to be kept on file. This would be a very expensive procedure. It would cost the department a great deal of money. Some cows change ownership three or four times in one month. I do not think that the farmers in the State want to do that; it would be a bother to them and accomplish nothing.

The SPEAKER: The gentleman from Randolph, Mr. Kent, moves the indefinite postponement of the Committee Report.

The Chair recognizes the gentleman from Leeds, Mr. Turner.

Mr. TURNER: Mr. Speaker, I wish that the Amendment had been read that you have on this bill. This is one of the most vicious and bureaucratic measures that, I think, has ever been presented before this Legislature. This bill was fathered by Mr. Buzzell, head of the animal division. He said, two years ago, that with \$500,000 he could clean the State of this Bangs disease and in two years of operation and the method that he was following, I can not see that they are much ahead of what they were two years ago. The only way that I see that this can ever be accomplished is through vaccination, and the cattle that come into the State should be either vaccinated or from an accredited herd and, in the last year, there have been a good many cows and cattle shipped into the State from across the line. Those people in Canada, they do not kill their cattle up there, they will fix them up and ship them into Maine. Now I used to be, all my life, I have been a farmer and a cattle dealer until about two years ago, and I can not see where this is the answer to their problems. I wish I were able to talk as well as some

of you silver-toned orators we have here in the House; I know enough about this program so I could give you quite a picture, but it is hard work for me to say anything. The veterinaries in this program have not cooperated with the department as they should and it says right down here in the Amendment: "Any farmer who fails to file a report that he sold an animal within three days [that is three days] shall be fined from \$10 to \$50." Well, now, there are a lot of these farmers who will not pay any attention to that. That is a good way, I suppose, to get some revenue to finance your State affairs but it seems hard to me, and I second the motion of the gentleman from Randolph that this bill be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Lovell, Mr. McKeen.

Mr. McKEEN: Mr. Speaker, we have been — The State has been paying out now for the last several years huge sums of money for the eradication of Bangs disease. This bill, which, I agree, should be amended somewhat, has a great deal of merit. It is impossible under the present set-up to trace the source of this Bangs disease. It has been customary among farmers if they have a creature on the place that aborts, they go out and hire some veterinary surgeon to come in and test the cattle and they find out they have Bangs disease, why then they go to work and sell those cattle to Tom, Dick, and Harry, and so forth, and scatter that disease all over the State of Maine. Now, if we ever do anything along the line of eradication of Bangs disease, there has to be some method set up whereby we can trace the source. A short time ago, about a year ago, I was in a barn where they held an auction of cattle; thinking I would like to buy some cattle, I went to the auction of some sixty-odd head, and that herd of cattle, in my certain knowledge, was affected badly with Bangs disease. But they were sold there at that auction and scattered all over the country. When Bangs disease crops out in other places where these affected cattle were taken in, there is no way of tracing that disease or from what source it comes. I think this bill has a lot of merit; I have not studied it very thoroughly but I

am sure that something along this line must be done so we might as well start this program first as last.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Jefferson, Mr. Johnston.

Mr. JOHNSTON: Mr. Speaker, as a member of the Agriculture Committee, I feel that the Committee's stand should have some explanation. At the hearing, several cattle dealers attended; some spoke for and some against. It seemed to be the opinion of the larger cattle dealers in the State, men who are handling 200 to 300 head of cattle a month, that they were very much in favor of this bill. All of the live stock breeders associations in the State were in favor of this bill. The dairymen's association was in favor of this bill. The bill, itself, does not put any great hardship on the cattle dealer that I can see. In fact, I feel that it is protection for them. At the present time, a person who buys a cow from a cattle dealer, by law, can require that that cow have a Bangs disease certificate—a certificate of test—with her. This is not being done due to the laxity of the farmers in demanding that certificate. The department has spent millions of dollars in this program and one of the most obvious loop-holes in the program is the fact that they have no check on the cattle dealer of what cows he handles. He makes no report to the department. A great many cases are cropping up of a farmer with a clean herd of cattle buying a cow from a cattle dealer without taking a certificate; on his next test he finds that that cow is a reactor. Immediately his whole herd is quarantined and he is put to a tremendous disadvantage and financial loss. As far as licensing the farmers is concerned, this is no great hardship for the farmer. In fact, I would call it a benefit. If any animal, according to the amendment—the committee amendment—any farmer who sells an animal to a licensed dealer has to make no report to the department. Only those transactions between the farmers are supposed to be reported within three days. I will cite an instance of a case which has a very close bearing on this proposed law. A few months ago, a herd of cows in Bangor was tested. This herd was supplying milk to the City; a milk route. In that herd, a cow

reacted to show a positive test of tuberculosis. Several cows in the herd had contracted tuberculosis from this one cow. The department asked the farmer where he had procured that cow. He told the name of the dealer that he had bought it from approximately a year before. They went to the dealer; they asked him where he got the cow; he could not remember; they had no idea where the cow came from, but they feel definitely that that cow was a carrier of tuberculosis and they know there is another herd in the State that is affected, perhaps more herds than that, but they do not know which herd to go to find where tuberculosis is. In other words, it is necessary to test every herd in the State of Maine for tuberculosis at this time. Up to the present time, and in the last few months, I believe there have been about twenty cows slaughtered because they were tubercular. This is a very dangerous situation to the health of our State; tuberculosis is readily contracted through milk and due to the great amount of testing that will be necessary to locate all the tubercular cows, a great deal of time will be consumed and, in the meantime, the health of our children is in jeopardy. If this law had been in effect, the department could immediately check back on the ear-tag of that cow, which was located in this herd in Bangor, and find what herd she originally came from, and that herd could be tested. As it is, we know that there is a herd with tuberculosis in the State that is selling milk but we do not know where to find it. Therefore, Mr. Speaker and Members of the House, I hope that the motion of the gentleman from Randolph does not prevail.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: Perhaps, Mr. Speaker, you might wonder why I rise to speak on a measure of this kind. It so happens, however, that I am the son-in-law of a livestock dealer, and I have three uncles who are farmers, and I know that they are not in favor of any bill that has all of the red-tape contained in his bill. The first section says that the provision shall not apply to farmers selling and buying livestock

for the purpose of restocking their own herds or flocks, provided, however, that the farmers who make sales of cattle over six months of age, whether they are a person, partnership, not a licensed dealer, shall report such sales to the Commissioner, or his duly authorized agent, within three days of such sale. I do not know too much about the cow dealers but I do know the average farmer, the average livestock dealer, he trades cows the same as you and I traded jack-knives when we were boys. I do not think that they want to be bothered with sending in any report within three days after they make these transactions. Every farmer that I have ever known was a farmer, not a bookkeeper. I have not heard from my father-in-law, but I can see what he is saying now: "Another one of these"—I will not say it, Mr. Speaker,—"One of these fool laws they make down in Augusta."

I am quite sure the average farmer, who raises livestock, the average, plain, dirt, Maine farmer does not favor this bill. I know that. So, I hope that the motion of the gentleman from Bangor prevails.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: It was not my purpose to speak on this bill but I have on my desk correspondence from quite a number of organizations representing the dairy industry. They do want this bill to go along; the farmers, themselves, do want this bill, and I can assure you that after the study the Committee has given this, the hearing, the report of the men who are familiar with the situation from the Department of Agriculture, that this is a good bill if you want to maintain and encourage the farmers to increase the good health of the cattle population of this State. I hope that you will not support the motion.

The SPEAKER: The Chair recognizes the gentleman from Leeds, Mr. Turner.

Mr. TURNER: Mr. Speaker, of course this bill has been bounced around in the Committee there, they did not know what to do with it, and I know the farmers and livestock dealers over in Androscoggin County—I have a chance over the week-end to meet a lot of them, be-

ing in the machinery business there—I never heard one of them say that they were in favor of this bill. And when a program is such, only 60 per cent perfect, out of every thousand cows that they condemn for Bangs disease, you are killing four hundred healthy cows, and I tell you that it does not set good with the farmers and I can not see where this bill will help any.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Randolph, Mr. Kent.

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

The SPEAKER: The question before the House is upon the motion of the gentleman from Randolph, Mr. Kent, that the House indefinitely postpone report of the Committee on Agriculture "Ought to pass" as amended by Committee Amendment "A" on Bill "An Act Relative to Licensing Dealers in Livestock. The same gentleman has requested a division.

Those in favor of indefinitely postponing this report will rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Eighty-one having voted in the affirmative and eighteen having voted in the negative, the motion prevails.

Ought to Pass with Committee Amendment (Cont'd)

Mr. Bird from the Committee on Appropriations and Financial Affairs on Resolve in favor of Knox Memorial Association Inc., for Support and Maintenance of "Montpelier" (H. P. 1045) (L. D. 684) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

Committee Amendment "A" to H. P. 1045, L. D. 684, "Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of "Montpelier".

Amend said resolve by striking out in the second line thereof the figure "\$1500" and inserting in place thereof the figure '\$1000'.

Further amend said resolve by striking out in the third and fourth lines thereof the following words: "and the sum of \$1500 for the fiscal year ending June 30, 1949."

Committee Amendment "A" was adopted, and the Resolve was assigned for second reading tomorrow morning.

Mr. DeSanctis from the Committee on Claims on Resolve in favor of Mrs. Ralph Cooper, of Madison (H. P. 586) (L. D. 359) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

Committee Amendment "A" to H. P. 586, L. D. 359, "Resolve in Favor of Mrs. Ralph Cooper, of Madison"

Amend said Resolve by striking out after the word "the" in the 5th line the following words: "general fund of the state," and insert in place thereof the following: 'health & welfare fund.'

Committee Amendment "A" was adopted, and tomorrow was assigned for second reading of the Resolve.

Mr. Dufour from the Committee on Claims on Resolve to Compensate town of Houlton for Assisting Kingman to Fight Fire (H. P. 1270) (L. D. 1483) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the Rules.

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

Committee Amendment "A" to H. P. 1270, (L. D. 1483) "Resolve to Compensate Town of Houlton for Assisting Kingman to Fight Fire."

Amend said Resolve by adding after the word "district" in the 6th line the following words:

"said sum to be paid from the Maine Forestry District Fund."

Committee Amendment "A" was adopted, and the Resolve was assigned for second reading tomorrow morning.

Mr. Foley from the Committee on Claims on Resolve in favor of Roy R. Bell of Thomaston (H. P.

328) (L. D. 206) reported Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

Committee Amendment "A" to H. P. 328, L. D. 206, "Resolve in Favor of Roy R. Bell of Thomaston."

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

'state prison appropriation'

Thereupon, Committee Amendment "A" was adopted, and tomorrow was assigned for second reading of the Resolve.

Mr. Foley from the Committee on Claims on Resolve to Reimburse the town of Whiting for Transportation of State Children (H. P. 1020) (L. D. 652) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

Committee Amendment "A" to H. P. 1020, L. D. 652, "Resolve to Reimburse the Town of Whiting for Transportation of State Children"

Amend said Resolve by striking out after the word "the" in the 4th line the following words: "general fund of the state", and insert in place thereof the following: 'educational funds'

Committee Amendment "A" was then adopted, and the Resolve was assigned for second reading tomorrow morning.

Mr. Hammond from the Committee on Claims on Resolve in favor of Joseph V. Tardiff, of Augusta (H. P. 1150) (L. D. 765) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 1150, L. D. 765, "Resolve in Favor of Joseph V. Tardiff, of Augusta."

Amend said Resolve by striking out after the word "the" in the 6th line the following words:

"general fund of the state", and insert in place thereof the following:

'health & welfare fund'.

Committee Amendment "A" was adopted, and the Resolve was assigned for second reading tomorrow morning.

Passed to be Engrossed

Bill "An Act relating to Boards of Registration" (S. P. 536) (L. D. 1437)

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

The SPEAKER: Item 1 of the Third Readers will not be acted upon at this time.

Tabled and Assigned

Bill "An Act relating to Automobile Travel by State Employees" (S. P. 537) (L. D. 1456)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Burgess of Limestone, tabled pending passage to be engrossed and specially assigned for tomorrow morning.)

Bill "An Act relating to the North Haven Port District" (H. P. 1680) (L. D. 1386)

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

Mr. Anderson of New Sweden, presented House Amendment "A" and moved its passage.

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

House Amendment "A" to H. P. 1680, L. D. 1386, Bill "An Act Relating to the North Haven Port District."

Amend said Bill by inserting after the title the following emergency preamble:

Emergency preamble. Whereas, it is necessary to provide adequate passenger and freight transportation services to and from the town of North Haven; and

Whereas, in order to provide such services to the inhabitants of such town and to those people who come to Maine for vacation it is necessary to operate such services immediately; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and re-

quire the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

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

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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 to Appropriate Monies for the Expenditures of State Government for the Fiscal Year Ending June 30, 1947" (H. P. 1713) (L. D. 1474)

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

Tabled and Assigned

Bill "An Act Imposing a Sales Tax and Use Tax to Raise Additional Revenue (H. P. 1731) (L. D. 1470)

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

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

Mr. BELL: Mr. Speaker, I would like to lay this matter on the table until tomorrow morning. I have an amendment which is being reproduced which I would like to present at that time.

The SPEAKER: The gentleman from Thomaston, Mr. Bell, moves that this matter be laid on the table pending passage to be engrossed and be specially assigned for tomorrow morning. Is this the pleasure of the House?

Calls of "No" and "Yes."

The SPEAKER: All those in favor of the motion to lay this matter on the table, to be specially assigned for tomorrow morning will please say aye; those opposed no.

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

Thirty-seven having voted in the affirmative and thirty in the negative, the motion prevailed, and the matter was tabled pending passage

to be engrossed and specially assigned for tomorrow morning.

Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (H. P. 1733) (L. D. 1471)

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

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

Mr. THOMPSON: Mr. Speaker, this bill here was before the Legislature two years ago under the name of "School Area Bill." It was defeated in the House by a large majority. Now they have camouflaged the bill and they have called it "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities". If I remember right, at that time, they were going to take elementary school children from their homes in the country at six or seven o'clock in the morning, and put them in a cold bus, and take them somewhere, to some school built by three districts, three different communities, which never cared to build a schoolhouse anyhow; to take those children from their homes; take them to some schoolhouse on a cold morning and they are there for part of the day and then the rest of the day the children run wild over the countryside. There are no facilities for a child if he is sick to be taken care of; there is no chance for a child to have a lunch unless he sits down in a cold corner—there might be in some of the buildings. Then you are going to take 5% of the valuation of the different towns. Now, one of them might put in \$150, another town put in \$1600, and another one might put in \$3,000. Now, who is going to control the schools—the \$3,000 man, or the \$1600 man, or the \$150? I think that if this bill were put over to the next Legislature it might improve some. I move to indefinitely postpone this bill.

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

Mr. BROGGI: Mr. Speaker, this bill has the unanimous approval of your Education Committee and your Legal Affairs Committee. I want every member of this House to know that, in my opinion, it is the most important educational legislation that has come into this

House. I do not think it is generally known by the members of this House that over half of the secondary school students in Maine attend schools of three teachers or less.

The very reason and import of this bill is to make it possible for the students of Maine in the smaller towns to join together in a larger secondary school system, give them the same educational facilities the students of the larger centers have. It must be very obvious to the members of this House that in a three-teacher high school or less, there can be no diversification of curriculum. This privilege is offered students in large high schools but is not offered students in small schools.

At the hearing on this bill, there were men who command considerable respect in the field of education in Maine: Mr. Payson Smith spoke favorably for it. Mr. Perley Turner, head of the Department of Education of Bowdoin College, spoke favorably for it. Dean Kendall of the State University was very much in favor of it. One superintendent in the northern part of our State said that within eleven miles of his house there were seven small high schools, with an enrollment of from twenty to sixty. It is very obvious that in none of these schools is there, or can there be, any diversification of curriculum. I think every member of this House realizes the mortality rate in these small schools is large because the courses of study that many of the students desire and need and have an aptitude for are not offered. This bill is merely a permissive bill giving these smaller towns the opportunity to join together and form a larger school where they may have the facilities that are offered in the larger school systems in the State.

Mr. Speaker and Members of the House, I am very sincere when I say that, in my opinion, I believe that this is the most important educational legislation before us. I sincerely hope that the motion for indefinite postponement is defeated.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I would like to endorse most heartily the remarks of Mr. Broggi. Since I have been down here in the Legislature, I have been very proud to note that the majority of us, in

fact I would say almost unanimously, we have considered education in Maine one of our major problems. I think it would be very illogical on our part if we raise teachers' salaries, and then not permit to the small communities and to the outlying communities the facilities for those good teachers. This bill, as Mr. Broggi has told you, is a permissive bill. We are not pushing anything down anyone's throat but we are permitting those outlying districts, which would like to do away with their two-teacher schoolrooms, which would like to permit to their pupils the facilities that are afforded to students who are fortunate enough to live in larger cities a chance to have a good education. And if we are truly mindful of the education of the students of Maine, then I should say that we should back unanimously this bill. I hope that the motion of the gentleman from Brewer will not prevail.

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

Mr. THOMPSON: Mr. Speaker, I would like to have the members of the Legislature turn to Legislative Document 1471, and read on page 5 the last paragraph. It says right there that it takes two-thirds of the legal voters to dispose of one of these schools after they have organized. I wish you would just read that before you take a vote; it is on page 5, Legislative Document 1471.

The SPEAKER: The question before the House is upon the motion of the gentleman from Brewer, Mr. Thompson, that this matter be indefinitely postponed.

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

Mr. RANKIN: Mr. Speaker and Members of the House: We had two bills before us that were intended to perfect what this single bill intends to do. One of them had to do with the academic set-up of these union schools and the other, known as the Brewer bill had to do with the financing. But the Legal Affairs Committee, in its wisdom,—I think it was wise—decided to put these two bills into one bill, and this has been done. It had the very careful consideration of the Legal Affairs Committee and it had the advice of others, and so we come to you with this united bill.

Now I want, in the first place, to insist upon something that has al-

ready been said, and that is that the bill is wholly permissive; if you do not want it, if it is not feasible to have it in your town, you do not need to have it. But that does not seem to me to be a sufficient reason why you should forbid some other group of towns to have it if they wish to have it. I certainly have no axe to grind in the matter myself; I see no great difficulty in having a union school of this kind in the Town of Bridgton, because we have two secondary schools. One is Bridgton Academy, and that leaves only two towns, Harrison and Waterford, that would naturally come into that union. The students of these two towns probably would not go past Bridgton Academy to go to the union school.

Another feature of this bill is that it is a secondary bill, it applies only to secondary schools. Two years ago, it was sought to make the House believe—and with some success—that the small children would go to these schools in the buses. Now of course that is not true. These schools are wholly secondary schools: Those who would go on buses, for example, on the average, could stand it much better than you or I could. As a matter of fact, the transportation problem will be easier than it is now.

At the present time there is no mandatory provision that high school pupils shall be taken to school, but pupils in the lower grades must be taken to school. Under this bill, the high school pupils must be taken to school. I live over in South Bridgton. It is four and a half miles to Bridgton. Often I go to Bridgton and back in the afternoon in all kinds of weather, and I pick up students until they simply can not stand in my car, in very bad weather. They have to walk three or four miles. They would not have to do it under this bill. In other words, there would be very much less suffering, practically no suffering under this bill.

Another thing that is of importance—I will omit some things that have been said and I hope will be said—another important thing is this: This is a bill that would save money. Someone said recently, he looked into the taxes of the various towns, and, where taxes were high, almost invariably it was because of a small school, and where taxes

were lower, it was because the schools were larger.

Now I have before me a booklet which you have seen, in regard to Maine schools. There are schools in the State of Maine in which the pupils actually cost the town over \$500. There is only one that costs \$500, but several that cost over \$400, and, in every case, they are very small schools. That is true, besides, of course, the impossibility of getting modern instruction in secondary school work in a school with two or three teachers.

Now you would expect that the cost of schools would be larger in such private schools as Oak Grove and Gould Academy which are regarded as secondary schools. No, the cost of these academies is only one-half of the cost of some of these small schools.

Reference has been made to the hearing upon this matter. I think it was a very inspired hearing because of the high level of speeches and the enthusiastic interest that we had from people all over the State from Kittery to Fort Kent. We had people from Aroostook County who came by plane. It was inspiring to hear Payson Smith, who came for the purpose of endorsing this matter, a man of international reputation as a school man, the former head of our school department and the head of the school department in Massachusetts, professor in Harvard University, and who does administrative work in the University of Maine.

I will say this: The gentleman whose seat is vacant this morning, the gentleman from Gorham, Mr. Russell, made the best speech of all. It was a very inspiring piece of work. I greatly regret that he is not here this morning.

Now there are some towns, as I have said, in which this program would not fit. You do not have to have it. If you do not approve of it, is that any reason why you should be against it? Why you should not allow people in towns that do want to have it, to have it? It seems to me that is a very plain implication.

We simply have outgrown the old-fashioned high school with two or three teachers. I remember one, not far from where I live, where the situation was really tragic. They gave it up and their pupils are now going to a private academy. There is no parent here that would want

his boy or girl to go to a two-teacher high school. Then why should you want to send boys and girls of other parents to a two-teacher school. I believe that absolutely you would not consider it at all in the case of your own children.

You know it is a theory in education, in public school education, that we try to even the advantages as far as possible, to wipe out the disadvantages, to give every boy and girl in Maine, no matter where they live, a fundamental high school education, the kind they would get in Augusta, or Bangor, or Portland, or Lewiston. This tends to do that. They do not have it in these small schools. They certainly do not have it at all.

Of course it is true that the exceptional pupil in small schools can do it, but we are not basing our educational system on the exceptional pupil. Of course the exceptional pupil should have opportunity to develop his exceptional talent, because he will make it up to society later.

So I believe firmly in the merits of this bill. It is a very important bill. It seems to me that education is our most popular interest. Everybody knows about these two measures, that they are of the utmost importance, and we certainly must be up-to-date in our high school educational system. There is nothing new about this. I do not know much about what happens in the educational system of the mid-western states, except I will say I think they have carried this to a further degree than has been done in New England. In Connecticut, they have this system and it works splendidly.

I wish I had brought these three pamphlets giving an exposition about this splendid work done in the schools of Connecticut. Why can't we have it here today? Are we going to follow the sad case of other states leading and Maine following, instead of our motto: "I lead"?

The SPEAKER: The Chair understands that the gentleman from Brewer, Mr. Thompson, requests unanimous consent to address the House for the third time. Is there objection? The Chair hears none, and the gentleman may proceed.

Mr. THOMPSON: Mr. Speaker, they tell about better places for

teachers to teach. Well, now, if they take the seventh and eighth grades out of these schools way up in Aroostook County, way back in the woods, where all these children are, and their homes, what are they going to do with the little tots who are left? They are not going to have any teachers. This is only a camouflage of the School Area Bill which was put through here two years ago and was defeated. I can not see why you should take my grandchildren, four, five, or six years old, your child, cold mornings up in Aroostook. These fellows out there in Chicago and Illinois, these educators, have not been down in the Maine woods where we have these children. I still say that it is a bad bill.

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

Mr. BROGGI: Mr. Speaker, I just want to mention some of the curriculum studies that are offered in the larger high schools of our State, just at random: Home economics, agriculture, vocational training, manual training, typewriting, shorthand, bookkeeping, regular college course, scientific course, shop work. It must be very obvious to the members of this House that this diversification of curriculum can not be offered in a two or three teacher school. I do not speak selfishly. This all exists in my high school. I do think that this permissive bill gives a chance, an opportunity, for these small towns to avail themselves of this if they want it; and if they do not want it, there is no compulsion. Mr. Speaker, when the vote is taken, I would request a division.

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

Mr. MARSANS: Mr. Speaker, I wish to put myself on record as being in favor of this bill and against the motion of the gentleman from Brewer that we indefinitely postpone it. This is an important piece of legislation as my friend from Sanford has mentioned; it is entirely permissive, and it is trying to correct the very evils that my friend from Brewer mentioned. In the first place, this is for secondary school pupils and for that reason we will not find the little five to six year old tots going there unless they happen to be of a higher I. Q. than you usually find. Also the

fact that it will require them to get up at six or seven in the morning is a little bit out of line because these school districts would naturally be formed within a fairly closed-in area. That would not require two hours of travel by bus. In other words, we here in Augusta would not be sending our children to Portland to go to school. It would be a very short area that could be accomplished in a half hour's run by bus, and if they did form a good school union, I think they could afford a heater in that bus so that it would not be a cold bus for them to get into. Also the fact that they might not have a warm place to eat their lunch would be done away with, because these schools would naturally have some form of cafeteria set-up in addition to the other facilities that these schools would offer and which they do not now have.

The point that was brought up that it would take a two-thirds vote of the voters to get out of the union is a good feature. You would not want it merely on the petition of ten or twelve or fifteen voters, who could draw that town out of it. It takes a two-thirds vote of the legal voters present at that meeting—that is the entire vote of the town, because once towns have entered this union and set up a school which requires a large amount of capital, in the first place, and takes a large amount of money to run it, they can not be dropping out merely because of somebody's whim.

