

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***Ninety-Fifth Legislature***

**OF THE**

**STATE OF MAINE**

**1951**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

## HOUSE

Thursday, January 18, 1951

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

Prayer by the Rev. Mr. Stairs of Gardiner.

The journal of the previous session was read and approved.

### Papers from the Senate

From the Senate:

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952 and June 30, 1953" (S. P. 45) (L. D. 55)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House:

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

Mr. CHASE: Mr. Speaker, this is the same bill which appears in the back of the big Budget Book. The detailed items breaking down these recommended expenditures appear also in the same book. It will be the duty of the Committee on Appropriations and Financial Affairs to re-hear these recommendations. The Governor's Budget Bill requests, as you will have noted, do not conform to the amount recommended by the various departments, so the case for the departments will, of course, be again heard by the Appropriations Committee.

Now, this bill calls for a total, of \$28,729,811 for the next fiscal year, and a somewhat larger amount for the succeeding fiscal year. It is a matter of vital concern to every Member of the House, regardless of his Party affiliation. We must make every effort to keep this total appropriation as low as possible. We must help the Appropriations Committee in every way we can by making their work as easy as possible. If there are objections to be made to expenditures, or if there are members who think that in some instances the appropriations should be increased, they ought to go to the hearings of the Committee on Appropriations on that particular

item and say so at that time. That will be very helpful to the committee.

Now, I should like to point out that this item of twenty-eight-odd million dollars for the first year is a mathematical addition, and that it is impossible to reduce that total by one dollar without first reducing the total of some particular item by the same amount. Any reductions to be effected, any additions which must be desirable must be made in terms of recommendation of the particular item. You will have already noticed that the great bulk of the appropriations recommended appear in the Divisions of Institutions, of Welfare and of Education.

Yesterday, on the point of possible economy, I made a rough computation of how it might be possible to save about four million dollars a year in the operation of State government, and I discovered that if you completely swept out every department in this State House, if you fired everybody who is working here and sent them home and closed the place up and completely eliminated every cent which is being spent on those departments, it would make a very small contribution to the problem of economy. If you should completely abolish the Department of Accounts and Controls, the Department of the Adjutant General, and the National Guard, if you should completely abolish the Department of Agriculture, the Attorney General's Department, the Department of Banks and Banking, the Maine Development Commission, the Governor and Council, the Department of Budget Control, the whole Forestry Department, the Insurance Department, the Department of Labor and Industry, the State Library, the Personnel Department, the Department of Public Utilities, the Bureau of Purchases, the Department of Sea and Shore Fisheries, the Secretary of State's Department, the Supreme and the Superior Courts, the Bureau of Taxation, the Treasurer of State, and in addition to that, if we should completely close the University of Maine, you would not, by such a complete sweeping away of all the departments and functions of government, reach a total which would enable you to balance this

budget on the figures which have been given to us to assured revenue.

Now as I say, we must do everything we can to reduce expenditures, but I think it must be clear that this is not a matter of minor economies when you see that if you should completely sweep out everything in the State House, and many of the departments and other agencies, you would not reach that figure. The study should be concentrated, it seems to me, in those other major divisions to which I have referred.

Now it will be my aim here to afford every possible facility to advance any constructive suggestion looking to economy in State government, and I hope that the members will study these budget figures very carefully, more particularly in the detailed items.

The SPEAKER: The question before the House is on the reference of the Bill to the Committee on Appropriations and Financial Affairs. Is it the pleasure of the House that the bill be referred to the Committee on Appropriations and Financial Affairs in concurrence?

The motion prevailed and the bill was referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate: Bill "An Act relating to Escapes from Jail" (S. P. 42) (L. D. 48)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate: Bill "An Act relating to Pneumatic Tires on Motor Vehicles" (S. P. 43) (L. D. 47)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate: Bill "An Act relating to Payment of Town's Share of Aid to Dependent Children Grant" (S. P. 44) (L. D. 46)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 23rd, 1951, at 4:30 o'clock in the afternoon. (S. P. 79)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that there be paid to John S. Nelson, Representative of the Penobscot Tribe of Indians, on account of compensation, the sum of one hundred dollars, and also mileage the same as received by the Indian Representative to the 94th Legislature. (S. P. 80)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

#### **Bills and Resolves Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

#### **Appropriations and Financial Affairs**

Resolve in favor of the Town of New Sharon for School Building (H. P. 109) (Presented by Mr. Caswell of New Sharon)

(Ordered printed)

Sent up for concurrence.

#### **Claims**

Resolve in favor of Donald Currie, of South Portland (H. P. 110) (Presented by Mr. Berry of South Portland)

Resolve in favor of Clyde E. Gould, of East Livermore (H. P. 111) (Presented by Mr. Boothby of Livermore)

Resolve to Reimburse the Town of Sanford for Fire Equipment Used During the Emergency Fires of 1947 (H. P. 112) (Presented by Mr. Frechette of Sanford.)

Resolve in favor of Harold E. Cash, of Scarboro (H. P. 113)

(Presented by Mr. Fuller of So. Portland)

Resolve to Reimburse the Town of Westport for Hospitalization of Maryon Boothby (H. P. 114) (Presented by Mr. Gay of Damari-scotta)

Resolve to Reimburse the Town of Millinocket for Support and Medical Care of Warren Dorr and family (H. P. 115) (Presented by Mr. Walls of Millinocket)

Sent up for concurrence.

