

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Third Legislature*

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, May 1, 1947.

The Senate was called to order by the President.

Prayer by the Reverend Shibley D. Malouf of Hallowell.

Journal of yesterday read and approved.

**From the House**

Bill "An Act to Amend the Charter of Winthrop Water District." (H. P. 1640) (L. D. 1324)

(In the Senate on April 29th, 1947, passed to be engrossed as amended by House Amendment "C" in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed as amended by House Amendments "A" and "C", and now asks for a committee of conference, the Speaker having appointed as members of such a committee on the part of the House:

Representatives:

Marsans of Monmouth  
Collins of Caribou  
Carville of Eustis

In the Senate, on motion by Mr. Batchelder of York, the Senate voted to insist on its former action and join with the House in a Committee of Conference, and the President appointed as members of such committee on the part of the Senate, Senators Batchelder of York, Noyes of Hancock and Savage of Somerset.

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)

(In Senate on April 29th, 1947, passed to be engrossed as amended by Committee Amendment "A" in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed, and now asks for a Committee of Conference, the Speaker having appointed as members of such a committee on the part of the House:

Representatives:

Moulton of Livermore Falls  
Williams of Auburn  
Jalbert of Lewiston

In the Senate, on motion by Mr. Haskell of Penobscot, the Senate voted to insist on its former action

and join with the House in a Committee of Conference, and the President appointed as members of such Committee on the part of the Senate, Senators Haskell of Penobscot, Barnes of Aroostook and Boucher of Androscoggin.

Bill "An Act Relating to Control of Tuberculosis." (S. P. 529) (L. D. 1437)

(In Senate, on April 23, 1947, passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Miss Clough of Penobscot, the Senate voted to recede from its former action whereby the bill was passed to be engrossed, and concur with the House; House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

Bill "An Act to Create a Legislative Research Committee." (H. P. 1646) (L. D. 1332)

(In Senate on April 1, 1947, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, engrossing reconsidered; House Amendment "C" adopted, and the bill passed to be engrossed as amended by Senate Amendment "A" and by House Amendment "C" in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the Senate voted to recede from its former action whereby the bill was passed to be engrossed and concur with the House; House Amendment C was read and adopted, and the bill as amended by Senate Amendment A and by House Amendment C was passed to be engrossed in concurrence.

**House Committee Reports**

The Committee on Claims on "Resolve in Favor of E. E. Webber, of Rockland," (H. P. 1271) reported that the same ought not to pass.

Which was recommitted to the Committee on Claims in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of the University of Maine

for Buildings," (H. P. 80) (L. D. 68) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report and passed to be engrossed as amended by House Amendment A.

In the Senate:

Mr. SAVAGE of Somerset: Mr. President, in this bill, the Appropriations Committee was not against the bill. It was just that like many of the others, we did not know where the money was coming from, so we sent it out "ought not to pass." I have discussed it with the other members of the Appropriations Committee and we are not going to oppose it, at this stage. If it is the wish of the Senate to let this bill go along to the enactment stage and then decide whether or not we have any money for it, then it will be up to the legislature.

Mr. WELCH of Aroostook: Mr. President and members of the Senate, I move that we concur with the House in the substitution of the bill for the "Ought Not to Pass" report. The money which is being asked for under this bill is the same allocation which was given to the university at the special session of last summer but due to the referendum on the tax measure, it failed of passage. My remarks would be along the line of the Senator who has just spoken that we would like to see this bill pass along and at the proper stage before enactment we would place it on the table with the other measures and give it consideration and final decision at that time.

The motion to substitute the bill for the report prevailed and the bill was given its first reading; House Amendment A was read and adopted in concurrence and under suspension of the rules was given its second reading and passed to be engrossed in concurrence.

The Committee on Legal Affairs on Bill "An Act Relating to the North Haven Port District," (H. P. 1680) (L. D. 1386) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment A.

In the Senate, the "Ought to Pass" report was read and adopted in concurrence and the bill was given its first reading; House Amendment A was read and adopted in concurrence and under suspension

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

The Committee on Appropriations and Financial Affairs on 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) reported that the same ought to pass.

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

The Committee on Claims on "Resolve in Favor of Roby Littlefield, of Ogunquit," (H. P. 590) (L. D. 362) reported the same in a new draft (H. P. 1716) (L. D. 1448) under that same title, and that it ought to pass.

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

The Committee on Taxation on Bill "An Act Relating to Excise Tax on Motor Vehicles," (H. P. 11) (L. D. 10) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted in concurrence, and the bill read once; Committee Amendment "A" was read and adopted in concurrence, and under suspension of the rules, the bill as amended was read a second time and passed to be engrossed in concurrence.

The Committee on Legal Affairs on Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities," (H. P. 1511) (L. D. 1111) and Bill "An Act to Provide for Financing the Costs of Building and Equipping Community Schools," (H. P. 1510) (L. D. 1135) reported the same in a Consolidated Bill (H. P. 1733) (L. D. 1471) under title of Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities," and that it ought to pass.

Which report was read and adopted in concurrence, and the bill in new draft read once, and under suspension of the rules read

a second time and passed to be engrossed in concurrence.

The Committee on Inland Fisheries and Game on the following Bills:

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

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

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

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

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

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

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

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

The Majority of the Committee on Inland Fisheries and Game on "Resolve Permitting Fly Fishing in Certain Waters of Franklin County," (H. P. 1171) (L. D. 847) reported that the same ought not to pass.

(Signed)

Senators:

SPEAR of Cumberland

DAVIS of York

MacKINNON of Oxford

Representatives:

JORDAN of South Portland

HAYWARD of Machias

BYRON of Hollis

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(Signed)

Representatives:

CARVILLE of Eustis

SMART of Ellsworth

JUDKINS of Woodstock

WIGHT of Bangor

Comes from the House, the Minority Report adopted and the bill

passed to be engrossed as amended by House Amendment "A."

In the Senate:

Mr. MacKINNON of Oxford: Mr. President, I move that the Senate adopt the Majority Report "Ought Not to Pass" in non-concurrence.

Mr. BARNES of Aroostook: Mr. President, I rise in opposition to the motion to adopt this Majority Report of the Committee. As I have understood it this matter has been thoroughly discussed in committee all session. It is a matter that involves waters over in Franklin County. No opposition was expressed to the bill whatever. This is wholly a dictation from a department and it seems to me it would be unwise to go along with the majority report. There are other waters very near to these that are closed to everything but fly fishing and this bill asks for the same treatment in waters covered by it as those other waters receive.

I have listened around this State House all winter to some sort of a rule or regulation put out by the department that you can't close waters to anything but fly fishing. It seems to me that it is plain that bill of this nature are conservation measures. I have understood that the trout in these particular waters — and there aren't too many waters left in Maine that have trout in them — are small trout, many of them under the legal size take and with trolling bait those trout are caught and they try to release them and put them back and they die and float around in the water. Personally I don't like to take too much dictation from a department. I don't think there is any one rule which should govern the whole state of Maine. I think it would be just as reasonable to say that some department ruled that we should all plant our gardens on the 19th of April. Conditions vary throughout the state and in this particular instance I have satisfied myself at least, that this is a reasonable bill and a right bill and it should pass. I therefore oppose the motion to adopt the Majority Report of the Committee "Ought Not to Pass" and when the vote is taken I ask for a division.

Mr. SPEAR of Cumberland: Mr. President and members of the Senate, I think I should defend my position as a signer of the Majority Report "Ought Not to Pass". In the

first place this is class legislation. The department, with taxpayers' money has built a hatchery, that put out 900,000 fish last year to be planted in those waters out there. I think it is true that the department does not favor the bill. I don't know why they would. When the taxpayers pay to propagate fish and then have a bag limit and you can't fish with an angleworm but have to fish with a fly, it seems unreasonable to me. There are 27 streams and ponds up in that area and 17 tributaries totaling about 75 miles of water.