The Legal Affairs Committee has had many school districts before them this year. I think that is indicative of the trend in educational buildings. We find we are doing away with the little one-room school house out in the country, way back in the woods, and while we may try to keep that alive by waving a flag for what our grandfathers had, I think we realize that the usefulness of that type of school has passed. Just as sure as towns are doing away with those and centralizing their grammar school facilities, so, in the future, will they start in doing away with two or three teacher high schools, in order to afford the youngsters the advantages of larger schools.

I think it is an important piece of legislation. We have a like bill in the Committee on Education but, because of the legal aspects of it,

it was better handled, naturally, by the Legal Affairs Committee.

They are trying to set up something here for towns which wish to go into this, in order that they may have some basis upon which to work. As has been definitely brought out, it is entirely permissive and would only be used in those areas that it was called for. Naturally, in the thinly populated areas of Aroostook, it would not be used as much as where surrounding towns are close enough to warrant the erecting and use of the larger type of building, with all the facilities that it offers. I certainly wish to go on record as being against the motion of the gentleman from Brewer for the indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Castle Hill, Mr. Ellis.

Mr. ELLIS: Mr. Speaker and Members of the House: I represent a group of small towns where about the only salvation we have left to keep schools at all is to unite. We just can not get teachers to come out into rural communities any more. You know we found it necessary twice, in different sections that I represent this year, to introduce bills for this same purpose. This is a good bill and a step to modernize our present system of education in the rural areas. I hope the motion of the gentleman from Brewer will not prevail.

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

Mr. BREWER: Mr. Speaker and Members of the House: I speak on this bill, because as Mr. Rankin has told you, he and I were co-sponsors of this particular bill. This bill is not the same bill in any way, shape or manner that was offered two years ago. I bitterly opposed the bill two years ago because it included the primary as well as the secondary. I feel that there is a need, at least in Aroostook County, for this particular thing, that is why I am especially interested in it.

Now if you will read the bill, it will show you that it does mean secondary schools, and secondary schools mean—under Section 92A, it says: "Formation of community school districts, authorized. The inhabitants of two or more towns may form a secondary community school district which shall be a body politic and corporate by proceeding as follows:"

Then you turn over to 92-G and it says: "Definition of secondary school. 'Secondary Schools' as used herein include grades 7 and 8, as well as grades 9 to 12." In other words, it is the junior high and high school pupils. As I say, two years ago, this included the lower grades and I could visualize things happening and, in fact, they did happen through the war when they closed some schools in my district and transported these youngsters as Mr. Thompson has mentioned. I do say that this is a good bill and the reason that I was co-sponsor of this particular one is that it suits our purpose and even though they do not visualize it being used in our county, at this time, I know of several districts that are very much interested in forming just such a school district for area schools and I hope that the motion of the gentleman from Brewer does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I have been interested in this bill for my own town. We have been sending our scholars away because they have not room to accommodate any more. If two or three of our smaller towns can unite, we can have better schools and have more courses, and it will be less expensive. Where one or two small towns do not have scholars enough to have standard schools, by uniting, we can have a better school. So I hope this motion will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Stetson.

Mr. STETSON: Mr. Speaker and Members of the House: I want to go on record as favoring this bill. As you know I have spent a large part of my time this winter in trying to get a school bill through and if we had this law, we would not have had to come here because we happen to be in an area where the many towns really want to join in such a school district, school area. But, according to the common law at that time, we were told that no town could contribute money to build a school building outside of its own limits. So we have been forced to go ahead and build our school building and we still hope it will serve as an area school. I am

definitely very much in favor of this bill.

The SPEAKER: Is the House ready for the question?

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

Mr. WOODWORTH: Mr. Speaker, I rise as a member of the Legal Affairs Committee, to support the report of that committee. This bill is a consolidation, as you have been told. I was a member of the subcommittee which drafted this bill. We did not recommend it as perfect; we say it is sufficient for the purpose. That is, to enable towns who want community schools to build one. But I think I can say to the House and for the attention of those who wanted such a bill, that they owe a great deal to the gentleman from Bridgton, Mr. Rankin. I think that if it had not been for his constant and painstaking work, the bill would be much less effective than it is. I think he is, in no small measure, in fact, I think he is really the man who is responsible for the House getting this bill.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Brewer, Mr. Thompson, that the House indefinitely postpone Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (H. P. 1733) (L. D. 1471). The gentleman from Sanford, Mr. Broggi, has requested a division.

Those in favor of the indefinite postponement of this matter 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: One having voted in the affirmative and one hundred sixteen having voted in the negative, the motion does not prevail.

Passed to be Engrossed (Cont'd)

The CLERK: (reading) Item No. 1 on the Third Readers, previously passed over.

Bill "An Act relating to Boards of Registration" (S. P. 536) (L. D. 1457)

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

Resolve in favor of the University of Maine for Buildings (H. P. 80) (L. D. 68)

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

Mr. Collins of Caribou offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 80, L. D. 68, "Resolve in Favor of the University of Maine for Buildings."

Amend said resolve by striking out the phrase "the sum of \$400,000" and inserting at the end of the resolve before the period the following:

"the sum of \$400,000. of which amount \$290,000. shall be taken from the "Maine Post War Public Works Reserve" and the balance from general funds not otherwise appropriated."

House Amendment "A" was adopted, and the Resolve was passed to be engrossed and sent up for concurrence.

Resolve Permitting Fly Fishing in Certain Waters of Franklin County (H. P. 1171) (L. D. 847)

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

Mr. CARVILLE of Eustis: Out of courtesy to a few of my colleagues, I would like to offer House Amendment "A".

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

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

House Amendment "A" to H. P. 1171, L. D. 847, "Resolve Permitting Fly Fishing in Certain Waters of Franklin County."

Amend said Resolve by striking out the 18th line thereof and inserting in place thereof the following:

"Chain of Ponds open to trolling, tributaries closed to all fishing, and prohibiting the use of smelts, shiners, chubs, minnows or other fish as bait in fishing the waters of Chain of Ponds, so called."

Thereupon, House Amendment "A" was adopted, and the Resolve was passed to be engrossed and sent to the Senate.

Resolve in favor of Roby Littlefield, of Ogunquit (H. P. 1716) (L. D. 1448)

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

Amended Bills

Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 11) (L. D. 10)

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

Bill "An Act Preventing Drinking in Public Places" (S. P. 505) (L. D. 1391)

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I assure you that if I felt for a moment that I was alone in moving for the indefinite postponement of this measure, I would not take up any of the valuable time of this august body. This was discussed last evening at length, I realize. Nevertheless, I feel that it is an important item which should not be here in view of the fact that laws are on the books that will take care of this situation.

Now, the comment was made last night by one of the gentlemen who spoke in favor of this measure that if anyone was going to any one of these sporting events and would care to enjoy a libation sensibly, that person would not be bothered. Now that is a point there. That, right there, shows disrespect for that law and if you show disrespect for that law, you are going to show disrespect for other laws.

I want my stand clearly understood. I do not go to public dance halls—I ducked four of the legislative events here; I did not want to go to the other three, but my Mrs. wanted to go, so we compromised and I went along.

I spoke, this morning, to Chief Upton, I discussed this thing with him at length. I asked him if a trained officer would not be in a better position to enforce the laws than some five hundred and forty special deputies stuck in there by one of the sheriffs throughout the State for political reasons, and I have seen it happen. I have seen it

happen in my county; I have seen it happen in other counties. He agreed with me that it would be difficult to enforce this law. I talked, this morning, to a State of Maine prohibition agent of twenty years service, a former chief of the highway police, who was disabled in the service but now able to get around, Captain Weaver, who did an admirable job in any job he was in in his thirty years of service, and he told me that it was a bad law; that it could not be enforced.

Now, let us just figure this thing sensibly. Assuming, for instance, that a boy goes along and, as has been stated, say he has a drink with a friend of his, and they are laughing, and kidding, and joking. All right, the officer comes along and he says to them: "Now look, son, both of you boys know you should not do this," he has that uniform on, he will talk to them, he is trained to talk to them. Nine out of ten will listen to him. Assuming those two boys are there and some gentleman, who is not a trained police officer, comes along and he grabs them; they wind up in court and they have a blot on their record for the rest of their lives that might stop them at some time or other from realizing their ambition that they have cherished and their parents before them cherished.

It has been stated also by the different individuals, the sheriffs, who are in favor of this: "We are not going on a witch hunt on this thing." How do we know? I have seen it in my county; not by just the gentleman who is in there now; I have seen it by many other sheriffs in my county and other counties. If you want to see a political organization, you come in some night, or go in any night, when the sheriff and his deputies, his special deputies, get that machine rolling. They will go into this shoe shop and go to this mill and go to that place and walk in and say to a fellow who has thirty, forty, or fifty votes in his family—a good vote getter: "You come in here." The fellow walks into the office and they tell him: "You just raise your hand; I want to swear you in as a deputy because I know you are a good man."

The fellow does not know any more about law enforcement than I do, a nice fellow and all that, but he will walk around from then on, and I have seen him, and, as long

as he can turn that lapel, as often as he can turn back that coat and show you that ten cent badge there, he is going to love it, and he may make a mistake on this thing, and that is why I am against it.

As I have stated, if I want to have a little libation, I shall have it whether the law says I should have it and if I get drunk and make a fool of myself, I am going to have a State policeman or a trained policeman of the city, or constable come along and tell me where I get off, but he is going to tell me with that training behind him. I took this opportunity to take up some of your time because that is really all you heard last night and this morning when you came in. I am sincere about this, as I stated before, let us not put laws on the books that admittedly can not be enforced. The State Police have admitted that it can not be enforced properly, the sheriffs themselves do not know the solution, attorneys do not know the solution. I know the intent of this thing but it will not be achieved by this law. I, therefore, certainly hope that my motion to indefinitely postpone this matter prevails.

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

Mr. McGLAUFFIN: Mr. Speaker and Ladies and Gentlemen of this Ninety-third Legislature: I had supposed that we took care of this matter yesterday. I have a very high opinion of the gentleman who just spoke, especially after the fine compliment he paid me, yesterday, and I will have to say in reply that for a Democrat he is a pretty good fellow (Laughter) but I will remind him he has to live a few more years before he has had my experience. While I had not intended to weary you along that line, under the circumstances I am going to say a few words.

When I was twenty-one years old, I went to work for the Lawrence, Lowell & Haverhill Street Railway Company, starting in with a pick and shovel. Later I was a special policeman and a night watchman, and still later, I was a conductor on the electric cars. I worked with men who drank; drunks, at that time, were as common as frogs in a mill pond. I left there, after my first year, to return to the university. Three years later, I came back

and inquired about some of the men with whom I had worked four years before, and I found that five of them were dead, every last one of them due to drinking intoxicating liquors. I mention that to tell you that those were the kind of men that I was associated with and worked with. I have taken drunken men home when they were so drunk that they did not know where they were. I have picked up a drunken man who was thrown from a car and knocked unconscious, and I have carried him to his home.

Later, I attended Brown University and, while there, I had to work my own way, and I worked for the Narragansett Electric Company of Providence, and, for four years, once each week, I had to enter more than twenty different saloons for the purpose of getting the men out of them. I have seen not only drunken men but I have seen women laid out in the back rooms, dead drunk, and that was a common experience.

Later, I was appointed judge of the Portland Municipal Court, where, for four years, my principal duty was handling cases relating to intoxication. Incidentally, I might add that at the time of the no-license movement, I was chairman of the no-license committee of Cumberland County, and I spoke for prohibition in every town in Cumberland County as far as Otisfield, and I spoke over the State from Kennebunk to Mapleton.

Now I claim, rightly or wrongly, that I know something about this liquor question. They say you can not enforce the law. Did you ever know of a law that a law-breaker would not break if he got a chance? But, if you do not have any laws, you will have them.

Some of you read the rather amusing article where I prepared a speech to meet what I thought was a certain condition, and then the bill was vetoed and I did not have an opportunity to make it. Well, on this liquor question, I am going to make use of that, because I did not have a chance to give it to the House as I had hoped to.

I found certain facts that I think that you all ought to know, and I am going to tell them to you now.

Prior to 1934, it was a crime to sell liquor, to manufacture liquor, to even transport liquor from one side of the street to the other; it was a crime punishable by heavy

penalties of both imprisonment and fines. In 1934 we wiped out the prohibition amendment, and in 1935 the State reversed its position completely, and what had formerly been a crime now became a virtue, and the State itself went into the liquor business and has been in ever since, for the sole purpose of making money.

What has been the result? Our citizens have wasted millions of dollars on rum, speaking of rum for the general run of intoxicating liquor. One man in this House stated that it amounted to forty-one million dollars a year, vastly more than enough to take care of all our financial problems in this Legislature for this year or the next.

I say further, that the result of that change of attitude is that the liquor business has broken up and destroyed hundreds of homes. If you do not believe it, listen to these figures.

In 1933, we had in the State of Maine 1107 divorce cases; in 1946 we had 3965, an increase of 257 per cent. In that same time the population increased five per cent, and in that same time the number of marriages increased only fifteen per cent. If that does not prove to you that intoxicating liquor has something to do with breaking up our family life, then I am mistaken.

We have had introduced into this Legislature this year measure after measure to try to take care of this matter of marriage and divorce, but we have totally overlooked the chief sources of all the trouble, which is the rum situation.

I call your attention further to the fact that the liquor business has also increased in the State of Maine the number of bastards, and I am going to prove that too.

In 1930 there were 567 bastards in the State of Maine; in 1946 there were 907, almost double the number. Now I am going to give you an illustration of how it comes about.

I had occasion to defend a certain student who had gotten into trouble because of a bastardy complaint. He told me that he and two other college boys went to Portland and they picked up three telephone girls, took them to a local hotel, plied them with liquor, and, before morning they had had intercourse with each of them, and the result, in one case, was a bastard child. That is the way the thing worked. That girl never had any thought of

getting into that condition when she left home that night, but after she drank all that liquor she lost her willpower and could not protect herself, and so she starts on the downward road.

I say to you, that because of that intoxicating liquor, the State of Maine being in that business, it is daily ruining the morals of our young people over the State of Maine. The cocktail lounges and the beer parlors are daily speeding them on the road to hell. Here is a small attempt to pass a law to limit that sort of thing. Is there a man, outside of the Democrats, who would try to swamp everything we have here, is there any other man who is going to support the motion to indefinitely postpone a good bill? I trust to your judgment. You voted for this bill when it was here the other day. Vote for it today.

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

Mr. BELL: Mr. Speaker, I still say that you cannot legislate people's morals; I still say that you can not make laws here and expect people to respect them when they can not be enforced. I had a little experience as a law enforcement officer during prohibition when we made breweries out of nine out of ten homes in the State of Maine. In prohibition days, we had laws against liquor and this is another one of those laws against liquor and you say, in this law, that if a boy goes out to a dance and takes a girl with him, if he is prohibited from taking a drink at the dance, he will take it before he goes to the dance. So, we are going to have a drunken driver going and one coming back, instead of one going just one way. And I still say you can not legislate people's morals.

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

Mr. ALLEN: Mr. Seaker and Members of the House: This reminds me of some of the movie shows I go to. You think you have come to the end of a picture and it is a serial, continued next week. (Laughter) It will go on from last night, when I thought the House had passed on this measure. I will merely point out, in view of the fact that there are probably some people who were not here last evening that I read letters from the sheriffs and sheriff associations, and

law enforcement agencies in the State, including the Chief of the State Police, to the effect that this bill before you is so much better than anything there is on the books now, they were very much in favor of the measure. I stressed at that time, I believe, that I believed the control of liquor and liquor industry and proper control is necessary if we want to keep liquor as an industry.

I certainly am no prohibitionist, I would hate to go back to the days of prohibition. I feel, however, that if we do not do something of this kind, pass constructive legislation, sooner than we think we will find ourselves right back to those conditions. The House voted last night by a nearly two to one margin in favor of this bill. It is a law enforcement measure, it is not a temperance measure. I feel that after all the debate last night, we arrived at a conclusion.

My good friend from Lewiston, Mr. Jalbert, on several occasions, I believe, in this House has mentioned the problem of raising "dead ducks" and delaying the session until December. I thought the majority on this bill last night was rather conclusive and I feel that as far as I am concerned, and I hope as far as you are concerned, that the action which we took in this Legislature last night still should prevail. I hope the motion to indefinitely postpone this bill will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I knew that somebody would catch me on that "dead duck" issue. (Laughter) I will answer that in a minute. This is not a wet bill or a dry bill. If it was a good law and could be enforced, I would go along with it. Show me how it can be enforced and I will be the first one to vote for it. I have not heard any one speaking for it yet tell how it can be enforced—sheriffs, lawyers, bankers, brokers, state police, local police, constables—how are we going to enforce it? I do not know. And as for this "dead duck" issue, I have stayed here so long, stayed through so many serials, I think that I am ready to go along with it now. (Laughter)

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

Mr. BROWN: Mr. Speaker and Members of the House: I hesitate to rise this morning and say anything further on this bill because I am afraid that my position will be misunderstood. I want to tell you all that I am in sympathy with the thought behind this bill. I realize that there is a bad situation in the State of Maine but I do not believe that this is the right way to correct that situation. Let us crack down on these dance halls that permit drinking, and fights, and rowdyism. Let us close them up; let them clean their own houses. There are laws on the books that will do that. Let us have some law enforcement officers who will do their duty and enforce the laws that we have now. If we do not, I am afraid that we will have laws like this; the next session we will have laws; and pretty soon we will get back to the prohibition days, which were bad; you all know it was bad in those times; we had the greatest crime wave this nation has ever known during those times. The officials of cities and towns were corrupted by money that was passed out by the bootleggers. We do not want that condition to come back; but we have to clean our own house.

Now the State of Maine is in the liquor business and they have been making plenty of money in the liquor business. If you and I were in business and were making money in business, it would pay us to put a little of that money we make back into the business to see that the business prospers and continues and is kept modern. Now, let us take a little of that money that we are making on this liquor business and put it back into the business, and, in this way, let us educate the people about liquor. Let us start on the right way; let us bring it to the attention of the people that there is liquor; let us educate them how to use it; and let us be very firm with the ones who abuse it. That is the way to get at this problem; you have to educate; this thing has been building up for a long, long time and, as time goes on it seems that the people are getting less respectful of the law, which is a bad situation. We should create the impression that the law should be respected. I do not want to appear as in favor of the conditions that exist today; that is not my intention; but I do not think that this bill will

do what the proponents of this bill want to be done.

Now, there is a law on the books against drunken driving. Saturday night, my cousin called me and said that he would like to have my wife and I come down to his cottage at Cobossee because he thought he could get a few smelts. I did not know exactly where his cottage was, so I arranged to meet him at the Outlet bridge so that he could show me the way to his cottage. He met me there and we proceeded along; we had just started up and were going slowly; I noticed that he swerved to the ditch and I did likewise and these headlights were coming right for us.

If it had not been for the fact that I could get out of the road some, I got out about four feet—and there happened to be some grave monuments there and I knocked those over,—but I got off the road four feet on my right-hand side. In spite of that, this car crashed into me, took the whole side of my car off and shook up my wife quite badly. The other car spun around in the road, went down through the woods; the man was dead drunk. An officer came very shortly and arrested him on the spot.

Now there is a law against drunken driving but unless you can educate that man not to drive when he has been drinking, how are you going to prevent these accidents? It is against the law, but my car was wrecked. There is a bad situation existing but let us get a real program to combat the evils that have been created. That is all I want.

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

Mr. CHASE: Mr. Speaker, I am reluctant to rise to speak on this matter but I felt that someone should speak who has not spoken on it before.

The question of age and experience has been raised here. There may be Republicans in this House old enough to remember that in 1932, I spoke at the Republican State Convention on the subject of the prohibitory amendment in the Federal Constitution and at the next Republican Convention, I also addressed myself to a similar provision in the Maine Constitution and I expect that there are Republicans here who can remember, whether they were at that conven-

tion or not, I believe there are many here who can remember the results of the Maine election in 1932 and again in 1934.

That was the decisive element which put the Republicans out of power in this State. For many years they have drifted along on the notion that you could regulate morals by passing a law and the laws which they had were very similar to this one which is now proposed here, mostly ineffective and generally nullified just as this law will be.

Now, there are just two ways to control behavior: One is through self-discipline and education and by every citizen making himself to the limit of his ability and opportunity a police officer, who reports these cases and to control behavior without resorting to your official machinery of enforcement. That is the best way. That ought to be the American way, because that is consistent with liberty and freedom.

Now, the other way is the way of drastic penalties, not \$10 to \$50 fines, but by closing the dance halls and imposing curfews and putting people in jail. That is the other extreme. Either one will work after a fashion. Self-discipline and education is the American way. Nothing in the middle will work out. It will lead to nullification, and it will lead to disrespect for law. Since I have already referred to this matter on the basis of Republican experience, I will say as a Republican I feel we are going back down the same road of promoting a condition of nullification by passing foolish laws such as this one.

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

Mr. McGLAULIN: Mr. Speaker, I merely want to point out that the same argument which they have put up here was applied to drunken driving. The gentleman who just spoke made the illustration about the fellow who gets drunk and who drives, he is violating the law. Why do you not wipe that off the books? Men are stealing every day, violating our laws. What is the good of having laws against stealing? All the laws against crime are violated, but, if you pass this law, and the proprietor of a hotel allows drinking in that hotel against it, somebody that is interested can make a complaint and that fellow will suffer the consequences. Because

you can not enforce every law is not any reason why we should not have laws. This law can not be wholly effective, but it is going to be effective to the fellow that gets caught. You will find that the man who drives under the influence of liquor has driven twenty times when he is not caught. It is when he gets caught that counts. There is law enough here so somebody is going to get caught, and that is going to lessen the amount of drinking on the premises. This law is a good law notwithstanding the statement of my friend from Cape Elizabeth.

The SPEAKER: Is the House ready for the question?

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

Mr. THOMPSON: Mr. Speaker, I stood alone a few minutes ago for the indefinite postponement of the bill and if I have stand alone on this bill. I think it is a good bill and I hope the motion of Mr. Bell, of Thomaston, will not prevail.

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

Mr. FOWLER: Mr. Speaker and Members of the House: I feel I could say another word—I thought I said plenty last night—in regard to this bill. I am not a white-ribboner, I am not covered with white ribbons, I do not claim to be; I still think this bill is a step on the right track. After twenty-three years experience of law enforcement, I should know a little bit about it, probably, perhaps not too much.

Human nature enters into the picture considerably. I have been out of my house at two, three, and four o'clock in the morning, time and time again, I have gone out and milked cows, brought food over and carried water for families, simply on account of the misuse of liquor I did not make any arrests; I was simply trying to help out a condition which existed.

I think if any members of the House who have a daughter could witness some of the conditions I have seen, I think you would all vote for this bill.

What happened in the City of Biddeford. Biddeford, we always supposed up this way, was a pretty fertile oasis. It went dry. That is what I am afraid is going to happen all over the State. There is a tremendous revenue from the sale of

liquor in this State, but you are fast losing a lot of it from misuse. I believe in moderation, and I believe this is going to help out. It is simply going to curb that man who is not drunk enough to take in for intoxication.

I have seen men I have taken in for drunken driving—I had a man in Winthrop; I got him out of the car and he could not stand. He fell down. I picked him up onto his feet and leaned him against the mudguard and asked him for his license. He pulled his pocket-book out and a ten-dollar bill and a five-dollar bill fell to the ground and he did not even notice them. He was in a very bad condition. I brought him in, but it did not do much good because the Judge charged the jury to bring in a verdict of not guilty.

Those are a few of the things you run into. In some courts you can convict on intoxication, and in a great many you cannot. I do not think the sixteen sheriffs of our counties can be wrong along with a hundred members of the State Police. I still think this bill is on the right track and I still favor it.

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

Mr. McCLURE: Mr. Speaker, seeing that all of my colleagues who spoke last night are still speaking on this thing, I would like to go back a little ways. I heard the discourse of the gentleman from Portland, Mr. McGlauffin, on age, and, if his theme is going to be benefitted in any way by this legislation, I am really surprised that he would question a man's age.

Let us go back to prohibition. We had a law then. Let us be honest with ourselves. How many of us winked at that law? How many of us broke that law? Are we proud of the fact that we did? Are we going to be proud if we put another law on our statutes that will allow our sons to do the same thing that we did with the prohibition law? Gentlemen, if you had, as I have, heard a lot of people tell of their experience in court as officers, you will believe that we have plenty of laws on our statutes now. We have laws against murder, drunken driving and anything else. Many a drunken driving case is lost with the laws we have today. Many an intoxication case, when it comes

before the Court, we see who it is—perhaps it is us. We who are voting to make this legislation today, we have no fear of it. Why? "Placed on file." Let us think of that unfortunate who perhaps does not have the same advantages with the law that we might. We all know it is true that these cases are placed on file.

I might add one more thing. My colleague from Portland, a man whom I have the greatest respect for, Mr. Allen, I think the letters he read from the sheriffs were written before this bill was amended. I may be wrong.

