

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

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DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 8, 1951.

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

Prayer by Rev. Fr. Pomerleau of Augusta.

The journal of the previous session was read and approved.

**Senate Reports of Committees
Ought Not to Pass**

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Right of Way at Rotary Intersections" (S. P. 361) (L. D. 897)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Non-Concurrent Matter

From the Senate:

Bill "An Act Regulating the Taking of Marine Worms" (H. P. 1131) (L. D. 698) on which the House accepted the Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on May 3.

Came from the Senate with the Minority Report reporting "Ought to pass" accepted in non-concurrence and the Bill passed to be engrossed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I move that the House insist on its former action. In so doing I wish to state that the question was pretty well covered the other day.

We find that the situation includes clams, quahogs as well as worms. Now they are on the same basis; they dig them in practically the same flats, and what should be done with one should be done with the other. We find that the laws of enforcement have been the same, and there is no reason why it should be put simple on the worms instead of on the clams and quahogs.

The SPEAKER: The question before the House is on the motion of the gentleman from Woolwich, Mr.

Bailey, that the House insist upon its former action on Bill "An Act Regulating the Taking of Marine Worms."

The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker and Members of the House: Unfortunately, I wasn't here, and that is my tough luck. However, I don't know how far the action has gone relative to this particular situation, and I would like permission to ask through the Chair what action has been taken.

The SPEAKER: The question before the House is on the motion of the gentleman from Woolwich, Mr. Bailey, that the House insist upon its former action whereby it accepted the majority report of the Committee on Sea and Shore Fisheries "Ought not to pass."

Mr. GAY: Mr. Speaker, if I am not mistaken, it requires at the present time to follow through its action and then other motions can be made?

The SPEAKER: Other motions are in order, the Chair would inform the gentleman.

Mr. GAY: At this time, then, Mr. Speaker, I make a motion to recede and concur.

The SPEAKER: The gentleman from Damariscotta, Mr. Gay, moves that the House recede and concur with the Senate on Bill "An Act Regulating the Taking of Marine Worms."

All those in favor of the motion will say aye.

The Chair recognizes the gentleman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: Unless anyone has really followed this picture through for a period of years, it is very difficult to understand exactly what it does mean to the people along the seacoast. I know that in talking with some of the people, after the discussion the other day, it was taken in a rather light manner, but I think if you will follow the newspapers you will see that this is something that is being pushed by outside interests. As the gentleman from Woolwich (Mr. Bailey) has brought out, it is not the clam worm alone that is involved in this; it is the quahogs and the clams.

A group of people from outside of the State of Maine who are very anxious to control the quahog and clam industry in the State of Maine have gone so far as to hire some of the boys along the coast to deliberately go into these towns where there are laws protecting the marine worms, clams and quahogs and put up a challenge, and I know that the money behind this goes into several hundreds of dollars. The boys who were hired down in our section to challenge this law are not the boys who make their living in this manner. They were deliberately picked and hired to cause quite a furor.

It is nothing new, but over the period of the last ten or twelve years the State of Maine has realized the money involved in its clam and quahog industry. It has tried to protect that industry for the people in the State of Maine. If any of you folks were present the day of the hearing, when Washington County asked to have its flats closed during the summer months, you had it forcibly presented to you that it was people from Massachusetts who were interested most of all in keeping the flats open.

If protection is not given to the people along the seacoast, this industry will not belong to the people in the State of Maine. I know that for you people inland, it seems more or less of a joke, but it is no joke. This bill has been put in under the heading of clam worms because that does sound rather ridiculous, to think that such a battle would be put up to protect the clam worms, but I cannot try to enforce it upon you folks too strongly; it is not simply the clam worm; it is the quahog and the clam industry, and some of our quahog diggers, some of the men who live in the towns where the quahogs have ground, and there aren't too many of them, have put their own money into seeding these quahogs to get new beds started, and yet there is a deliberate effort from people outside of the State to control that industry, not caring what happens to the boys along the coast; therefore I beg of you, please stop and think of their economic picture, also the economic picture of a large group along the seacoast

in the State of Maine, and I do hope you will go along with the motion of the gentleman from Woolwich, Mr. Bailey. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker and Members of the House: I am very much surprised to learn all of this. I introduced this bill, as I told you, at the 92nd session of the Legislature, whereby the marine worm industry became a licensed industry of the State; in other words, the Department of Sea and Shore Fisheries could receive some remuneration, and that the citizens of the State of Maine who are interested in this particular industry would benefit by it. Now I have followed this thing from that day to this moment. I am going to use some harsh words, and I am compelled to, and I want to show my respect to the gentlewoman from Bath (Mrs. Moffatt) but there was not a single vestige of force on the part of any individual outside of this State to my knowledge. This is entirely an industry within the confines of this State for the residents of the State of Maine alone. There is no outside interest whatsoever. In so far as the quahogs or the clams or our fish are concerned, it has nothing to do with them in any respect.

I have already told you that the marine worm is dug in a bed which is below the area from whence come the clam and the quahog. In many of our counties there are no marine worms at all; we have to find those down in the deep muck, not in areas where you have clams. So don't be discouraged, don't let the little lady from Bath sway you too much because there isn't anything in it.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Senter.

Mr. SENTER: Mr. Speaker and Members of the House: I had hoped that we would let these lowly worms lie in the mud in peace this week but I notice that we are going to dig them up again and discuss them.

I think that the House should insist on its former action, and therefore I am opposed to the motion of the gentleman from Damariscotta, Mr. Gay. I think,

regardless of whether or not there are outside interests, undoubtedly that is a factor.

We have also heard much about home rule during this session of the Legislature, and I think, with the marine worms, the clams and the quahogs that are within a community, it seems to me that the residents of that community should have a priority, and I do think it is unfair for marine worm diggers who have depleted these worms from their section to come in and rob another section and go from town to town, and therefore I hope that this House will insist on its former action and that a Committee may be named by the Speaker, if that is in order. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, we spent nearly two hours, one day last week, on worms, and I had hoped that the motion to insist would prevail, and we could speedily depart from the worm flats.

The issue in this measure, to my understanding, is whether or not we want to jeopardize a \$1,000,000 industry for a \$500,000 industry. If we pass this bill, the result will be an almost unenforceable situation in our town clam laws. This bill has been lobbied, and lobbied, and lobbied. We have been threatened with a court case to try to test the town clam laws, but, Members, that has been said for twenty years and still this Legislature has repeatedly given the benefit, the resources of our clam flats, to the towns on the coast of Maine. If you pass this law, you will begin to take away those rights which you have given them over the years.