### Education

Resolve in favor of Monson Academy (H. P. 116) (Presented by Mr. Rollins of Greenville)

Sent up for concurrence.

### Highways

Resolve in favor of the Town of Livermore Falls (H. P. 117) (Presented by Mr. Boothby of Livermore)

Resolve in favor of the Town of Shapleigh (H. P. 118) (Presented by Mr. Bradeen of Waterboro)

Resolve in favor of the Town of Newfield (H. P. 119) (Presented by same gentleman)

Resolve in favor of the Town of New Sharon (H. P. 120) (Presented by Mr. Caswell of New Sharon)

Resolve in favor of the Town of Farmington (H. P. 121) (Presented by same gentleman)

Resolve in favor of the Town of Chesterville (H. P. 122) (Presented by same gentleman)

Resolve in favor of the Town of Lincolnville (H. P. 123) (Presented by Mr. Cole of Liberty)

Resolve in favor of the Town of Searsmont (H. P. 124) (Presented by same gentleman)

Resolve in favor of the Town of Montville (H. P. 125) (Presented by same gentleman)

Resolve in favor of the Town of Freedom (H. P. 126) (Presented by same gentleman)

Resolve in favor of the Town of Liberty (H. P. 127) (Presented by same gentleman)

Resolve in favor of the Town of Belmont (H. P. 128) (Presented by same gentleman)

Resolve in favor of the Town of Jackson (H. P. 129) (Presented by Mr. Dickey of Brooks)

Resolve in favor of the Town of Troy (H. P. 130) (Presented by same gentleman)

Resolve in favor of the Town of Burnham (H. P. 131) (Presented by same gentleman)

Resolve in favor of the Town of Monroe (H. P. 132) (Presented by same gentleman)

Resolve in favor of the Town of Swanville (H. P. 133) (Presented by same gentleman)

Resolve in favor of the Town of Thorndike (H. P. 134) (Presented by same gentleman)

Resolve in favor of the Town of Waldo (H. P. 135) (Presented by same gentleman)

Resolve in favor of the Town of Brooks (H. P. 136) (Presented by same gentleman)

Resolve in favor of the Town of Unity (H. P. 137) (Presented by same gentleman)

Resolve in favor of the Town of Falmouth (H. P. 138) (Presented by Mr. Dow of Falmouth)

Resolve in favor of the Town of Cumberland (H. P. 139) (Presented by same gentleman)

Resolve in favor of the Town of Canaan (H. P. 140) (Presented by Mr. Hamilton of Hartland)

Resolve in favor of the Town of Harmony (H. P. 141) (Presented by same gentleman)

Resolve in favor of Freeman Township (H. P. 142) (Presented by Mr. Jennings of Strong)

Resolve in favor of the Town of Bowdoinham (H. P. 143) (Presented by Mr. Jones of Bowdoinham)

Resolve in favor of the Town of Richmond (H. P. 144) (Presented by same gentleman)

Resolve in favor of the Town of Oxford (H. P. 145) (Presented by Mr. Lord of Norway)

Resolve in favor of the Town of Sweden (H. P. 146) (Presented by Mr. Moulton of Sweden)

Resolve in favor of the Town of Sweden (H. P. 147) (Presented by same gentleman)

Resolve in favor of the Town of Fryeburg (H. P. 148) (Presented by same gentleman)

Resolve in favor of the Town of Bristol (H. P. 149) (Presented by Mr. Stevens of Boothbay)

Resolve in favor of the City of Westbrook (H. P. 150) (Presented by Mr. Travis of Westbrook)

Sent up for concurrence

**Inland Fisheries and Game**

Resolve Closing Chemquasabam-ticook Lake, Piscataquis County, to Ice Fishing (H. P. 151) (Presented by Mr. Rollins of Greenville)  
(Ordered Printed)  
Sent up for concurrence

**Judiciary**

Bill "An Act to Revise the State Civil Defense Law" (H. P. 152) (Presented by Mr. Burkett of Portland)  
(Ordered Printed)

Bill "An Act relating to Returns of Divorces by Clerks of Courts" (H. P. 153) (Presented by Mr. Campbell of Guilford by request)  
(Ordered Printed)

Bill "An Act relating to Election Returns" (H. P. 154) (Presented by Mr. Cole of Liberty)  
(Ordered Printed)

Bill "An Act to Eliminate the Oath in Absent Voting" (H. P. 155) (Presented by Mr. Dickey of Brooks)  
(Ordered Printed)

Bill "An Act relating to Neglected Children" (H. P. 156) (Presented by Mr. Gerrish of Old Orchard Beach)  
(Ordered Printed)

Bill "An Act relating to Appeals from Probate Courts" (H. P. 157) (Presented by Mr. Jalbert of Lewiston)  
(Ordered Printed)

Bill "An Act relating to the Making of Wills" (H. P. 158) (Presented by same gentleman)  
(Ordered Printed)

Bill "An Act Amending the Maine Housing Authorities Act" (H. P. 159) (Presented by Mr. Lord of Norway)  
(Ordered Printed)

Bill "An Act relating to Amount of Insurance for Certain Motor Vehicles" (H. P. 160) (Presented by Mr. Perry of Chelsea)  
(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act to Incorporate the Town of Burnham School District" (H. P. 161) (Presented by Mr. Dickey of Brooks)  
(Ordered Printed)

Bill "An Act to Incorporate the Town of Woodland School District" (H. P. 162) (Presented by Mr. Story of Washburn)  
(Ordered Printed)

Sent up for concurrence.