There are only 5 places where a person can troll or fish with anything but a fly and if this bill should pass without the amendment it would be pretty hard work to fish with anything but flies except in about 5 places. It also seems to me that if anybody in any part of the state furnishes money to propagate fish in that region they should have a chance to fish as they want to a limited extent. For that and other reasons which will probably develop later, I hope the motion of Senator MacKinnon will prevail.

Mr. CROSBY of Franklin: Mr. President and members of the Senate, my first term at the legislature was at the time when they were attempting to streamline the fishing laws in the state, and of course, being quite green I knew little of what was going on. But one of the Committee along the middle of the session came to me and said, "Here is a section up in your county that is rather being forgotten." I appreciated that very much. I went and talked with the chairman of that committee and he told me to go back and talk with the people of that area and find out their reaction and report to him. I did that. I spent an entire day in that section, contacted a cross section, and they wrote in ten or a dozen letters and the chairman took them and the committee took them under consideration and granted some of the requests. In the end, I believe it was necessary for that chairman to insist that if the recommendations of the committee were not included in the bill as it came out at that time that he would have to rewrite the bill himself.

I have always appreciated that and appreciated the fairness and and courtesy that that chairman extended to me at that time. I have known those waters and fished them

since before there was a road in that area and you had to take a trail and walk in. I have seen the road built. I have seen the fish gradually decrease from the time you could go there and catch a pound and a half or two pound trout to where you now fish a long time to get four or five trout eight inches in length.

At the time they streamlined these laws they had fly fishing on some of those waters. A short time after, they changed the regulation and after the change they left some waters in that area with a bag limit of ten or twelve trout, whatever it may have been, and another bag limit on a stream right side of it of four trout, so they knew that wasn't enforceable because nobody could tell, after you got the trout in your car, where you got them.

Our first thought in drafting this bill was to take that area and make fishing in every stream and the bag limit alike. I know at that time we were talking about that and it met with the approval of the warden in that area and I think except for the fly fishing, with the department. They felt it was a good thing, and made a workable law in that section.

Now so far as propagation of fish is concerned, I don't believe I should go into that too much because I know too little about it. I do have an article written by Dr. Smith, supervisor of the Department of Inland Fisheries and Game of the State of Minnesota, in which it says that they have found that the cost of rearing and distribution of seven to nine inch fish in Minnesota is approximately fifteen cents each, and that each hatchery trout which eventually reaches the fisherman's creel has cost approximately 60 cents. When a man goes out and catches ten trout in waters that the state has stocked with that type of trout, it costs the state approximately six dollars and I don't think the State of Maine can stand any such cost as that.

I do feel that the Fish and Game Department are doing all they possibly can. They want to see good fishing in the waters of our state. We have more fishermen now, probably fifty to one, to what we had twenty years ago and our waters are not in as good condition. They have cut off the forests so that streams that used to have a good flow of water haven't got it now,

and even though you stock them, there is a limit as to how many fish those streams will maintain, because they have to have food.

Now it seems to me that a reasonable amount of conservation is a logical thing for those streams. As to how that conservation should be done, we all perhaps vary a little in our thought. In this article they recommend in Minnesota that the bag limit be cut to a large extent and the people be able to fly fish as they think that is a conservation measure and something has to be done.

The people in this area, the taxpayers here—and I am going to say 95% of the fishermen going into that area—are in favor of this bill and I don't know of any reason why it is not a good bill. I would not be in a position to say what they should do in Moosehead Lake. I fish there very little. I do feel this way about it. If I go fishing, I expect to fish according to the law in that area. If I don't want to fish that way and obey the law, then I don't go into that area to fish. I go somewhere else. I think that in this case a large majority of the people who fish these waters through the state are in favor of this bill for fly fishing and with the same bag limit on all those waters.

I sincerely hope that the motion of the Senator from Oxford will not prevail.

Mr. DAVIS of York: Mr. President, as has been said, four years ago, heeding to the demands from all over the State, the members of the Inland Fisheries and Game Committee overhauled all of the special fishing laws on the books at that time. In order to accomplish this, they invited, asked for and received the cooperation from every section of the State, and every county had to give up something here and there in order to make it better for the State as a whole. While that bill was not perfect, by any means, it literally substituted simplicity for the confusion that existed at the time, regarding our laws.

Now, this bill before us covers a lot of ground and if you see fit to approve it, I am very sure that in the sessions to follow there will be many other bills of the same calibre, and it won't be but a very short while before we will be back to that confused state where it will take a Philadelphia lawyer to in-

terpret the laws to tell a person how, when and where to fish. I think it is true that this is class legislation. The issue seems to be, should we close practically all the waters in Franklin County so as to benefit a few people interested, or leave at least some of the waters so that all of the people, and especially the kids may enjoy fishing under the general law? I hope the majority report will be accepted.

Mr. WELCH of Aroostook: Mr. President and members of the Senate, I want to say that I am going along with the majority report of the committee, and as many of you know, in a few years past, through three sessions of the legislature I served on this committee. It has also been my privilege to have served with all three Senate members of this committee at different times and one thing that I always did have in mind was to try to stay away from class legislation, and on the bill they referred to four years ago we tried to straighten out the fishing laws so you would not have to bait fish down to a red stake on the right hand side, and fly fish down to a red stake on the left hand side. We tried to clear the laws up. A lot of time was put in on it, and as has been said, a copy of the proposed laws—before it was finally drafted, a copy of the proposed laws was given to every county for their consideration. I do sincerely hope the motion of the Senator from Oxford, Senator MacKinnon, will prevail.

Mr. BISHOP of Sagadahoc: Mr. President and members of the Senate, it seems to me we have two ideas before us for consideration; one to permit a certain type of fishing for certain people and another a conservation measure. When moose grew scarce around our State we saw fit to impose a closed season for an indefinite period of time. When pheasants grew scarce we did the same thing. A great deal of work has been done and pheasants have been raised and liberated and now we have an open season for a week. The same thing should be done for fish. If fish are scarce, we need to propagate them. If we want to let them grow and develop in our streams then we should impose a close season on them for a certain time. Our Fish and Game Department

spent a great deal of money propagating trout. These trout are raised in a pool. They are fed. They are tame. When a person goes near the pool the fish will come up toward him. They are looking for something to eat. When the trout are put in the streams they are still tame and a person walking along the shores, instead of the trout getting away and hiding as wild trout do, they come looking for something to eat. It seems to me it would be wise to close all streams for a year or two until those fish we have put in there become acclimated and can live by themselves. Apparently the motion made is such that this could not be done. I don't feel in a position to vote either way. It seems to me if we are going to do a real job here, that is what should be done.

Mr. MacKINNON of Oxford: Mr. President and members of the Senate, I signed the majority, "ought not to pass" report of the committee and I wish to state my reason for so doing. I have been interested in the boys and girls of the State of Maine and I want them to have the same privilege that I had when I was a boy. Under this bill you are closing 51 streams, to be closed to all fishing,—that are now open under the general law and that will mean that the boys living in the rural sections of Franklin County will have to go ten to 15 miles, and in some cases 25 miles before they will be able to fish on a stream or brook. Also under this bill, they are closing two of the largest bodies of water to fly fishing only and many of the lakes and ponds that are open now to bait fishing will also be closed to fly fishing only. Last year the Department planted 900,000 fish in the waters of Franklin County,—40,000 more than was planted in any other county in the State of Maine and it seems to me this is nothing more or less than class legislation. I hope the motion will prevail.