I am therefore opposed to the motion of the gentleman from Damariscotta, Mr. Gay, and I hope that the motion of the gentleman from Woolwich, Mr. Bailey, will prevail.

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

Mr. WALLACE: Mr. Speaker and Members of the House: I, too, thought that perhaps we had heard the last of the worm bill, but it has been brought to the attention of this body again this morning, and I

am really amused at some of the statements that have been made.

Last Thursday we spent some time in debating this marine worm bill in the morning, and in the afternoon we had a clam bill come up, and some of the same parties that opposed the worm bill in the morning turned right around that afternoon and supported the clam bill, which actually amounts to about the same thing.

I cannot say that anyone has ever contacted me in regard to this bill, outside of the State of Maine. It has been done by people, mostly residents of Portland I will admit, who are engaged in this occupation and who have to travel many miles, perhaps, to perform their usual occupation of digging worms.

In regard to the quahogs and other species of clams and so on, I cannot see where that has anything to do with this bill. This bill is a marine worm bill and what we have been fighting for, therefore why inject all the rest of the species along the coast into this bill at this time?

I said last Thursday that I thought we were violating the rights of the citizens of Maine when we say to them that you cannot go to this place and you cannot go to that place. True, that may be so as far as worms are concerned, but if we don't stop this matter as it is going now and as it has been going for the last few years, you may be faced in this State some day with the same idea from some other section that you cannot come in here and sell your goods; you cannot come in here and do your fishing and you cannot come in here and do your shooting.

Ladies and Gentlemen of this House, that is not impossible, if this trend of tying up the State of Maine along the coastline extends the way that it is going on at the present time. I say that we are being unfair to the citizens of our State when we say to them: "You cannot make a living" but still and all the State accepts the money for a license fee. I believe that we should, once and for all, take this matter into consideration and stop using ourselves as an idea for any individual section of the State, or any individual

crowd in the State, and say to the citizens of the State of Maine, once and for all: "The State is open to you for what you want to do as long as you behave yourselves and don't cause trouble." We have laws to take care of that situation. And I believe, Ladies and Gentlemen of this House, that it is time that some of these things were stopped and we play for everybody and not a few, and therefore, as always, I will go along with the gentleman from Damariscotta, Mr. Gay.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, I would simply like to point out that any man who is now a resident of the State of Maine can become a resident of any one of these coastal towns and thereby have the privilege of digging either clams or marine worms after three months of residence. Now that is not an extensive period. That does not take away any of his constitutional rights. He can, in three months, qualify as a worm digger in any town on the coast of the State of Maine.

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

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, I wish to reinstate my motion that this House insist on its former action, and ask that the vote be taken by the yeas and nays.

The SPEAKER: The question before the House is on the motion of the gentleman from Damariscotta, Mr. Gay, that the House recede and concur.

Mr. BAILEY: Mr. Speaker, may I ask: Does one motion not have as much right as the other?

The SPEAKER: The motion to recede and concur has precedence over the motion to insist.

The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: Probably you all understand the motion to recede and concur must be put first. I hope that all will stand by the decision previously and vote down the motion to recede, then we can have the motion to insist.

The SPEAKER: The question before the House is on the motion of the gentleman from Damariscotta, Mr. Gay, that the House recede from its former action whereby it accepted the majority "Ought not to pass" report on Bill "An Act Regulating the Taking of Marine Worms" and concur with the Senate in accepting the minority "Ought to pass" report.

Is the House ready for the question? The Chair will repeat: The question before the House is on the motion of the gentleman from Damariscotta, Mr. Gay, that the House recede from its former action whereby it accepted the majority report of the Committee on Sea and Shore Fisheries "Ought not to pass" on Bill "An Act Regulating the Taking of Marine Worms" and to concur with the Senate in the acceptance of the minority "Ought to pass" report; and the gentleman from Vinalhaven, Mr. Barton, has requested a division.

All those in favor of the motion to recede and concur will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Thirty-seven having voted in the affirmative and fifty-nine having voted in the negative, the motion to recede and concur does not prevail.

The question before the House is on the motion of the gentleman from Woolwich, Mr. Bailey, that the House insist upon its former action whereby it accepted the majority report "Ought not to pass" on Bill "An Act Regulating the Taking of Marine Worms."

The gentleman from Woolwich, Mr. Bailey, has requested a ye and nay vote. All those who desire the yeas and nays to be taken will rise and stand in their places until counted and the monitors have made and returned the count.

A sufficient number did not rise.

The SPEAKER: Obviously, the House does not consent. Does the Chair understand that the gentleman from Woolwich, Mr. Bailey, asks for a division?

Mr. BAILEY: Yes, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Woolwich, Mr.

Bailey, that the House insist upon its former action whereby it accepted the majority "Ought not to pass" report on Bill "An Act Regulating the Taking of Marine Worms" and the same gentleman has requested a division.

All those in favor of the motion to insist will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Sixty-three having voted in the affirmative, and eleven having voted in the negative, the motion to insist prevails.

The Chair would inquire of the gentleman from Brunswick, Mr. Senter, if he made a motion to request a Committee of Conference?

Mr. SENTER: No, Mr. Speaker.

Mr. GAY of Damariscotta: Mr. Speaker and Members of the House: I congratulate you upon your ability to stand on your own feet. However, at this time, Mr. Speaker, I am going to move that we ask for a Committee of Conference.

The SPEAKER: The gentleman from Damariscotta, Mr. Gay, now moves that the House ask for a Committee of Conference on Bill "An Act Regulating the Taking of Marine Worms."

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

A viva voce vote being doubted,

A division of the House was had.

The SPEAKER: Fifty-nine having voted in the affirmative and thirty-one having voted in the negative, the motion prevails.

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

The gentleman from Lisbon, Mr. Plummer, presented the following Order and moved its passage.

WHEREAS, the members of the House of Representatives of the Ninety-fifth Legislature have learned with profound sorrow of the death on May seventh of John William Wood, father of an esteemed colleague, Honorable Frank Wood, Representative from Webster;

NOW THEREFORE BE IT ORDERED, that the Clerk of the

House be directed to send flowers to the residence of Mr. Wood, and express to him the profound sympathy of the members in his bereavement.

The Order received passage.

House Reports of Committees Divided Report

Majority Report of the Committee on Agriculture on Bill "An Act relating to Indemnities in Bang's Disease Law" (H. P. 1465) (L. D. 1081) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

Report was signed by the following members:

Messrs. TABB of Kennebec
—of the Senate.

CENTER of Standish
BOOTHBY of Livermore
TOTMAN of Bangor
COBB of Lee
GOSLINE of Gardiner
BAILEY of Woolwich
DORSEY

of Fort Fairfield

—of the House.