Now we talk about morals, we all have respect for morals, and, when we vote, let us make sure we are voting for this thing which is spelled "m-o-r-a-l-s," and not because we have a lot of respect for it spelled the other way.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Sargent.

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

The SPEAKER: The gentleman from Bucksport, Mr. Sargent, moves the previous question.

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

Upon the request of the gentleman from Bucksport, Mr. Sargent, who moves the previous question, it is now necessary to ascertain whether one-third of the members present consent thereto.

All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and

the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having consented, the question before the House is: Shall the main question be put now?

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

Mr. ALLEN: Mr. Speaker, I wish to say that several times I noticed the gentleman from Lewiston trying to arise and make some remarks, and therefore I would be against the main question at this time.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Malenfant.

Mr. MALENFANT: Mr. Speaker and Members of the House: I am very much in favor of this bill.

The SPEAKER: The gentleman from Lewiston may address his remarks only to the matter of whether the main question shall be put now. Is there further debate?

The question before the House is: Shall the main question be put now. All those in favor will say aye; those opposed, no.

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

The SPEAKER: The question before the House is upon the motion of the gentleman from Lewiston, Mr. Jalbert, for indefinite postponement of Bill "An Act Preventing Drinking in Public Places" (S. P. 505 (L. D. 1391))

All those in favor of the indefinite postponement of this bill will please say aye; those opposed no.

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

The SPEAKER: Fifty-two having voted in the affirmative and seventy-nine in the negative, the motion does not prevail.

Thereupon the bill was passed to be engrossed as amended.

On motion by Mr. Mills of Farmington.

The House recessed until 2:00 P. M., E.S.T.

After Recess

2:00 P. M.

The House was called to order by the Speaker.

The SPEAKER: On the disagreeing action of the two branches of the Legislature on Bill "An Act to

Amend the Charter of the Winthrop Water District, House Paper 1640, Legislative Document 1324, the Chair will appoint as Conferees on the part of the House: The gentleman from Monmouth, Mr. Marsans, the gentleman from Caribou, Mr. Collins, and the gentleman from Eustis, Mr. Carville.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Payment of Fines and Costs and the Salary of the Judge of the Municipal Court in the Town of East Livermore, now Livermore Falls, House Paper 950, Legislative Document 555, the Chair will appoint as Conferees on the part of the House: the gentleman from Livermore Falls, Mr. Moulton, the gentleman from Auburn, Mr. Williams and the gentleman from Lewiston, Mr. Jalbert.

Passed to Be Enacted

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)

Was reported by the Committee on Engrossed Bills.

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

Mr. PEIRCE: Mr. Speaker and Members of the House: At the conclusion of my remarks, I shall move for the indefinite postponement of this bill, and when the vote is taken, I ask for a division.

The cities of Lewiston, Biddeford and Portland have appeared before us earlier in the session and have aired before us some of their "dirty linen." I regret that it is now necessary for the city of Augusta to display an item of intimate apparel before you, and ask you to dispose of it in the same manner that you have disposed of the "dirty linen" of the other cities.

The bill which we are discussing has as its purpose the changing of the system of appropriating money for the public school system of the city of Augusta. Under the present procedure, the Budget of the School Department is prepared by the School Board and is submitted to the people in a town meeting form of assembly. The citizens, in that town meeting, may either accept or reject the budget as submitted by the School Board.

The object of this bill is to do away with our little town meeting here in the city of Augusta and put complete control of the school finances in the hands of the City Council.

I say, without hesitation, that the great majority of the citizens of Augusta are unalterably opposed to this bill. I have before me dozens of letters from citizens, asking me to oppose the bill. On the street, every day now, I have met citizens who expressed their opposition to the bill. My office, my residence, and my telephones have been deluged with calls expressing opposition to the bill.

As near as I can tell, about the only support for it comes from those who send their little children away to private boarding schools and do not want to contribute to the cost of public schools in the city of Augusta.

I was requested to sponsor this bill. I guess maybe I should have done so—at least then I would have had better control of it—but I told the sponsor at the time that I was opposed to the proposition and would not support it, and I would rather fight it openly than try to pull a double cross such as I might have had I sponsored it myself.

The city of Augusta has had this system of financing its school operations for forty years. The original law was enacted in 1907. The bill, at that time, was drawn by the late Lewis A. Burleigh, a prominent Republican in the city of Augusta, and the son of a Maine Governor and a Maine United States Senator. The bill itself was sponsored by an equally prominent Maine Democrat, Mr. Newbert, of Augusta. The object which those venerable gentlemen had was to take Augusta schools out of politics.

The vast majority of the citizens of Augusta wish to keep politics out of their education now and in the future. There is no need for a change. The history of the operation of this bill will demonstrate to you that there have been no abuses by the people of the city under the system. Augusta, ranking about fifth in population in the State of Maine has not had quite as good a record as far as the percentage of its revenue toward education is concerned. Two years ago, the city of Augusta ranked twelfth in the list of cities in proportion to the

amount of tax money spent toward education. Last year they ranked eleventh. This year, 1947, they have taken another step, and now rank ninth in the list of Maine communities, as determined by the total amount of money spent toward education.

Many of our more prominent citizens would prefer to serve on the School Board than on the City Government. The School Board of the city of Augusta has been characterized during the last forty years by a very high caliber type of membership. For example, the late Justice Farrington was for many years a member of the School Board. The late W. S. Thompson and Frank Hewins served with distinction on the Board. Mr. "Mort" Soule, who works for the State in the Department of Agriculture, served for many years on the School Board. Alfred J. Lacasse, the present City Treasurer, was a member of the Board as was Lester M. Hart, of the Adjutant General's office. I think this shows to you that we have had an exceptionally high type of personnel on the Board, people who are interested in education in the city of Augusta, people who are free from political pressures. We cannot say the same thing for our City Government.

In view of the fact that the vast majority of the citizens of Augusta are opposed to this bill, I urge you to vote with me to indefinitely postpone it.

Now the fact that there is a referendum attached to this bill does not make the gall taste any sweeter. A great many bills appear before the Legislature to which a referendum is attached. Merely because of the fact that there is a referendum, you do not pass those bills out to the people if you are against the bills in principle.

The citizens of Augusta can, and if necessary, will defeat this proposition on a referendum. I sincerely hope that you will not make it necessary for them to go to the expense and to the great amount of work that it necessary to defeat this in a referendum.

Mr. Speaker, I move that the bill be indefinitely postponed.

The SPEAKER: The chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House: You probably wonder why I am interested

in this bill, being from the city of Gardiner, but when I hear this "dirty linen" talk come from a representative of Augusta, I would be ashamed to come up here and admit it. The "dirty linen" is in the Parent-Teachers Association; not in the city of Augusta. That is where the "dirty linen" is, and the gentleman from Augusta, Mr. Peirce, knows just as well as I do that the Parent-Teachers Association that they have come down there and it is going to cost the city of Augusta five mills more simply because they made this appropriation without the City Government having anything to do with it.

Now let me ask you if that is fair, for an association of two or three hundred members to come down there and tell the City Government what to do with their schools. Now the City Government in Augusta has to turn around and raise more money for their working capital for the city, and their taxes are going up ten mills. Think that one over!

Now the gentleman says: "a referendum". If he is so sure that the people of Augusta want this bill, and they all say they want it postponed, rather, why is he afraid to let it come to the referendum? He knows very well he don't want it for a referendum, because the Parent-Teachers' Association are the only ones that are going to vote for it, and he knows it.

Now, Members, it seems to me that we should take the city of Augusta into consideration, instead of one man who is trying to legislate through this House, legislation for the city of Augusta and the Parent-Teachers Association. It is very amusing to me to condemn the City Government. Perhaps you don't know that the City Government of Augusta has been hard put with this form of government that they have in their schools. I am interested because I live next door to them. I have as many friends and people in the City of Augusta as I have in Gardiner and they tell me—he showed you barrels of letters—I can do the same thing but that doesn't mean a thing. I can say the same thing and tell you about the telephone calls and so forth and so on that I have had, asking me to get up here and oppose this bill which I hesitated to do on account of coming from the city of Gardiner. But when their Municipal Officers come to me and

ask me, I have to get up here and tell you the story. Don't believe all of this "dirty linen" stuff. We don't care what they do in Lewiston, but we are interested in what they are doing here in Augusta.

So I hope, Mr. Speaker and Members of this House, that the motion of the gentleman from Augusta (Mr. Peirce) will not prevail.

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

Mr. WEEKS: Mr. Speaker and Members of the House: But for the fact that I am a member of the Legal Affairs Committee which sat upon this matter and gave it its sincere consideration, I wouldn't speak at this time. However, the matter was given very careful consideration in the committee, and received a unanimous "Ought to pass" report.

If I recall correctly, at the time of the hearing there was a substantial number of responsible citizens who appeared before the committee in favor of the bill and argued quite strenuously for it, and there was no opposition that I recall, although that was some time back now, but I don't believe that there was any opposition.

I am not going to speak here about the sponsors or "dirty linen" or politics or abuses, but there are one or two things in regard to city government which I know a little something about—not much—but I daresay that no City Government which attempts to govern the affairs of the city should be entirely divested of control over a department which uses a large percentage of the tax dollar.

I know in my city we use about forty cents out of every tax dollar for schools, and I daresay that the City Council should not be divested of control over the manner in which that money will be expended or the way in which the school system is developed. As I understand it, here in Augusta, the City Council has practically nothing to do—had no control over how much will be spent or how it will be spent, and it is dictated to in no uncertain terms. That is unusual from my point of view, and I dare say that no one will be able to find a similar situation anywhere. That is unusual, and I feel that under the circumstances, it certainly should be referred to a referendum. If there is any substantial indication

of support for it—it certainly should be submitted to a referendum and I certainly back up the unanimous report of the committee, and hope the motion will not prevail.

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

Mr. FOWLER: Mr. Speaker and Members of the House: This noon one of my good friends said to me: "Fowler, I wonder if you were vaccinated with a gramophone needle." I wonder myself. However, I do feel that I should say a few words in regard to this bill. I dislike to get up here and go against my good friend and colleague from Augusta, Mr. Peirce. However, in retaliation of what the gentleman said—that he had found no one who was in favor of this bill, all I can find—anyone who has approached me—is for this bill. I do not honestly know how my own wife—and we have a son in the city schools of Augusta—I do not know how she is going to vote on this bill, but I do think we should have the privilege of voting as well as the citizens in the rest of the State. I think it should be their privilege to decide whether they want the city charter changed or not, and I believe it is only fair that we allow this bill to go out "Ought to pass" and let it go to referendum—let the people themselves decide whether they want this change or not.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House, I rise as a member of the Committee on Legal Affairs to support our "Ought to pass" report. I think it is apparent to the House that we are caught between two fires. The two Representatives, the gentlemen from Augusta, are on the opposite sides. I do not believe that the members of the committee pretend to have any surplus knowledge of Augusta affairs.

The fact is that the bill was supported before the committee by the Mayor of the city and other important officials. The bill, itself, is not inconsistent with school provisions in other cities of the State, and as was supported by officials who should know what they are doing, it seemed to us fair enough to pass the bill and give these people of the city a chance to make their choice. I cannot tell you any more,

except I don't know what else we could have done under the circumstances.

I hope the motion will not receive the support of the House.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: As the other members of the Legal Affairs Committee told you, this bill had a fair hearing, and there was practically no opposition. As I remember one party opposed it.

I definitely would be against this bill after the vote of last Friday morning on our Biddeford bill if it didn't have a referendum. I saw the expression of the House against my motion then. This bill, as has just been stated, does have a referendum. I see no reason in the world why all this majority of the people which the gentleman from Augusta, Mr. Peirce, says will vote against this bill—why they shouldn't have the opportunity at an election to vote on it, and I think we are providing them with that opportunity. Therefore I hope that this motion for indefinite postponement will not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. PEIRCE: Mr. Speaker, the committee held this bill so long that I don't wonder that they have forgotten about it. The committee hearing was held on the 19th of February and it was reported out in the Senate last week.

Now they tell you that there was no opposition expressed at the committee hearing. I attended the hearing. As I recall it, the sponsor of the bill and a representative of the Augusta City Government spoke in favor of it. If there were any others who spoke in favor of it, they have slipped from my memory, and I rather doubt if there were any more.

Speaking in opposition, in addition to myself, was a former Mayor of the city, and a member of the School Board; as I remember it, the Superintendent of Schools appeared against it, as did several interested citizens.

As far as the number of witnesses are concerned, those against the bill are definitely outweighed by those in favor of it.

I don't question any motive that the committee may have had in holding this bill in committee for two months, but, nevertheless, the fact remains—that is what happened.

The gentleman from Gardiner (Mr. Tabb) to whom the City Government owes its thanks for presenting their case to you, mentioned the fact that at our next meeting it might be necessary to increase the tax rate by five or ten mills. The particular budget about which he was talking was submitted to the proper municipal officers. They knew about it; they had the right to question any particular item. It is my understanding that they were asked directly if there were any items on the budget to which they were opposed and they all answered "No".

Of course the cost of education is increasing. It has increased in Augusta as it has in all other municipalities. The cost of living is going up. All costs are going up. Is there any reason to suppose that the tax rate in the city would not increase under such circumstances?

I hope, Mr. Speaker and Members of the House, that you will vote to indefinitely postpone this bill.

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

Mr. FOWLER: Mr. Speaker and Members of the House: I will simply say this: If I were up here, opposing this bill going to the people, I would feel there must be something wrong. Let the people decide it. Let it go to referendum. I trust the motion of the gentleman from Augusta (Mr. Peirce) does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Augusta, Mr. Peirce, that the House indefinitely postpone "An Act to Amend the Charter of the City of Augusta by Providing for the Appropriation of School Funds by the City Council," being Senate Paper 215, Legislative Document 572, and the same gentleman has requested a division.

Those in favor of the indefinite postponement of this matter 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: Fourteen having voted in the affirmative and eighty-two in the negative, the motion is lost.

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

Passed to be Enacted (Cont'd)

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

An Act relating to Jurisdiction of Municipal Courts in Juvenile Cases (S. P. 256) (L. D. 718)

An Act relating to Issuance of Capias Execution in Divorce Cases (S. P. 258) (L. D. 720)

An Act relating to Fees for Licenses for Recreational Camps and Roadside Places (S. P. 285) (L. D. 804)

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

An Act Concerning Agricultural Cooperative Associations (S. P. 405) (L. D. 1154)

An Act to Incorporate the Town of Mars Hill School District (S. P. 483) (L. D. 1345)

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

An Act relating to Bonds of State Officials and Employees (H. P. 440) (L. D. 259)

An Act to Incorporate the Lubec Sewerage District (H. P. 465) (L. D. 271)

An Act to Establish the Old Orchard Beach Sewerage District (H. P. 1595) (L. D. 1248)

An Act relating to the Manufacture and Sale of Bedding and Upholstered Furniture (H. P. 1714) (L. D. 1439)

Finally Passed

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

Resolve relating to a State-Wide Highway Planning Survey by the State Highway Commission (S. P. 353) (L. D. 985)

Resolve Designating U. S. Route No. 1 in Maine as a Blue Star Memorial Highway (S. P. 521) (L. D. 1422)

Resolve in favor of Maurice Watson of Monticello (H. P. 42) (L. D. 41)

Resolve Providing for an Additional State Pension for George H.

Babb, of Augusta (H. P. 1449) (L. D. 1322)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first matter of unfinished business, House Majority Report "Ought to pass in new draft" (H. P. 1686) (L. D. 1395)—House Minority Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Imposing a Personal Income Tax and a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden." (H. P. 1596) (L. D. 1252) tabled on April 23 by the gentleman from Lewiston, Mr. Jalbert, pending motion of the gentleman from Corinth, Mr. Elliott, for reconsideration.

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

Mr. ELLIOTT: Mr. Speaker and Members of the House: I certainly appreciate the courtesy you have shown me in allowing this matter to be tabled. I assure you I have no desire to argue for reconsideration of this bill. I am confident, by the action taken in the House in the last few days, that before final adjournment is to come, it will be necessary to have some form of taxation, whether you like it or not. Therefore, that these tax titles might be kept a.ve until some tax measure has been accepted, I would like to ask your indulgence to retable this matter until Tuesday, May 6.

The SPEAKER: The gentleman from Corinth, Mr. Elliott, moves that this matter be retabled pending his motion for reconsideration and be specially assigned for Tuesday, May 6th.

Is this the pleasure of the House? 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: All those in favor of the motion of the gentleman from Corinth, Mr. Elliott, that this matter be laid on the table and be specially assigned for Tuesday of next week, 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: Forty-four having voted in the affirmative and sixty-one in the negative, the motion does not prevail.

The question before the House is upon the motion of the gentleman from Corinth, Mr. Elliott, that the House reconsider its action whereby it accepted the "Ought not to pass" report of the committee.

Mr. ELLIOTT: If it is in order, I will withdraw my motion.

The SPEAKER: The motion is pending. The House may vote to authorize you to withdraw the motion. All those in favor of authorizing the gentleman from Corinth, Mr. Elliott, to withdraw his motion for reconsideration will say aye; those opposed, no.

A viva voce vote being taken, the House voted to permit Mr. Elliott to withdraw his motion.

The SPEAKER: The Chair lays before the House the second item of unfinished business House Majority Report "Ought not to pass" House Minority Report "Ought to pass," a report from the Committee on Taxation on Bill "An Act to Create the Maine School District." (H. P. 1553) (L. D. 1182) tabled April 24, by the gentleman from Saco, Mr. Jordan, pending acceptance of either report.

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

Mr. JORDAN: Mr. Speaker, as this matter is tied up with the previous measure that you just voted "Ought not to pass." I move that the House accept majority report "Ought not to pass."

The SPEAKER: The gentleman from Saco, Mr. Jordan, moves the acceptance of the "Ought not to pass" report of the Committee. All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair lays before the House the third item of unfinished business Report "A" "Ought not to pass" — Report "B" "Ought to pass" from the Committee on Taxation on Bill "An Act to Create the Maine Highway District." (H. P. 1589) (L. D. 1244) tabled April 24, by the gentleman from Saco, Mr. Jordan, pending acceptance of either report.

Mr. JORDAN: Mr. Speaker, for the same reason I made the other motion, I move Report "A" "Ought not to pass" be accepted.

The SPEAKER: The gentleman from Saco, Mr. Jordan, moves the acceptance of the "Ought not to pass" report of the Committee. All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair lays before the House the fourth item of unfinished business Bill "An Act Relating to the Taxation of Railroads." (H. P. 1626) (L. D. 1298) tabled on April 25, by the gentleman from Cape Elizabeth, Mr. Chase, pending passage to be engrossed.

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

Mr. HASKELL: I move that the act be passed to be engrossed.

The SPEAKER: Is it the pleasure of the House that this matter be now passed to be engrossed?

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This measure is one that came out of committee as I recall it, with an "Ought not to pass" report. It has been discussed very fully and very fairly by the gentleman who introduced the measure but I would like to point out to you just what our situation is at the moment. We have considered numerous tax measures; none have passed. This bill has to do with the taxation of railroads. The tax revenue on railroads now is \$1,559,000 per year, of which about \$90,000, about \$94,000, is returned to the municipalities on the basis of stock holdings in the companies. This bill proposes to eliminate that basis of return and to return one-half of the money so collected to the municipalities based on the State valuation of the particular municipalities.

It has been mentioned in connection with the Aid to Dependent Children and Aid to Neglected Children bill because that bill proposes to give up the \$94,000 that is now being returned to the municipalities because of the fact that the State under the Aid to Dependent Children bill would assume the cost of maintaining the dependent and neglected children. That would result, in that particular bill, in a net

saving to the municipalities of about \$626,000. Now this bill proposes to take one-half of that railroad tax money and return it to the towns. The idea of granting relief to our towns and cities is highly desirable but a question arises as to how it should be done. We are aiding cities and towns directly now through aid towards teaching positions, but our other aid towards schools, by aid to the municipalities for road construction through road resolves under the road fund, the so-called Cross bill, and trunk lines and federal aid highways built through the various places. Under this bill, as under the next one on the calendar, we would be taking revenue that is now going to the State and passing it back to the towns.

I want to point out to you that if we take that revenue, we will have to replace it. I know of only one method of replacing it and that is by taxation. That taxation must come from the citizens in your town and my town. With one hand, we would give them back part of this excise tax money, with the other we would reach out with a new tax bill and say: "Now you will have to pay back enough to cover the cost of the State government." I do not see how that will benefit the towns. It is true that this bill has been amended so that it would only become effective in 1949, January 1st. Before the end of the next biennium, the assessment would be based upon 1946 income of the railroads. Although it would not affect the State income immediately, it would affect it, under the two bills, in the amount of one million dollars a year, starting with the next biennium. If we feel that this is a proper way to aid the municipalities, all right, but the State is now collecting the money and would have to divide this revenue then apportion it on the basis of the valuation of the town or city and then pay it back. If we propose to aid the municipalities, other than under the teachers bill or by some specific methods, it seems to me that we would do better to do it by reducing the State mill tax. That would eliminate the necessity of collecting the money and then apportioning it and giving it back and would save the cost of administration. At the present time we do not have the money available so that we can reduce the State tax. That can only be done if we

pass some new form of taxation. Because of this fact and because I believe the method is not sound or advisable at the present time, I move indefinite postponement of this bill.

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

Mr. HASKELL: Mr. Speaker and Members of the House: I assure you I shall be most brief at this time if for no other reason that that this is the third successive week that I have stood here and talked about this particular measure. I said, two weeks ago, that this is a matter of policy to be determined. It fits into our picture right down the line, as to whether we want to help the municipalities or not. Along that line, I wish to leave this thought with you. We have the Williams bill, which is Aid to Dependent Children, which provides that the towns will be relieved of some \$600,000, which they have had to pay before for the support of these children, but I want you to see how this thing has worked out.

The way they propose to pay that is to have the towns give up the right, which was theirs from the beginning, to have half of this railroad and telegraph tax money. In other words, as I see it now, it is a matter of policy. The State is saying: "Yes, we are going to take over something that we should take anyway." When you commit a child to the care of the State, it seems to me very fundamental that it becomes a State problem and that the State and not the town should pay for it. I think that has already been pretty well discussed and decided. However, what does the State do? They say: "Yes, it is our problem; we should pay for it, but we are going to pay for it in this manner: By using the same funds that should go back to you." It looks to me as if the towns to get \$600,000 in that manner are giving up a million dollars which is their right and has been their right as well and was the original legislative intent of 1883. However, if it is a question of whether or not we are going to help the municipalities and which is the best way to do it, I am frank to say: "I don't know." I say that this is one measure that has a method of doing it. It may be the wrong one—that is up to the House to decide but I do think it is a pretty back-handed way of doing

business for the towns to say: "Yes, we want to get rid of the \$600,000 burden but to do it we are going to give up a million dollars." I hope the motion does not prevail.

The SPEAKER: The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that this matter be indefinitely postponed.

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

Mr. COLE: Mr. Speaker, the next bill is the bill which I presented. It is approximately the same thing and the same debate would apply to both bills without any question. I think that the question at the present time is whether or not the city wants the State to take the property taxes away from the municipalities for State revenue and then pay for some type of service that they offer with that money. They have taken the railroad tax, and they have taken the telephone and telegraph tax; why not the power company property taxes and why not the gas company's tax or any other public utility's that is in the town? Why does not the State take all of those taxes away from the town instead of only taking part of them? I believe that this money belongs actually to the municipalities.

In the beginning, the municipalities did tax the property of these companies, and, long before my time, changed that policy to a gross receipts tax to get at one tax rate, but at that time they returned the money on the basis of the stock holdings. In fact, at the beginning, they tell me, the stock of the railroads was owned mostly by the people in the towns which they ran through. At the present time, the railroad stock, the majority of it, is not owned in the State of Maine. Therefore, that method of paying back has been obsolete for a long time. I hope the motion of the gentleman from Auburn does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I would like to ask the gentleman from Portland a question through the Chair.

The SPEAKER: The gentleman may ask his question.

Mr. CAMPBELL: May I ask what method does the State use in allocating this money back to the

towns—on the basis of valuation within the towns or the amount of stock owned by persons in the town?

The SPEAKER: The gentleman may answer if he wishes.

Mr. COLE: Under the original set-up, the money was returned on the basis of the stock owned within the municipalities. Under this bill, it would be returned on the State valuation of the properties within the town.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Burton.

Mr. BURTON: Mr. Speaker and Members of the House: I definitely, can not see the idea of drawing off State funds, whatever amount they may be and having additional taxation to reimburse them. This has been a current income for some time, as I understand. However, the problem seemingly is very plain, and I am going to leave the matter entirely in your hands for decision.

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

Mr. FINNEGAN: Mr. Speaker, the gentleman from Auburn has stated this situation correctly—I believe there may be a little personal problem in Portland—but if you do not go along with the “Ought not to pass” report, the report to indefinitely postpone this you might just as well sit around and devise new ways to raise one million dollars, because that is what it is going to raise for the State in general revenue, so I go along with the gentleman from Auburn that the matter be indefinitely postponed.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Monticello, Mr. Day.