Mr. CROSBY of Franklin: Mr. President and members of the Senate, we have heard a great deal about streamlining the fishing laws in the State of Maine and I think there is some merit in that. However, after the streamlining took effect at the second legislative session previous to this — it is surprising to see the large number of those regulations that have been changed since then.

Now, up in this section, so far as the young boys and girls are concerned, they have got to be fairly good sized boys and girls to fish those waters because they have got to travel approximately 15 miles to get to that section. There is no community there, no settlement there—it is entirely wild land. The 51 streams they are putting regulations on, — it is changing the law on only six of those streams, and if I know the waters in that section, six of those places have had fly fishing previous to this, anyway, if I am not mistaken. As far as the streams are concerned there, there are only three streams in that area large enough to fish. The others are very small — they could be fished I suppose, but I know of nobody that attempts to fish the small streams. The three big streams that enter into those waters are being closed and two have already been closed and are closed at the present time to anything but fly fishing. Now, these waters are large for that area but they are very small waters in comparison to Rangeley Lakes, Cupsuptic and Kennebago and those waters, and they do have plenty of special regulation in Franklin County. This particular area they have not had such good luck in.

Mr. MacKINNON: Mr. President, at the present time there are eight streams open to bait fishing in the northern part of Franklin County which would be closed to fly fishing only under this bill. There is one thing I think Franklin County is famous for — they may be famous for many things — and that is chasing the legislators for private and special laws and the fish and game department for fish.

Mr. BARNES of Aroostook: Mr. President, I cannot let one thing go unchallenged which has been said to you by members of the Fish and Game committee when they talk about class legislation. Mr. President and members, if some private club existed somewhere, some angling club, and they came to the legislature and asked you to close waters to any except members of that club, it would be class legislation, but any law that applies equally to everyone in the State of Maine isn't class legislation. For some reason or other, even though the sponsor of the bill, who lives in Franklin County and knows all about it, and the Senator from Franklin County who also knows a



little something about fishing conditions up in that county, although they have come and told you it is desirable legislation and it is legislation they want, and as I understand it, there was no opposition to the bill except the opposition that has developed from the Inland Fisheries and Game committee who have taken it upon themselves apparently to streamline the State of Maine and make the waters in the State open to bait fishing, and so forth, they have come here and asked you to go along with them. I hope, Senators, when you vote on this proposition, you will bear in mind those who know the situation in that county, the representative and senator who live there, and come here and say it is good legislation and that it is legislation they want; and that no opposition was expressed by anyone except this committee. They call the Appropriations Committee the all-powerful committee. You and I have had experience with it, Mr. President. We have ten applications for the Fish and Game committee to one for the Appropriations committee. I don't like to see this, gentlemen, and I hope the motion, as I said before, fails.

Mr. CROSBY: Mr. President, I ask for a division.

Mr. MacKINNON: Mr. President, excuse me for arising a third time. The distinguished Senator from Aroostook, Senator Barnes, intimated that the only people interested in these particular waters are the people that are living up there. Sixty-five percent of the taxes paid in that section are paid by out of state residents and the most of the money is paid by taxpayers in Rumford and Mexico. I spend most of my time, week-ends especially, in that county. I know that territory very well and I know if it is passed, the people will do what they wanted to do four years ago — put on a referendum — and I don't want them to put a referendum on a bill of this kind.

Mr. CROSBY: Mr. President, I apologize for arising again. I would say there is great difference between the Rangeley region where my good friend, Senator MacKinnon spends his time, and the territory we are speaking of. I think if you will check the tax records in that region and the Rangeley Lakes region, you will see there is a dif-

ference in the amount of taxes paid by non-residents.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator MacKinnon to adopt the Majority Report, "Ought Not to Pass."

A division of the Senate was had. Eleven having voted in the affirmative and thirteen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Crosby of Franklin, the Minority Report "Ought to Pass" was adopted, and the bill was given its first reading. House Amendment "A" was read and adopted. Under suspension of the rules the bill was given its second reading and passed to be engrossed as amended by House Amendment "A" in concurrence.

#### Communication

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta

April 29, 1947.

Honorable Chester T. Winslow,  
Secretary of the Senate  
of the 93rd Legislature  
Sir:

Pursuant to Joint Rule 8, the Senate is hereby notified that the following Resolve which had been passed to be engrossed in the Senate, was today indefinitely postponed in the House:

"Resolve Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Fifteen Per Cent of the Last Regular Valuation of a City or Town." (S. P. 527) (L. D. 1436)

Respectfully,  
HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

Mr. Willey from the Committee on Claims on "Resolve in Favor of the Augusta General Hospital," (S. P. 176) (L. D. 525) reported that the same ought not to pass.

Mr. Spear from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Fishing in Tote Road Pond in Moro Plantation in Aroostook County," (S. P. 158) (L. D. 395) reported that the same ought not to pass.

Mr. Baker from the Committee on Legal Affairs on Bill "An Act

Providing for Inspection of Installation and Alteration of Elevators." (S. P. 350) (L. D. 982) reported that the same ought not to pass as covered by other legislation.

Which reports were severally read and adopted.

Mr. Murchie from the Committee on Claims on "Resolve in Favor of Nora B. West, of Steuben," (S. P. 39) (L. D. 1480) reported that the same ought to pass.

Mr. Willey from the same Committee on "Resolve in Favor of Hugh J. Andrews, of Waterville," (S. P. 30) (L. D. 1481) reported that the same ought to pass.

Which reports were severally read and adopted, the resolves read once and tomorrow assigned for second reading.

Mr. Murchie from the Committee on Claims on "Resolve in Favor of Harold G. Wyman of Pittston," (S. P. 119) (L. D. 1482) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted and the resolve was given its first reading. Committee Amendment A was read:

Committee Amendment A to L. D. 1482: "Amend said resolve by striking out the figures '\$62' in the second line thereof and inserting in place thereof the figures '\$31'.

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

Mr. Willey from the Committee on Claims on Senate Resolve (S. P. 264) (L. D. 716) "Resolve in Favor of the Town of New Sharon," included in Consolidated Resolve (H. P. 1741) "Resolve, Providing for the Payment of Certain Pauper Claims," reported that the same ought to pass.

Which report was read and adopted, and ordered filed, together with (H. P. 1741) "Resolve Providing for the Payment of Certain Pauper Claims," with the Secretary of State.

#### Passed to be Engrossed

Bill "An Act to Increase the Purposes and Powers of Bates Manufacturing Company and to Authorize it to Acquire the Assets of Bates Company." (S. P. 531) (L. D. 1446)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act to Amend the Pension Law for Members of Police and Fire Departments of the City of Waterville." (S. P. 545) (L. D. 1472)

On motion by Mr. Hopkins of Kennebec, the bill was given its second reading and on further motion by the same Senator the bill was laid upon the table pending passage to be engrossed and especially assigned for tomorrow morning.

#### Senate, as Amended

"Resolve in Favor of L. Archer Weymouth of Clinton." (S. P. 177) (L. D. 524)

"Resolve in Favor of Washington County." (S. P. 253) (L. D. 715)

"Resolve in Favor of William Reardon, of Sullivan." (S. P. 329) (L. D. 974)

"Resolve Providing for Maintenance of a Road in the Town of Lamoine." (S. P. 341) (L. D. 962)

Bill "An Act Relating to Baxter State Park." (S. P. 494) (L. D. 1362)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

#### Passed to be Enacted

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

Bill "An Act Increasing the Salary of Register of Probate in Androscoggin County." (S. P. 221) (L. D. 369)

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

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

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

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

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

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

Bill "An Act Relating to Increas-

ing the Maximum Payment in Aid to the Blind." (S. P. 488) (L. D. 1354)

(On motion by Mr. Cleaves of Cumberland, tabled pending passage to be enacted.)