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

Report was signed by the following members:

Messrs. BREWER of Aroostook
GREELEY of Waldo

—of the Senate.

Report was read.

On motion of Mr. Center of Standish, a viva voce vote being taken, the Majority "Ought to pass" report was accepted.

Thereupon, the bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 1465, L. D. 1081, Bill "An Act Relating to Indemnities in Bang's Disease Law."

Amend said Bill by striking out the last 2 lines of "Sec. 1" and inserting in place thereof the following underlined words and punctuation:

'provided, however, that no herd owner having known reactors in the herd on June 1, 1951, shall be eligible for indemnity.'

Committee Amendment "A" was adopted and the Bill was assigned

for third reading tomorrow morning.

Mr. TAYLOR of Lyman: Mr. Speaker, —

The SPEAKER: For what purpose does the gentleman rise?

Mr. TAYLOR: Mr. Speaker, I want to table this bill until tomorrow morning.

The SPEAKER: The Chair would inform the gentleman that the matter is already assigned for third reading tomorrow morning and could be taken up tomorrow morning.

Mr. TAYLOR: All right, then, Mr. Speaker.

Divided Report

Majority Report of the Committee on Agriculture on Bill "An Act relative to Recording Meters on Fuel and Range Oil Trucks" (H. P. 401) (L. D. 245) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

Report was signed by the following members:

Messrs. **TABB** of Kennebec
—of the Senate.

TOTMAN of Bangor
BAILEY of Woolwich
COBB of Lee
BOOTHBY of Livermore
CENTER of Standish
DORSEY

of Fort Fairfield
GOSLINE of Gardiner
—of the House.

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

Report was signed by the following members:

Messrs. **GREBLEY** of Waldo
BREWSTER of Aroostook
—of the Senate.

Report was read.

The Majority Report "Ought to pass" as amended by Committee Amendment "A" was thereupon accepted, and the bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 401, L. D. 245, Bill "An Act Relative to Recording Meters on Fuel and Range Oil Trucks."

Amend said Bill by adding at the end thereof, before the single quotation mark, the following underlined sentence: "The provisions of this section shall apply only to new equipment purchased after January 1, 1952, provided such recording equipment is available."

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

Leave to Withdraw

Mrs. Fay from the Committee on Judiciary on Bill "An Act relating to Undischarged Real Estate Mortgages" (H. P. 1346) (L. D. 921) reported leave to withdraw

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Gay from the Committee on Claims reported "Ought not to pass" on Resolve in favor of the Town of Bethel (H. P. 807)

Same gentleman from the same Committee reported same on Resolve in favor of the Town of Strong (H. P. 37)

Same gentleman from the same Committee reported same on Resolve in favor of North Waterford Fire Association (H. P. 811)

Mr. Hall from the same Committee reported same on Resolve to Reimburse the Town of Sanford for Fire Equipment Used During the Emergency Fires of 1947 (H. P. 112)

Same gentleman from the same Committee reported same on Resolve Providing for State Pension for Elmer W. Lawrence of Pittsfield (H. P. 1638) (L. D. 1197)

Mr. Hamilton from the same Committee reported same on Resolve in favor of Levite Bellefleur of Madison (H. P. 1601)

Reports were read and accepted and sent up for concurrence.

Mr. Ingraham from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Town of Chelsea (H. P. 449)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Perry.

Mr. PERRY: Mr. Speaker and Members of the House: I am going

to request the House to substitute the resolve for the report of the committee on this particular bill. I will give a few words of explanation as to why, in my opinion, and for the town of Chelsea, which I represent, that it is vitally important that it be done.

This particular resolve was put into the Legislature as a last resort as there was no other possible way for the town of Chelsea to recover any part of the money that they have lost due to the laws passed by this Legislature exempting the veterans from taxation.

Now I, myself, have worked for approximately two years trying to figure out some way that our town would not be discriminated against by the working of this law, and it boiled down that there was no possible way to get any of the particular amount of money back excepting through the Legislature. I have been to the Governor with it, and I have written letters to Congressmen, and our Senators, and the only word I could get back from the government is that it is a State law that exempts the veterans and therefore it is up to the State to take care of it.

I went to Mr. Johnson, the State Tax Assessor, several times and worked with him in trying to get a refund or rebate or something from our State property tax, which I was unable to do, so he helped me draft this amendment and figure out the exact amount of money that we should be reimbursed. This is for the last two fiscal years only.

I might state that, due to the reason that Togus is situated in the town of Chelsea, we are hit down there to a point that over ten per cent of all of our property now is exempt from taxation; therefore it figures to the point of approximately \$3,000 a year cash that we are exempting out of a \$27,000 commitment. Of course there is no other town or city in the State of Maine that comes to anywhere near that amount of money. About the biggest is around three per cent.

The way we figured we should do—I have the list of the names and the property in the town that is exempt, each veteran, and every one of these practically are the

totally disabled veteran that will still be exempt, even under the law that went through the House the other day.

I have not asked in this resolve for the State Legislature to reimburse the town of Chelsea for the complete amount of money that we gave in exemptions. I have only asked for the State to reimburse our town all we gave above the State average in the last two years. In other words, we have given \$3,000 a year, and I have asked around \$2,400 a year to be recovered for the last two years, which will still leave the town of Chelsea giving exemptions to the same amount as every other town and city in the State, but it will put it on a fair basis instead of a discrimination that is being worked now on account of the Veterans' Administration being situated in that particular town.

The town of Chelsea itself, having a valuation of only \$300,000, has a debt limit of \$15,000. I might state that at the end of our fiscal year last year we were \$11,000 in debt, and at the present time now we are awaiting tax revenues to come in and we are at our debt limit of \$15,000.

We need schools in the town of Chelsea, we have seven one-room schoolhouses, and we cannot begin to think of building a school until we get on a financially sound basis and start doing it. We are not coming in here and asking for a resolve to help us build a school; we are only asking that the Legislature, due to a law that they have passed here which has worked discrimination, to reimburse this particular town a fair amount that they have given in exemptions above the State average. We are willing to pay our own particular share, which we have done, but we are asking that the State reimburse us for the last two years only.

I have talked with members of the Claims Committee several times on this matter. Most of the members that I have talked with are in complete sympathy and realize this money should be given, but so far the only reason they have given is that it is a matter of setting a precedent. They didn't know whether they should set

a precedent and allow the town of Chelsea to have this money for the mere fact that they could foresee that in another year or two maybe four hundred towns would be coming in and all asking for the same thing.