Mr. DAY: Mr. Speaker, I wish to support the gentleman from Auburn, Mr. Williams, for the indefinite postponement of this item, because this bill turning over the entire expense of the mother’s aid and the board and care of children over to the State, this money will be used for that purpose and I think all of you people from the small towns—if you will look at that paper that you had on your desks the other day,— will find that your town will benefit by the indefinite postponement of these two bills. I know my particular town will benefit around \$4,000 by the indefinite postponement of these two items and I hope

the motion of the gentleman from Auburn, Mr. Williams, prevails.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that the House indefinitely postpone Bill, “An Act Relating to the Taxation of Railroads.” (H. P. 1626) (L. D. 1298)

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

Mr. WILLIAMS: Mr. Speaker, it has, as I understood the comments on this bill, been suggested that the towns and cities would be losing a million dollars. Actually, they have only been receiving about \$90,000. What this would mean would be this: Simply, that instead of taking from the State — let me state that another way — this bill proposes to take out of revenue which the State is now receiving money to the extent of about one million dollars a year and divide it up and pass it back to the towns and cities. Now, I submit to you that with our regular appropriation bill coming through showing a shortage of \$500,000, when you give back to the towns and municipalities a million dollars, that is increasing your shortage to the extent of a million and one-half. The fact that you postpone it a year and a half does not change the situation. It means that the Legislature, when it meets in January, 1949, of which many of you fellows will be members, will be faced with a tax problem at that time or of repealing this by emergency legislation at that time. You are relieving the municipalities by this method by approximately \$1,625,000, because you have to add that \$624,000 to the \$1,000,000. That is fine; I would be glad to do it if you fellows want to pass some tax bills to raise that million and a half. When the vote is taken, I ask for a division.

The SPEAKER: Is the House ready for the question?

The question before the House is upon the motion of the gentleman from Auburn, Mr. Williams, that the House indefinitely postpone Bill, “An Act Relating to the Taxation of Railroads.” The same gentleman has requested a division.

Those in favor of the indefinite postponement of this matter 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: Eighty-seven having voted in the affirmative and sixteen in the negative, the motion to indefinitely postpone prevails.

The SPEAKER: The Chair lays before the House the fifth item of unfinished business Bill "An Act Relating to Taxation of Telephone and Telegraph Companies." (H. P. 1629) (L. D. 1302) tabled on April 25, by the gentleman from Bangor, Mr. Wight, pending passage to be engrossed.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I believe that the arguments in favor and against this bill are the same as those against the previous bill, so I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Bangor, Mr. Wight, moves the indefinite postponement of this matter.

Is the House ready for the question?

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

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair lays before the House the sixth item of unfinished business House Report "Ought to Pass with Committee Amendment 'A'" a report from the Committee on Legal Affairs on Bill "An Act to Incorporate the Lincoln-Chester Bridge District," tabled on April 25, by the gentleman from Bangor, Mr. Webber, pending acceptance of the committee report.

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

Mr. WEBBER: Mr. Speaker and Members of the House: I rise in opposition to this particular bill. This bill would set up a bridge district to build a bridge across the Penobscot River from the Town of Lincoln to the Town of Chester. The estimated cost of this bridge is \$240,000. It is very likely that if this bridge is built at the present time, the cost would greatly exceed \$240,000.

Now, let us see how it is going to be paid for. The Town of Lincoln would be assessed for \$23,000;

the Town of Chester, \$1,160; the Penobscot County share would be \$72,000, and the State of Maine would kick in the balance. The combined valuation of the Towns of Chester and Woodville, for which this bridge would be built and which would serve their population, the combined valuation of those particular towns, is \$305,000. Now, I would like to point out here that a large part of that valuation in Woodville is accounted for by the Great Northern dam.

Let us compare two bridges at the present time: We have the proposed Augusta-Kennebec Bridge, which, it is estimated, will cost \$1,900,000, and serves a population here in excess of 20,000, and the valuation of Augusta is about \$15,000,000, and it is also on one of the main routes in the State of Maine. This Chester-Lincoln Bridge, which figures \$240,000, would be about one-eighth of the Kennebec Bridge, and serves a population of less than four hundred people, according to the census of 1940, 391 people to be exact. The Kennebec Bridge would be paid for by tolls; this Chester-Lincoln Bridge would largely be paid for by taxes on real estate. I contend that this bridge is not economically sound because the valuation across the river, that is, in the Towns of Chester and Woodville, is practically equivalent to the cost of the bridge.

Throughout this Legislature, we have been trying to relieve real estate in towns and cities and I believe that this act, if passed, would constitute an extra burden on real estate. I appreciate the problems of the people living in Chester and Woodville and there is a solution to this problem and that is improvement of a road leading from Chester and Woodville to the Town of Howland, a distance of about fifteen or twenty miles and, for a small fraction of the cost of this bridge, which would be \$240,000, this road could be built. I contend the cost of this bridge is not justified because of a lack of valuation across the river and the lack of business and I move that this particular bill be indefinitely postponed and when the vote is taken, I move it be taken by division.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. House.

Mr. HOUSE: Mr. Speaker and Members of the House: This act to

form a bridge district between the Towns of Lincoln and Chester has been estimated, as already stated, to cost \$240,000, of which the State of Maine would pay \$143,000; the County of Penobscot, \$72,000; the Town of Lincoln, \$23,000, and the Town of Chester between \$1100 and \$1200. Under this bridge act, the State of Maine will only pay three-fifths of the entire cost of the bridge. The County of Penobscot and the Towns of Lincoln and Chester will pay the other two-fifths, and, if the State of Maine is ever to build a bridge across this river, they never can do it any cheaper.

This act of mine came before the Legal Affairs Committee, from which I got a unanimous report "Ought to pass."

The Town of Lincoln has a bonded debt of \$19,000, but according to our last annual report we have in the treasury \$42,000 and only a little more than half of that was ear-marked for any particular purpose and that was for schools. In other words, we have nearly money enough in the treasury to pay the \$19,000 we owe and leave the town in a good, sound, financial condition. In the Town of Lincoln, we have a good primary school building, a good grammar school building, all of wooden construction. We also have a high school building which we built ten years ago, of brick and cement, which houses three hundred students. This building, when completed and equipped and with a good athletic field and a house for the principal, which was purchased at that time, cost \$115,000, and this is where we owe our debt, principally, but those bonds are being taken care of as fast as they come due. Now, if this bridge is built, the Town of Lincoln will finance their \$23,500 by a bond issue, which will be spread over a number of years so as not to cause any hardship upon anyone.

Under normal conditions, we could cross the river at Lincoln on a scow. But that scow has outlived its usefulness and it is laid up for repairs a good deal of the time and the only way the people in Lincoln and Chester have to cross the river at this time is to go down to Howland, a distance of several miles and then go up, or go up the river to Medway, a distance of twenty-six miles, and then go down the river.

About five years ago, the Great Northern Paper Company of Millinocket constructed a dam across the Penobscot River about fifteen miles above the Town of Lincoln. This dam was built for the purpose of generating electricity for their large mills at Millinocket and East Millinocket. And when they shut down those gates on Saturday, it causes the water to fall, the ice to settle and break up on the shore and when they raise their gates and start up the mills on Monday morning, the ice rises and the water rises and instead of ice on the shore, we have water.

I do not believe that the people of Lincoln had one month in the whole winter that they could cross the river on the ice.

We have, in the Town of Lincoln, three industries, the largest of which is the Eastern Corporation which owns the mill, pulp and paper mill. And these three industries pay one-half of our entire cost in the way of taxes. The Eastern Corporation, alone, pays \$50,000 and our own tax was only \$141,000 last year. I wish to say, in behalf of the Eastern Corporation, that they stand perfectly willing to pay their share in the extra cost of taxes in the Town of Lincoln if this bridge is built, and although I haven't had occasion to talk with the officials of the other two mills, I feel confident that they too, would be willing to pay their share of the cost, for the sake of having the bridge.

The gentleman from Bangor has emphasized the point that the people in Chester can go down to Howland and get across the river, which he indicates is twelve miles, by building them a good road. What about the people of Lincoln? They want to get across the river; the Eastern Corporation has a lot of interest in that town. While he has pointed out to you that the Towns of Chester and Woodville have a small population, yet there are two other townships which go in there, number ten and eleven, which are woodlands and those, together with Chester and Woodville, constitute a large area of forest land from which the mills at Lincoln could draw from if they have a chance to get across the river.

In the Town of Lincoln, my good friend from Bangor and his associates own 8,412 4-10 acres of timberland, which is valued at \$2.65 an acre on the average and upon which

they paid to the Town of Lincoln last year in taxes \$1,695.97. Let me say to you now, that was a great help to the Town of Lincoln and to those less fortunate. And I want to congratulate the gentleman from Bangor and his associates upon their good judgment, their farsightedness, and their good business ability in acquiring such a piece of property and upon which they have paid to the Town of Lincoln that magnificent tax.

The gentleman said nothing about the inhabitants of the Town of Lincoln. Today, the Town of Lincoln has a population of 4,000 people and has a valuation, according to Mr. Stevens' book here, of \$2,215,000. In the Town of Lincoln, we have a pulp mill which employs one hundred girls and about four hundred men; we also have a worsted mill which employs about one hundred and fifty women and men; also situated in the town is a spool mill which employs about a like amount, making a total of eight hundred men and women employed in these three plants alone in the Town of Lincoln and upon which we receive a weekly payroll of \$30,000. Now I think that you will agree with me that the Town of Lincoln is a progressive town and a town of which the State of Maine and the County of Penobscot can well be proud and, for that reason, I am asking you to accept the unanimous report of the committee. I thank you.

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

Mr. ATHERTON: Mr. Speaker and Members of the House: This is another bill with a unanimous report "Ought to pass" from the Committee on Legal Affairs; it is another bill with a referendum. I am personally familiar with this matter not only because I am a member of the Committee on Legal Affairs but also because my father practiced law in Lincoln for a number of years. I know that the people of Lincoln are vitally interested in this bridge. As a matter of fact, at the hearing before the Committee on this bill, I believe the majority of those appearing, and there was a large number, were from Lincoln. It is true that Chester and Woodville, the two towns across the river, which would be served by the bridge in addition, of course, to Lincoln are small and rather undeveloped. However, I believe that is due to the fact that

they have been isolated all this time. If this bridge were built, it would open them up to development, and would, of course, increase the value of that district.

Also, another matter, the people of Chester and Woodville, although small in number, have been hard-pressed at times particularly in the matter of inadequate medical service due to the fact that the nearest doctors, who are, of course, in Lincoln, have been unable, at many times, to go across the river to Chester and Woodville because of the ferry service, which has been very unsatisfactory. According to my understanding, the ferry service has been so unprofitable, there is a strong likelihood that it may be discontinued in the near future. It is true the bridge is going to cost something; obviously you can not build it for nothing. However, the County of Penobscot is to stand the bulk of the expense and the county is in excellent financial condition and well able to afford it.

I should also like to call to your attention that a short time ago a similar bill went through this Legislature providing for a bridge to be built from Wiscasset to Westport Island. That bill went through here without objection of any sort. I hope, therefore, that the motion does not prevail and that we accept the unanimous "Ought to pass" report of the committee.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I am quite sympathetic to this particular proposition but, nevertheless, it seems quite expensive to spend \$240,000 to serve 391 people. That is \$613 for each person living in those two towns across the river. The valuation of the two towns is only \$305,000, and as my colleague has told you, and about \$75,000 of that, I believe, is the Great Northern dam, so that the balance of the valuation would just about equal the cost of this bridge. Apparently, at the present time, there is not sufficient travel across that river to justify a good ferry service. I think the proposition has been fairly stated by my colleague and I leave it to your good judgment. (Applause)

The SPEAKER: The Chair recog-

nizes the gentleman from Bangor, Mr. Finnegan.

Mr. FINNEGAN: Mr. Speaker, may I ask Mr. Webber a question in regard to this?

The SPEAKER: The gentleman requests permission to ask a question through the Chair. He may ask a question through the Chair if he wishes.

Mr. FINNEGAN: What proportion of this cost would be borne by Penobscot County?

The SPEAKER: The gentleman may answer if he wishes.

Mr. WEBBER: Penobscot County would pay, on a set-up on a basis of \$240,000, \$32,000 from Penobscot County.

Mr. FINNEGAN: What portion would the City of Bangor pay?

The SPEAKER: The gentleman asks another question, and the gentleman may answer if he wishes.

Mr. WEBBER: The City of Bangor pays approximately forty per cent of the Penobscot County valuation.

Mr. FINNEGAN: Mr. Speaker, I would like to call this to the attention of the members of the House: I would like to go home in the daylight, I would hate to go home at night, but I hate to have this bill go unchallenged. As a matter of fact, I can well understand my good friend, Mr. House, of Lincoln; I would hate very much to oppose anything he is for but I really believe that this is quite a tax to put on a city forty miles, at least, south of this proposed bridge, from which they could never reap any benefit, while making it possible for the Eastern Corporation to explore the timberland countries west of Lincoln. I can understand Lincoln's willingness to go ahead on a \$20,000 basis but it seems to me that the City of Bangor is putting in about twice as much as that from which they will absolutely receive no benefit. It would be much cheaper, it would seem to me, to take those people from Chester and move them over to Lincoln than to provide this \$240,000 bridge. The idea appears to me as utter nonsense for the amount involved and the people served so I certainly hope that Mr. Webber's motion prevails. I own no land in Lincoln so I am not going to benefit one way or another but I would suggest that we just use a little bit of

common sense when we consider this matter.

The SPEAKER: The Chair recognizes the gentleman from Lakeville Plantation, Mr. Dicker.

Mr. DICKER: Mr. Speaker, much has been said about the price of this bridge but nobody knows anything about the price of it. This was surveyed six years ago and estimated \$150,000. The necessity for this bridge is far greater than the one down here in Augusta, although this one will accommodate more people. My desk here is piled high with letters, which I do not want to take the time to read but to substantiate the statement of the representative from Lincoln in regard to what was said about the Eastern Corporation, I have a letter here from Horace Weatherbee, he said, I will read this part of it:

"In addition, I might say that never will the vast resources of timber that lie on the Chester side of the river be properly harvested until there is a bridge; in fact, Mr. Morgan, President of the Eastern Corporation Mills in Lincoln and Brewer, told me only last January that he had always found it impossible to buy more than token purchases of pulpwood in Chester, because of the unpredictable condition of the Penobscot River for winter hauling; what an anomaly, when I can stand there by the Eastern Corporation's Lincoln mills and see with the naked eye virtually thousands of cords of wood lying just across the river. Consequently, the Eastern Corporation is obliged to transport their pulpwood many miles, largely by truck; the result, wear and tear to our Maine roads, waste of manpower and machinery, and additional expense."

And I wish to say in reply to the gentleman from Bangor about building the road on the other side of the river, that road is leading away from where they want to go and it would cost more money to build that road than it will to build that bridge. I have plenty of evidence that I will submit to this House later.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Lincoln, Mr. House.

Mr. HOUSE: Mr. Speaker, I will admit, as Brother Dicker has stated, it will cost the City of Bangor about \$30,000, but hasn't the Town of Lincoln contributed to the good

of the City of Bangor? They have helped build a good court house there that, today would cost a million dollars, a court house that is an ornament to the City of Bangor and of which they should be proud. They have also helped build a bridge between Bangor and Brewer and never murmured. They knew it was a necessity, and, as a necessity, they felt it was their duty, and they came over with their money, as did the citizens of Bangor, who helped build that bridge.

The SPEAKER: The question before the House is upon the motion of the gentleman from Bangor, Mr. Webber, that this matter be indefinitely postponed.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: This bill involves a bridge district composed of the inhabitants of the territory of Lincoln and Chester. By the terms of the bill, this bridge is given the same rights of towns to have a bridge built. The facts are that both the inhabitants of Lincoln and the inhabitants of Chester want a bridge. The people in Chester want to send their children to school in Lincoln, to get across the river to shop, to obtain medical service, and just get across.

Your Committee on Legal Affairs understands that the bridge will cost a lot of money; that it would cost a lot of money whether you formed a bridge district or whether you did not. It is true that for a great many years they have had no bridge there and consequently the country is not well developed opposite Lincoln. But I think this country is just like any other country; if you do something, it will develop. The only question before the House is whether this House is going to authorize these people up here to try to get their bridge. Merely passing this bill will not get the bridge, other things are necessary, the funds must be provided by the State and County; this bill here simply enables these towns to get their share.

If we are going to do something for the people of our State, when they show the ambition and energy to try to do something for themselves, this is an opportunity. If we are not going to try to do something for the people in our State, when they try to do something for themselves, why the motion should

be sustained but I hope it will not be sustained.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I am in great sympathy with these people up there, these few hundred people who are isolated there. I live in Penobscot County and, if it is going to cost us a little more tax, I am willing to pay my share. I think they should have a bridge across the river there, and I hope the motion of the gentleman from Bangor does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Stacyville Plantation, Mr. Boulier.

Mr. BOULIER: Mr. Speaker, I have been looking up this proposition for the last few weeks and, in talking with the county commissioners, they have the money available at the present time, they are willing to put their money into the bridge at Chester, and I feel that the people of Chester and Lincoln should enjoy their bridge. At the present time, with the dam in there, when they shut the water off, they can not even run the ferry and consequently I believe they should be entitled to a bridge. I hope the motion of the gentleman from Bangor does not prevail.

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

Mr. MCGLAUFLIN: Mr. Speaker, I just want to point out that if we all took the attitude of the gentleman from Bangor, Mr. Finnegan, that it is going to cost Bangor something and therefore we won't get it, that we would not have any taxes at all. The City of Bangor has to pay some of the State taxes, and, therefore, if they took that attitude, they would go against it. I think that the gentleman from Lincoln, Mr. House, has very well answered that proposition when he says that Lincoln has helped build the court house at Bangor. I think Mr. House made out a good case, and I am going to vote with him.

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

Mr. FINNEGAN: Mr. Speaker, as a citizen of Bangor, I would like to return to Lincoln all they contributed to the Bangor Courthouse in exchange for what they expect out of this bridge. Let us face the

issue. The proposition is to make the timberlands across the river available to the Eastern Corporation. Now if they want them bad enough to build a bridge at their expense, that is O.K. with me, I will pay my share of the tax. But let us not be deluded into this situation and do not plunge the County of Penobscot into this or the State, which has a very big share, to connect up a \$240,000 bridge with a dead-end street. That is all you are considerin'.

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

Mr. COLE: Mr. Speaker, I would like to suggest that the people who live in Chester are farmers. There are only four hundred over there but they must earn their living by products of the farm. The reason that I am familiar with this question is because we haul fertilizer to all of those towns from Bangor and Searsport. The fertilizer that is consigned to Chester, a great many years, was hauled to Lincoln and stored. The farmers from Chester could see it but they could not get it. There was no means for them to get across the river, the water was too high and the scow was too ancient to haul anything across the river during that period when they should have been planting their crops. Now if you expect those people to earn a living from farming, they first have to have fertilizer to raise their crops and, second, they have to get their crops to market. They can not do it without a bridge. The roads in either direction are impassable for a great part of the year.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Lincoln, Mr. House.

Mr. HOUSE: Mr. Speaker, I would like to have a standing vote.

The SPEAKER: A division has already been requested.

The question before the House is upon the motion of the gentleman from Bangor, Mr. Webber, that the "Ought to pass" report of the committee be indefinitely postponed. The same gentleman has requested a division.

Those in favor of the indefinite postponement of the committee report 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: Six having voted in the affirmative and one hundred and one in the negative, the motion does not prevail.

By motion of Mr. Webber of Bangor, the House voted to accept the "Ought to pass" report of the committee.

This being a printed bill, under suspension of the rules, it was given its two several readings.

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

Committee Amendment "A" to H. P. 499, L. D. 354, Bill "An Act to Incorporate the Lincoln-Chester Bridge District."

Amend said Bill by striking out all of the emergency preamble thereof.

Further amend said Bill by striking out in the 17th line of section 7 the word "city" and inserting in place thereof the word 'town'.

Further amend said Bill by striking out the underlined word "city" in the head note of section 14 thereof and inserting in its place the underlined word 'town'.

Further amend said Bill by striking out all of section 16 and inserting in place thereof the following:

'Sec. 16. Effective date; local referendum provided for; election of first trustees. This act shall take effect 90 days after the adjournment of the legislature only for the purpose of permitting its submission to the legal voters of the towns of Lincoln and Chester at a special meeting called and held for the purpose, in the same manner as is required in other special town elections. Such special election shall be held not later than 1 year after the effective date of this act.

The town clerk of Lincoln shall cause ballots to be prepared which shall bear his certificate thereon as being official ballots, and he shall deliver the same at the voting places in the towns of Lincoln and Chester as in the case of other elections, and no other ballots shall be received and counted at the polls. In addition to the question of the acceptance of this act, the names of the candidates for trustees of the Lincoln-Chester Bridge District shall be printed on the same ballot prepared for acceptance of this act. Each ballot for such acceptance shall be headed "Shall the Act to Incorporate Lincoln-Chester Bridge District passed by the Legislature in 1947 be

accepted?" and below shall contain 2 printed squares side by side, the one to the left to have under it the word "Yes" and the other the word "No" and each voter is to make a cross in the square of his choice, and the ballots so marked are the only ones to be counted in arriving at the vote for acceptance of this act. That part of the ballot to be used for the election of the trustees of the Lincoln-Chester Bridge District shall be headed "For Trustees of Lincoln-Chester Bridge District" and below shall contain in alphabetical order the names of those nominated as aforesaid, one under the other, with a square printed to the right of each name, with an instruction to the voter printed in a conspicuous and appropriate place to "Vote for not more than five," and each voter shall mark a cross in the square opposite the names of the nominees of his choice; and no such ballots shall be counted unless so marked, or if so marked, counted if for more than 5 nominees; and the 5 nominees receiving the largest number of votes canvassed by the municipal officers aforesaid, shall be elected to hold office as hereinbefore provided.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said meeting. The result in said district shall be declared by the municipal officers of the towns of Lincoln and Chester and due certificates filed by the town clerks of Lincoln and Chester with the secretary of the state."

Committee Amendment "A" was adopted and the bill was tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the seventh item of unfinished business House Amendment "A" to Bill "An Act Relating to Control of Tuberculosis (S. P. 529) (L. D. 1437) tabled on April 28, by the gentlewoman from Crystal, Miss Longstaff, pending adoption of the amendment.

The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker, I move the adoption of House Amendment "A" (S. P. 529) (L. D. 1437).

Thereupon House Amendment "A" was adopted and the bill was

passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the eighth item of unfinished business, An Act to Create a Legislative Research Committee (H. P. 1646) (L. D. 1332) tabled on April 28, by the gentleman from Bridgton, Mr. Rankin, pending passage to be enacted.

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

Mr. RANKIN: Mr. Speaker, you will recall that a few days ago the gentleman from Rockland, Mr. Sleeper, laid this matter on the table, and I asked, the next day, that it be retabled, in his absence. I shall have to ask your indulgence a little further inasmuch as there is a technical error or omission. In order to cure that situation, I move reconsideration of our action whereby we passed this bill to be engrossed.

The SPEAKER: The gentleman from Bridgton, Mr. Rankin, moves, under suspension of the rules, that the House reconsider its action of April 15th, whereby this matter was passed to be engrossed. Is this the pleasure of the House?

Mr. ROLLINS: Mr. Speaker. I request a division.

The SPEAKER: The question before the House is upon the suspension of the House rules. In order for the House to suspend the rules, it requires a two-thirds vote of the members present. All those in favor of suspending the House rules 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: Two-thirds of the members present having arisen, the rules have been suspended.

The question before the House is upon reconsideration of our action of April 15th, whereby this matter was passed to be engrossed. All those in favor of reconsidering our action whereby this matter was passed to be engrossed will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Mr. Rankin then offered House Amendment "C" and moved its adoption.

House Amendment "C" to H. P. 1646, L. D. 1332, Bill "An Act to Create a Legislative Research Committee."

Amend said Bill by adding a new section as follows:

Sec. 3. Present Research Committee Continued. The first legislative research committee under the provisions of this act shall be the legislative research committee appointed at the regular session of the 93rd legislature and serving as such on the effective date of this act.

House Amendment "C" was adopted and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business House Majority Report "Ought to pass in new draft" (H. P. 1729) (L. D. 1462) with Committee Amendment "A", (L. D. 1463) House Minority Report "A" "Ought to pass in new draft" (H. P. 1729) (L. D. 1462). House Minority Report "B" "Ought not to Pass" of the Committee on Taxation on Bill "An Act Relating to Pari Mutuel Pools." (H. P. 475) (L. D. 277) tabled on April 28, by the gentleman from Portland, Mr. Bowker, pending acceptance of any report.

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

Mr. BOWKER: Mr. Speaker and Members of the House: As stated last Friday, when I tabled this bill, this is a companion bill to the next matter, the tenth matter of unfinished business of today and I would ask that this bill be tabled until after the tenth item of unfinished business has been disposed of.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves that this matter be laid on the table and be taken up after the tenth item of unfinished business has been disposed of.