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

(On motion by Mr. Cleaves of Cumberland, tabled pending final passage.)

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

(On motion by Mr. Cross of Kennebec, tabled pending final passage.)

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

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

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

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

"Resolve, in Favor of Maurice Watton 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)

#### Orders of the Day

The PRESIDENT: The Chair will appoint as conferees on the part of the Senate on the disagreeing action of the two branches of the Legislature on Legislative Document 1349, Bill, An Act Relating to Tuition for Pupils from Towns Not Maintaining a Standard Secondary School, the Senator from Cumberland, Senator Leavitt; the Senator from Aroostook, Senator Leavitt; the Senator from Aroostook, Senator Welch.

The President laid before the Senate, Senate Report from the Committee on State Lands and Forest Preservation on Bill, An Act Relating to Forestry Cutting Practices (S. P. 409) (L. D. 1158) Majority Report, "Ought Not to Pass", Minority Report, "Ought to Pass in New Draft" (S. P. 538) (L. D. 1455), tabled by Mr. Cleaves of Cumber-

land on April 30th pending motion by Mr. Murchie of Washington to adopt the "ought not to pass" report.

Mr. CLEAVES of Cumberland: Mr. President and members of the Senate, we never miss the water till the well runs dry. Forty years ago Theodore Roosevelt, then President of the United States, brought up the matter of our receding forests, which were then just starting. He stumped that all over the country yet nothing was done about it. 30 years ago Governor Pinchot raised his voice from the housetops on the same matter. Nothing was done about it. Ten years ago the American Forestry Association did the same thing and tried to appeal to the people of the United States and various legislators and Washington to take cognizance of the fact that their natural resources were disappearing. Today a little fellow by the name of Cleaves is whispering to the Maine State Senate and giving them warning that they must begin to take consideration of the disappearance of our natural resources. We never miss the water till the well runs dry.

For 300 years our forests have been subjected to continuous cutting and little thought has been given to our forest crop. Sound cutting practices are needed, gentlemen, so our wood products can be maintained at a high average. We never miss the water till the well runs dry.

Our soft woods are being cut 40% faster than they grow. Our hard woods are being cut 50% faster than they grow, and between the cutting of lumbermen, pulp people, and the devastation by the boll weevil, white pine blister rust, and the spruce budworm, the forests are receding and receding fast. We never miss the water till the well runs dry.

I don't know how many of us do, but we think naught of it, but we know that the majority of small towns in the State of Maine depend greatly upon forests for taxation purposes. The largest part of their revenue comes from the forests. Their forests are receding but what are they doing about it? Nothing. Absolutely nothing. We never miss the water till the well runs dry.

In southern Maine, gentlemen, beginning at the tipmost part of eastern Maine and running south,

our forests are being cut off as a farmer would cut his hay with a scythe. Many outsiders are coming in, especially box companies, and with their mills are cutting everything three or four inches in diameter. What are we doing about it? Nothing. We never miss the water till the well runs dry.

This matter is not only for the consideration of the State of Maine, but the consideration of the United States as a whole, and even Harry Truman made a speech the other day in which he stated, "If this country is to be sure of an adequate supply of forest products, it must stop destructive cutting and unwise depletion, and build up timber growth." We never miss the water till the well runs dry.

In Washington they have been arguing this bill right here, that thank goodness was killed in the Senate a short time ago. It is a wicked, vicious bill on cutting practices and their idea is to eventually incorporate the principles of the bill into every State in the Union, and if we don't do something here in our State and establish through legislation some form of forest practice, Washington will come through with a bill that will make anything we have in this bill we are talking on today look sick. It will make them look pretty bad when each tree has to be delegated that they cut. You never miss the water till the well runs dry.

Mr. President, I move this committee report be indefinitely postponed.

The motion prevailed and the committee report and accompanying papers were indefinitely postponed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Clerk Hire in the Office of the County Treasurer and County Commissioners in Androscoggin County (H. P. 1407) (L. D. 1022) tabled by that Senator on April 30th pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Clerk Hire in the Office of Clerk of Courts in Androscoggin County (H. P. 1406) (L. D. 1021)

tabled by that Senator on April 30th pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Clerk Hire in the Office of Register of Deeds in Androscoggin County (H. P. 1405) (L. D. 1020) tabled by that Senator on April 30th pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Clerk Hire in the Office of Register of Probate in Androscoggin County (H. P. 691) (L. D. 447), tabled by that Senator on April 30th pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Assistant Probation Officer and Clerk Hire for Probation Office in Aroostook County (H. P. 690) (L. D. 446) tabled by that Senator on April 30th pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on Judiciary on Bill, An Act Relating to Pensions of Annuities of Deceased Teachers (S. P. 233) (L. D. 644) tabled by that Senator on April 3rd pending adoption of the report.

Mr. BISHOP of Sagadahoc: Mr. President, I am now going to move the bill be substituted for the "ought not to pass" report of the committee.

I tabled this bill because it had direct relation to the retirement bill which is now pending before us. It seemed the committee was advised at the time of the hearing that if the major bill passed, this would be taken care of. I have found since that because of the age of a great many of these old teachers, it will not be wise or desirable for them

to change over and come under the new system, and for that reason, the wording of the bill before us should be changed. The committee was ill advised and I have discussed the matter with each of them. They recognize the correction that should be made and if you will open your books to Legislative Document No. 644 you will note the minor change that is suggested. It is simply to cut out "surviving husband or wife" and inserting in place thereof the word "beneficiary." Most of these old teachers are single and they would like in their contract to name the person who will benefit by their pension if anything happened to them. To simplify matters and clarify matters, it ought to pass.

The motion to substitute the bill for the "ought not to pass" report of the committee, prevailed, and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, House Report "Ought to pass as amended by Committee Amendment 'A'" from the Committee on Salaries and Fees on Bill, An Act Relating to the Salary of the Judge of the Lisbon Municipal Court (H. P. 186) (L. D. 134) tabled by that Senator on April 7th pending consideration of Committee Amendment "A"; and that Senator yielded to the Senator from Androscoggin, Senator Dube.

On motion by Mr. Dube, Committee Amendment "A" was adopted, and under suspension of the rules the bill was given its second reading and passed to be engrossed as amended by Committee Amendment "A", in non-concurrence.

On motion by Mr. Savage of Somerset, the Senate voted to take from the table, Resolve Providing for a Fish Screen at Outlet of Cobboscontee Lake, in the Town of Manchester (H. P. 1664) (L. D. 1367) tabled by that Senator on April 22nd pending final passage; and on further motion by the same Senator, the resolve received final passage.

On motion by Mr. Noyes of Hancock, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act Relative to Hunting, Fishing and Guides' Licenses (H. P. 1728) (L. D. 1464) was passed to be engrossed in concurrence.

Mr. NOYES: Mr. President, I have an amendment I'd like to offer to this bill, and for that reason I'd like to table it and especially assign it for tomorrow morning.

Thereupon, the bill was laid upon the table pending passage to be engrossed, and tomorrow assigned.

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, Bill, An Act Relating to Taxation of Savings Banks (H. P. 692) (L. D. 467) tabled by that Senator on April 23rd pending passage to be enacted.

Mr. HASKELL: Mr. President and members of the Senate, when I tabled this bill on the 23rd of April I had some faint hope that the other branch of this Legislature might favorably consider a combination tax, making this bill unnecessary. I now move this bill be passed to be enacted.

The motion prevailed, and the bill was passed to be enacted.

On motion by Mr. Welch of Aroostook, the Senate voted to take from the table, Bill, An Act Relating to Increasing the Maximum Payment in Old Age Assistance (S. P. 487) (L. D. 1355) tabled by that Senator on April 22nd pending consideration of Senate Amendment "B."