**Public Health**

Bill "An Act relating to Copies of Report of State Registrar of Vital Statistics" (H. P. 163) (Presented by Mr. Campbell of Guilford by request)  
(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Amend the Charter of the Brunswick Sewer District" (H. P. 164) (Presented by Mr. LaCharite of Brunswick)  
(Ordered Printed)

Bill "An Act Creating a Sewer System for Town of Winthrop" (H. P. 165) (Presented by Mr. Maxwell of Winthrop)  
(Ordered Printed)

Sent up for concurrence.

**Towns and Counties**

Bill "An Act relating to Clerk Hire in the Office of the Recorder of the Portland Municipal Court" (H. P. 166) (Presented by Mr. Burkett of Portland)  
(Ordered Printed)

Bill "An Act relating to the Construction of Sidewalks in the Town of Sanford" (H. P. 167) (Presented by Mr. Frechette of Sanford)  
(Ordered Printed)

Bill "An Act Abolishing the Polling Place in Rockwood in Somerset County" (H. P. 168) (Presented by Mr. Watson of Moose River Pl. by request)  
(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act relating to Weighing Trucks and Removal of Excess Loads" (H. P. 169) (Presented by Mr. Kelly of Rumford)  
(Ordered Printed)

Bill "An Act relating to Transfer of Certificates of Motor Vehicles for Hire" (H. P. 170) (Presented by Mr. Martin of Augusta)  
(Ordered Printed)

Bill "An Act relating to License Plate for Motor Vehicle Owners Who Operate Amateur Radio Stations" (H. P. 171) (Presented by Mr. Peterson of Bar Harbor)  
(Ordered Printed)

Sent up for concurrence.

### Welfare

Bill "An Act relating to Aid to the Blind" (H. P. 172) (Presented by Mr. Clements of Belfast)

(Ordered Printed)

Bill "An Act Liberalizing Old Age Assistance" (H. P. 173) (Presented by Mr. Gerrish of Old Orchard Beach)

(Ordered Printed)

Bill "An Act relating to Pauper Relief" (H. P. 174) (Presented by Mr. Maxwell of Winthrop)

(Ordered Printed)

Bill "An Act relating to Aid to the Disabled" (H. P. 175) (Presented by Mr. Patterson of Freeport)

(Ordered Printed)

Sent up for concurrence.

Resolve providing for State Pension for Maryon Boothby, of Westport (H. P. 176) (Presented by Mr. Gay of Damariscotta)

Resolve providing for an Increase in State Pension for George Byrus, of Lisbon (H. P. 177) (Presented by Mr. Plummer of Lisbon)

Sent up for concurrence.

### Orders

On motion of Mr. Boothby of Livermore, it was

ORDERED, that Rev. Gordon Newell of Rumford, be invited to officiate as Chaplain of the House on Thursday, February 1, 1951.

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

### House Reports of Committees Ought to be Adopted

Mr. McGlaulin from the Committee on Elections reported the following:

The Committee on Elections to which was referred the petition of Hector Martin of Frenchville, praying that he may be admitted to the seat now held and claimed by Samuel G. Michaud of St. Agatha, from the class district composed of the towns of Frenchville, Madawaska and St. Agatha, in the county of Aroostook, having had the matter under consideration, and after hearing the evidence in the case and the arguments of counsel, beg leave to report that the said Hector

Martin received 579 votes and that the said Samuel G. Michaud received 547 votes, and that therefore the said Hector Martin of said Frenchville was legally elected as Representative from the said class district to the Ninety-fifth Legislature of Maine and shall be seated as said Representative and from henceforth be and become the duly accredited Representative from said class district.

Your committee begs leave to report the accompanying House Resolution and that it ought to be adopted.

### House Resolution

BE IT RESOLVED, that it is the judgment of this House that Samuel G. Michaud, the sitting member from the class district composed of the towns of Frenchville, Madawaska and St. Agatha, in the county of Aroostook, was not legally elected and shall not longer act as the Representative from said class district, and that Hector Martin of said Frenchville was legally elected as Representative from the said class district to the Ninety-fifth Legislature of Maine, and shall be seated as said Representative and from henceforth be and become the duly accredited Representative from said class district.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: I would like, at this time, to speak very briefly on this Resolution.

We all know that the world loves a winner. We know, too, that the world loves a graceful loser. In the issue of the election in the class towns of St. Agatha, Frenchville and Madawaska, Samuel G. Michaud undertook to represent the people in that district, based upon the official election returns as given to him and reported to the Secretary of State.

As was the opportunity and the right of his opponent, Hector Martin, a petition was filed for an inspection and recount. That inspection and recount was done in some part by Counsel for Mr. Martin, the distinguished attorney from Augusta, Charles Pierce, and myself, representing Mr. Michaud.

We were fortunately able to agree on many of the ballots as having been regularly signed or marked for either one of the candidates.