That might be true, and if it cannot be done any other way, I suppose that the town of Chelsea will still have to take a licking every year of about \$3,000 that they are paying above everyone else, but I maintain that there is no other town or city in the State of Maine that has Togos situated in it, and therefore would not have to put up with the particular amount of exemptions that we have in our town, and I sincerely hope that the Legislature here will go along and substitute the resolve for the report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Hall.

Mr. HALL: Mr. Speaker, the gentleman from Chelsea (Mr. Perry) and the Claims Committee have one thing in common. He has tackled this problem from every angle he could find, and I assure you that your Claims Committee has done the same.

We have had this claim before us for quite some time, and we are in sympathy with the town of Chelsea. However, as Mr. Perry has stated himself, there is no way that the Claims Committee felt that they could pay this claim without having to treat any other town who saw fit to come in, in another session, with a similar claim, in the same manner in which we would treat the town of Chelsea. In other words, it would, as far as your Claims Committee is concerned, be setting up a precedent which would make it very, very difficult for a Claims Committee in future sessions; therefore your Claims Committee unanimously felt that they had to turn out this "Ought not to pass" report. I hope the House will sustain the committee.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Chelsea, Mr. Perry, that the House substitute the Resolve to Reimburse the Town of Chelsea, H.

P. 449, for the "Ought not to pass" report of the Committee on Claims.

All those in favor of substituting the resolve for the report will say aye; those opposed will say no.

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

The SPEAKER: Thirty-nine having voted in the affirmative and forty-five having voted in the negative, the motion does not prevail.

Thereupon, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Chase from the Committee on Taxation on Bill "An Act Appropriating Moneys for Revision of State Valuation" (H. P. 1066) (L. D. 646) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith

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

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

COMMITTEE AMENDMENT "A" to H. P. 1066, L. D. 646, Bill "An Act Appropriating Moneys for Revision of State Valuation."

Amend said Bill by striking out the figures and word "5 members" in the 2nd line of section 4 thereof and inserting in place thereof the following figures and words: "7 members, 2 to be appointed by the governor."

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

The SPEAKER: The Chair at this time will appoint the gentleman from Lewiston, Mr. Jalbert, Speaker pro tem, and the Sergeant-at-Arms will escort the gentleman to the rostrum.

Thereupon, the Sergeant-at-Arms escorted Mr. Jalbert to the rostrum, where he assumed the Chair amid the applause of the House, and Speaker Silsby retired.

Passed to be Engrossed

Bill "An Act relating to the Salary of the Sheriff of Aroostook County" (S. P. 420) (L. D. 980)

Bill "An Act relating to Registration of Dentists and Dental Hygienists" (S. P. 567) (L. D. 1361)

Bill "An Act relating to Powers and Duties of Recorder of the Municipal Court of the City of Biddeford" (H. P. 240) (L. D. 137)

Bill "An Act relating to East Limington Improvement Society" (H. P. 740) (L. D. 437)

Bill "An Act to Include World War I Veterans in Maine State Retirement System" (H. P. 783) (L. D. 464)

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

Amended Bills

Bill "An Act Assenting to Act of Congress relating to Fish Restoration and Management Projects" (H. P. 525) (L. D. 287)

Bill "An Act relating to Appointment of Administrators with the Will Annexed" (H. P. 925) (L. D. 527)

Bill "An Act relating to Liens for Payment of Assessments on Real Estate" (H. P. 1619) (L. D. 1179)

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

Amended in Non-Concurrence

Bill "An Act to Provide Fire Protection for Townships of Connor, Medford and Orneville" (H. P. 394) (L. D. 230)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

At this point Speaker Silsby returned to the rostrum.

The SPEAKER: Mr. Jalbert, I present you with this little gavel, in order that you may have something to remind you of this occasion.

Mr. JALBERT: Thank you, Mr. Speaker.

Thereupon, Mr. Jalbert retired to his seat on the floor, amid the applause of the House, and Speaker Silsby resumed the Chair.

Finally Passed Constitutional Amendment

Resolve Proposing an Amendment to the Constitution to Remove the Provision That the Treasurer Shall Not Be Eligible More than Six Years Successively (H. P. 1073) (L. D. 686)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 119 voted in favor of same and 1 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to be Enacted Emergency Measure

An Act Providing for Construction of Roadside Picnic Areas (H. P. 72) (L. D. 34)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

Resolve Providing Funds to Augment Institutional Appropriations (S. P. 292) (L. D. 651)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Finally Passed Placed on Special Calendar

Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 804) (L. D. 477)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(At the request of Mr. Jacobs of Auburn was ordered placed on

Special Calendar, the pending question being final passage.)

Passed to be Enacted

An Act relating to Initiative and Referendum in the City of South Portland (S. P. 70) (L. D. 76)

An Act to Increase the Salary of the Judge of the Van Buren Municipal Court (S. P. 280) (L. D. 619)

An Act Revising the Laws relating to Outdoor Advertising Signs (S. P. 326) (L. D. 728)

An Act relating to Attorney's Fee for Foreclosure of a Mortgage (S. P. 362) (L. D. 876)

An Act relating to Salaries of County Officers of Androscoggin County (S. P. 422) (L. D. 982)

An Act relating to Retirement of Firemen Under Maine State Retirement Law (S. P. 526) (L. D. 1253)

An Act relating to the Salary of the Judge of the Northern Municipal Court (S. P. 545) (L. D. 1286)

An Act relating to Prospecting for Minerals and Metals (S. P. 548) (L. D. 1312)

An Act to Authorize the Building of a Private Road Across Massacre Pond, in Scarborough (H. P. 61) (L. D. 27)

An Act relating to Motor Vehicles Following Fire Apparatus and Crossing Fire Hose (H. P. 1038) (L. D. 603)

An Act to Amend the Charter of the Western Somerset Municipal Court (H. P. 1177) (L. D. 733)

An Act relating to Taxation of Bottled Gas Equipment (H. P. 1331) (L. D. 894)

An Act relating to Designation of Through Ways by Highway Commission (H. P. 1341) (L. D. 916)

An Act relating to Dealers in Livestock (H. P. 1398) (L. D. 1011)

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

Placed on Special Calendar

An Act relating to Salary of Justices of the Supreme Judicial and Superior Courts (H. P. 1657) (L. D. 1229)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Jacobs of Auburn, placed on Special Calendar)

An Act relating to Duties and Powers of Aroostook County Fire Marshal (H. P. 1678) (L. D. 1246)

An Act relating to Fees for Boiler Inspection and Certificates (H. P. 1679) (L. D. 1247)

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

Tabled and Assigned

An Act Prohibiting Claims of Damage to Motor Vehicles by Wild Animals and Birds (H. P. 1759) (L. D. 1303)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Boothby of Livermore, tabled pending passage to be enacted and specially assigned for tomorrow morning.