Is this the pleasure of the House?

The motion prevailed and the matter was so tabled.

The SPEAKER: The Chair lays before the House the tenth item of unfinished business House Majority Report "Ought to pass in new draft" (H. P. 1730) (L. D. 1460) with Committee Amendment "A" (L. D. 1461) House Minority Report "A" "Ought not to pass", House Minority Report "B" "Ought to pass in new draft" (H. P. 1730) (L. D. 1460) 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) tabled on April 28, by the gentleman from Portland, Mr. Bowker, pending acceptance of any report.

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

Mr. BURGESS: Mr. Speaker, I move that the minority report "A" "Ought not to pass" be accepted.

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

Mr. SLEEPER: Mr. Speaker, I move that the majority "Ought to pass" report be accepted and, in support of that motion, I would like to say a few words.

Since the first of January, this House has listened with a great deal of patience to many and varied bills running from bridge construction, road construction, garbage collection, sewerage, and other bills. All of these bills were of a similar nature in this respect; they all call for money. The only difference between this bill, the big difference, is that this bill gives us money. Now bear that in mind. This bill will not cost the State one penny but will give the State from \$250,000 to \$400,000 a year and I do not think that I need to impress upon you that we can use these funds.

I was greatly interested, when I read of the various inaugural addresses of the New England Governors. Without hardly any exception, they all asked for more money, more income, more revenue, with one startling, single exception. That exception was the State of New Hampshire. Governor Dale said that his budget was well balanced, his revenue in sight would take care of any emergency that might arise. I wondered why the State of New Hampshire, so similar to Maine in population and business, should be so apparently well off and the State of Maine should be so desperate. It was easy to find out; I have lived in New Hampshire a great deal; and I find that the reason New Hampshire is well off is on account of that race-track at Rockingham Park. The racing at Rockingham pays the State of New Hampshire two-and-a-half to three million dollars. Do not think for one minute that I advocate racing, but I would say that money that accrues from pari-mutuels is just as virtuous, just as decent as money that accrues from liquor and the State is already taking in money from pari-mutuels at the different fairs. So I wondered

if there was not some way for the State of Maine to realize more money from racing in this State and to back up that argument I remembered during the war, a lot of these men who saw service in the war—I do not dare tell anyone of my service, because all the water that I covered I could almost do with hip boots—but I was in the service. I will admit, for a short time. I noticed these taxicabs leave Rockland, during the gas shortage, loaded with six men, seven, or even eight men, headed away almost every day in the spring and summer.

I wondered where these taxicabs were going; I inquired and I was told that various fellows around Rockland, who were interested in racing, were hiring taxis and travelling over one hundred and fifty miles to Rockingham, New Hampshire, to bet on the races.

Now you understand that I still do not admit that this is a good proposition and I can swear that I never have bought a pari-mutuel ticket and I probably never will but some people want to; some people are able to. and some people like it, and there is a law in this State that they can do it. So I felt that if New Hampshire's budget was balanced by receipts from Rockingham, and the citizens of Rockland like Rockingham well enough to hire a taxi and ride up there and bet, that if there was any way for this State to gratify that desire and realize a little money from it we certainly ought to do it so I came over here with my mind made up if I can do anything to help this out I will be very glad to do it and I made up my mind, if necessary, to create a bill. I did find, however, that there were certain interests who had a similar measure in mind. They did not want to have running races, they wanted to continue harness racing, perhaps revitalize it, bring it back to the state in which it used to be several years ago; they wanted to have two months, two solid months, of night harness racing at Gorham. That is natural, because the largest center of population in the State is Cumberland County, almost half of our people live in a radius of within fifty miles of Gorham, so it is only natural that that is the place that they would want to have this solid two months of racing.

At the hearing, I placed a bill in order, stating our position. I men-

tioned the fact that this bill would raise the State's take of 3½ to 5½ or even 6 per cent on pari-mutuel and would result in a benefit of two or three or four hundred thousand dollars to the State of Maine. At that time, there was considerable objection—I do not even admit that was justified—from the fairs, who felt if the races were held through the summer they would detract from their fairs and draw crowds down there and draw horses down to Gorham and hurt the different fairs.

The principal proponent of this measure happens to be interested in two of the largest fairs, and of course those fairs do not object—that is Bangor and Gorham. But, more than that, he did not wish and they did not wish to hurt anyone, so we dropped off the most profitable month, August, and changed the bill to read from the middle of June until the last of July, to allow six weeks of night harness racing at Gorham, Maine. That will result in a net benefit to this State of from \$250,000 to \$400,000, that is a lot of money. You are not violating the moral law because we already have pari mutuel racing, they all like it and they all want to do it.

I think what objection the State fairs have ought to be pretty well dissipated, because the average fair is held in August. These races would bring better horses into the State, make more interest in it, and, what is more important, bring more money to the State. I do not know just what opposition there is still left to this measure. There can not be too much, because it does not cost you or me a cent.

I might add, and I won't harp on it too much, because we have harped ever since the session started about the fact that the poor working man should have some recreation, that he works all day and can not go to the races the same as you and I and our wives and sisters and brothers who do not have to work all day—this bill would help that man because the races are held at night.

I certainly hope that this motion for the acceptance of the majority report of seven members "Ought to pass" will be accepted.

The SPEAKER: The pending question is upon the motion of the gentleman from Limestone, Mr. Burgess, that the House accept the

minority report "A" "Ought not to pass."

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

Mr. BURGESS: Mr. Speaker and Members of the House: I wish to assure you that it is no pleasure for me to rise in opposition to a group of men which I have served with throughout this session, namely, the Committee on Taxation. Neither is it any pleasure for me to oppose my good friend from Rockland, Mr. Sleeper. I do feel that I should take this occasion to point out to you just what the bill proposes to do and point out to you the statements made by the various fairs of the State at the hearing. The fairs were represented at the hearing by a spokesman of the Maine Association of Fairs, they were represented by at least a dozen officials of the various fairs throughout the State, each one of them voicing their opposition to the measure with respect to the harm that it would do to their fairs.

I will attempt to point out to you those harmful oppositions as presented by the fairs, but, first, with your permission, I would like to call your attention to an analysis put out by the Racing Commission, consisting of the actual figures of the amounts bet at the various fairs and other meets, and the amount of the State's take from the fairs and the other meets. They are as follows for the last year, 1946: The betting at State fairs amounted to \$3,822,844, and at all of the other meets \$2,606,980.

The value of those figures, if they have any, is to point out to you that at the present time our State fairs are contributing to the State more than half, a great deal more than half of the State's take, or rather, they are contributing more than half of the State's revenue from pari mutuels. Therefore, I submit to you that their views are worthy of consideration at this time.

It is my honest opinion that pari mutuel was never introduced into the State as a revenue measure. It was allowed in the State to bring the fairs of Maine out of the debt which they had gotten into during the days of the depression. Believe me, I have no objection to pari mutuel and I use it.

Now let me briefly go over the bill. There are many reports, redrafts and so forth, but my remarks

I believe, can well apply to any and all of them.

First, the bill carries an emergency preamble, and I submit to you that if there is any emergency in racing horses it is when they are coming down the home stretch. Secondly,—and I trust that each of you have read the bill—it increases the salary of the Racing Commission, the Chairman from \$1,000 to \$1,500 only, the other members from \$1,000 to \$1,200. And I again submit to you that when a request for salary increase by any State official is submitted or requested that it should be in a separate resolve and be heard before the Committee on Salaries and Fees. Third, I submit to you that by the provisions of this proposed law only one race track in the State would be affected, and that is because it carries the requirement that the home stretch must be seventy feet wide, and there is only one racetrack in the State which meets that requirement. I agree that other race tracks could arrange for a 70-foot home stretch, provided they wanted to move the grandstand and go to such expense.

I ask you to seriously consider this. It may be true, it probably is true that you will have better racing on one track in Maine to the detriment of all other racing meets, namely the fairs. There is more to the fair than just racing. It is a place where the community meets, where the children come, where the parents come. They watch the horse racing, to be sure. Pari mutuel in its present set-up provides enough revenue for these fairs so that they can carry on at a reasonable sum of money. It is my honest hope that when the vote is taken that you will give every consideration to those fairs and not to the revenue which this will bring the State.

Now as a member of the Committee on Taxation which has signed this minority report, I know that the State needs new revenue, but I submit to you it is a much more sound policy to enact, when the time comes, one tax measure for that general fund and follow the trend of consistency. I hope when the vote is taken that you will vote in favor of the acceptance of the minority report, and I would ask when the vote is taken that there be a division.

The SPEAKER: The Chair recog-

nizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, I would like to concur with my colleague, Mr. Sleeper, from Rockland. I happen to be one who has bet on pari mutuel racing. In my city, alone, every day, I daresay that from \$1000 to \$5000 goes out of the State of Maine, betting on pari mutuel racing. Now, if we had racing as I knew it back in the twenties and if we can bring the same type racing back that they had in Aroostook, the horses like Calgary Early, the Grattan horses, and above all, John R. Braden—and I understand that the proponents of this tax will do that—we will have in this State men attending those racetracks, betting on horses like that, and they will leave a good part of that \$1000 to \$5000 that they bet there. You will take ten or fifteen per cent out of that and you see what the State's take is. Members, you see it is going to mean a lot to taxation in Maine. And we know now that we really do need taxation. In fact, you know how our roads are, I have talked on that, and I hope that when we vote we will adopt the majority report.

The SPEAKER: The Chair recognizes the gentleman from Naples, Mr. Bove.

Mr. BOVE: Mr. Speaker and Members of the Ninety-third Legislature: The reason that I am interested in this measure is this: I do not know of any other measure that we passed in this Legislature where our good State of Maine, as I understand it, is going to receive anywhere from \$250,000 to \$400,000, and for that \$400,000 this State has no responsibility, no interest, no investment, nothing at stake. As I understand it, we have already this act on our statute books. The only changes as I see, is from one week to six weeks and while we have the opportunity to allow our State to receive \$400,000, indeed, I am very much in favor of receiving this amount. With that, Mr. Speaker and Ladies and Gentlemen, I thank you.

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

Mr. DeSANCTIS: Mr. Speaker, I do want to support the motion of the gentleman from Rockland, Mr. Sleeper.

You have noticed the majority of the Committee on Taxation are

convinced that there is a need for an increase in the take by the tracks from 6½% to 9%. The reason for this increase is twofold: first, due to the high cost of repairs and upkeep the tracks are in need of greater revenue; secondly, it is essential that purses be increased to keep the better horses in the State of Maine and to insure honest racing.

Horse owners who are now forced to race their horses in other states claim that the purses which the tracks are now able to pay are not large enough. These men who have invested large sums of money in good horses want an opportunity to salvage their investment. They contend that they can not break even, racing in the State of Maine, even if all their horses win all the races. This bill will give horse owners and the general public a fair deal if the purses are large enough.

An example of what happens under the present scale of low purses is the loss to the State of the Grand Circuit. Grand Circuit racing in Maine was one of our chief attractions for tourists. For three weeks Maine offered the summer visitor an opportunity to witness the best harness horse racing in the country. There were many people who planned their summer vacations for this three week period. Due to low purses and poor facilities for taking care of the horses, the Grand Circuit has now left Maine and will not return until such time as they can be assured of getting proper treatment. This assurance can only come if we make it possible for the tracks to get more money. There is a right way and a wrong way to do everything. I believe that the bill before us is the right way to treat horse owners and the race-going public. After all, it is the public who foots the bills and the least we can do is to give them the best.

Maine is a State of two dollar bettors and all your two dollar bettor desires is a good race. It is about time that we give him what he wants. In conclusion, I maintain that this is a good bill for the State of Maine, for the many Maine business men and farmers who have spent their time and money to get good horses, and for the public who enjoy good harness racing.

I also want to point out that the Fairs which do not commence until August will in no way be harmed by

this bill. And, Mr. Speaker and Members of the House, I want to say that when the vote is taken and the monitor in the fourth section says "two in the fourth," I will be one of them.

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

Mr. BOWKER: Mr. Speaker and Members of the House: I would like to speak in favor of this bill from a revenue angle.

Certain members of this House asked me this morning what the true financial picture was today. As of this noon, to the best of my knowledge, I would like to point out one or two things.

The State's surplus account right now is between \$1,500,000 and \$2,000,000. We started in with a post-war reserve account of \$890,000. The passage of the bill for Pownall called for \$400,000. The passage of the Forestry Committee bill—the Augusta State Hospital bill, for fire protection, of \$25,000; the police barracks in Cumberland County, \$18,000; the University of Maine bill, \$290,000; the Portland Junior College bill, \$100,000; and these are all charged against the post-war reserve account, and these have brought that account down so the balance as of today is \$7,000—from \$890,000.

Now the appropriation bill that was presented to you Ladies and Gentlemen this morning—the Appropriations Committee has been over that bill and has reported out approximately a million dollars more; they have increased department heads and the cost of running the State government to the tune of about a million dollars over and above what the Budget Committee did down here in October. So, at the present time, the State needs, with the passage of the Maritime Academy bill for \$115,000 this morning, as of right now, the way I figure it out, we need \$715,000 the first year and \$715,000 the second year for the general operations of the State, that is the State departments and your general operations. That does not take into consideration any new bills calling for appropriations presented to this Legislature.

So even if you only pass your teachers' salary bill that calls for \$1,400,000 the first year and \$2,000,000 the second year, and your employees pension bill, calling for \$200,000 each year, you still need

\$2,315,000 for that one bill alone without any of the other bills whatsoever. But you are lacking \$715,000 without any new bills passed, to run your present State departments.

Now this bill will bring the State of Maine about a quarter of a million dollars in new money. The figures are based on the following information. Last year there was just under seven million dollars bet on harness horse racing in this State, and at three and a half per cent, which is the present pari mutuel take, the State realizes about \$226,000. This bill proposes to increase the take from three and a half to six per cent. Now that brings you up in line with what other states are receiving on horse racing and some of the states on harness racing—most of them run from five and a half to six per cent.

In addition to this, it is estimated, and it is a very conservative estimate to say that three million dollars would be bet at the night racing meet which is called for in this bill. If this figure is correct, the tax would be \$1,000,000. Therefore it is safe to assume that the State would realize an additional quarter of a million dollars in new money.

Now Mr. Burgess has pointed out this is an emergency measure. Why is it an emergency measure? I notice Mr. Burgess had an emergency on the gasoline tax. Why? To get at our summer tourists who are coming into the State. This is exactly the same idea. You go down to Cumberland, Old Orchard and Gorham, and all you have to do is look at the crowd and you know a good many of them are from out of the State; you can tell that by just looking at them.

Now, for heaven's sake, since we have passed so many measures calling for appropriations in this House, let us pass one bill that will give the State a little revenue.

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

Mr. PAYSON: Mr. Speaker and Members of the House: I rise to support the motion of the gentleman from Limestone, Mr. Burgess. To me the issue on this bill is not merely a revenue question. It is an issue of the fairs versus private operation of racetracks.

Now, in 1935, as Mr. Burgess has said, when the pari mutuel law was

passed, many of the fairs were practically non-existent or going out of business. At that time the pari mutuel law was passed for their benefit. It was not designed primarily as a tax-raising method. Now the fairs, if this bill were passed, would be apt to have to curtail their operations and there are four fairs at least, who have race meets, whose dates would interfere with this six week period that would be given under this bill. There would be, it is admitted, increased revenue to some extent but I do not agree that it would be in the amount of \$250,000, especially if this means that some of the other fairs go out of business because the State is going to lose revenue from them and I do not believe that this House or the State of Maine believes in harness racing primarily as a method of raising money. That is evident in the action previous legislatures have taken on running horse bills. They have turned them down. This would be practically the same thing and it would give one operator the privilege of operating for six weeks in one spot and tapping money from those people who can least afford to pay it. I do not believe that we want to get our money from that source. I hope, for those reasons, that you will support the motion of the gentleman from Limestone, Mr. Burgess.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker and Members of the House: I rise to support the motion made by the gentleman from Limestone, Mr. Burgess. The gentlemen who have spoken for the "ought to pass" report of the committee have painted a pretty picture but they have not convinced me. I am interested in the fact that representatives from every fair in the State are in concerted opinion and are opposed to the passage of this bill and to me that is significant and it is good enough for me. I go along with the minority report.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Leavitt.

Mr. LEAVITT: Mr. Speaker and Members of the House: I rise in support of this bill due to the fact that last summer I spent quite a bit of time in New Hampshire and every day the general topic of con-

versation down there was: "We are all going down to Rockingham to the horse races." This brings in an enormous revenue to the State of New Hampshire.

I think I also want to bring this into the record: It is a well-established fact that we Democrats do not want to bring any revenue into the State, so I want to go on record as taking this means of bringing some revenue into the State. I thank you.

The SPEAKER: The question before the House is upon the motion of the gentleman from Limestone, Mr. Burgess.—

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: I am in favor of the passage of this bill, as amended. I do not know much about horse racing. There are two items in this bill: One calls for an increase in revenue; the other calls for the introduction of night racing for the six weeks ending on Saturday, the last Saturday, in July.

I was interested in this bill partly because of the increased revenue, which brings to the State six per cent of the pari mutuel pools as against 3½ per cent which is now granted, and also because the owner of the track at Gorham, Joseph Cianchette, is a resident of my county, in the Town of Pittsfield, in Somerset County, we think a great deal of Mr. Cianchette. He is a road and airport builder; he is a public spirited citizen, he does not do things on a small scale, he has bought up several fairs, including Bangor, and those fairs, since he owned them have certainly prospered. He has done a great many things to benefit his home town and his county. Now, he wants to bring big-time racing to Maine. Of course, if we judge his future conduct by what he has shown to us in the past, the State of Maine, at Gorham, will get big time racing and if we are to look at the public interests, I do not see why these people should not have the advantages of seeing big-time racing for those six weeks at night.

I am informed that at at least two tracks in the State, last year, there was night racing. I am further informed that the pari mutuel take at those tracks was about the same in the daytime as it was at

night. I understand, also, that the night crowd differed from the day crowd. In other words, there were people who could come in the day time but who could not or would not come at night, and vice versa.

Now, the first objection which has been levelled against this bill is that it will hurt our State fairs. That was true in the case of the original bill because under the original bill night racing was permitted into September.

I have tried to suggest that Mr. Cianchette was not opposed to these fairs, in fact, he owns the Bangor fair. He certainly would not try to hurt himself. He has gone as far as anybody could reasonably expect when he has shortened his racing season back to July. It is true that there are a number of fair associations in this State which do hold race meets in July to supplement their fairs and if these fairs did do that, of course, they would have to compete, more or less, with the night racing but I do not know that we are here to stifle honest competition. If they put up the purses, they will get the horses and if they do not, they will not. I have been informed that we have a great many horses in Maine which have to leave the State and race elsewhere through the month of July because there is no place for them to race. Mr. Cianchette's night racing program would cure that. I do not know of anything that he could do that he has not tried to do to give these State fairs an even break.

I believe that if he does have these good horses in the State for the month of July and if he does not operate his night racing in August, those horses will be running races somewhere and it seems to me that as we have some very good fairs in this State through the month of August, our best fairs, I would expect that those horses, when they finish their night racing, would promptly move to the scene of the State fairs so that all the people in the State would have the opportunity to see racing by such horses as he hopes to bring into this State.

The gentleman from Portland, Mr. Bowker, has already pointed out that most of our revenue bills have had an emergency preamble and I hope that this one will stick better than some of the others. If the officials of our Racing Commission are paid too much by this bill,

that can be cured by an amendment; I think anybody could amend that bill without too much trouble if that is all the complaint there is. The bill does say that the track should be seventy feet wide on the home stretch. That is not an essential part of this bill; that was put in there, principally, I understand, because that is the minimum of Grand Circuit requirements on the home stretch. That, also, could be eliminated.

The question, as I see it, is: First, whether the public, which pays all these bills, is going to have the advantages that night racing can bring on a first-class track. Second, whether the State of Maine wants the revenue that these night races will bring. Just two questions. I know of no one who will be really hurt if the public is given this advantage. I believe the public should have this advantage and I surely believe that if we need revenue, we will never find a better or easier way to get it. I hope that the bill with its amendment will be passed.

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

Mr. JORDAN: Mr. Speaker and Members of the House: As a member of the Taxation Committee who signed the Majority "Ought to pass" report, I would like to give you the way I reasoned the thing out.

First of all, when the bill came in and they wanted this racing in August, I thought it would be unfair to the fairs and I would not vote for it, but when they moved it back from June 15th until the last of July I thought this did away with that objection. It would not interfere with the fairs.

It would seem to me that the opposition of these fairs now to the racing is because they want to hold racing for themselves during this time, and it is their desire to do away with competition. They told me they would not race at night whether the seventy foot width was changed in the law or not, but they do not want anyone else to do so. I do not think this was quite fair. I think in plain competition the managers of the fairs should stand on their own feet and put up competition that will draw and let others do likewise.

Therefore, I felt that the extra money to be received by the State was worth taking, and so I signed the "Ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Dr. Russell.

Mr. RUSSELL: Mr. Speaker, as the representative from the town of Gorham, I want to express myself in relation to this bill.

I have lived in the town of Gorham for more than fifty years, and all those years there has been racing there a little time every year. In the first thirty-five or forty years there was an excellent county fair also. Now the racing is the whole thing. The betting is legalized. Many of my neighbors whom I know well, and whose interests I feel favorably toward, attend these races whether they are held in the daytime or in the evening, as they have been some of the evenings. But this is true, I am sure, that by and large those neighbors of mine have never brought back as much money from the fair as they carried there. It has been a losing day for them. Of course now and then somebody will guess which horse the drivers have decided is going to win a certain race and they bring home a little extra money, but the rank and file of them do not have that opportunity.

Personally, I am not anxious to see their opportunities for wasting their money—and for many of them it is money that is needed for the care of their children—in attending six weeks of evening horse racing. Personally, I hope that the motion for the acceptance of the "Ought not to pass" report will prevail.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House: I became alarmed about this bill about a week ago. I had not paid much attention to it until a few of my good farmers called me up and got me woke up to the fact of what this bill really is. So I am just going to speak a little on the farmer end of it, and then I am going to speak on monopoly, and you know when I say "monopoly" that means a closed shop, and you know that is waving a red flag in front of a bull.

First, I want to just say a few words about the agricultural interests. You know as well as I do, Members, that agricultural fairs have been going on in Maine for a good many years. It is a place where we can take our family,

where we can enjoy ourselves for a day and perhaps go back the next day, have our basket lunch, meet Mary Jones and Sid Smith and talk over the old days and so forth. In other words, it is an old home day.

Now you realize also that the Agricultural Department gives prizes for the products that our farmers raise, and consequently we all try to raise a little better than the other fellow. It really makes an incentive between the old and the young to see if Grand-dad can outdo his grandson.

We do not have any of that at Gorham, you bet your life! It is nothing but a horse racing track.

Now I am not a horseman; I don't own a horse, and I never saw a horse—we burn oil. But when you analyze this bill, Members, you will see it is monopoly for the selfish reason of one person in the State of Maine who is trying to pocket this money for his own personal benefit. That is what this bill is trying to do.

They say that it does not bother the fairs in August. Members, we have meets in July; there are some to be held at Cumberland, and Skowhegan on July 4th. Those boys can't have these races if we are going to allow this bill to go through for the monopoly of one person. The first thing you know, we won't have any fairs. They tell you we will get better horses. I understand we are going to get twenty, thirty, forty-thousand-dollar horses down here. We have not got a track in the State of Maine outside of Gorham that a horse that valuable can race on, because the insurance is too great for them to take the risk.

Again it goes back to one man. Now do you want one man to control the horse racing of the State of Maine? I do not believe you do. It will take two hundred and fifty or three hundred horses to run this meeting right for six weeks. Then what are we going to do in our fairs? They are going to hang up their spurs and go home, because the fairs cannot offer them as much money as they can at Gorham. Then what happens? We do not receive as much money in the betting part of it to put back in the Agricultural Department to pay for the prizes that we give for our farmers. Members, it is a serious thing. It does not look very bright in some respects.

I love to hear the Appropriations

Committee get up here and tell you what they did this morning and what they did yesterday, but I notice they did not say a word when that bill went through about the Maritime Academy. They sat there pretty glum. But they are willing to take money this way.

Let me read you a little piece out of the Lewiston Journal:

"If the legislators are willing to gamble on increasing the State Treasury by giving gambler's concessions in the State of Maine to one individual instead of spreading them out over the whole State, why does their conscience bother them so much when someone mentions the word 'lottery'?" I don't know. Do you?

Are the rights of five other tracks going to be sold down the river for the sake of one man who is trying to get a monopoly? Time will tell, Members, if you pass this bill.

I understand they are so positive this bill is going through that they are getting the track all ready regardless of what we say. I think it is about time we curbed some people around here. Let them come to us first before they start out taking things and thinking they can buy their way in this Legislature. That is what it looks like to me, in view of the lobbyin^g that has been done around here on this very question.