There were fifty-five ballots in dispute, and these fifty-five ballots were referred to the Committee on Elections. I feel, as does Mr. Michaud, that the Committee on Elections examined these ballots with all due diligence, that they reported their findings, and that these findings are eminently fair.

Mr. Michaud has assumed his duties since the opening of this session of the Ninety-fifth Legislature, assuming that he would remain in his seat in this Legislature. However, the will of the people having been expressed by ballot, he, believing in the true principles of Democracy, does not wish to overcome that expression, and for him and in his behalf I am privileged to say, Members, that he wishes, as gracefully as possible, under the circumstances, to retire from the House, extend a warm hand of welcome to his successor and wish him all Godspeed and good luck in his deliberations in this Ninety-fifth session of the Legislature. (Applause).

The SPEAKER: The question before the House is upon the acceptance of the Report of the Committee on Elections and the adoption of the Resolution. Is it the pleasure of the House that the Report of the Committee on Elections be accepted and the Resolution adopted?

The motion prevailed and the report of the Committee was accepted and the Resolution adopted.

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

Mr. JAMIESON: Mr. Speaker, I notice that Mr. Hector Martin is present in the House and I move that he be conducted to the Governor's Office, there to receive the oath of office which will entitle him to his seat among us.

The SPEAKER: The gentleman from Presque Isle, Mr. Jamieson, moves that the gentleman from Frenchville, Mr. Martin, be escorted to the office of the Governor, to be given the oath of office which will entitle him to his seat

on the floor of the House. Is this the pleasure of the House?

The motion prevailed, and the gentleman from Presque Isle, Mr. Jamieson, was delegated by the Speaker to escort the gentleman from Frenchville, Mr. Martin, to the office of the Governor, where he could take and subscribe to the oath of office.

Subsequently, Mr. Jamieson reported to the House that he had attended to the duty assigned him, and that Mr. Martin had been escorted to the Governor's office, where he had taken and subscribed to the oath of office required to qualify him for the discharge of his official duties as Representative to the Legislature.

Thereupon, Mr. Martin was conducted to Seat No. 51, amid the applause of the House.

Mr. McGlauffin from the Committee on Elections reported the following:

The Committee on Elections to which was referred the petition of Alexander J. Latno of Old Town, praying that he may be admitted to the seat now held and claimed by John J. Nahra of Old Town, from the class district composed of the town of Old Town, in the county of Penobscot, having had the matter under consideration, and after hearing the evidence in the case and the arguments of counsel, beg leave to report that the said Alexander J. Latno received 1093 votes and that the said John J. Nahra received 1081 votes, and that therefore the said Alexander J. Latno of said Old Town was legally elected as Representative from the said class district to the Ninety-fifth Legislature of Maine and shall be seated as said Representative and from henceforth be and become the duly accredited Representative from said class district.

Your committee begs leave to report the accompanying Resolution and that it ought to be adopted.

#### House Resolution

BE IT RESOLVED, that it is the judgment of this House that John J. Nahra, the sitting member from the class district composed of the town of Old Town, in the county of Penobscot, was not legally elected



and shall not longer act as the Representative from said class district, and that Alexander J. Latno of said Old Town was legally elected as Representative from the said class district to the Ninety-fifth Legislature of Maine, and shall be seated as said Representative and from henceforth be and become the duly accredited Representative from said class district.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bates.

Mr. BATES: Mr. Speaker and Members of the House: The sentiments expressed by our colleague, the gentleman from Lewiston, Mr. Delahanty, applying to the previous immediate question, apply equally as well and could not be better expressed in application to this particular instance. I support the Resolution of the Committee on Elections and extend a cordial farewell and a hearty handshake to the gentleman from Old Town, Mr. Nabra, and a word of welcome, commendation and praise for the fine spirit expressed by the gentleman from Old Town, Mr. Latno, in his successful attempt.

The SPEAKER: The question before the House is on the acceptance of the Report of the Election Committee and the adoption of the Resolution. Is it the pleasure of the House that the Report of the Election Committee be accepted and the Resolution adopted?

The motion prevailed, and the Report was accepted and the Resolution adopted.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: I note the presence in the Hall of the House of the Representative-elect from Old Town, Mr. Latno, and I move that he be conducted to the office of the Governor, to take and subscribe the oath of office which will entitle him to a seat in this House.

The SPEAKER: The gentleman from Waterville, Mr. Muskie, moves that Representative - elect, the gentleman from Old Town, Mr. Latno, be conducted to the office of the Governor, there to take and subscribe to the oath necessary to entitle him to his seat on the floor

of the House. Is this the pleasure of the House?

The motion prevailed, and the Speaker appointed the gentleman from Waterville, Mr. Muskie, to conduct the gentleman from Old Town, Mr. Latno, to the office of the Governor, where he could take and subscribe to the oath of office.

Subsequently, Mr. Muskie reported to the House that he had attended to the duty assigned him, and that Mr. Latno had been escorted to the Governor's office, where he had taken and subscribed to the oath of office required to qualify him for the discharge of his official duties as Representative to the Legislature.

Thereupon, Mr. Latno was conducted to Seat No. 117 amid the applause of the House.