An Act relating to Fines for Overloaded Trucks (H. P. 1779) (L. D. 1317)

An Act to Confer the Right of Eminent Domain Upon Wiscasset Water Company (H. P. 1781) (L. D. 1319)

An Act relating to Guides' Qualifications, License and License Revocation (H. P. 1783) (L. D. 1340)

An Act relating to the Liquor Commission (H. P. 1786) (L. D. 1346)

Finally Passed

Resolve in favor of Robert George Llewellyn, of South Portland (S. P. 143) (L. D. 1349)

Resolve in favor of Merle Libby of Caribou (S. P. 211) (L. D. 1350)

Resolve Appropriating Moneys to Reimburse Town of Phippsburg for Snow Removal (S. P. 296) (L. D. 1354)

Resolve in favor of Peter Spanos of Portland (S. P. 485) (L. D. 1351)

Resolve in favor of George Panages of Portland (S. P. 486) (L. D. 1352)

Resolve in favor of the Town of Nobleboro (S. P. 525) (L. D. 1353)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed,

signed by the Speaker and sent to the Senate.

Placed on Special Calendar

Resolve in favor of Christian M. Jensen of Westbrook (H. P. 11) (L. D. 1321)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Jacobs of Auburn, placed on Special Calendar)

Placed on Special Calendar

Resolve in favor of Oscar Pinette, of Portland (H. P. 12) (L. D. 1322)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Jacobs of Auburn, placed on Special Calendar)

Placed on Special Calendar

Resolve in favor of Jackman Plantation (H. P. 38) (L. D. 1323)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(At the request of Mr. Jacobs of Auburn, was ordered placed on the Special Calendar, the pending question being final passage.)

Resolve in favor of C. Curvin Hovis of Gorham (H. P. 71) (L. D. 1324)

Resolve in favor of Leo Smith of Pittsfield (H. P. 579) (L. D. 1325)

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

Placed on Special Calendar

Resolve in favor of the Town of Warren (H. P. 810) (L. D. 1326)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(At the request of Mr. Jacobs of Auburn, was ordered placed on the Special Calendar, the pending question being final passage.)

Resolve Opening Meduxnekeag Lake to Ice Fishing for Certain Fish (H. P. 1010) (L. D. 597)

Was reported by the Committee on Engrossed Bills as truly and

strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

Placed on Special Calendar

Resolve in favor of Carrie M. Longfellow of Machias (H. P. 1015) (L. D. 1344)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(At the request of Mr. Jacobs of Auburn, was ordered placed on the Special Calendar, the pending question being final passage.)

Resolve in favor of Allagash Plantation (H. P. 1560) (L. D. 1337)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in the Island in Cumberland County to H. Norman Cole of Gray (H. P. 1589) (L. D. 1161)

Resolve Designating Bridge at Burnham as Burnham Memorial Bridge (H. P. 1611) (L. D. 1171)

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

Placed on Special Calendar

Resolve Granting a Pension to James E. Harvey of Readfield (H. P. 1785) (L. D. 1342)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(At the request of Mr. Jacobs of Auburn, was ordered placed on the Special Calendar, the pending question being final passage.)

Orders of the Day

Mr. BROWN of Baileyville: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BROWN: Mr. Speaker, I would like to request unanimous consent to address the House on the record.

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

Mr. BROWN: Mr. Speaker and Members of the House: This morning, through the courtesy of your Governor, the Maine Publicity Bureau and the Quoddy Committee of the Washington County Chamber of Commerce, you have had placed on your desks the Quoddy Brochure.

During the last few years, you have all heard a great deal about the Quoddy Project. A lot of people just don't understand what the Quoddy Project is all about. I want to say to you this morning that here is one of the most important items that the State of Maine and its people can consider at this time. During the last three or four sessions of the Legislature, we have heard a great deal in both branches of this Legislature pertaining to the conservation of the resources of the State of Maine. That is becoming a serious problem. It is concerning our people in every section of the State. The big question is: how are we going to conserve our resources if the people of this State have not any other occupation to perform but digging clams, cutting pulp wood and one or two other minor vocations? Something has got to be found in the State of Maine to give our people employment. Too long in the State of Maine we have lived on the assumption that by raising potatoes in Aroostook County, catching a few fish along our coast and waiting for the tourists to come here that Maine can have all-out prosperity. I think we are beginning to see that we must have something else. Maine cannot stand still; Maine must go ahead.

When we see the other areas of our country being developed, we wonder just what the reason is why Maine is not making the progress that our other states are making.

Along with the present vocations, trades and professions which we have in the State of Maine, we must have something else. The State of Maine, like the other states of the Nation must become industrially developed. The only way that Maine can become industrially developed is through an abundance of cheap electric power. In the Quoddy area, as has been brought out a great many times,

there is that abundance of power that can be developed. At the first of the Roosevelt Administration, there was an attempt to start development of the Quoddy Project. At that time, we did not have the cooperation of our neighbors across the boundary, particularly the Maritime Provinces of Canada, so the project as started at that time was what they called the "American Project". And, as you all know, that project was abandoned.

Back here some three or four years ago, through the efforts of the Washington County Chamber of Commerce in setting up the Quoddy Committee, the revival of the talk of the Quoddy Project was started. Much has been accomplished since that time. As you all know, the International Joint Commission, which handles all problems between our two countries, the neighboring country of Canada and the United States, held extensive hearings. From those hearings a very favorable report has come pertaining to Quoddy. In that report, a recommendation came out that an extensive survey of the Quoddy Project from all angles should be carried out. That report is before both Canada and the United States at the present time. We are looking for this investigation to be carried out. We know our own country is very much interested in seeing the Quoddy Project developed and, over in Canada, during the last few months, we have received most favorable reports from a change in attitude in that country. Canada, or the Maritime Provinces, like the State of Maine, recognizes that in order to develop their resources, in order to develop the minerals that are located there, we must have an abundance of cheap electric power. So, we are looking for joint action from both countries at the present time.

Now, this booklet was prepared by the Maine Publicity Bureau. Your Quoddy Committee furnished the facts that went into this brochure. It is concise; it gives you an idea of the Quoddy Project and I trust that each and every one of you will take this booklet and study all of the facts pertaining to the Quoddy Project, talk the

matter over with all your friends over the State of Maine and maybe by united effort on the part of the people here in this State, we can bring about the development of this vast project, which is going to mean much to the State of Maine.