Here in the paper that I pick up, it says there are twelve fair associations that are absolutely opposed to this bill. I would like to read them to you, because some of them are your home people: Union, South Paris and Norway, Topsham, Skowhegan, Windsor, Farmington Fair, Fryeburg, Lewiston, Damariscotta, Columbia and Cornish.

Think that over, Members! There are twelve fairs that are absolutely opposed to this and do not want this bill. I understand that in regard to Windsor Fair there was a little question, but I have a letter here from one of the trustees. He says he is vitally interested, and he says, "In my opinion it is very unfair to all fair associations to allow such a thing to go through this Legislature and give one man the power to regulate our racing."

Members, if you give him six weeks now he will be back here next year for six more. Now is the time to stop this monopoly stuff. Money can't buy everything.

They talk about this three hundred and four hundred thousand

dollars. I just want to read you a few figures.

At the present time the house "take" on pari mutuel pools is 10 per cent. Fairs get 6 1-2 per cent, out of which they pay all expenses and the State gets 3 1-2 per cent. This bill raises the 10 per cent to 15 per cent, out of which the State gets 6 1-2 per cent and the private operator 8 1-2 per cent. A later provision allows the State 1 per cent more, but the \$25,000 license fee is deducted from this allocation and goes to the fairs for division. Suppose the private licensee grossed \$5,000,000 in the pool. That is a lot of money. The State's take at 5 1-2 per cent is \$275,000; 1 per cent—\$50,000 less \$25,000, \$25,000, or a total of \$300,000. Private license take, 8 1-2 per cent, \$425,000, the Fair's take, \$25,000. The above example is on the supposition that the private operator grosses \$5,000,000, which is very doubtful. Where are you going to get \$400,000 out of this game? You might possibly get \$300,000, but under the present law we get over \$200,000, and under this bill the Fair's share is twenty-five thousand dollars. Isn't it clear then, that this bill, which at the best could only result in a slight gain to the State, really means that the income which the fairs now enjoy under the existing pari mutuel law will be diverted from their treasuries where it is so badly needed and put into the pockets of a private individual for private gain?

In the last analysis, if the growth of agricultural fairs and societies is to be encouraged, some income from some source is needed, and since it has been the policy of this State for over one hundred years to encourage their growth, and since the pari mutuel law was passed for that purpose and is accomplishing that result, why amend it now to put them out of business for the benefit of one individual for his private gain?

Members, it is about time we cut monopoly out. Again I say: the fairs could not compete with this track at Gorham if we allow this bill to pass. You and I like to go to a horse race. I never picked the winner yet, but I love to go. I love to watch them race, and I like to see good horses too. And I think the place to see them is to get the best we can in our own little country fairs where we can joke and have a good time and bet amongst ourselves if we see fit.

Members, there has been a lot of oil used to put this bill through. In the committee, because they could not get eight weeks, knowing they couldn't get it, they tried to compromise for six. I would like to give them an amendment allowing them to have seven months in the year—from October to June. They would not perhaps kick at that, if they got seven months instead of six weeks.

Members, I am a farmer, and you all know it. I have made this statement before to every one of you here; that the backbone of this State is the farmer who is raising the crops to feed you, and not horse racing.

Many a poor family—and I will admit it is their own fault—go to these races, lose their money, and the little ones and their wives suffer. And that is what we are going to have over at Gorham. It is human nature to bet and bet and bet a little bit more, saying, "I will take Mary home a box of candy; she won't know the difference." But the kids know it! The individual at this Gorham track does not have to worry about that part of it because he is well-fixed and it makes no difference.

And I am asking you Members again to be very serious and think it over about the farmers. Remember monopoly. You went with me on the closed shop bill on that one account, and I am asking you to go with me again to stop this kind of racket in the State of Maine.

I hope, Mr. Speaker, that the motion of my good friend, Mr. Burgess, will prevail.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I had no intention of rising on this bill, but when a man speaks of monopoly it interests me. I hope this House is consistent. They backed monopoly last week, and I do not see any reason to go against it now.

Mr. Speaker and Members of the House: We are in the liquor business, and shame on the State of Maine that we depend on the liquor business for seven million dollars of our revenue. It is in our report as income and we are dependent on it. If we lost it, where would we be? We would be in much tougher shape on taxes than at this moment.

We are in the pari-mutuel betting business, and I say it is no harm to take a little more money and make a little more business.

When I speak of monopoly, every member in this House knows what I mean. I was interested in the development of the State of Maine against a monopoly. When a man comes along and wants to develop a business in the State of Maine and increase the revenue of the State of Maine, I am going to support him.

The gentleman says he is a farmer. I live in a country where we depend on summer people; we depend on people from Baltimore, Washington, Philadelphia and Boston in that area. Members, fishing is on the way out. That is not a false statement. Every man here knows it. What are these people going to do? They cannot look at our mountains all the time. They are sports and they want to spend the money. I say, bring them in, encourage them, give them something to do, and they will spend their vacation in Maine and spend their money, and that in return makes a market for the farmer and his goods. I hope that the motion of the gentleman from Limestone will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker and Members of the House: The contention has been made that this bill is for the personal gain of one or more individuals and that it is an attempt to wipe out the fairs. It is true that there are men of vision and foresight who are interested in the passage of this measure. These men who love harness racing, and who have the courage to back a program for its improvement. They realized that something had to be done to keep harness racing on a high plane. These men hope that with the passage of this bill, they will be permitted to operate a six week night racing meet, but there is no assurance that any one man or group will be allotted this meet. The opposition will tell you that this has been taken care of by a provision in the bill which refers to the fact that the licensees for the night racing meet must have and maintain adequate grandstands, must have and maintain track which is seventy feet in width on the home stretch.

It is too bad that every track in the State can not comply with these requirements. Certainly there can be no complaint against adequate grandstands and lighting facilities. But the opposition contends that there is only one track whose home stretch is seventy feet in width and therefore this is subterfuge. It may interest the members of the House to know that the United States Trotting Association recommends ten feet of track width per horse. If the average number of horses in a race is between seven and eight, they recommend a seventy foot width as a minimum. The reason for this is obvious. A man who owns a horse worth \$10,000, \$15,000, or \$25,000 wants that horse to have racing room. There is no subterfuge about that. It is too bad that the rest of the tracks in the State do not meet this minimum requirement, but possibly with increased revenues to the tracks, they will be able to cater to the desires of the United States Trotting Association and its members.

If the passage of this bill will cause an improvement in track facilities, it will certainly be a good thing. There have been groups in the State of Maine who, in the past, have attempted to milk the harness racing sport to the detriment of all concerned, except themselves. Now criticism is being leveled at men who are willing to back their beliefs with their pocketbooks and are thinking of putting something into the sport rather than taking it out. It is true that there is a chance for the licensees of the night racing meet to realize a return on his investment if everything goes well, but I challenge the licensee to realize even a moderate return if he gets a bad break in the weather. The licensee of the night racing meet, whoever it may be, will be taking a gamble in the traditional manner of the American capitalistic system.

Now I have heard the words "closed shop" mentioned this afternoon. This year, the entry blanks for all the fairs are supposed to be identical. All of the purses will be the same no matter what race we may go to. A year ago, this last winter, this same man who was president of the Maine Fair Association, called a meeting at Pittsfield, Maine, to which he invited the fair owners and some of the horsemen and he was the man who

instigated an upward trend in the purses. Two years ago, he raced for \$200; last year, we had a sliding scale of \$350, \$250, and \$200.

I have been accused by some members in this House of being promised something if this bill were passed. I have. I have been promised larger purses, I have been promised better stalls, a better paddock, a lounge room for the drivers, and also up-to-date facilities.

Also the statement has been made that four fairs would lose their dates for these early meets. At the present time, Old Orchard has three weeks, and Gorham, one. If we take and give Gorham which has a track that would fulfill requirements, six weeks, it would only be taking from Old Orchard and Gorham, which are admittedly not fairs, and only two weeks from the fairs. Now I am a horseman and admit it. I want to know if you ever rode in the back end of a truck with a nervous horse. I have. If you can expect a good race two days later after a nervous ride, it is something that I have not been able to get out of a horse. I leave it with you, Members of the House, as to whether this criticism of the individual is fair.

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

Mr. McCLURE: Mr. Speaker, the right of one man is not at stake here, but a short time ago the right of all working men in Maine was impaired and it was based on what one man, John L. Lewis, had done. Members, I have only met Mr. Cianchette, who sponsors this track, one time, but I only hope that we can have more men in the State of Maine like him, looking at this from the interests of all of us, especially in racing and everything else. He is not greedy; he does not want it all for himself because, as I understand it, he has all the worldly goods he will ever need, and what he is doing I believe he is doing for the lovers of horse flesh in Maine.

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

Mr. BOWKER: Mr. Speaker, I would just like to straighten out the gentleman from Gardiner, Mr. Tabb, where this bill started from. It started last October in the budget hearing. We were up here for ten days, working day and night, and we were questioning

every department as to how they could get along with less money from the State of Maine to run their departments. At that time the Racing Commission came before the committee, and it was brought out: What about the tax, can we get any more out of racing? The Commissioners agreed they thought the tax could be increased. This is exactly the same increase in tax that they have in the State of Florida, 15 per cent. I just wanted to straighten Mr. Tabb out on that point.

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

Mr. SLEEPER: Mr. Speaker and Members of the House: I did not intend to speak again but I resent very much the insinuations of one individual. I don't like that sort of talk in the House, and I know just what is meant by it. I will admit his name is not spelled the same as mine, but he is a man and a good one, one of the most upright men in the State. If you do not believe it, just inquire of anyone who knows him. I think that is the most despicable thing I ever heard of—one man—I never heard of such a despicable attack on one individual.

I voted for your labor bill, and I am beginning to feel sorry. (Laughter) As has been said, there has been a lot of oil spread around here. I held my pocketbook out to show that those who were spreading this oil around were not around here then. If there was any oil it would be Maine oil, because the man that is behind this bill is a citizen of Maine, he lives in Maine, he has always lived in Maine and he puts Maine above anything else.

Now I have got that off my chest. I don't like it, and I still don't like it, and I do not think it was fair. There are over seventy-five large horsemen in this State who have valuable horses and who cannot race them in this State because of conditions of which you have all heard.

There are so many reasons why this bill should be passed that there is no need of my taking up your time any longer. We know that we have decided the moral issue of it long ago.

The gentleman from Gardiner brought up a very good point: he said that in two years that same individual will be back here asking

for six more weeks. It works just the other way. If any damage has been done to the fairs, in two years more the fairs can certainly come back and ask us to cut this gentleman's time back to one week or give him no time at all. I will guarantee, however, that the fairs will not be up here asking that his time be curtailed. The same thing was fought out in the New Hampshire Legislature by the fairs against the establishment of any permanent racing track. It does not hurt the fairs at all. They have proved that in New Hampshire and they have proved it everywhere.

I cannot shed too many tears for the State fairs. I like the State fair, but the State fair is getting now to be nothing but a tawdry sideshow. There is a small vegetable exhibit and oxen pulling. I like that. But that is getting to be a very minor part of the State fairs. You will notice that the race meets that come in the six weeks, they are not fair meets, they are special track meets put on by the fairs. There are no fairs held in July.

I would also like to point out to the House when you vote, that I was beaten to the gun by the man from Limestone, so the pending question is: Shall the minority report be accepted? If you want to vote for the bill you will have to vote "No."

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: We have had a lot of bills here that I did not know anything about and I think I know something about this subject. I want to say, I am supporting the motion of the gentleman from Limestone and, in doing this, I hate to oppose the opinions of some of the Members whom I most admire for their judgment, but, I think they are talking on something they know nothing about. I think this assumption that we are going to get a lot more money from pari mutuel betting is a bubble that is going to burst and I hope that it is not ear-marked for any of the things in which I am interested.

I could not help but think of a story as I sat here and listened to the proponents of this bill and perhaps many of you have heard it. It seems that they brought this violently insane patient into the hospital and, as he came into the

hall held by two attendants, he noticed the clock up on the wall and he stopped and his eyes bulged out and he said: "Is that thing right?" They said: "Yes." And he said: "What is it doing here?" (Laughter)

What I would like to say is this: I do not think that any one yet has touched on the feature of this bill. Now it seems funny to me that they all assume that they are going to get a lot more money by raising the take, that is, the part that they take out of each pari mutuel pool, from ten to fifteen per cent. There has been a lot of talk about horse here this afternoon but I think we have all heard this expression: "You can lead a horse to water but you can't make him drink," and, in my opinion, that is what is going to happen to a good many of our bettors when we start taking fifteen per cent rather than ten per cent out of the pari mutuel pool. I wonder how many of these persons realize how much difference it will make in the betting if we vote to take fifteen per cent rather than ten per cent of the amount bet. I checked the 1946 betting records and of the \$6,429,824 bet, there was \$3,187,445 bet at the \$5 and \$10 windows. Now, exclusive of the daily double pool, that was more than half of the money bet at all the races and fairs through the year 1946. Now most of this three million dollars was bet by the so-called big bettors. In my opinion, they will not bet in Maine if the take is fifteen per cent. Many of them formerly bet on the runners and the runners are going in New England every day that we race here.

I am in favor of many features of this bill. I believe the Commissioners should have more money but I believe that if we up the take fifty per cent and we take fifteen per cent instead of ten, we are going to take out fifty per cent more than we took out last year, we will lose the big bettors and clip the \$2 bettors who can not afford to lose. I think the proponents of this bill are going to be very disappointed if the bill passes. I think they will be surprised at the increase in the minus pools on their show bets and in how the volume of betting will fall off. In my opinion, the only fair way for the State to increase their revenue

would be to take two per cent more after some amount like \$200,000 has been bet each week but at no time to take more than ten per cent and the breakage from the public. All race tracks last year increased their betting over 1945 on an average of thirty-odd per cent except the tracks in New York City. These tracks took fifteen per cent out and dropped off twenty-five per cent in their betting from 1945. I am afraid we would not do so well if we took fifteen per cent.

The people in Maine, I have found, do not respond very well if they think they are being robbed and, without doubt, they will think that, if this bill passes. Now the only feature of this bill that I object to is the fifteen percent we take out. I am not kicking about who does the racing but I wonder if you people realize how this thing works out. We have, in my opinion, ten or twelve bettors in the State of Maine that bet about all of that \$3,000,000 through the \$5 and \$10 windows. Now, several of them have assured me that they will not make a bet in the State of Maine this year if we take out fifteen per cent and I believe them, and I cannot see why they would. For instance, if we go to a fair and bet two dollars, we hope to, at least get back four. Now, with fifteen per cent out, we get back \$3.80. Now, we hope that we might get a long-shot that would pay \$20, he would pay \$17.50 now. Now, the big bettor that will go bet \$200 to place and show, with a ten per cent take he gets back \$400; but he gets back just exactly \$375, if we take fifteen per cent out. Now, those fellows are not foolish. You might think because they bet on the horses that they are but they are people that have money and have retired, most of them, or they have a big business and some spare time. In my opinion, this Legislature will make a very serious mistake if they vote to take out fifteen per cent out of the pool, rather than ten per cent. That is the only thing I object to. I think you have all heard me say here at various times that I will not vote for any bill that I do not think is fair and I do not think that is a fair bill. I think that anybody is a sucker to bet on the horses anyway but I do not think that there are too many who will be suckers enough to bet when they know they are going to get this extra clipping.

The SPEAKER: The Chair rec-

ognizes the gentleman from Cumberland, Mr. Sweetser.

Mr. SWEETSER: Mr. Speaker and Members of the House: This is about the last subject that I expected to debate in this House. I have never had much interest in horse racing. However, my constituents have asked me to speak, at this time, and those constituents are members of the Cumberland Farmers Club signing this paper as Cumberland Fair and members of the Cumberland Farmer Club. You have seen seen their advertisements in the papers; you know that the Maine Fair Association is against this bill.

There are just a few points that I would like to make. First of all, the contention of the proponents, apparently, of this bill is that some \$3,000,000 will be bet if the program goes through. If you figure that out, that means an average of \$83,000 and some odd numbers every evening. Now you know that you are going to have some rainy evenings; you are going to have some cold evenings when some people just won't go. Now you will have to go a long ways to convince me that you will get any such figure of average betting as that no matter what sort of a program may be put up.

It is true that these local fairs for a long time faced financial difficulties and that applies to many of the fairs all over the State. When pari mutuel racing came along, it became possible for those fairs to get a reasonable sort of a financial satisfaction. They improved their grounds; improved their tracks; they built additional buildings on the fair grounds and they have done pretty well over a period of years but every one of these fairs will tell you that should they run into one rainy season, when several afternoon races were cancelled, they would find themselves in the red. They just can not go along year after year without favorable weather. They do not build up a back-log. Practically all of these fairs are spending what profit they make on their grounds and buildings.

Now the one argument that I believe we should consider carefully in this situation, is just what will it mean to the State of Maine? We are already getting a pretty good revenue out of pari mutuel betting. The men who support this advertising will tell you that if this race program, which is proposed as Gor-

ham, is carried out, there is not much question in their minds but what faster horses, better horses, better racing, will take place on that track. What will happen when those races are over and the fairs begin with their races—poorer horses, slower time, less interest, and that is bound to be the way year after year until, they believe, and I believe with them, that the total income from pari mutuel racing will be seriously cut down. Somebody may say: "Well, these horses will go on to the Maine tracks, the Maine Fair Association tracks, and race. They will be here in the State, you can carry them out to these other race tracks." But I tell you, Members, the owners of those horses are not going to put those horses on to the other tracks. We have a fine track down there at Cumberland; the track is all right; the stables are all right; they built those stables there this last year; they can take care of the horses, they are in good shape. That is not the reason. It is going to be the purses that are offered. Those Fair Associations just can not afford and they will not offer purses which will give us those high-priced horses.

Members, I am confident that this situation, even though we might get some little increase from it the first year, maybe the first two years, eventually it means the death of a satisfactory pari mutuel race program in the small fairs and that the total income over a period of years will decrease rather than increase. I hope that Mr. Burgess' motion will prevail.

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

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

The SPEAKER: The gentleman from Bangor, Mr. Webber, has moved the previous question.

In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

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

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members

present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now.

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

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

The question before the House, is upon the motion of the gentleman from Limestone, Mr. Burgess, that the House accept the Minority Report "A" "Ought not to pass" and the same gentleman has requested a division.

All those in favor of the acceptance of the "Ought not to pass" report of the committee 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: Thirty-eight having voted in the affirmative and eighty-one in the negative, the motion does not prevail.

The gentleman from Rockland, Mr. Sleeper, moves that the House accept the Majority "Ought to pass" report of the Committee.

Is the House ready for the question?

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

A viva voce vote being taken, the motion prevailed.

This being a printed bill, under suspension of the rules, it was given its two several readings.

Committee Amendment "A" being Legislative Document 1461, was read by the Clerk.

Committee Amendment "A" was adopted and the bill was tomorrow assigned for third reading.

On motion by Mr. Mills, of Farmington, a viva voce vote being taken, the House recessed until 7:00 P. M., E. S. T.

After Recess

7:00 P. M. E. S. T.

Called to order by the Speaker.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, House Majority Report "Ought to pass in new draft" (H. P. 1729) (L. D. 1462) with Committee Amendment "A" (L. D. 1463), House Minority Report "A" "Ought to pass in new draft" (H. P. 1729) (L. D. 1462),

House Minority Report "B" "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Pari Mutual Pools." (H. P. 475) (L. D. 277) tabled on April 28, by the gentleman from Portland, Mr. Bowker, pending acceptance of any report, and retabled earlier in today's session.

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

Mr. BOWKER: Mr. Speaker and Members of the House: This bill, being similar to the bill which was debated this afternoon, and has been disposed of, I now move the acceptance of the minority report "B" "Ought not to pass".

The SPEAKER: Is it the pleasure of the House to accept the Minority Report "B" "Ought not to pass" report of the committee?

The motion prevailed.

The SPEAKER: The Chair lays before the House the eleventh item of unfinished business, 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, acceptance of "Ought not to pass" report reconsidered.) tabled on April 28, by the gentleman from Greenville, Mr. Rollins, pending motion of the gentleman from Thomaston, Mr. Bell, to substitute the bill for the report.

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

Mr. ROLLINS: Mr. Speaker, I now move that we accept the "Ought not to pass" report of the committee.

The SPEAKER: The pending motion is the motion of the gentleman from Thomaston, Mr. Bell, that we substitute the bill for the report.

All those in favor of substituting the bill for the "Ought not to pass" report of the committee will say aye; those opposed, no.

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

On motion of Mr. Rollins, of Greenville, the House voted to accept the "Ought not to pass" report of the committee.

The SPEAKER: The Chair lays before the House the twelfth item of unfinished business (New Draft) Bill "An Act Relating to Liquor Licenses in Unorganized Territory." (H. P. 1679) (L. D. 1390). Original Bill (H. P. 1597) (L. D. 1251) tabled

on April 21, by the gentleman from Madison, Mr. DeSanctis, pending motion of the gentleman from Crystal, Miss Longstaff, to substitute the original bill for the new draft.

The Chair recognizes the gentleman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker, I move the substitution of the original bill for the new draft.

The SPEAKER: The pending question is the motion made by the gentleman from Crystal, Miss Longstaff, that the House substitute the original bill for the new draft of the committee.

Is the House ready for the question?

All those in favor of substituting the original bill for the new draft will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

This being a printed bill, under suspension of the rules, it was given its two several readings.

Mr. DeSanctis, of Madison, presented House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1597, L. D. 1251, Bill "An Act Relating to Liquor Licenses in Unorganized Territory."

Amend said Bill by striking out the underlined figure "25" in the 5th line of said Bill, and inserting in place thereof the following underlined figure and words: "20% or more of the"

House Amendment "A" was adopted.

The same gentleman presented House Amendment "B" and moved its adoption.

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

House Amendment "B" to H. P. 1597, L. D. 1251, Bill "An Act Relating to Liquor Licenses in Unorganized Territory."

Amend said Bill by striking out the underlined figure "50" in the 3rd line of the 2nd paragraph of that part designated "Sec. 21-A" of Section 1 thereof, and inserting in place thereof the underlined figure "25"

House Amendment "B" was adopted and the bill, as amended, was tomorrow assigned for third reading.

The SPEAKER: The Chair lays

before the House the thirteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Judiciary on Recommended "Resolve, Proposing an Amendment to the Constitution to Provide for an Increase of the Municipal Debt Limit to Ten Per Cent of the Last Regular Municipal Valuation." (H. P. 844) (L. D. 485) tabled on April 22, by the gentleman from Cumberland, Mr. Sweetser, pending acceptance of the committee report.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: I propose to ask for the substitution of the bill for the report of the committee, which is "Ought not to pass."

I would like to tell you a little about what has happened so this matter can be brought up to date in your minds.

There are several elements in this situation which are somewhat confusing and I hope that we can come to a clear understanding. Without mentioning dates, I will say that I have already discussed this bill with you. When it came from the committee in its original state, I told you that I would present an amendment if I could have your support. You very kindly gave it to me and the bill was passed as substituted for the "Ought not to pass" report of the Judiciary Committee. At that stage, it was tabled and the next day was referred back to the Committee on Judiciary. The purpose of that return to the Committee was so that the Committee could consider this bill along with the bill which had been presented by Senator Hopkins and was before the Committee for consideration. That Senate paper came to us last night with the unanimous support of the Judiciary Committee and was defeated in this House. This makes it, I believe possible to bring back to this House the original bill with Amendment "B," which I have prepared and which is on your desks, and it is my purpose to try to tell you exactly what is involved in this situation.

To begin with, this is a proposed constitutional amendment and a constitutional amendment requires a two-thirds vote for final passage. Of course, it means that this must be voted on by the people at the September election and, if

you care to read the old portion of the Constitution, you will find it on page 46, and I would like to read from that just enough to bring it up to the point where it appears on this document here with Filing No. 389.

This explains that "no city or town having less than 40,000 inhabitants, . . . shall hereafter create any debt or liability, which single or in the aggregate, with previous debts or liabilities shall exceed 5% of the last regular valuation of said city or town." And then it goes on to explain that cities over 40,000, which includes only the City of Portland, may go to seven and a half per cent on their indebtedness and provides how they may arrive at that situation.

Now, the purpose of this bill is explained entirely in the detail of change in the underlined section of the amendment. I would like to say in introduction to that statement, that we are, I believe, fully informed of the conditions of our school houses all over the State. The fact that thirty-two towns or communities have come to this Legislature, asking for school districts, primarily for the purpose of building school houses, is a definite indication that in this State the people are fully aware that their school buildings are out-moded; that new school buildings must be provided, and that soon. Furthermore, I wish to state that I happen to know, and I expect all of you know, of several communities where plans are on foot for further construction of school buildings. Here is a situation where most towns are not in a position to go into their present financial program and find sufficient funds to build. The present cost of construction is too high for them to take care of the building program which is essential to their towns.

The purpose of this legislation is to help these towns, particularly the towns which have not already asked for school districts. In my opinion, not less than one hundred different towns will come to this Legislature next session and ask for school districts unless a provision of this nature is on the statutes.