Mr. McGlaufflin from the House Committee on Elections on Returns for Votes cast for Representatives reported the following Resolution:

#### House Resolution

BE IT RESOLVED, that the several persons named in the certified list dated January 3, 1951 of Representatives-elect to the 95th Legislature transmitted to Harvey R. Pease, Clerk of the House of the 94th Legislature, by Harold I. Goss, Secretary of State, excepting John J. Nabra of Old Town, Samuel G. Michaud of St. Agatha and James A. Emerson of Corinna, are hereby declared the legally elected Representatives to the 95th Legislature.

The Report was read and accepted and the Resolution was read and adopted.

The SPEAKER: The Chair now announces that the entire elected membership of the House is one hundred and fifty members.

#### Orders of the Day

The SPEAKER: The Chair lays before the House "House Order relative to Special Order of Business for Reports by the Committee on Appropriations and Financial Affairs" tabled on January 17th by the gentleman from Cape Elizabeth, Mr. Chase, pending passage, and specially assigned for Thursday, January 18th.

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

Mr. CHASE: Mr. Speaker, the Order in question has been distributed, and I hope that its purpose and intent is plain on its face. That purpose is that the House shall be informed from time to time by one or more from the Appropriations Committee. No attempt is made to instruct the committee as to the form of its report or the length of its report, and it should be thoroughly understood by the Members of the House that the committee will be in no condition to make final decisions. At the present time, hearings are going on before the committee on certain matters involved in the general budget. Therefore, as these hearings are completed it is hoped that the committee will have something to say to the House in respect to these matters so that the House will understand the progress of the study as it is going on and be able to follow it in the general budget docket.

The Speaker will have the right to establish the amount of time to be devoted to the subject, so that no other business should be held back on account of these discussions.

It will be noted further that the discussions are to take place without any formal motion, and I think that it is desirable that no action should be attempted. The purpose is to inform the Members. Furthermore, since it is stated that questions will be in order, I think that we should all understand that it is easier to ask questions than to give answers, and that, if any question is asked here next Wednesday which the committee does not wish to answer at that time, it should have the right to defer its answer until the following week.

I think we should all work closely with this committee and help it all we can. That is the purpose of the Order, which I hope will pass. If there is objection, I may have occasion to speak on the matter at greater length.

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

Mr. JACOBS: Mr. Speaker, I have listened to the Order presented by our Floor Leader, Mr. Chase,

and probably it is my function to answer or perhaps to explain the situation regarding the Appropriations Committee.

As you may know, we are now having hearings in our room on appropriations. The Heads of Departments of this State have appeared before us—we had three or four yesterday, and you will find something in regard to it on the first page of the Kennebec Journal.

As a member of the committee, I am very willing to cooperate in every way possible to enlighten the Members of this House in regard to what is going on in the Appropriations Committee. Bear in mind this: That about forty commissioners or heads of departments are to appear before us, asking for funds to carry on the functions of their departments. At the rate of four per day it will take about three weeks before anything concrete can come from the Appropriations Committee to enlighten you upon the subjects to be considered. Therefore, it will be three weeks at least, perhaps four, before anything concrete, as I said before, can be presented to you for your consideration.

It has been our custom in the past years—and this is my fifth term on the Appropriations Committee—to render our verdict or our approval or disapproval of the requests of the heads of departments. That has usually come in a unanimous report of the committee before this House, and then, when that is done, it is open for discussion as to our proceedings and our agreement upon those things which pertain to the welfare of the State of Maine.

It may be possible to accept this Order, but I will say clearly here, as House Chairman of the Committee on Appropriations, that I am willing at any time, either myself, or through some of the House Members of the Appropriations Committee, to give you any information possible that will help expedite the business of this session; and as House Chairman of the Appropriations Committee I invite you to our appropriations hearings, those who wish to come, and at that time you will acquaint yourselves with the problems which confront this committee. They are very serious problems affecting the financial struc-

ture of the State of Maine. Furthermore, as I said before, we are willing to do anything that you dictate to us to do, but it is usually the custom to hear the report of the committee on these various items and then accept them or reject them.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the Order receive a passage.

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

Mr WOODWORTH: Mr. Speaker and Members of the House: The order of business in the House is set forth in Rule 26. The motion of the gentleman from Cape Elizabeth (Mr. Chase) is to alter that rule and provide a special order of business for Wednesday in each week. At that time it is proposed to have the Appropriations Committee tell us just what they are doing. The proposition, as the gentleman from Cape Elizabeth, Mr. Chase, has explained it, is that they can ask the committee a question one week and the committee does not have to answer it. They have one week's grace. They must answer it the next week. In other words, the committee goes on the spot with one week's grace. I inferred from Mr. Jacobs' remarks that he did not think too kindly of the idea, although he would cooperate in every way.

I object to the passage of the Order. I think there are two reasons. The first is that there seems to be no good reason for having a special order of business for one day in the week and another order of business for every other day. We have other important committees, such as Taxation, and, if it keeps on, we may have a special order of business for every day in the week, Taxation one day, Welfare the next, Appropriations and what have you the fourth. I think that under the established rules of parliamentary procedure, if we want to know what a committee is doing, the question can always be raised; we can resolve ourselves into a committee of the whole and discuss anything we like. I do not believe

any member is ever unjustly deprived of the privilege of unanimous consent to address the House, and I think we would be just as well off in the long run if we got along without this Order in the future as we have in the past.