Now, a lot of people have got the opinion over the State of Maine that Quoddy will only benefit that area bordering onto the Quoddy Project, namely, Washington County. Now, you know a project as vast as the Quoddy Project, not only will benefit Washington County and the Maritime Provinces but it is going to benefit the entire State of Maine and the entire New England States.

So, I trust that you people will not take this pamphlet and consider that it is just another bit of information and consign it to the wastebasket but will give it a lot of thought. That is my purpose, this morning, in speaking before you on this important matter. I believe that the day is here when the Quoddy Project will be developed and it will mean more to the State of Maine than anything else.

We have seen our boys and girls leave the State of Maine for want of employment. If this can be developed, we believe we have got an attraction here that will hold our boys and girls in the State of Maine. We have been exporting the best product which we have in the State of Maine: our boys and girls. We want to hold them here and help us develop this beautiful State and I believe that the Quoddy Project is the answer to many of our problems in the State of Maine.

Thank you, Mr. Speaker.

Mr. JACOBS of Auburn: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. JACOBS: Mr. Speaker, I would like to reconsider Item 2 which we just passed to be enacted.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that the House reconsider its action whereby it recently passed to be enacted as an emergency measure, An Act Providing for Con-

struction of Roadside Picnic Areas, H. P. 72, L. D. 34. It is the pleasure of the House to reconsider?

The motion prevailed.

Mr. JACOBS: Mr. Speaker, I would now like to have it placed on the Special Calendar.

The SPEAKER: The same gentleman now requests that An Act Providing for Construction of Roadside Picnic Areas, H. P. 72, L. D. 34, be placed on the Special Calendar the pending question being passage to be enacted and it is so ordered.

Mr. SPEAR of South Portland: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. SPEAR: Mr. Speaker, I would like to make a point clear whereby the House placed on the special calendar an item pertaining to the highway fund.

The SPEAKER: The Chair will inform the gentleman that the order passed by the House on May 2nd reads as follows: "Notwithstanding the rules of the House, all Bills and Resolves carrying or requiring an appropriation that are in order to be passed to be engrossed or to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that Committee."

Does the gentleman withdraw his request?

Mr. SPEAR: It is perfectly all right, Mr. Speaker. I did not realize. Thank you.

The Chair now lays before the House the 1st tabled and today assigned matter, House Report "Ought not to Pass" of the Committee on Highways on Bill "An Act to Facilitate Extension of the Maine Turnpike", H. P. 686, L. D. 416, tabled on May 2 by the gentleman from Pittsfield, Mr. Sinclair, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. SINCLAIR: Mr. Speaker and Members of the House: Before making the motion on this bill, I would like to take a few moments to explain my position in regard

to this bill. I am definitely interested in the extension of the turnpike. Two years ago, when the turnpike was first thought of, many people were opposed to the construction of the turnpike, feeling that it was not financially sound, but perhaps it was not necessary, but because of the perseverance of a few the road was constructed and it has contributed a great deal to the State of Maine. I believe it has brought a number of visitors into the State; it has eliminated some bottlenecks in our highway system and, today, I believe that it is generally felt that the turnpike is financially sound. It was because of this that the Maine Good Roads Association became interested in the possibility of extending the turnpike down through central Maine and into eastern Maine with the thought that it would be of greater benefit to the State.

It would be possible to save money, I believe, by diverting traffic from our state highway system onto the turnpike. We would save money in the construction of our present roads, which we recognize are fast becoming intolerable and not capable of carrying the amount of traffic that we anticipate will be coming.

With this thought in mind, I introduced the bill that was sent up to the Supreme Judicial Court on which we had a ruling that it was unconstitutional. Now, it is not my intention to introduce a bill that is unconstitutional or would be taking funds from the state highway fund and turning them over to another agency. As you know, the court ruled that the Turnpike Authority was not a department of state; it was an agency and any money that was turned over to this agency would be contrary to the Constitution.

I still felt that the turnpike was of great value to the State of Maine and believing in turnpikes and hoping that perhaps something could be worked out, I drafted an amendment which you have, I am sure. I wish the errors in the original bill might have been discovered before it was necessary to send to the Supreme Court. I am not a lawyer and I felt that the Turn-

pike Authority which had been created by the State of Maine and could be abolished by the State of Maine was a department. It definitely is not a department, so I recognize the bill was unconstitutional. As I said, I drew up an amendment. I have been advised that the amendment may be unconstitutional, that it might appear that I was trying to do something indirectly that could not be done directly.

And so, Mr. Speaker, feeling that perhaps the time is not just right to go into this matter any further and not wishing to have it appear that we were trying to do something indirectly which could not be done directly and hoping that something may be done in the very near future in the extension of the turnpike, I am going to now move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Pittsfield, Mr. Sinclair, moves that the House accept the "Ought not to pass" report of the Committee on Highways on Bill "An Act to Facilitate Extension of the Maine Turnpike," H. P. 686, L. D. 416. Is this the pleasure of the House?

The motion prevailed and the report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the 2nd tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Highways on Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River," H. P. 462, L. D. 282, tabled on May 3 by the gentleman from Auburn, Mr. Jacobs, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. JACOBS: Mr. Speaker and Members of the House: Two years ago on behalf of the citizens of Androscoggin, especially Lewiston and Auburn, I introduced a bill to build a bridge across the Androscoggin River to help relieve the traffic congestion which is now in order in the cities of Lewiston and Auburn. The Committee on Highways very generously in their report gave us the opportunity to raise money for a survey to be car-

ried out by the Highway Commission in order to determine whether or not there was a need for a bridge between Auburn and Lewiston over the Androscoggin River. This was done and this report, it seems to me, is very favorable for the bridge.

In the cities of Lewiston and Auburn there are 65,000 people and this, what we call the North Bridge, is crowded from almost morning until night with traffic, cars, busses, trucks and so forth, and in order to determine the Highway Commission placed a tally upon that bridge, dated August 18, 19 and 20, last year, for three days. Along those three days, which were twenty-four hour days, on Thursday, 22,421 vehicles crossed the bridge; on Friday 25,438 crossed the bridge and Saturday, 23,361 crossed the bridge, averaging for the three days, 23,740.

Comparing the proposed bridge in Auburn and Lewiston to the one here in Augusta—and by the way, I am glad the bridge is here in Augusta from the vote of the people—14,000 cars and vehicles crossed the bridge here in Augusta, and the proposed bridge in Bangor and Brewer last year, about 15,000 crossed the bridge. Now, it seems to me only fair that in this area of Androscoggin Valley, where this congestion is so intense, and I know it to be so because I have a business right near it and can see it in operation every day, that we should have consideration on a new bridge to relieve this traffic congestion, this bottleneck, which extends about half a mile, one-quarter of a mile in Lewiston down to the bridge and from the bridge out Court Street or Main Street to Minot Avenue, where the road turns south to Portland, and further than that.