I would like to go over with you just what this amendment will cover. This says that "when the limitations above prescribed as to creation of debts or liabilities"—now that refers to the five per cent,

you understand—"would not allow or permit the borrowing of funds or contracting a debt or liability for the purchase of condemnation of land to construct schools thereon, or for the construction of school buildings and equipping the same, then cities or towns for such purpose only,"—now that is simple enough, it is supposed to be in reasonably good, legal language; I have tried to get the proper authorities to couch this, but to simplify, it simply says that if you can not get money enough on your debt limit, you may, for school purposes only, that is the building, the purchase of land, condemnation and purchase of land, and for the equipping of the building, and that is the only reason and the only purpose for which this extra five per cent may be used. Then the cities or towns for such purpose only are hereby authorized, in addition to the limits above prescribed, to create debts or liabilities which singly or in the aggregate with previous debts and liabilities shall not exceed an additional 5% of the last regular valuation." In other words, you may, under this provision borrow an additional five per cent to be used only for this one purpose, the building of schoolhouses, paying for grounds, and equipping the buildings.

Now, furthermore, in this amendment, "all debts or liabilities created for school purposes as aforesaid shall be amortized annually after creation thereof so that the debts or liabilities shall be fully paid within twenty-five years after the creation thereof," and provided further, and so on, going on with the Constitution as it is already in print.

Now, Ladies and Gentlemen, this situation to me means that most of these towns that are in need of funds can go out and borrow sufficient to actually construct the buildings. If you care to go down through the lists of school districts which were set up for the Committee this year, and if you wish to use this book of Maine Schools which was provided by the Department of Education, you will find that practically all of district funds which were asked for are within the extra five per cent debt limit.

There is one other item that I am anxious that you should under-

stand and that is that in this analysis, you will find that there are a few towns where the total indebtedness may run to as high as ten per cent. But in those towns, most of them are sufficiently out of debt, so that they could use the original five per cent provided for by the present Constitution.

I would like to compliment the Legal Affairs Committee on the fact that in many of these items which came to them, they discovered that the plan for refinancing, or paying off, the bond covered a fifty year period, some of them forty, and, as you will recall, most of those were amended so that they now come within the twenty-five year limitation, some of them within the twenty year limitation.

I feel, Ladies and Gentlemen, that here is an item which can not hurt any town. I do not care how much a town is in debt; I do not believe that those towns are going into town meeting and vote to build a school building unless it is very necessary and, if they do, they must set up a plan to pay off five per cent of their indebtedness the next year. Furthermore, I think that it will be a great help to the majority of the towns in the State of Maine. Therefore, Members, it seems to me that to those of you who feel that you do not care to use it in your town, it can do no harm; but those of you who feel that it will be a definite help, can definitely go home and say: "At least there is one thing that we did in that Legislature down there this winter that gives you a definite aid to your next year's program."

I would like to move that we substitute the bill for the report of the committee.

The SPEAKER: The question before the House is upon the motion of the gentleman from Cumberland, Mr. Sweetser, that we substitute the resolve for the "Ought not to pass" report of the committee.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: We have twice this year considered this question of increasing the debt limit set in the Constitution of the State of Maine. It has seemed good through the years to maintain a five per cent debt limit. You and I know that there are many individuals who will borrow and spend money to the limit of their private

borrowing capacity. The same individuals, if they predominate in a community, will borrow to the extent of the limit of their capacity in the municipality.

I would also like to call your attention to the fact that this morning we passed the bill allowing municipalities to combine and form community districts for school purposes, secondary schools. Under this proposed amendment, they would be allowed to borrow up to five per cent of the debt limit, up to five per cent of the valuation of the municipalities involved. That would allow a chance to borrow up to ten per cent in those towns which have created such districts. Should we substitute this bill for the report and adopt the proposed amendment, we then give them permission to borrow another five per cent. That would make a total of fifteen per cent borrowing capacity without coming to the Legislature. If you believe that is wise, that it is the safer proposition, you will vote to substitute the bill for the report. If on the other hand, you believe that we should limit the borrowing capacity to the present five per cent, you will vote against the substitution of the bill for the report.

Now, I believe that if we can accept the statements made in debate this morning, many of our smaller communities will combine, will create these community secondary schools. They may not borrow up to five per cent; in some instances they probably will have to, and it seems to me that we would do well if we, the members of the Legislature, retained control of the borrowing beyond this ten per cent.

The SPEAKER: The pending question is on substitution of the resolve for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Dixfield, Mr. Stetson.

Mr. STETSON: Mr. Speaker, I know this House is weary and I am not going to take any particular time on this question. You have all heard it debated and you will recall many of the points which were made in the debate before. Answering the gentleman from Auburn, it is true that the area school bill will take care of communities that are so situated that they can use this bill but it will not take care of the community that is of

sufficient size to warrant its own school building, it will have no effect on that whatever.

Let us take as an example a town outside here that has an eight-room wooden school building built twenty-five years ago, which probably cost them about \$25,000—if the school committee has been smart, they have it insured for \$50,000 but they probably have not been and they have only \$25,000 insurance—it burns up June 1st of this year. Now there is no town in the State of Maine today that can possibly reconstruct that building with wood or any other material within the five per cent debt limit of any town under a million dollars, probably a million and a half, which means that they can have no school facilities until they can get to another Legislature and ask for a school district.

I submit that the gentleman from Cumberland has a constructive and intelligent amendment to this bill and I also submit that so far as debt goes that the ability to pay should be taken into consideration, and when anybody contends that the debt-paying ability of the average town in Maine, today, is only five-sixths of its annual assessment which they raise for current expenses, to me it seems absurd and that is what we have today. Our average tax rate in Maine is approaching \$60 a thousand and in a town with a million dollars you can raise \$50,000 in debt and you are paying \$60,000 a year for your current expenses. I hope the motion to substitute the bill for the report will pass.

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

Mr. BROGGI: Mr. Speaker, a few days ago, on the floor of this House, it was the apparent consensus of opinion of the Appropriations Committee that any needed building program in the State should be built and amortized over a period of years. That is exactly what this bill does. The communities of the State who need adequate school facilities, who badly need new buildings, in this bill have to amortize that loan over a period of I believe twenty-five years. I think that the school housing facilities of Maine in many communities are very poor. I think this is a very good bill and I am going along

with Mr. Sweetser in his motion to substitute the bill for the report.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: I think the gentleman from Cumberland is sincere in trying to help the towns and save the Legislature some work, but I think the majority of these towns need that first five per cent to work on, and I doubt if very many could build any kind of a building in the five per cent there is left. I know when this bill came up before, I had a school district bill in, and that was listed as one of them that would not need to be in if the debt limit was ten per cent. But that was not so; that was an error, for this reason: What we asked for would come within the ten per cent, and there would not be any leeway for us to hire money to carry on our usual activities in building our roads, and so forth. But, in my opinion, the main reason why this bill should not be substituted for the report is this: I think any town that goes more than five per cent in debt; five per cent of their valuation, should be made debt conscious in some way.

Now, according to this bill, the town could hire an extra five per cent right in the regular channel; it would go to the selectmen or the school board. The thing that I like about the school district is the set-up. I think that it is possible to get trustees for a school district that will not serve on the board of selectmen of a town; people that do not want to be bothered for what they have to contend with being a selectman, but they will take a trusteeship in the school district.

In that way I think it is worth the trouble of the Legislature and worth the trouble of the representatives from the towns to come up here and go before the Judiciary Committee and get a school district, or the Legal Affairs Committee, and therefore I cannot see the need of the Constitutional amendment on this. I hope that the motion does not prevail.

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

Mr. PATTERSON: Mr. Speaker and Members of the House: I have been a selectman in the town of

Freeport. When I first went in there they were in debt. It took me about four years to get them out of it, all because of irresponsible people who would not take care of their own things but who wanted to get the town in the same kind of a condition.

That has been the only thing that has kept a lot of towns from going into bankruptcy and coming back to this State. I am opposing this bill on the general principle that you can keep your towns in shape a good deal better if you have just that five per cent limit and they will keep down. There is no question of anybody going to build at the present time; they would not build under these conditions, and if anything comes up two years from now they can come before the Legislature and get that same thing done then if they want to, the same as has been done this year. I do not want to see any more of these towns same as we had two or three years ago coming back in here for the State to take over, and I do not believe that anybody else does in this Legislature.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: I feel the same way about this amendment that I did about the amendment which was offered last evening. I consider that the best safeguard a town can have is the foresight and care of competent town officials, plus the individual attention of the Legislature to such bills as may be presented. I consider that the present clauses in the Constitution are sufficient for our needs and that there should be no change. I hope that the motion to substitute the bill for the report will not prevail.

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

Mr. SWEETSER: Mr. Speaker and Members of the House: I am a little surprised to hear this opposition from members of the Legislature who have said nothing whatever in opposition to any of these school districts.

We have in our list here school district plans which allow a town to go to almost thirty per cent of their indebtedness. There has not been one voice raised in all this

discussion of school districts indicating that the members of this Legislature in any way objected to how much a town might go in debt. Any of you can study that out. I am not going to bother to go into the details of figures, but there are many of them that are over twenty per cent, and there are some, one or two in particular, that go to — one of them I think I had figured out here goes to thirty-two per cent.

Now, Members, let me say this: So far as the school districts are concerned, and I am saying this to the members who have been interested and working for school districts in their own towns, I have the word from the Attorney General's office that as far as the school districts that are already formed are concerned, providing those are adopted in the town, before this amendment becomes effective after the September election, it will not affect in any way the indebtedness set up by those school districts. They may go along with their school district plan. It would be absurd, I think, for any of those towns or for us to think that any of those towns would add another indebtedness, provided by this proposed amendment, in addition to the school district bill which they have already set up.

I hardly see how any town would set up an indebtedness which was suggested that might possibly come to fifteen per cent on any of this plan. This is positively only five per cent in addition to the five per cent now. It is positively limited to a school building program. Now, Members, I do not see how you can argue very strongly to raise any objection to a town having somewhat more money on their loan account when you figure that the value of the dollar today is way out of sight in comparison with the value of the dollar when this five per cent Constitutional amendment was originally prescribed.

Members, when you vote, I ask for a division.

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

Mr. PLUMMER: Mr. Speaker and Members of the House: I represent one of the towns that secured permission this year for a school district. I think we were very for-

fortunate in securing the legal advice and attention of the ten members of that committee. I think in practically all of these proposed school districts there were these legal members who found some law and these papers were drawn up. I think from that angle that we were mighty fortunate in being able to bring it before a committee of that sort rather than trying to put it through in our town without such advice. Therefore, I am opposed to this.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Cumberland, Mr. Sweetser, that the House substitute the Resolve for the "Ought not to pass" report of the committee. The same gentleman has requested a division. All those in favor of substituting the Resolve for the "Ought not to pass" report of the Committee, will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Forty-three having voted in the affirmative and 62 in the negative, the motion did not prevail.

The SPEAKER: Is it now the pleasure of the House to accept the "Ought not to pass" report of the Committee?

The motion prevailed, and the "Ought not to pass" report of the Committee was accepted.

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

Mr. MILLS: Mr. Speaker, I move we reconsider our action whereby earlier in today's session we enacted Item 11 on the Enactors on the calendar, being "An Act to Incorporate the Lubec Sewerage District (H. P. 465) (L. D. 271). I may say this is merely to make a technical correction.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that the House reconsider its action taken earlier in today's session whereby it passed to be enacted "An Act to Incorporate the Lubec Sewerage District. (H. P. 465) (L. D. 271). Is this the pleasure of the House?

The motion prevailed.

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

Mr. MILLS: Mr. Speaker, I now move that this item lie on the table and be specially assigned for tomorrow morning.

The SPEAKER: The same gentleman now moves that this matter be laid on the table pending passage to be enacted and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled, and specially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the House the fourteenth item of unfinished business, Bill "An Act Creating a Sewer District in the Town of Sanford." (H. P. 1643) (L. D. 1335). In House, read the third time, tabled on April 22nd by the gentleman from Shapleigh, Mr. Gallant, pending passage to be engrossed. The Chair recognizes the gentleman from Shapleigh, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, I have a small amendment which I would like to attach to this bill, and I ask that this matter be tabled and later assigned to today's session.

The SPEAKER: The gentleman from Shapleigh, Mr. Gallant, moves that this matter be laid on the table, pending passage to be engrossed, to be taken up later in today's session. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The SPEAKER: The Chair lays before the House the fifteenth item of unfinished business, Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines." (H. P. 1365) (L. D. 987), tabled on April 25 by the gentleman from Farmington, Mr. Mills, pending first reading. The Chair recognizes the gentleman from Farmington, Mr. Mills.

On motion by that gentleman, the bill was given its two several readings.

The Clerk then read Committee Amendment "A" as follows:

Committee Amendment "A" to H. P. 1365, L. D. 987, Bill "An Act Giving Commissioner of Agriculture Authority to Establish Quarantines."

Amend said Bill by striking out in the 5th line of that part designated "Sec. 156-A" the underlined word

"duty" and inserting in place thereof the underlined words **'has not'**

Further amend said Bill by inserting in the 16th line of that part designated "Sec. 156-A", after the underlined word **"States"**, the underlined words **'or the commissioner of agriculture of the state of Maine'**

Further amend said Bill by striking out all of that part designated "Sec. 156-B" and inserting in place thereof the following underlined section:

'Sec. 156-B. Notice. The notice of any hearing to promulgate, and the rules and regulations promulgating any quarantine provided for in the preceding section shall be by one publication in one or more newspapers in circulation in the area to be affected or in the state newspaper.'

Further amend said Bill by striking out all of that part designated "Sec. 156-C" and inserting in place thereof the following underlined section:

'Sec. 156-C. Penalty. Any person violating any of the provisions or any quarantine, or rules or regulations supplemental thereto, issued by the commissioner of agriculture in pursuance of section 156-A shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.'

Committee Amendment "A" was adopted, and the bill was assigned for third reading tomorrow morning at nine o'clock.

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" Committee on Taxation on Bill "An Act Relating to Excise Taxes on Motor Vehicles." (H. P. 1359) (L. D. 960), tabled on April 24 by the gentleman from Limestone, Mr. Burgess, pending acceptance of the report. The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker: I move that this matter be tabled for consideration until later in today's session, due to the absence of the gentleman from Limestone, Mr. Burgess.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that this matter be laid on the table, pending acceptance of the

Committee report, and considered later in today's session. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act Relative to Hunting, Fishing and Guides' Licenses." (H. P. 1728) (L. D. 1464), tabled on April 28, by the gentleman from Anson, Mr. Sharpe, pending passage to be engrossed. The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker, I move that Bill "An Act Relative to Hunting, Fishing and Guides' Licenses" pending passage to be engrossed, be indefinitely postponed.

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

Mr. WIGHT: Mr. Speaker and Members of the House: As a member of the Fish and Game Committee, I would like to give you the reasons for this bill.

At the present time the revenue from licenses is not sufficient to pay the operating expenses of that department. During the past five years the Legislature has made appropriations available to that department of an average of about \$200,000 a year.

This bill will adjust those licenses so that there will be sufficient revenue to make that department self-supporting, including the five new hatcheries which will soon be in operation. If all of our departments were on this basis, we would not be in trouble here today trying to find taxes, something to tax, so that those departments could have the money.

Speaking about hatcheries, tremendous pressure has been brought to bear on all the streams and ponds and lakes of this State during the past few years when we consider that the number of fishing licenses issued in 1937 was 122,000 and in 1946 it was 231,000, or nearly twice as many, so you can see what happens to our fish, and why it is necessary to put more in our streams and ponds.

At the present time our hatcheries are turning out between six and eight million fish a year. When these five new hatcheries are in operation there will be added to this output approximately fourteen million fish, which will make a total

output of about twenty to twenty-two million fish a year that will be planted in our ponds and in our lakes and streams.

I believe there is nothing that I know of, at least that one gets more out of than he does out of a hunting or fishing license. The average person goes to a theater and once in a while goes to the movies and pays around forty or fifty cents, possibly sixty cents, he pays twenty-five or thirty dollars a year probably to go to the movies. The people of the State of Maine spend millions on soft drinks, cigarettes and tobacco. For cigarettes, the bill in the State of Maine is around twenty million dollars a year I am told, and the cigarette tax is \$1,964,000, which is \$2.25 cigarette tax paid by every citizen to the State of Maine, including babes in cradles.

Now most persons with whom I have talked are willing to pay this increased license fee providing the money is used for the improvement of hunting and fishing in this State. We had a group of guides down here at the hearing, I remember, and they were perfectly willing to have their license fees raised. The users of the highway pay the gas taxes and registration fees for those automobiles for the use of those roads, and it is only fair that the fishermen and hunters pay for the Fish and Game Department. It seems to be fair for all.

We are faced with this alternative, either making an appropriation to this department, as is usually done, probably \$250,000, maybe more, for the coming year and the year after, or increasing these license fees according to this bill. I just want to emphasize that this bill puts that department on a self-supporting basis, and we will not have to make any appropriation for the department.

I hope the motion of the gentleman from Anson, Mr. Sharpe, will not prevail.

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

Mr. BOWKER: Mr. Speaker and Members of the House: Speaking from the appropriation angle on this particular bill, the Department of Inland Fisheries and Game asked for \$300,000 from the general appropriation for each year. It was brought up at the time of the hearing, at the time of the budget hear-

ing and at the time of the hearing before the Appropriations Committee, why cannot you get some of these departments on a more self-supporting basis?

It was felt that if this bill was passed, the appropriations would not have to be as large. There was allotted to them \$200,000 in 1945 and 1946, and the Appropriations Committee has appropriated to them \$100,000, anticipating that this bill would pass.

If this motion should prevail and this bill should be defeated, it would mean that you have to find another one hundred or one hundred fifty or two hundred thousand dollars. I certainly hope that the motion does not prevail.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: In supporting the remarks of the gentleman from Bangor, Mr. Wight, I would like to bring out a few figures which I think will show that these increases are justified.

If this bill was charging a fee to the boys and girls under eighteen years of age or for the people who cannot or who do not provide themselves of this privilege, I would not even think of voting for it. As you probably know, persons under eighteen years of age are not required to buy fishing and hunting licenses.

Under this bill, a person would pay two dollars for a hunting license and two dollars for a fishing license. I should say \$2.25, for twenty-five cents is to be retained for the Clerk who sells the license; the take to the State would be two dollars.

For that two dollars, a person buying a hunting license has the privilege of killing twelve pheasants during the season, twenty-five partridges, eighty-eight woodcock, one hundred eight squirrels, five hundred twenty rabbits, and one deer. Now I do not say that the person who buys a hunting license would kill all this, but they would have the privilege of doing so.

If you figured this on a dollars and cents basis, the pheasants are worth approximately three dollars apiece, and although you cannot sell them, they do have a value. They would be worth approximately three dollars a piece or thirty-six dollars for the season. The partridges ap-

proximately two dollars apiece, or fifty dollars for the season. The woodcock at one dollar would amount to eighty-eight dollars. The squirrels at fifty cents, fifty-four dollars. The rabbits at fifty cents, two hundred sixty dollars, and the deer twenty-five dollars. You have a total value of five hundred thirteen dollars. That is not bad for a two dollar license is it?

Now in the case of a fishing license, you are entitled to fish one hundred fifty-eight days, including salmon, trout, white perch and togue. You have a total of eighty-six days on black bass. The limit on streams is seven and one-half pounds daily and the limit on lakes is ten pounds. That gives you an average of eight and three-quarters pounds per day, or a total of one thousand four hundred seventy pounds during the season. That is not bad for two dollars is it?

Now the hunters are willing to spend quite a lot of money in preparation for a trip. They will pay from forty to one hundred fifty dollars for a gun and equipment, and they will pay from \$1.25 to \$2.50 for gas. They will pay from three dollars to five dollars for liquor to bring on the trip. They will pay five dollars to fifty dollars probably in poker games at night. They will pay probably five dollars to ten dollars for ammunition to shoot at clay pigeons in preparation for that trip.

Now if they are willing to spend that money I do not see why they should have any objection to spending two dollars for a license.

Some of the State residents have some opposition to these bills, to these increases, and the main opposition is that they are not considered enough in this State. A lot of the streams and lakes are closed to them; in other words, they are open to fly fishing only, which is to the interest of the non-residents.

We know that we need more fish and game liberated in our State. We need more warden service. We are yelling our heads off about what the wardens should be doing when we know that he has four times as much work as he can do. We just have to spend a little more money if we want this hunting and fishing to be the sport that we dream about and that we talk about. It is good to talk and to emphasize the things that we have, but when we share them with the outsiders, the non-

residents, we must be ready to make them pay for it.

Now non-residents are willing to spend their time and money to come here to do their hunting and fishing. They do a great deal toward depleting our stock. Outside of the small fees they pay for the licenses they do very little in helping to replenish those stocks. They come here to fish and to hunt because they like it, and because the fish and game situation in this State is much better than it is in their own. Reciprocity at this point should not be considered, because other states cannot compare in their fish and game with ours. By making the license fees high enough for the non-residents, we make them feel that we have the goods and they will come just the same. And what if we should lose a few of them? We still would be gaining in the end because our depletion of stock would be much smaller and the increase in rates would take care of the other end.

This is our state. We live here and we pay taxes here. I believe that if non-residents want to share our privileges, they should pay for it. The attitude that we should take toward non-residents who want to make use of our grounds and our waters should be a ten per cent to ninety per cent basis; I mean ninety per cent our cost and ten per cent their cost. There is no reason why we should pay for the enjoyment of non-residents in this State.

I really believe that this bill is a good bill. Under these proposed increases, the department will receive approximately \$762,000 a year. This is based on a ten year basis, a ten year average. The expenses of the department in 1946 were \$730,000. This would leave a small amount which could be used in the operation of hatcheries and increased wardens.

Mr. Speaker, I hope that the motion of the gentleman from Anson, Mr. Sharpe, does not prevail.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I just want to state that the Sagadahoc Rod and Gun Club of Bath, composed of over two hundred fifty members, wired me and told me that they unanimously endorsed this increase.

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

Mr. MELOON: Mr. Speaker and Members of the House: I feel that this is one of the most commendable bills that has come before us, when any one of the departments can become self-supporting, by a slight additional fee in the license, I feel that it is one of the most worthwhile things that we can adopt as legislators here.

I carry a Class C guide's license. I will pay two dollars more for that under this bill. Now I am perfectly willing to go out and equip myself, as most of us are, so that our fish cost us fifty or seventy-five dollars a pound and some of our deer cost us about that much. I think that the license fee is very, very low when we consider what we get out of it and what the increase will be. What we are paying for a regular license as residents here now, is only five dollars more for the out of state fellow that kills a deer and does all the other hunting and fishing. I think it is a very commendable bill.

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

Mr. MOULTON: Mr. Speaker and Members of the House: I think that the game department should be on a paying basis. Taking my friend's figures, Mr. Lacharite, the price of a deer, twenty-five dollars; in my town there are as many deer killed at night as there are in the daytime. I am in favor of seeing the twenty-five dollars deducted from the price that they get for the deer.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker and Members of the House: I very much appreciate the entertainment given here by the previous speaker, at the expense of the poor son-of-a-gun who may have to pay double the amount for a license which he previously has paid. I am convinced that the committee on Inland Fisheries and Game, and possibly some of the other members of this body, do not appreciate the fact that fish and game, fish and deer, in the State of Maine are a natural resource of the State of Maine, from which every person who is a citizen of the State of Maine realizes as much benefit as is realized by

the man or woman who fishes or hunts.

There are approximately forty thousand non-residents, who come into the State of Maine to fish and hunt, and each one of those people spend approximately one hundred dollars apiece. Now I think I am setting it low, that is an approximation, but I am going to say for an approximation that I think I am conservative, that they spend one hundred dollars apiece. I know there are men who come into this State from other states to fish and hunt who spend a thousand dollars while they are here. But assuming that they only spend one hundred dollars apiece on an average, there is four million dollars which is brought into the State of Maine from these out-of-state sportsmen.

Now the Committee is acting on the presumption that the Fish and Game Department should be self-supporting. Well, why don't you make the Welfare Department self-supporting? Why don't you make some of these other departments self-supporting? They want the Fish and Game Department to be self-supporting at the expense of the residents of the State of Maine who buy the licenses to fish and hunt.

Now this Legislature has approached the matter of taxation with a great deal of caution. They are playing the game sort of cagey; they are reluctant to pass a taxation measure; I expect that their reason is that they are reluctant to tax people any more than they have to. But on this bill they are doubling the tax on the one hundred fifty or two hundred thousand people in the State of Maine who buy the fishing licenses. They want to raise it from \$1.15 to \$2.15; that is for a single fishing or hunting license; and they want to raise the combination license from \$2.15 to \$4.25. I do not see where you can see any sense in that.