The second objection that I would make, which is perhaps a little difficult to mention, but I will mention it, is the fact that the Speaker is given the arbitrary power to limit debate at any time. I have no doubt that the Speaker will use a wise discretion in exercising that power, but it is a very difficult problem for the Speaker of the House to determine how far the debate shall be carried and what shall be discussed. I believe that in the exercise of that power he may unwillingly, unwittingly, and with the strongest desire not to create ill-feeling, nevertheless injure somebody's feelings and hurt the general morale of the House.

I believe that these matters should be brought before us. I do not know that the committee would be any better qualified to report them on Wednesday morning than it would be on any other day in the week. I would rather leave things just as they are, make no changes in the rules, and leave it to the judgment and discretion of the committee as to when they should report progress in the House and in the Appropriations Committee.

I hope that the motion of the gentleman from Cape Elizabeth, Mr. Chase, may be defeated.

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

Mr. MCGLAULIN: Mr. Speaker and Members of the House: I wish to say that I favor the motion of the gentleman from Cape Elizabeth, Mr. Chase. We have been extending the term of this Legislature year after year until it looks as though in time it would be July before we got out of here. We have got a real Floor Leader who is trying to plan so that we can get our work done in the shortest possible time and go home and not stay here a month or two that is not at all necessary.

Now the gentleman from Cape Elizabeth, Mr. Chase, is a thinker; we are fortunate to have him for a Floor Leader. He is planning to get the greatest possible progress in our work here. The resolution is harmless because no motions are to be made; no final decisions are to be made. It is simply to keep us posted. The Committee on Appropriations is not put on the spot. If they are unable to answer any question at any particular date, there is no penalty for their failure to do so. I think the motion has good common sense, and I am for it.

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

Mr. COLE: Mr. Speaker and Members of the House: As a new member of the Appropriations Committee, I feel that I am heartily in accord with the Order of the gentleman from Cape Elizabeth, Mr. Chase, for several reasons, and one of them is this: As most of the old Members know, I came in late in the last session and I could not seem to grasp this Appropriations Committee. I might have been a little suspicious of it, I do not know, but, being new, it did amaze me. When they reported the final budget, being interested in welfare, I glanced down through the budget and I noticed that Old Age Burials, which is a minor figure and did not mean much, was left out and omitted, and this further aroused my suspicion and I did not go along with the budget. Now maybe there are new Members that will think as I did. I do not know.

I feel that this Order is a good one. Of course, we will unravel this budget, and, being a new Member, I would like to have it brought in here, wound up department by department, and have it debated and get the views of the Members. I am very heartily in accord with the Order of the gentleman from Cape Elizabeth, Mr. Chase.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The remark was made that the Order was harmless. I disagree heartily with

that comment. I feel that it is a most expensive proposal.

In the first place, what does the committee have to report every Wednesday morning? The Appropriations and Financial Affairs Committee operates in the same manner that any other committee operates—bills are advertised for hearing, hearings are held. It is fair to assume that the committee operates in the same manner as any other committee in that they, too, hold bills in committee which are of great importance sometimes or with the hope that it is possible, where there is not discord, necessarily, but where they are not in close harmony as far as a report is concerned, in hopes that they will strive to attain what all Chairmen do, that is, a unanimous report.

In other words, yesterday, the committee heard four or five Department Heads; this afternoon, I believe, they will hear more. As a member two years ago of the committee I will, at first, go along with Mr. Cole. I wondered: What is this committee about? Should you be or should you not be suspicious of this, that, or the other? It took a great deal of time, at least for me, to acquaint myself with the doings of the Appropriations Committee. In other words, we would come back to you next Wednesday and give you a preview, so to speak, as to what you are going to have in the report of your committee later on. That is, we will tell you whether or not we are giving Mr. Harris more or less money, unofficially, next Wednesday, or what we would give Mr. Mudge and his department and so on, and then, later on, do it officially. In other words, the work will not be, next Wednesday, near one-fiftieth of completion and so, consequently, what would we have to report?

The Order is certainly not harmless or inexpensive, bearing in mind that the daily sessions cost thousands of dollars and knowing full well that the Speaker would use discretion and with his usual level-headedness, limit the debate. However, if there were only a half hour of daily informal discussions, it would cost the State of Maine hundreds of dollars every week. I think it is a little too expensive.

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

Mr. CHASE: Mr. Speaker, the subject of the report to be made from the committee is entirely in the discretion of the committee. If they don't want to make the report on a particular occasion, they can say that.

Secondly, on the point of the gentleman from Fairfield, Mr. Woodworth, as to what is to be discussed, the Order expressly states that discussions and questions shall be in order on the matters covered by the report. As to the comment on the authority given the Speaker to limit the time, when necessary, I think no comment is necessary, and as to the cost, it is very difficult for me to conceive that this discussion is going to cost the State anything.

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

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

Mr. TOTMAN: Mr. Speaker, as a new Member of the House, one who is not on the Committee on Appropriations, I have heard questions raised here which certainly should cause some confusion in the minds of people who are about to vote on this Order.

Possibly I can raise some questions that will reveal not only my own thinking but clear up some of this confusion and I would like to be corrected on my questions so that this confusion will be removed.