I feel that in consideration of this circumstance that we are entitled to consideration and I believe really the fundamental reason why the Highway Committee voted "Ought not to pass" was the fact that the citizens of Lewiston and Auburn and the officials of Lewiston and Auburn did not act in regard to the recommendation by the Highway Commission when they voted unanimously for the

bridge and made the condition, perhaps, that we should stop parking on this thoroughfare in order that we might find out whether or not it would be advantageous to do so. We are all human and perhaps the officials of Lewiston and the officials of Auburn have the same idea, they did not act until recently it was called to their attention that if they did not act and go according to the recommendations of the Highway Commission, a bridge in Lewiston and Auburn would not be forthcoming.

So, last Thursday night, in the City of Lewiston, at their council meeting, they voted to do away with parking on Main Street down to the bridge from Hewett Square which is next to Peck's Store in order that they might have a four-lane route, two coming and two going, across the bridge. Last night, in the City of Auburn, I have been told by the Clerk of the City of Auburn this morning that they too voted to do away with parking on Court Street in order that two four-lanes might be provided to go down through the city one-third of a mile from Minot Avenue to the bridge and that, ladies and gentlemen, I think will satisfy the Committee on Highways because it has only recently been done last night at the official board meeting of the Council they voted to do this.

Now, by having a four-lane route down through Auburn and Lewiston as this will provide, it will help relieve the congestion although it will not entirely relieve it but we will be doing according to the suggestions of the Highway Commission when they recommended the bridge to be built. Fortunately, we have in this House a member of the Council from Lewiston; we also have a member in this House who is a councillor of the City of Auburn, Mr. Maguire, and Mr. Delahanty of Lewiston. They can speak for themselves what their officials did. You just take my word for that and I hope you would take it if they didn't say anything, because I would not say a thing here on the Floor of this House—I never have—unless I thought I was right in so doing.

This bridge bill, according to the Highway Commission's report, will relieve one-third of the cars and trucks and busses going over this old bridge. The location of the bridge proposed is not going far from the old bridge, about 500 feet north, in order that we might relieve this old bridge of traffic. It comes from Auburn into Lewiston into what we call Hospital Square, not very far from the bridge now, and they, in their estimation, explain that it will take one-third off the traffic load of the old bridge. Some have said: "Why are the bridges so near together in order to relieve the old bridge?" The old survey proposed that they go around Auburn and Lewiston, entirely. But this new idea strikes the citizens of Auburn and Lewiston very favorably.

In the office of the Highway Commission is a picture of two bridges in Florida, taken by one of the Commissioners last winter. These bridges, one a toll bridge and one a free bridge, are three hundred feet apart and, according to the picture, you can see no difference, which is which, both were crowded with cars. So I believe, ladies and gentlemen of the House, knowing that this parking situation will be cleared up in order that traffic may flow freely through Lewiston and Auburn, that this condition will satisfy the Committee on Highways. I could not say this before until this very morning because I knew not what the officials of Auburn would do but they have done that thing and I hope that Mr. Maguire of Auburn, the City Councillor, will verify my remarks and also Mr. Delahanty from Lewiston will verify the remarks I have made with regard to his city. I believe that in fairness and in justice to the Androscoggin Valley we need this new bridge to help take care of the bottleneck traffic in Lewiston and Auburn and I hope that the bill will be substituted for the report.

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

Mr. **DELAHANTY**: Mr. Speaker and Members of the House: I rise in support of the motion of the

gentleman from Auburn, Mr. Jacobs, and assign, very briefly, the following remarks in support of that motion.

Some time ago the City Council of the City of Lewiston and the Police Commission of the City of Lewiston, which has direct control over traffic, in transit, agreed that parking should be eliminated on the northerly side of Main Street in Lewiston. Parking was eliminated for a period of time and, of course, as we all recognize, the merchants in that area were prone to give some protest and they did, and the parking restriction was later taken off. However, during that time, I have been informed by the Chief of Police that the flow of traffic allowed by this elimination of parking was about fifty per cent in a westerly direction, that is, fifty per cent greater than ordinarily permitted under the conditions where parking was not prohibited.

At the present time, the restriction of parking on the northerly side of Main Street is in force. It is expected that that will continue. I am informed, however, and reliably, that this particular restriction will not answer the very acute traffic problem existing on Main Street and Lisbon Street in the City of Lewiston and the congestion in this area necessarily creates a very hazardous condition and also creates a traffic tie-up back to the City of Auburn. I feel that this bridge that has been recommended is a very necessary implement in the elimination of the real traffic problem that we have in the City of Lewiston and I hope that this House will support the motion of the gentleman from Auburn (Mr. Jacobs).

The **SPEAKER**: Does the Chair correctly understand that the gentleman from Auburn, Mr. Jacobs, moves that the House substitute Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River" for the "Ought not to pass" report of the committee?

Mr. **JACOBS**: Yes, Mr. Speaker, I did and while I am on my feet I would like to say that this will be a toll bridge. All we ask of this Legislature is to let this go to referendum of the people because this is a constitutional amendment which

requires a bill to do that. It is a toll bridge wholly.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that the House substitute Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin" for the "ough not to pass" report of the Committee.

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

Mr. MAGUIRE: Mr. Speaker, I rise in support of the motion of the gentleman from Auburn, Mr. Jacobs. Last night in the Auburn Council we also eliminated parking on Court Street. We went further, we eliminated all left-hand turns and even the right to make a right-hand turn on a red light in order to eliminate our traffic problem.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker and Members of the House: I would like to call your attention to the fact that all of this that has just been said has taken place since the reports were submitted by your Highway Committee. Had we known many of the facts that have been brought out here at the present time, the report might have been different although I hope to substantiate the fact that there is considerable local opposition to the recommended location of the bridge. It is correct that the Highway Commission did recommend the construction of a third bridge between Lewiston and Auburn but throughout their report reference is continually being made to the fact that the congestion is not on the bridge but on the approaches thereto and by the remarks of the gentleman who just recently spoke you can see that that must have been the case because the local authorities now have taken action.

In one paragraph in particular in their report they state that the existing curb parking occurring on both sides of one street in Lewiston and one street in Auburn proper, utilizes such areas of those streets for parking occupancy and maneuvering as to reduce the vehicular capacity of that street forty-nine per cent. Now, that is about all I want to say about the Commission's report but I further wish to con-

tinue and direct your attention to the fact that the Federal Bureau of Public Roads does not approve of the expenditure of federal funds on this project. This fact is substantiated by two letters, one from the Chief Engineer of the State Highway Commission and one from the Federal District Engineer of the Bureau of Public Roads. Mr. Barrows' letter reads as follows:

"... I am enclosing a copy of a letter which we have received from H. D. Fallon, District Engineer, Bureau of Public Roads, with respect to the Lewiston-Auburn Bridge Report recently submitted by the State Highway Commission.