Mr. WELCH: Mr. President and members of the Senate, I am going to move indefinite postponement of Senate Amendment "B" and in explanation I would like to go over the bill as it is, briefly. On Page 1 of the bill, it merely allows the State to increase the payment from \$40 to \$45. In the event the maximum is reduced by the federal government, the state's proportion would be reduced accordingly. On page 2 it says "An application shall not be considered unless accompanied by an individual sworn statement of inability to support the applicant made on the part of each accessible adult child or spouse of said applicant, and such statements shall include full information regarding individual income, assets and liabilities."

Senate Amendment "A," which affects Section 2, if I remember correctly, merely strikes out the words "ability to work." To Senate Amendment "A" I have no objection. But Senate Amendment "B" makes these provisions of the bill

go back to take in all recipients of old age assistance which we have at the present time, and it would be just a case of where we would have to set up another bureau or increase the already too large personnel of the Welfare Department. When you come to have all of the recipients of old age assistance and all of their relatives, so to speak, file financial statements, it is going to take a pretty good sized personnel to handle it. For those reasons, I move indefinite postponement of Senate Amendment "B."

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I promised myself that I would not again in this session talk about anything in connection with the Health and Welfare department. I promise you this is my last effort. In offering Senate Amendment "B" it was my thought that if we are going to require new applicants to give proof of inability of relatives to support them, it would be only fair to ask that same information of recipients.

I also feel if the investigation we had proved anything, it proved there were relatives who should be able to support existing recipients, and I offered the amendment for that purpose. I have no quarrel with the motion to indefinitely postpone because if we don't want the existing recipients checked, certainly a motion to indefinitely postpone is proper; but to get into the record one of the dangers of the new draft, I would like to read to you a letter from the Regional Representative of the Bureau of Public Assistance, who comments on the entire new draft as follows: It is a letter to Dr. Bristol. "In your letter of April 15, 1947, you asked a further question concerning Legislative Documents 1354 and 1355." The bills referred to are bills to increase aid to the blind, and old age assistance. "Section 1 of each of these bills provides that "An application shall not be considered unless accompanied by an individual sworn statement of inability to support the applicant made on the part of each accessible adult child or spouse of said applicant, and such statements shall include full information regarding individual income, assets and liabilities." Without boring you with the whole letter, the conclusion they reach is this: "You understand, of course, that if the Commissioner for So-

cial Security makes a finding that a State plan does not conform to the requirements of the Social Security Act, the result is that the State will not obtain Federal funds for administrative costs and aid or assistance until the plan is so changed that conformity with the Federal requirements can be found."

I am not convinced that the passage of this new draft of the bill will make the State ineligible but I am convinced there is real doubt in the procedure in requiring the applicant's relatives to file statements, and the point made by the federal people is that under their requirements all applicants must be given opportunity to have a fair hearing, and if the requirement is that some relative must participate in the application, the federal people say the applicant may, by unwillingness of the relatives, be denied that fair hearing. But I will agree with the Senator from Aroostook, Senator Welch, that Senate Amendment "B" ought to be indefinitely postponed, but I leave that thought of danger with you and if you accept his motion I will offer Senate Amendment "C" which will strike from that bill that section in 160.

Mr. LEAVITT of Cumberland: Mr. President and Members of the Senate, I realize perhaps that Senator Welch and Senator Haskell have studied this much more than I have. Nevertheless, this Senate Amendment "B" seems to be a good amendment. The State of Maine is at the present time spending many millions of dollars for old age assistance. We know from the report of the investigation made by Senator Williams that many people are receiving old age assistance who should not now be receiving it. We also know that persons who have old age assistance may have a change in their financial status in the years following the time they were accepted. The department has admitted in my presence that they have not a large enough staff to do any real checking. They have too large a case load.

Senator Welch has brought out the reason he thinks we should postpone this amendment is because of the fact it would be too cumbersome and would cost the department too much money. Now, which do we want to do—do we want to pay out several hundred

thousand dollars a year to people who should not receive the money, or do we want to increase the cost of administration perhaps a hundred thousand dollars or so and check out this waste the State of Maine is now indulging in?

I believe we should check the accounts periodically, and the easiest way, of course, is to have each person send in a statement at the end of the year rather than having the Department send people all over the State.

Senator Haskell talked this amendment over before the Welfare committee. He talked it over quite considerably. I was invited in. It seemed to me a logical procedure and I personally cannot see any reason to indefinitely postpone the amendment. I think it is a good amendment and I think it will save the State of Maine several hundred thousand dollars.

As far as the government perhaps feeling we should not ask for these financial statements is concerned, it is in line with the New Deal philosophy that we should give people assistance and not check back because we might embarrass somebody in asking that a relative help out; and the State or nation should give to the people the money which we collect in taxes. It is all right if you want to keep on collecting taxes forever to pay these accounts.

A friend of mine said to me the other day, "I think your whole law is crazy. You should simply say that when a person gets to be 65 he should get \$40." It is silly philosophy but I think it is the philosophy in Washington. Anything different from that type of philosophy they say is interfering with the law. I don't think the State of Maine believes that. I think if there are people in a family who can afford to pay for the care of their aged father or mother, there should be someone in the family pay for it and not make the State of Maine pay for it; and the only way we can find it out is to have these reports periodically, or at least once every year. I certainly hope the motion of the Senator from Aroostook, Senator Welch, will not prevail.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, as chairman of the Welfare Committee which brought this bill out in new draft, I think I might explain a

few things about it and about the amendments. I think it might clarify a few statements.

In our investigation, in the work of the committee before the formal investigation went on, we found as has been stated here, that one of the great weaknesses of the department was in placing family responsibility to look out for recipients of old age assistance.

In the investigation, sons and daughters would explain — about 90% claimed they didn't know their parents were receiving old age assistance. I am sure no one believes that statement that 90% didn't know it. But we thought it very desirable that they know their father or mother was asking for old age assistance. It is really what this bill does. The way it has been carried on, anyone could apply for old age assistance whether they needed it or not and take a chance on whether the Department could determine if they did need it or not.

This deals with the applications, with the thought that the applicant had to place upon the application itself, a sworn statement as to his assets and liabilities and earning capacity, and he might think twice before he made such a statement before applying for old age assistance. And if it was necessary for him to swear to the statement as to assets, liabilities and income, and if the sons and daughters had to,— if each individual swore to it, certainly the children could not say they didn't know the parent was receiving old age assistance. Our committee is very strong in believing it is necessary.

We realized at the time we put this bill in that the philosophy of the Social Security Board was such that they would not believe in it, and those who believe in the idea as expressed by Senator Leavitt, would not like this bill.

As for the amendment referred to by my fellow Senator from Penobscot, Senator Haskell, it would go farther than that. It would require that every recipient of old age assistance—I believe before January 1, 1948, would also submit this sworn statement, and that of each child.

While the Department has told us it would be an enormous job, and I think you can all see where it would be, I do not wish to burden them with any unnecessary clerical work, and I think they have plenty to do to clean their house without that

type of work. I think probably it is reasonable to believe that with many thousands of recipients of old age assistance, nothing could be gained by this statement. As for the others, where sons and daughters should be looking out for them, and are not, we have plenty of law on the statute books if the Department would enforce it and have those children look out for their parents; so it doesn't appear this amendment is necessary. We took it up before the Committee on Welfare and they agreed they didn't feel this amendment was necessary but they hated to do anything that would kill the bill. I do not know whether this amendment if it was adopted, would do that, but I am afraid it would weaken the bill to a large extent. It is true Social Security has contacted Dr. Bristol and the committee and several other officials of the State of Maine regarding this particular bill and because of that fact, with the approval of the committee, we are having drawn an amendment by our assistant attorney general and revisor of the statutes, which will take out the objections which the social security people have to this, and especially to that part where every applicant should be given a fair hearing even if the son and daughter are not signing a sworn statement. I thought I would have the amendment ready to offer at this time but it has required a lot of work and is not quite ready. So after this motion is put, I would like to have the bill laid on the table until that amendment is prepared.