First of all, I understand in essence that Mr. Chase's Order deals with questioning—and I use that word because I don't believe it is a matter of debate—as I understand it, we are going to question and I think it would expedite matters if we did not get into debate but simply ask as a matter of information what has taken place, not what is to take place but what has taken place in various hearings before the Appropriations Committee.

I would like to point out to those older Members of the House that, first of all, there will be Members who will be tied up in their own hearings and, therefore, cannot attend the hearings of the Appropriations Committee.

Secondly, I would like to point out that there is a large portion of new Members in this Session who find it difficult enough to contribute something of value to this, their first session, without having to blunder along unable to ask questions, unable to get information as to what has taken place, particularly when they are not able, because of their own hearings, as I said before, to attend Appropriations hearings.

I repeat, I do not see any particular reason for debate. If the Appropriations Committee comes in, we can ask questions for information, not enter into debate, but merely thank the members of the Appropriations Committee for that information.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the Order receive a passage. The gentleman from Cape Elizabeth, Mr. Chase, further moves that the vote be by division. Is the House ready for the question? All those in favor of the Order receiving a passage will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and sixteen having voted in the affirmative and six having voted in the negative, the motion prevailed and the Order received passage.

Mr. JALBERT: Mr. Speaker,—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, to request unanimous consent to address the House.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests unanimous consent to address the House. Is there objection?

The Chair hears none and the gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: I have heard oftentimes, since we have heard the message of the Governor on the budget, comments made that it was somewhat difficult to understand the Budget Book, its terminology. I have discussed this with Members of the Appropriations Committee. I have discussed this with Members of the House. I

have heard the Governor say, when speaking of the General Fund, that each of you should indulge in a careful scrutiny and analysis of every budgetary recommendation. I have heard the gentleman from Cape Elizabeth, Mr. Chase, this morning, state that a careful study of the budget in its entirety should be made. The gentleman from Waterville, Mr. Muskie, Democratic Floor Leader of the House, has made the same remark to us in caucus.

I am just taking certain items or certain titles in the Budget. I assure you that, as a member of the Appropriations Committee two years ago, it took me some two months to try to decipher what some of these items not only meant but what they were. Take, for instance, in the Budget Book, the item "Comparative Statement of Expenditures by Character and Object"; another, "Analysis of State Contingent Accounts"; another, "Appropriations from Unappropriated Surpluses"; "Allocations by Organized Units"; "Dedicated Revenue"; "Undedicated Revenue."

If we are to go along with the suggestions made by the gentleman from Cape Elizabeth, Mr. Chase, at least let us acquaint ourselves with the terminology of the budget. Let us know how to read the Budget Book.

Accompanied by the gentleman from Auburn, Mr. Jacobs, Chairman of the House Appropriations Committee, I called upon Mr. Mudge, the Finance Officer, before the Session this morning and asked him if he would be willing to appear before the committee, not on a policy basis but to explain to us what some of these headings are, to explain to us and acquaint us in a manner so that we would be able to read the Budget Book intelligently. I am not accusing anybody or casting aspersions. We possibly don't have the ability to do it, but I have heard some Members of this Body who, I know, have more than the average intelligence, say so themselves; I have been on the committee myself and it is hard for me to decipher it. Consequently, Mr. Mudge has agreed to appear informally some evening at a later date this next

week to merely go through some of these items and explain, not what the items of money are but what the terms are, and then it may be, in view of this Order that has just passed, it might make possible for you Members to ask the questions that you would want to ask and, if you understood the thing, you might be able to do it in a better way. I would like to hear more discussion on it. Mr. Mudge was very kind, very pleased. I have discussed it with many Members who agree that the idea has merit and I would be glad to hear how some of the Members feel toward the proposal.

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

Mr. MUSKIE of Waterville: Mr. Speaker, —

The SPEAKER: For what purpose does the gentleman from Waterville, Mr. Muskie, rise?

Mr. MUSKIE: Mr. Speaker, to request unanimous consent to address the House.

The SPEAKER: The gentleman from Waterville, Mr. Muskie, requests unanimous consent to address the House. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. MUSKIE: Mr. Speaker and Members of the House: First, I did not rise to comment on the suggestions made by the gentleman from Lewiston, Mr. Jalbert, but I do want to say that I do think they decidedly have merit and I go along with him one hundred per cent.

I do rise to read a communication, which I received this morning. It is quite obvious from the opening minutes of this session that the paramount problem of this Legislature and this House, particularly, has been concerned with finance, appropriations and with possible new taxation. Every indication has been given on the part of the Leaders of the Republican Members of this Legislature that a supreme effort will be made to supply us with every possible bit of information we may require to reach decisions. Most of the suggestions made to date have had to do with information relating to expenditures, appropriations requests by heads of departments. I think

it is equally important that we listen to all possible thinking in the matter of taxation.

The letter I received this morning is from an eminent gentleman, a citizen of my home city of Waterville, Harvey D. Eaton. Many of you probably do not know Mr. Eaton, or of him, and that is your misfortune. Mr. Eaton is an attorney, eighty-seven years old, who has practiced law for over a half century. He is well known before the courts of this County, our own State Courts and the Supreme Court of the United States. He has fought capably and successfully many important issues. He has a long record as a public servant. He is known the country over as the father of the water district idea which you and I, as members of the younger generation, take for granted as an established institution.