Taking the figures on the fiscal year July 1st, 1945, to June 30, 1946, there were a few more than 33,000 resident combination licenses sold in the State at \$2.00 each. They say two dollars here; as a matter of fact the people who bought them paid \$2.15; the town clerk got fifteen cents for two minutes work. It brought in a revenue of \$67,671.30. They sold 71,000, few more than 71,000 resident hunting licenses

which brought in a little better than \$71,000. Then they sold 67,000 resident fishing licenses, or a little more, which brought in a little more than \$67,000 into the State. Of course it cost the man that bought the license fifteen cents more than that on each license.

Now the revenue derived by the State from combination licenses, this is revenue, resident combination licenses and resident hunting licenses and resident fishing licenses, were \$207,000 or a little more. If they increase this, according to this bill, that revenue will be approximately \$450,000.

Now I do not object to the idea of the department having sufficient money to operate on, but in view of the fact that every citizen of the State of Maine whether he hunts or fishes, or whether he does not hunt or fish, benefits from the advantages of this natural resource which we have in the way of fish and game, I do not see how that you can consistently soak the man and woman who does hunt and fish for all the cost of operating this department. I think that is a most ridiculous thing. I think it is most inconsistent with the idea of this Legislature so far, which is reluctant to pass any kind of a tax bill at all, and yet you want to pick on the poor son-of-a-gun who wants to fish and hunt.

I am not too much in approval of the manner in which the Fish and Game Department is spending their money anyway. I have something here which may or may not be interesting. But here is an interview that was given to a game warden by the name of Piper who was a game warden for a good many years. I do not know—I have not read all of this myself. But this is what he said in reply to a question as to what he thought of this exorbitant increase in fish and game licenses. He replied, "Right now I am against the plan. Until the Fish and Game Department can show results, why should Maine fishermen have to pay more for a license? Why should we pay more for less? I know you know that the average Maine fisherman would be glad to pay five dollars a year for a license if he were sure that such a license would assure good fishing. Right now, however, I think the State should improve the situation. After that, there will be time to talk of boosting license fees."

Now briefly, Ladies and Gentlemen, this is absolutely unfair, to increase this license fee to this extent. Our fish and game advantages are just a resource of this State. Everybody in this State, whether they fish or hunt, they profit by that resource.

Now I know plenty of people who when they buy a fishing license or a hunting license or a combination license, they do not use it more than a day. It is not fair to load this taxation onto those people in an unfair way; it is not equal.

If the Fish and Game Department needs more money, let them get it from the regular source. There is no reason why the Appropriations Committee should not appropriate or recommend the appropriation of a sufficient amount of money to carry on whatever work is necessary in the Fish and Game Department. If they cannot, let them discontinue the Fish and Game Department, rather than put the load onto a few people. It is not fair.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like for a moment to tell you of something that happened in my presence last fall. I was in the City Clerk's office in Lewiston getting my own license. Next to me stood this woman whom I had known for a great many years. "How do you do?" "How do you do. How are you?" "Fine." "What brings you out today?" "It is my husband's birthday. He is getting out of work this afternoon at four o'clock. I thought I would give him a present. I thought I would buy him a hunting license." That couple had eleven children. That is his birthday present. That man for years has been working on a day shift, working from twelve to seven, running home during the hunting season, going out chasing rabbits, and I guarantee there is no target practice for him. The only kind of target practice he knows is buying shoes for those kids. Shoes for Paul one day, shoes for Henry the next week, skip that week to pay the gas bill and the light bill, and buy shoes for Junior the following week.

I went up hunting last fall. I was privileged to go hunting with the United States Attorney General, Tom Clark, and I guarantee that license fee did not bother any of us. Jibing with the statement made by

my friend, Mr. Sharpe, I found plenty of people there, some out-of-state, and I know the license did not bother them. They were dropping plenty of money in Maine and why tack an additional; why double the fees? I am not speaking about that fellow; I am speaking about that little fellow, the thirteen thousand and shoe and leather workers in my community; that fellow who goes up to get his hunting license, reaches into his pocketbook and counts out those dimes and nickels and pennies to get that license. The real lover of sport; not me; I did not go up there to hunt; I did not go up to Machias to hunt the year before; I did not go up to Cherryfield to hunt the year before that. I went up because Jim was going; I wanted John to come along, and I was proud to go along on this one last year. But I have seen them walking along the by-ways and highways, not with one hundred and fifty dollars worth of equipment, but with the same equipment that they got out of the mill and the shoeshop with. The real lover of sport. The fellow that gets up there and cuts off a branch, a little twig off a tree, twenty-four or sixty-four, what is the difference? He ties a string to it and throws it in there and hopes he will get one. That is the fellow who gets the big one; the fellow who cannot afford to pay that fee.

I would say this: I will go along with this if it possibly can be amended so that the fellow who can afford that high, expensive gear, charge him plenty; charge me plenty because I do not go fishing to catch fish. I do not go hunting to shoot deer; I go for the same reason that a lot of us go, and I most heartily hope that the motion of the gentleman from Anson, Mr. Sharpe, prevails.

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

Mr. JORDAN: Mr. Speaker and Members of the House: The Committee gave this bill very careful consideration. We had no opposition. Most of our fish and game clubs, in fact all—I will speak for my own territory now—heartily endorsed this measure, and I do think this: That any time that any department can be put on a self-supporting basis in this State, it is a very good move. As far as the idea of getting up here and howling about the poor man and a lot of shoes to buy and everything else, I

do not believe there is a man in the State of Maine who really wants to go hunting or fishing that will not pay two dollars for a hunting license. We all want good hunting and fishing. We cannot have it unless we pay for it. We must have wardens to enforce the laws which we legislators have put on the books in the past.

Therefore, if we are going to have warden service, fish hatcheries, and all that goes with it, we must pay for it. I have found very few people in the State of Maine who have talked against this measure. I do not think it would cost anyone very much to help out in a small way in making this department self-supporting.

It might be that other departments could be put on the same basis in the near future, and I hope that the motion of the gentleman from Anson, Mr. Sharpe, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker and Members of the House: I have a letter here written February 27, 1947, to Hon. Levi E. Patterson, Representative to the State Legislature, State House, Augusta, Maine. Dear Mr. Patterson: "At the February Meeting of the Freeport Fish and Game Association, after a discussion concerning increasing the fees for hunting and fishing licenses, a vote was taken strongly in favor of the increase." I think there was about one hundred there and there was only a few objected to it.

Now I go hunting myself and I go fishing, and I am willing to pay that and I think most any sport in God's world who likes to hunt and fish would be. If we are going to have hunting and fishing you have to have something besides their shooting into the air. You also have to have wardens to stop the illegal shooting. You will find you have to have more wardens than you have now. The fact is, if I was going out hunting I would want three or four with me so I would not get shot myself after dark. You are more liable to get shot if you are alone than if there are two or three because you could protect yourself if there were three of them. I should not want to go alone myself in some of these places at night.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I merely want to say that I am Chairman of the Legislative Committee of the Cumberland Fish and Game Association, an organization of somewhere from five hundred and fifty to six hundred members, and those men are in favor of this increase, and they are all fishermen.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Byron.

Mr. BYRON: Mr. Speaker and Members of the House: Of course we realize when we go hunting or fishing that the license is a small part of the cost. What we try to do in setting up these licenses is to make them comparable to the provinces and states around us. I think that is what we have done.

We have three fish and game associations in our county; one with around sixteen hundred members; another with six or seven hundred members; and a third with two hundred members. There was no opposition from those at all. I have contacted several people in my own community and they have all agreed that this was a good bill; that the license was not too high.

I hope the motion of the gentleman from Anson, Mr. Sharpe, does not prevail, and when the vote is taken I ask for a division.

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

Mr. FOWLER: Mr. Speaker and Members of the House: There is quite a lot of food for thought in the remarks of the gentleman from Brunswick, Mr. Lacharite. It made me think quite a bit of the horse and rabbit story that the gentleman from Rockland told some time ago. Nevertheless there is a lot of food for thought there.

I am speaking simply for myself. I belong to several game clubs and I hunt and fish a lot. There is not a man in this House that enjoys it more than I. I was brought up that way. My father used to drag me on a sled when I was five years old out on the ice field fishing. I love it.

Last Sunday I went to Belgrade Lakes. I did not join the fishing derby; I was too late to join; I was detained in town. Nevertheless I went up to see them award the

prizes and see the fish that were caught. It was a very cold day; they did not get too many fish, but there were some sixteen hundred fishermen up there. Everyone seemed to be enthused even though it was bitter cold. They caught some very good fish.

On the way back, I had my wife and little boy with me, and we were coming down this side of Belgrade, between Belgrade Lakes and Belgrade Village, and a buck deer and two does ran across the road into a field and they stopped. It was worth the price of the additional amount that they are tacking onto this hunting and fishing license to see the expression on my son's face. I only hope, if this measure is passed, that the deer will increase and I would be willing to pay the amount; it is well worth it.

Another thing that I would like to see, I would like to see it tried out, there is a question in my mind whether it would work or not, is these rearing pools which I think the Commissioner has spent a lot of time on, and which he wants to develop and is about to develop. I would like to see whether they produce or not. I think it is well worth while to give them a chance. I trust that the motion of the gentleman from Anson, Mr. Sharpe, to indefinitely postpone will not prevail.

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

Mr. JORDAN: Mr. Speaker, and Ladies and Gentlemen of this House: Two years ago I sponsored a bill to raise the fishing and hunting licenses. I sponsored it with the backing of the York County Fish and Game Association. They at that time felt that the Department should be on a paying basis, and I am sure that they would be proud and pleased to know how many fish and game associations are coming around to their view.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cousins.

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

The SPEAKER: The gentleman from Fort Kent, Mr. Cousins, has moved the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the

motion for the previous question will rise.

A division of the House was had. The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Anson, Mr. Sharpe, that Bill "An Act Relative to Hunting, Fishing and Guides' Licenses (H. P. 1728) (L. D. 1464) be indefinitely postponed. The gentleman from Hollis, Mr. Byron, has requested a division.

Those in favor of the indefinite postponement of this measure will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Seventeen having voted in the affirmative, and 74 in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: Is it now the pleasure of the House that the bill be passed to be engrossed?

The motion prevailed, the bill was passed to be engrossed, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on "Resolve, in Favor of Harold E. Poland, Jr., of Damariscotta." (H. P. 1149) (L. D. 840), tabled on April 29th by the gentleman from Nobleboro, Mr. Palmer, pending acceptance of the report of the Committee.

On motion by that gentleman, the House voted to accept the "Ought not to pass" report of the Committee.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on "Resolve in Favor of E. E. Webber, of Rockland." (H. P. 1271), tabled on April 29th by the gentleman from Rockland, Mr. Sleeper, pending acceptance of the report of the committee. The Chair recognizes the gen-

tleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: The action that the Committee took on this Resolve "Ought not to pass" was due to the fact that the car that was involved in this deer accident was a Massachusetts registration. The State does not have reciprocity with Massachusetts on deer claims.

I took it up with the gentleman from Rockland, Mr. Sleeper, and he informs me that this gentleman, E. E. Webber, was in the Coast Guard stationed out of Boston and had his car registered in Massachusetts, but he is a resident of Rockland and owns property and lives there.

The Committee would like to have this Resolve recommitted to the Committee for further consideration.

The SPEAKER: The gentleman from Madison, Mr. DeSanctis, moves that this Resolve be recommitted to the Committee on Claims. Is this the pleasure of the House?

The motion prevailed, the Resolve was recommitted to the Committee on Claims, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Report "Ought not to pass" from the Committee on Claims on "Resolve, in Favor of Lucy L. Fairchild, of Maplewood, New Jersey." (H. P. 26), tabled on April 29th by the gentleman from Boothbay Harbor, Mr. Perkins, pending acceptance of the Committee Report. The Chair recognizes the gentleman from Aurora, Mr. Silsby.

Mr. SILSBY: Mr. Speaker, in behalf of the gentleman from Boothbay Harbor, Mr. Perkins, who was unable to attend this session, I move the acceptance of the "Ought not to pass" report of the Committee.

The SPEAKER: Is it the pleasure of the House to accept the "Ought not to pass" report of the Committee?

The motion prevailed, and the "Ought not to pass" report of the Committee was accepted.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, Bill "An Act Creating Woods Products Research Service Center." (H. P. 1725)

(L. D. 1453), in House, read the third time, tabled on April 29th by the gentleman from Greenville, Mr. Rollins, pending the motion of the gentleman from Rockland, Mr. Sleeper, to indefinitely postpone the Bill. The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I trust that the motion does not prevail. This bill to create a Woods Products Research Service Center had a fair hearing. There were many proponents for the bill and no opponents.

This is a bill which is some like the blueberry bill, the blueberry tax. The industry wishes to tax themselves for the betterment of their industry.

In addition to the public hearing here on this bill, it is a product of your Research Committee, the Special Interim Research Committee on Forest Service. They held over the State three meetings, advertised, and the interested parties all notified. One at Bangor, one at Rumford and one at Portland, and they were well attended by some two hundred interested persons, and each and every one was in favor of this bill. It was the industry itself which wished to tax themselves for their own future benefit.

I trust that the pending motion to indefinitely postpone does not prevail.

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

Mr. BELL: Mr. Speaker and Members of the House: I would like to table this and specially assign it for tomorrow morning.

The SPEAKER: The gentleman from Thomaston, Mr. Bell, moves that this matter be tabled and specially assigned for tomorrow morning, pending the motion of the gentleman from Rockland, Mr. Sleeper, to indefinitely postpone the bill. All those in favor of the motion will say aye; those opposed no.

A viva voce vote was had.

The SPEAKER: The Chair is in doubt. All those in favor of laying this matter on the table will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

Thirty-three having voted in the affirmative, and 49 in the negative, the motion did not prevail.

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

Mr. BROWN: Mr. Speaker and Members of the House: I am tired, and I am sure everybody else here is too. We have had a long day, and although I am vitally interested in this bill, I will be very brief in my remarks.

This legislation has had a lot of study. The interim commission on forestry studied this problem for two years, and we felt, the industry felt that we would like to have a laboratory whereby we could do research work and take care of the waste in forest products. As you know, the waste in lumber operations and manufacturing operations runs as high as eighty per cent in some operations. However, we felt that this was not the time to build a laboratory or try to equip it. Costs are high. Therefore we thought at this time that we would ask for a Research Center and this Research Center is to be entirely financed by the industry itself.

To show you what this Research Center could do, I will read a clipping from a paper. "Sawdust Plastic Solves Wood Waste Problem. Durham, N. H. (UP) A new sawdust plastic has been created at the University of New Hampshire which has many uses and promises to solve the problem of salvaging sawdust and wood shavings in lumber operations.

"The new product, made by combining green sawdust with resin as a binder, is expected to use every bit of wood waste now lost in the forests when trees are cut down.

It is a low-cost, mass-production product. It can be put in a mold, shaped into whatever article is desired, heat-treated and painted exactly like wood."

That is just one thing that you can do if you study this waste problem that there is in lumber operations and woodworking manufacturing.

It is a good bill. There was no opposition in hearings. It had a fair hearing at Bangor, Rumford and Portland, where people representing the industry were called in and explained what was wanted to be done and they all agreed that they were willing to tax themselves to bring this about.

I have talked with the gentleman from Rockland (Mr. Sleeper) who objected to this bill, and now he has

agreed that it should be passed. I see no reason to indefinitely postpone this bill. I hope the motion to indefinitely postpone does not prevail.

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

Mr. BELL: Mr. Speaker and Members of the House: I do not agree with my colleague from Wayne (Mr. Brown). I think this bill creates another committee. It will cost the State money to go into this thing. I think now we have at the University of Maine at the present time set up a committee of research that will look into this matter, without going into the expense of creating another committee. Therefore I am for the motion of the gentleman from Rockland, Mr. Sleeper.

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

Mr. BROWN: Mr. Speaker and Members of the House: This Research Service Center will not cost the State of Maine one penny. It is to be entirely financed by the lumber operators and woodworking manufacturers plants in the State of Maine. They are going to tax themselves on long lumber and bolts to put across this Service Center for their own benefit and for the benefit of the industry.

It has been said and it is my understanding that this Service Center was to be housed at the University of Maine. I have been told that at the University of Maine they are crowded and have not sufficient room for this Service Center. I have been assured that if this bill is passed we will find a housing facility for this Service Center, even if we have to build ourselves a small office building either at the University of Maine or some other part of the state, but we are going to take care of this problem ourselves, the industry. It will not cost the State of Maine anything.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: I am not going to take more than a very few moments. A number of objections to this bill occur to me. There is just one I would like to call to the attention of the proponents and I would like to have it answered. I will not say that is an objection

that is unanswerable but it has aroused my curiosity.

I find that this tax in effect covers all products from wood, all manufactured wood products except one, pulp and paper. And yet I find that the pulp and paper industry is given representation on the advisory board. I wonder why they are given this special privilege. All other manufacturers of wood products will have to buy long lumber and bolts on the market and will be subject to this six cent and three cent tax, but the paper and pulp manufacturers will not. I would like to know why.

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

Mr. BROWN: Mr. Speaker, I would like to answer that question. The pulp and paper industry have agreed to contribute between eight and twelve thousand dollars to this Research Center. However, they are not being taxed because they operate their own research for their own industry, but they think so much of this bill that they have agreed to contribute from their funds eight thousand dollars as a minimum and twelve thousand dollars as a maximum for the next two years to help this Research Center. I hope that answers the question.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I might correct one perhaps misunderstanding. The motion was put by Mr. Sleeper of Rockland, but Mr. Sleeper of Rockland has no further interest in the bill. I spoke to Mr. Sleeper just before he left the House and I told him what I was going to do and he said it was absolutely satisfactory with him.

I might further say that this bill is something like—I have had quite a lot of experience in advertising our natural resources and advertising our area, the Moosehead Lake area, to bring in sportsmen to our area, to bring money to Maine to pay some of those out-of-state licenses we have just been talking about, and I have been at that for quite a few years. There are always those that sit along the roadside, who pump the gas, serve the meals, and take all the money they can get from these folks, but they do not contribute a nickel toward our method of advertising, our expenses

at the Boston Sportsmen's Show, the New York Show or what not. This bill just makes it fair for the entire industry. They all pay a small part toward the Research Center for the benefit of them all.

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

Mr. JORDAN: Mr. Speaker and Members of the House: There is just one section of the bill that bothers me quite a lot, Section 249. The State Tax Assessor to have authority to inspect. "The state tax assessor or his duly authorized agent shall have authority to enter any place of business of any manufacturer or any car, boat, truck or other conveyance in which lumber or novelties are to be transported, and to inspect any books or records of any manufacturer for the purpose of determining what lumber or bolts are taxable under the provisions of sections 244 to 253, inclusive, or for the purpose of determining the truth or falsity of any statement or return made by any manufacturer."

I believe this thing was copied from the O.P.A. law. That is enough to make me opposed to it.

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: Several statements have been made on this bill—they said it had a fair hearing—well, at the time this bill was introduced, I think there were three outside and I think there were six that were in the hearing. I do not consider that that was a fair hearing. There is probably at least two thousand mills that it will affect in the State, and I think they should have something to say about it. They further say that it will not cost the State anything. Well, the bill says they shall be paid, the committee, for what time they serve. I do not know—it sets up another committee and it may cost the State quite a lot. I hope the motion to indefinitely postpone will prevail.

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

Mr. FINNEGAN: Mr. Speaker and Members of the House: I believe that during my lifetime I have probably had as much contact with association activities that would promote the intent of this bill as

anyone. My membership in national, and local and regional associations covers the period of my lifetime.

Now most of this bill I am in complete sympathy with, but I think they are going far afield in this one. This work should be undertaken by a voluntary association of the people engaged in these various crafts, the novelties, hardwood, softwood or whatever. I hate to depart from my old friend Bob Cleaves—I believe he is the father of this bill—he had a lot to do with it—but here is a case where the manufacturers of hardwood, softwood, and so forth, are obliged to keep records, pay tribute to this Research Center, and if they should be guilty of making a false or an erroneous report they are subject to a fine of five hundred dollars. I confess to you that this is new legislation. We have done some fantastic things around this State House, but I hope this thing never becomes a law. If we cannot do this voluntarily, if the members of the industry having this in mind, and I am one of them, and I am for the intent of this bill, but to pass a bill here to force somebody into an association, to pay dues that they may be unwilling to go along with, for one reason or another, subject them to a fine of five hundred dollars, to oblige them to keep records,—they must have records here four time a year—they must tell how much they have on hand, and how much they ship the previous month,—I suppose there will be some deduction from what they ship from what they have on hand the next month—I do not know how they will arrive at that—and above all things there is no administrative staff, nothing provided for the enforcement of this bill. This is about as fantastic a bill, notwithstanding my good friend from Greenville and all the rest. I will contribute my full share to association activities. I am not seeking a free ride. I will join up with the group, but I be doggone if I will vote for a bill that will make a punitive fine on somebody here who may not be interested in the least bit. I think it is the most fantastic thing I ever read, no matter who is the sponsor of it. I hope the motion to indefinitely postpone prevails.

The SPEAKER: The Chair recog-

nizes the gentleman from Caratunk Plantation, Mr. Sterling.

Mr. STERLING: Mr. Speaker and Members of the House: Two and four years ago I was Chairman of the State Lands and Forest Preservation Committee. As long ago as four years ago, I heard this was coming. Two years ago we allowed them to get their foot through the door, by letting them have a research committee, and this is the product of the research committee.

Now, Members, talk about winging and dining. This bill has been wine and dined, both in the State House and out of the State House. It has been wine and dined enough to send my good colleague "Cleve" Sleeper out of the House, and when you can send him out you are going some. (Laughter)

Now this bill sets up a commission and I think you will find a berth for pretty nearly every man who was on that research committee where he will be taken care of in this bill. I do not think that the men sponsoring this bill know what they are doing. I do not know if they know a pine tree from a hemlock, or a birch from a poplar.

This bill was wine and dined up through to Katahdin Mountain last week. They said they were going up to look over fire hazards when there was four feet of snow on the ground. They said they were going to see about the bark in the hardwood when there was not a leaf on the tree and they could not tell a hardwood from a hemlock. And this is what we are getting out of one of these research committees that we are appointing.

I do not believe there is anybody in this House that knows anything about the woods or manufacturing that can go along with such a vicious piece of legislation as this. I have lived in the woods all my life and have worked around mills. I have had sawmills of my own, and cut millions of lumber and I do not know what anybody wants of anything like this in the State of Maine. It might be all right in New York or perhaps over in Japan or Germany or Russia, but I am telling you Members that we do not want it here in the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Smyrna, Mr. Benn.

Mr. BENN: Mr. Speaker and Members of the House: I was one

of the signers of the minority report on this bill. In my mind it is inexpedient at this time. The title of this bill is not alarming. It creates a tax for the mill owners only. It seems to me it would be unfair to pass it at this time. I hope the motion of the gentleman from Rockland, Mr. Sleeper, prevails.

Mr. BROWN: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? He has already addressed himself twice to the question.

Mr. BROWN: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Wayne, Mr. Brown, asks consent to address himself to the question for the third time. Is there objection? All those in favor of giving this gentleman consent will please rise, and remain standing until counted and the monitors have made and returned the count.

Fifty-seven having voted in the affirmative, and one having voted in the negative, fifty-seven being more than a majority, the gentleman was granted consent to address himself to the question the third time.

Mr. BROWN: Mr. Speaker and Members of the House: I feel that we have strayed far away from the intent of this bill.

I would like to make a motion at this time to lay this on the table until tomorrow morning, pending an amendment.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that this bill be tabled and specially assigned for tomorrow morning, pending the motion of the gentleman from Rockland, Mr. Sleeper. All those in favor will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had. Twenty-seven having voted in the affirmative and 56 in the negative, the motion did not prevail.

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

Mr. COLLINS: Mr. Speaker and Members of the House: This bill, it is true, I did not write. I did introduce it. I introduced it with the thought that it had considerable merit. The purpose of it, a Research Center, is I think a good thing for the lumber industry. I would be taxed under this bill, be-

cause I do operate a mill. For that reason I might not be as enthusiastic as some people that perhaps just wanted to put in a bill to make the other fellow pay.

Perhaps there is some question as to the extent that this Research Center could be used at the present time. As I explained when I spoke on the measure the other day, it is not a University of Maine bill. I have had so many bills relating to the University of Maine that I did not want to be accused of introducing this one in their behalf. I think I made that quite clear the other day.

The University is set up as the agency that would do the research. From the remarks of some of the members, I can see that there might be some question among small operators in filling out reports and things, but nevertheless I think that would be warranted if the Research Center was able to produce the results.

I do feel that there can be a lot of research done in the industry. I hope that the members of the Legislature will consider well their

action when voting on this measure.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Rockland, Mr. Sleeper, that Bill "An Act Creating Woods Products Research Service Center" be indefinitely postponed. The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Caribou, Mr. Collins, requests a division. All those in favor of the indefinite postponement of this matter will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Sixty-one having voted in the affirmative, and 24 in the negative, the motion to indefinitely postpone prevailed.

On motion by Mr. Mills of Farmington,

Adjourned until tomorrow morning at 9 o'clock, E. S. T.