Mr. NOYES of Hancock: Mr. President, I agree with the Senator from Cumberland, Senator Leavitt. I think Senate Amendment "B" is a good amendment. It looks to me as if this amendment fails, we are a closed shop. That is, those people already receiving old age assistance, regardless of the manner in which they put in their application and regardless of how well able the children of those recipients are to take care of them, they are in the file and are receiving old age assistance; but new applicants are required to make financial statements. As far as increasing the staff is concerned, I know from personal experience that if these investigators got on the job and went to work

instead of loafing around two-thirds of the time, they could take care of a lot of these investigations. I hope the motion does not prevail.

Mr. BISHOP of Sagadahoc: Mr. President and Senators, I may be the rabid New Dealer who suggested that when a person became 65 he should be accepted on the old age assistance program if he chose, if he made application for it; and I still think it might be the proper way to handle this. If it were handled in that manner the minute a person became 65 and presented a birth certificate, and applied for it he would get it. If that were the case, there would be no investigators necessary. There would be no records necessary, and public opinion and public sentiment would take care of whether or not a person had the courage or nerve to apply for it. I don't believe it would cost any more than it does now with all the files and all the clerical work and all the investigators we have.

As far as people on the rolls being on there for life, that isn't true. It is your job and mine—I have done it—and we all know the people in our communities and our localities who receive this. I have seen to it that some have been increased and seen to it that some have been decreased and seen to it that some have been taken completely off the rolls. I believe public sentiment would take care of it.

It makes a difference who people are. I have hammered on this thing for eight years. When a person reaches the age of 65 and is just an average person and has no particular standing or status in life, he has to scrap to get a little old age assistance, even though he has been a good citizen, raised a family and paid his taxes but because of unfortunate circumstances he has reached a point where he needs assistance. Yet we have on our statute books—I don't know who put it there, but I can imagine—the provisions that our justices who are drawing from \$8000 to \$11,000 a year, after a seven year term can retire at the age of 70 and draw \$6,000 a year. No one questions it and we don't ask them to submit a sworn statement of how much they are worth. It makes a difference who people are.

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



of the Senator from Aroostook, Senator Welch, to indefinitely postpone Senate Amendment "B".

A viva voce vote being doubted, a division of the Senate was had. Eight having voted in the affirmative and seventeen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Noyes of Hancock, Senate Amendment "B" was adopted.

Mr. Williams of Penobscot presented Senate Amendment "C" and moved its adoption.

The Secretary read Senate Amendment "C":

Senate Amendment C to S. P. 497, L. D. 1355, bill An Act Relating to Increasing the Maximum Payment in Old Age Assistance.

"Amend said bill by striking out the last underlined sentence of that part designated 'Sec. 260' of Section 1 thereof and inserting in place thereof the following two underlined paragraphs:

**'An application shall not be considered unless accompanied by an individual sworn statement of inability to support the applicant made on the part of each adult child or spouse of said applicant residing in this state, and such statements shall include full information regarding individual income, assets and liabilities. If the applicant is unable to obtain the sworn statement from such child or spouse as above provided, then upon proof of his inability to do so and after hearing, the department shall determine whether such inability to do so is real and genuine, and if it decides that it is real and genuine, then the merits of his application shall be considered. Any determination made under the provisions of this section shall be subject to the right of appeal by the applicant under the provisions of section 262.'**"

On motion by Mr. Bishop of Sagadahoc, the bill was laid upon the table pending consideration of Senate Amendment "C" and especially assigned for tomorrow morning.

On motion by Mr. Cross of Kennebec

Recessed until two o'clock this afternoon, Standard Time.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table, Resolve Providing for a Fish Screen at Outlet of Keywayden Lake in the Town of Stoneham in the County of Oxford (S. P. 524) (L. D. 1424) tabled by that Senator on April 30 pending final passage; and on further motion by the same Senator the resolve received a final passage.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table, Resolve Relating to Impounded Bank Accounts (H. P. 1709) (L. D. 1435) tabled by that Senator on April 30 pending final passage; and on further motion by the same Senator, the resolve received a final passage.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table bill, An Act Relative to Hunting, Fishing and Guides Licenses (H. P. 1728) (L. D. 1464) tabled by that Senator earlier on today's session pending passage to be engrossed.

Mr. NOYES of Hancock: Mr. President, I present Senate Amendment A and move its adoption.

Senate Amendment A was read. Senate Amendment A to (H. P. 1728) (L. D. 1464) "Amend said bill by striking out the underlined figures '\$20.25' in the 8th line of Section 6 thereof and inserting in place thereof the underlined figures '\$25.25'."

Mr. NOYES: Mr. President, in presenting this amendment I only wish to bring into line the increases that we have made in our hunting licenses in Maine. Most of you know that we now have a \$15 license fee for non-residents. That \$15 license has been in existence for some 30 years and it is my contention that in a period of 30 years, if it were worth \$15 thirty years ago to hunt in Maine, in view of increased costs of everything, including increased costs of our Fish and Game Department, that an increase of a license fee from \$15 to \$25 is not at all unreasonable.

It is also my contention that we have no surplus of deer in the State of Maine. The opponents to this amendment will probably state that it will keep away the out of state hunters. If my figures are correct I understand that a hundred thousand hunting licenses were issued to Maine people last year, and we killed thirty-one thousand deer. That would mean that today rough-

ly only one Maine hunter in three killed his deer. Under those conditions it seems absurd to shoot our deer out of state, and if these out of state hunters wish to come to Maine, I believe that \$25 will not stop them from coming, and if it does, that won't hurt my feelings very much.

We have an increased number of out of state hunters coming into Maine who own their own camps, come to Maine, bring their own supplies, buy nothing of the local merchants, go into the woods and hunt for a week or two, kill their deer and take it out of the state, and we get \$15 for that deer. The deer is worth more than \$15.

Early in this session I introduced a measure relative to night hunting. That bill failed of passage. However, we did make an increase in the penalty for night hunting and I know that a large part of the night hunting with which we have to contend in the open season is due to the fact that out of state hunters when failing to kill a deer hire a man, usually the fellow who has acted as their guide, to go out and "shine" a deer, kill him and sell him to the out of state hunter, and if the out of state hunter were not here, part of the night hunting problem would be solved. I know that the natives of Maine are not going to take too well to an increase in their hunting and fishing licenses. However, I am willing to vote for that increase. I do feel that the Maine natives who are born and live in this state and enjoy the natural privileges that we have here, will feel a whole lot better if they know that the out of state hunter is also paying a substantial increase in his license fee. For that reason together with those reasons I have just enumerated, I hope this amendment will be adopted.

Mr. SPEAR of Cumberland: Mr. President, the committee considered this bill quite carefully, and thought that they had a pretty well balanced bill. Some guides and camp owners appeared before the committee and they did not want the out of state hunters to have to pay too much. I think if you have read today's paper you will find out what we did do but for the benefit of those who did not and are deeply interested I will read part of the report: "Resident fishing or hunting license have been increased from a dollar and fifteen cents to two and a quarter; combination fishing

and hunting, \$2.15 to \$4.25; non-resident fishing (junior) \$1.15 to \$2.25; adults, season, \$5.15 to \$7.75; three day \$1.65 to \$3.25; non-resident hunting including deer \$15.25 to \$20.25; excluding deer \$10.15 to \$10.25; guide's Class A \$5.00 to \$7.50, Class B \$4.00 to \$6.00; non-resident guide \$40.00 to \$50.00."