So I would like to read, without any further comment, this letter from Mr. Eaton, which I received this morning. It is addressed, incidentally, to myself and the other gentleman from Waterville, Mr. Castonguay. If he has not opened his morning mail yet and he has not seen it, it may be of interest to him.

"My dear Sirs:

I understand that in your capacity as members of the Legislature you have before you the problem of taxation. This has been a legislative problem for thousands of years and with the tremendous increase in governmental activities it is an increasingly important and serious problem. Governor Payne has discussed it most ably and brought it clearly before the Legislature. The Maine State Chamber of Commerce through its Executive Manager, Mr. Paul C. Emerson, has discussed it and asked the opinions of many people in regard to the whole matter.

"Apparently the general opinion at the present time is that a state income tax law or a state retail sales tax law must be adopted. Let me suggest that neither is necessary and that either would entail needless expense and many new, annoying and embarrassing results.

"As just stated, taxation is as old as recorded history. When our state Constitution was adopted it

was a well known feature of government. And our people who adopted this Constitution understood the matter as well and, in my humble opinion, better than we do today. And here is what they enacted:

'All taxes upon real and personal estate assessed by authority of the state, shall be apportioned and assessed equally, according to the just value thereof.'

This is the basic, fundamental, constitutional provision for all state taxation. Is it followed? You know it isn't. Every tax assessor in Maine knows it isn't. Almost every Board of Assessors in the state has some sort of scheme or formula for fixing valuations upon some basis other than the 'just value' of the property assessed. Many boards try to figure the just value and then take 1/2 or 60% or 66 2/3% or 70% or 75% or some other fraction of the just value as a basis for assessment. There is not a shred of authority for any such practice but these practices reduce the assessed values by millions upon millions of dollars. Right here in our own city the basis of assessment is several millions less than it should be.

"If you have a public hearing or an executive session upon this matter call in the assessors of any city or town or any number of cities or towns that you see fit and examine them. You will easily get complete proof of these assertions. Why hunt for new taxes when millions of dollars worth of property is escaping in this manner?

This constitutional provision was enacted by the people. Have you Legislators the right to disregard it?"

Mr. Eaton adds a postscript:

"I hope you will not think this suggestion hasty or thoughtless. It is not. I became a Tax Collector sixty-six years ago this year and in the long years since have met the problems of taxation from very many angles. Ordinarily a suggestion of increase of valuation refers to the property of a single individual and means a direct increase to him. That instantly arouses antagonism. The problem before you is quite different. It is substantially the same problem which our fathers faced when they framed our Constitution. It affects the base of the

whole proposition. No one as yet has succeeded in adding anything of value to their wisdom. Let's follow the path they marked out instead of wandering into the woods of experiment. In other words, Let's assess our taxes as we know we ought to."

Without further comment, I submit to you this expression of opinion from an eminent citizen of opinion from an eminent citizen of Waterville and the State of Maine.

Mr. JACOBS of Auburn: Mr. Speaker,—

The SPEAKER: For what purpose does the gentleman from Auburn, Mr. Jacobs, rise?

Mr. JACOBS: Mr. Speaker, I would like to request personal privilege, to make a statement.

The SPEAKER: The gentleman may proceed.

Mr. JACOBS: Mr. Speaker and Members of the House: Speaking further on this Budget Report, on the point which the gentleman from Lewiston, Mr. Jalbert, has just made to invite the Finance Officer, Mr. Mudge,—

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, is not proceeding under personal privilege. Does the gentleman desire unanimous consent to address the House?

Mr. JACOBS: Yes, I do, Mr. Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, requests unanimous consent to address the House. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. JACOBS: Mr. Speaker, this Budget Report is rather difficult for the average person to digest, to understand, and after consultation with Mr. Mudge and Mr. Jalbert this morning, the Budget Officer is willing to come here to this Hall next Tuesday night at eight o'clock and answer questions if anyone may have them relating to it. It is hard to understand. He and his associates make up this

budget for the State, for the Governor, and I believe it is worthwhile for us to invite Mr. Mudge to appear here in this House next Tuesday night at eight o'clock to answer questions and give us information on how to read this book. It is vital to the Members here to understand this financial budget of the State. I would like to suggest that we invite Mr. Mudge to appear before the Members of this House next Tuesday night at eight o'clock.

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

The Chair, at this time, without objection, will announce the Apportionment Committee. The Chair hears no objection and the Clerk will read the Apportionment Committee as appointed by the Chair.

Messrs. JACOBS of Auburn  
 DORSEY of Fort Fairfield  
 CHASE of Cape Elizabeth  
 CASWELL of New Sharon  
 DUNHAM of Ellsworth  
 MARTIN of Augusta  
 HARDING of Rockland  
 CHASE of Whitefield  
 STEWART of Paris  
 GROVER of Brewer  
 HAYES of Dover-Foxcroft  
 BAILEY of Woolwich  
 SINCLAIR of Pittsfield  
 DICKEY of Brooks  
 LACKEE of Addison  
 BRADEEN of Waterboro

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

If there is no further business for the House to consider, the Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until Tuesday, January 23, at 4:30 o'clock in the afternoon.