If this bill goes through as we have reported it out the fish and game department will be self supporting after the first year of the biennium. They will require some money for the first year because this doesn't take effect substantially until after the first year. In the second year and from then on the department will be self supporting, which seems to me worthwhile.

I hope that the amendment of Senator Noyes will not prevail. If this bill doesn't work that we have reported out, two years from now it might be well to come back and ask the five dollars more. It seems to me that at the present time we have jacked it up about as much as we should.

Mr. BARNES of Aroostook: Mr. President and members of the Senate, I find myself this afternoon in entire accord with the chairman of the Inland Fisheries and Game. Aroostook County lies right alongside of the province of New Brunswick and in the fall of the year we see cars coming through the towns of Aroostook County and down through the state with deer on them and a great many of those deer come from the province of New Brunswick and if I were a non-resident hunter living in Massachusetts and I knew I could go over into New Brunswick and get a license over there and shoot two deer—because that is legal over there—I would very carefully consider whether I would pay \$25 for a Maine license or go over into New Brunswick.

I don't object in the least to the increase in hunting licenses but just so long as we are a recreation State, a State devoted to fish and game, hunting and fishing, I think we ought to be a little careful about the way we raise the license fees.

Senator Noyes has mentioned the fact that a great many deer are taken out of the State of Maine that are not shot by non-resident hunters that come in here. I assume it is a fact that many of the deer that are taken out of Maine, according to what the Senator says, were shot

by residents of Maine. It is wholly a matter of enforcement. It is not a hunting proposition. We have increased in this session of the legislature the fine for night hunting from \$50 up to a minimum of \$100. It takes the profit out of that. I oppose the amendment and I hope when the vote is taken the Senators will stop and consider that my county, Senator Noyes' county of Hancock, and Washington County are counties that are looking out and searching for these non-residents to come in, and I would rather see them come into Hancock County than into New Brunswick. When the vote is taken, I ask for a division.

Mr. WELCH of Aroostook: Mr. President, I merely wish to say, and to go along with what the Senator from Aroostook, Senator Barnes, has said in expressing the sentiments of the feeling in our county. I happen to be a member of three fish and game clubs in the county and at the meetings held during last fall and early last winter, they all voted unanimously that the license fee should be increased. I think this is a very good bill. You are taking one dollar more plus the increase that goes to the town clerk. You are taking one dollar more from the residents and five dollars more from the non-residents. I don't think it is too bad a thing.

Mr. NOYES of Hancock: Mr. President, I think this is a pretty good bill too, but along with what the Senator from Cumberland has said, I don't want you to misunderstand him and he did not intend that there should be any misunderstanding. This increase will not in any way impair the revenue from fishing and hunting licenses to the Inland Fisheries and Game department. There may be some decrease in the number of non-residents that come into the State but I should imagine it would not be sufficient to offset the increase in revenue derived from the amendment I have introduced. I will say this, along this line of thinking that seems to exist in the State of Maine by those who want these people to come in—instead of increasing the license fee, why not do as some sports writers have indicated, have no license fee at all. Let them come in and hunt and fish for nothing. We would get more of them in here. Someone would get the revenue but the Fish and Game Department wouldn't get it.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, that the Senate adopt Senate Amendment A.

A division of the Senate was had. Four having voted in the affirmative and twenty-three opposed, the motion failed of passage.

The PRESIDENT: Is it the pleasure of the Senate that this bill now be passed to be engrossed?

Mr. WILLIAMS of Penobscot: Mr. President, when the vote is taken, I move that it be taken by a division.

A division of the Senate was had. Twenty-four having voted in the affirmative and four opposed, the bill was passed to be engrossed in concurrence.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table, bill, An Act Relating to Aid to Dependent Children (S. P. 544) (L. D. 1466) tabled by that Senator on April 30 pending passage to be engrossed.

Mr. WILLIAMS: Mr. President, in reading the printed bill we found there was an error from what the committee intended. In one place it places the ceiling on the age of dependent children for the head of a family with one child at \$40. It was intended by the committee to have it \$50. But in the printing it was made \$40 so I offer an amendment to change that figure.

Senate Amendment A to L. D. 1466: "Amend said bill by striking out the underlined figures '\$40' in the 11th line of that part designated Section 230 of Section 2 thereof, and inserting in place thereof the underlined figures '\$50'. Further amend said bill by striking out the underlined figures '\$40' in the 8th line of that part designated Section 302 of Section 3 thereof and inserting in place thereof the underlined figures '\$50'."

Which amendment was adopted, and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table Senate Report from the Committee on State Lands and Forest Preservation — Report A "Ought to Pass in New Draft (S. P. 522) (L. D. 1423); Report B "Ought Not to Pass" on bill An Act

Creating a State Forest Commission (S. P. 410) (L. D. 1163) tabled by that Senator on April 30 pending consideration of the reports.

Mr. WILLIAMS of Penobscot: Mr. President, I am now going to move that the Senate adopt Committee Report A "Ought to Pass in New Draft" and the reason for that, as I explained yesterday to the Senate is that if the Senate adopts Report A, I will then offer Senate Amendment A which will strike out all of that part of the bill except that which deals with the appointment and qualifications of a Forestry Commissioner.

The motion prevailed and Report A "Ought to Pass in New Draft" was adopted and the bill was given its first reading; on further motion by the same Senator, the bill was laid upon the table pending consideration of Senate Amendment A.

On motion by Mr. Ela of Somerset the amendment was ordered printed.

Out of order and under suspension of the rules:

Bill "An Act Providing additional Highway Funds." (H. P. 1678) (L. D. 1394)

(In the Senate on April 22, 1947 passed to be engrossed as amended by House Amendment "B" in concurrence.)

Comes from the House, engrossing reconsidered; House Amendment "C" adopted and the bill passed to be engrossed as amended by House Amendments "B" and "C" in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the Senate voted to recede from its former action whereby the bill as amended by House Amendment B was passed to be engrossed; House Amendment C was read and adopted in concurrence, and the bill as amended by House Amendments B and C was passed to be engrossed in concurrence.

From the House:

Out of order and under suspension of the rules:

Bill "An Act Limiting the Weight, Length, Width and Height of Motor Vehicles." (H. P. 1194) (L. D. 782)

(In Senate on April 11, 1947, passed to be engrossed as amended by Committee Amendment "A" and by Senate Amendment "B" as amended by Senate Amendment "A" thereto, in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and now asks for a Committee of Conference.

In the Senate, on motion by Mr. Dunbar of Washington, the Senate voted to recede from its former action whereby the bill was passed to be engrossed, and further voted to recede from its action where Senate Amendment B as amended by Senate Amendment A thereto was adopted; and the bill as amended by Committee Amendment A only was passed to be engrossed in concurrence.

On motion by Mr. McKusick of Piscataquis, the Senate voted to take from the table bill, An Act Relating to the Salary of the Treasurer of State (S. P. 36) (L. D. 155) tabled by that Senator on April 21 pending passage to be enacted.

Mr. McKUSICK of Piscataquis: Mr. President, I don't consider this too important a matter perhaps, but I am going to make a motion for indefinite postponement and I want to discuss it just a little. I shall not feel too concerned whether you vote with me or against me but I do want you to consider the facts involved.

I am definitely opposed to anyone seeking an increase in salary immediately after he has entered into an office or position, and that is the situation which exists here. The present incumbent was an active candidate for this position. He conducted a very energetic campaign to secure it. I would also call your attention to the legislative record of the last legislature. On page 1077 you will find this statement: "We are trying to save the taxpayers a little money. Now we have passed two of these bills, the Adjutant General \$5500, and the Forest Commissioner, \$5,500, and it does not seem out of line to me if we save \$500 on this bill and give the Bank Commissioner \$5,500.

That was from a speech by the present State Treasurer, then a representative in the legislature.

In regard to the salaries of the justices: "The Justices are getting a salary now so they will not suffer in the meantime; they all took this position at the present rate, and it will not add anything to the ability of the present Bench if we increase them to \$28,000".

Another speech by the present Treasurer before the last legislature.

I am opposed, definitely opposed to the practice that seems to be becoming more common of a member of the legislature regularly elected, seeking other positions which are perhaps more remunerative and often in the employ of the state, before said legislator has served his time in the legislature. Possibly you remember on your nomination papers that you signed this statement: "I consent to the herein proposed nomination I agree to accept if nominated at the primary election not to withdraw and if elected at the state election to qualify as such officer." When, after election, an official fails to qualify, or resigns, it means that his constituents are either without representation or else the state and the municipality is put to the expense of a special election. That is one thing that should be considered. That was the situation in this case. Those things perhaps are not so important, but the thing which most concerns me is the present setup in the office of the State Treasurer, a situation which has been in existence for years. As far back as the survey of the state administrative set-up under Governor William Tudor Gardiner, I believe in 1930 we find the statement in regard to the department of finance. We find the statement that the Bureau of the Treasury should be set up headed by a Treasurer. We have gone along a good way possibly in that reorganization and our financial department is set up with a Commissioner of Finance and we also have a State Controller's Department which has taken over a great deal of the work. I don't know whether you all know it, but the state checks are drawn in the Controller's Department and not in the Treasurer of State's Department so that our State Treasurer is purely the custodian of our public funds and the keeper of the appropriation records pertaining thereto.

In the State Treasury Department we have two salaried officials and that is something else to which I object. It has been known for years that this office of State Treasurer is a political plum. It has also been known that the Deputy Treasurer is the one that does the work for the department. I know, be-

cause we have had a State Treasurer from Piscataquis County and we have also had a Deputy Treasurer from that county and we have known that the office of State Treasurer has been considered a political plum.

At the present time I find from this book that you all have that the deputy treasurer, or as he was called then, Commissioner of the Treasury was drawing \$93.73 a week, which I find amounts to \$4,872.96.

So at the present time we are paying nearly eight thousand dollars to maintain an office which I believe could be carried on fully as efficiently by one official, a Treasurer who is qualified to do the work of the office, and we could dispense with one salary. That is my main objection to the set up. That is one reason why I wanted to discuss this for a moment. I believe we could dispense with one official and instead of increasing the cost of the office by a thousand dollars, I think you could decrease the cost of the office by at least two thousand, possibly three thousand, and still pay a salary that would be \$5,500 and get an official who was fully qualified to carry on the work. As I said, the office has been considered a political plum and I feel we are now being asked to add a little more sugar to it and I am opposed to the set-up, and that is the reason I will move that the matter be indefinitely postponed.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, as a member of the Committee on Salaries and Fees, I feel that I should tell you our reason for our action on this bill. This bill is one that came over from the special session. A second bill was put through this session. The first one sought to increase the salary from \$3000 to \$4000. The bill we received in the 93rd legislature sought to increase the salary from \$3000 to \$6000. You have already disposed of the second bill by unanimous committee report "Ought Not to Pass".

The bill providing for an increase from \$3000 to \$4000 had a unanimous "Ought to Pass" report from the committee, and I think our reason was something like this. We recognized the merit of many of the things that Senator McKusick has said, but in this position, as in many positions, we tried to think

of the job instead of the man and we honestly believe that with the \$1,300,000 wage increase granted to classified employees and with the very substantial wage increases granted to the other department heads, that the Treasurer of State, being a Constitutional officer, it being an office that we, as legislators, don't have the privilege to have abandoned without benefit of Constitutional resolve, we concluded that a \$1000 increase in salary was reasonable and might attract to the job the type of man I think we would hope to have down there all of the time. I am extremely reluctant to speak of individuals in speaking of wage increases or decreases, but I am confident that given time and experience our present Treasurer will serve the State well, efficiently and honestly, and I sincerely believe the \$4000 figure we turned out is not an unreasonable request, and I hope the motion of the Senator from Piscataquis, Senator McKusick, does not prevail.

The PRESIDENT: The question is on the motion of the Senator from Piscataquis, Senator McKusick, that the bill be indefinitely postponed.

A viva voce vote being doubted by the Chair, a division of the Senate was had.

Eighteen having voted in the affirmative and eleven opposed, the motion to indefinitely postpone in non-concurrence prevailed.

Sent down for concurrence.

The PRESIDENT: The Chair notes the presence in the Senate Chamber of Honorable Hodgdon C. Buzzell, former President of the Senate, and the Chair requests the Sergeant at Arms to conduct him to the rostrum at the seat on my right. This was done, amidst the applause of the Senate, the members rising.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on Banks and Banking on Bill, An Act Relating to Profit and Loss Statements of Banks (S. P. 470) (L. D. 1320) tabled by that Senator on April 21st pending consideration of the report.

Mr. WILLIAMS: Mr. President, this is a small bill and I will read it: "Sec. 16-B. Banks to issue annual statement. All savings banks and trust companies shall annually

issue a statement of earnings and expenses and such statement shall include a reconciliation of capital, surplus, all reserves, and undivided profits. Such statement shall be for a period of 12 months next preceding the issuance of such statement and shall be made available to the stockholders and depositors of such banks."

As the Committee gave an "ought not to pass" report, I am wondering why legislation of this type is not desirable and what the reasons are why depositors and stockholders should not have such statements.

Mr. BLANCHARD of Aroostook: Mr. President and members of the Senate, as a member of the Committee on Banks and Banking, I will briefly explain our reason for giving a unanimous "ought not to pass" report on this bill. This bill was presented by Senator Williams of Penobscot, by request. The person requesting the bill to be introduced did not appear at the hearing. In fact, the only proponent at the hearing was Senator Williams. There was considerable opposition to this bill and the information given us at that time indicated that statements were issued by banks and that the information requested in this bill was available. The Bank Commissioner and several other representatives of banks indicated that this would put some burden upon the banks to issue this to all depositors of banks although they did say it was available for any depositors who wished it. In regard to whether the depositors or possibly the purchasers of bank stock should have this information presented to them, it seemed to the Committee, it was no more desirable or necessary in banking institutions than it would be in any other corporation.

Mr. MURCHIE of Washington; Mr. President, as another member of the Committee on Banks and Banking, I remember it was stated that there was some individual in the State of Maine who seemed to be sore because he could not get some information from banks that apparently he should not have. I am satisfied, with my knowledge of banks, that anyone who wants information can get it. The banking people are glad indeed to give whatever information is requested that is possible to give out.

Mr. WILLIAMS: Mr. President and Senators, it is true I was the

only proponent of this bill. It is true there were plenty of opponents to the bill and I think they gave about the same reasons as have been given to us this afternoon—very meagre. Some banks are giving this information but there is nothing compulsory about it. It was up to the banks themselves—if they wanted to give information, all right, and if the depositor or stockholder was large enough and if his deposits and amount of stock held was large enough, probably he could receive it. It might be well at this time to have a little law on the statutes requiring the figures to be given to depositors and stockholders and the general public. For that reason, I

move the bill be substituted for the report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Williams, to substitute the bill for the "ought not to pass" report.

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

Thereupon, the "ought not to pass" report of the Committee was adopted.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until tomorrow morning at nine o'clock, Standard Time.