"The Bureau of Public Roads cooperated with this Department in the compilation of data and preparation of the Report. The Bureau of Public Roads, however, does not concur in the recommendation with respect to the construction of the bridge."

And Mr. Fallon says: "A review of the report indicates that congestion on the present North Bridge and approaches probably is due to insufficient capacity of the approaches and their extensions through the business districts of Lewiston and Auburn, rather than inadequate capacity of the bridge structure. The report does not appear to establish that the construction of a bridge and connections at the location proposed, at an estimated cost of \$3,000,000 is necessarily a proper or justifiable solution for the traffic problems involved.

"We are therefore unable to approve the Lewiston - Auburn Bridge Report."

The committee feels that any project applicable to federal funds that do not justify the expenditure of those funds does not justify the expenditure of State funds.

I further direct your attention and your consideration to the local aspect as to opposition. This fact is substantiated by an editorial printed in one of the Lewiston daily papers on Wednesday, March 21st, 1951. And, however, the beginning of this editorial recommends that there is a congestion there but they do oppose the recommended location and I will read part of it: "But we do not like the recommended

project of the commission made public last week. The bridge the commission thinks ought to be built crosses the river on the island above the falls and just below the Maine Central railroad structure. It would start, at the Lewiston end, in Hospital Square, and terminate in Auburn at the northern intersection of Court and Pleasant Streets. Four-fifths of a mile long, the cost would be \$3,000,000.

"The planned bridge has the disadvantage of channelling east-bound traffic into the three-way intersection at Hospital Square, against all traffic moving west on Main Street. It would mean the confiscation and purchase of a large amount of private property between that point and Middle Street. It means an expensive overpass on the Auburn side, with west bound traffic being forced into Court Street, close to the Central Fire Station, or fed across it into narrow Pleasant Street. Through traffic will find the twisting approaches confusing, and there is the danger that congestion at the approaches will be increased rather than diminished. It is somewhat doubtful if the bridge will be used enough to amortize its cost through the payment of tolls.

* * * *

"It is our belief"—and this is the paper—"It is our belief that what the two cities need is a simpler structure placed between the South and North Bridges that will accommodate much of the traffic generated by those working in the cotton mills and shoe shops, and accounting for a large part of the morning, mid-day and nightly congestion. Even if such a bridge carried only one lane of traffic each way, it would fulfill this need. It could be constructed between Academy Street in Auburn and Chestnut Street in Lewiston across the narrowest part of the river, so inexpensively that tolls might not be needed, or at least they could be very small.

"A bridge here, or nearby, would be closest to the most thickly-settled parts of the two cities, and closest to their industrial areas. It would be a boon for visitors to Lewiston coming in from Portland and Oxford county, since they

could come up Chestnut Street right into the city's shopping and parking area, once the new parking lot is built where the Bates block now stands. Only one stop light would be needed on the Auburn side, and one in Lewiston. Surely it would be cheaper to widen Chestnut Street as far as Lincoln than to acquire the property needed under the commission's plan. And we could forget about the through traffic, and the task of guiding it through the two cities; it could use the North Bridge as it does now.

"We realize the commission has thoroughly studied the problem, and presumably is satisfied that its published project is the best possible. But we urge it consider the objections above, and the merits of the alternative suggested, before it proceeds, providing legislative sanction is won."

I particularly call your attention to the fact that the opposition is not to the construction of the third bridge between the two cities but more in the substantiation that the parking, turning and other maneuvering of traffic within the two cities should be solved before the location of the new bridge is recommended. The committee therefore recommends that the local authority of each city execute concentrated effort in this direction which evidently they have already done.

I wish to further state that it is not the intention or desire of your Highway Committee to jeopardize the alleviation of traffic problems within the two cities but they do not believe that as yet the problem has been successfully solved.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I don't wish to prolong the debate on this problem but when he mentioned Chestnut Street, that is on the other side of Auburn way down near the river in Lewiston, and if you widen Chestnut Street as mentioned, it is going to move the Hill mill which cost a million and a half dollars, and I don't believe that would be feasible or advisable.

Now in my judgment, and I believe the judgment of every person knowing about this proposition, af-

ter the engineers of the State of Maine, taking account of the proposition there for three months and carefully surveying this, that and the other location of the proposed bridge, I believe it is the proper location. Of course, you cannot do anything of that nature but what you have objections from people who own property along the lines of the proposed bridge and the passageways to and from the bridge. That is always a question.

We also have four star routes through Auburn; that means more traffic but I believe that the traffic problem has been solved to a great extent by the cities of Lewiston and Auburn by a vote of their councils the last few days, because we had to do something and we had to do something fast in order to relieve the situation and meet the requirements of the Highway Commission's recommendations. We have done this, and all we ask is a bond issue referred to the people of Maine to see if they will give us the bridge. That is all we ask, and the bridge will be paid for eventually by tolls notwithstanding the government not participating in it for some reason or another. We need the bridge; it is a necessity, and we have acted on the sales tax and the tax question in Maine on its need and I believe, ladies and gentlemen, that this proposition in Lewiston and Auburn is a need and when we can have a four-lane road right down through the cities of Lewiston and Auburn that the traffic problem of parking has been solved to a great extent although the bridge will be burdened, it will be a hazard and there will be a need for a new bridge, just the same.

I hope, ladies and gentlemen, that since you have given the bridge to Bangor and Brewer, you have given the bridge to Augusta and Portland, it does seem to me in this traffic congestion in Lewiston and Auburn where there are 75,000 people, that you, if you were in my place, would support this bill instead of the report of the Highway Committee.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that the House

substitute Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River", H. P. 462, L. D. 282, for the "Ought not to pass" report of the Committee on Highways, and the same gentleman requests a division.

All those in favor of substituting the bill for the report will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-four having voted in the affirmative and twenty-four in the negative, the motion to substitute the bill for the report prevailed.

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

Mr. CHASE: Mr. Speaker, I would like to inquire what is the L. D. number of the Constitutional Amendment to which the gentleman from Auburn refers —

The SPEAKER: Will the gentleman defer his inquiry until the present action is completed.

Thereupon, the bill, having already been printed, was given its two several readings under suspension of the rules.

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

Mr. CHASE: Mr. Speaker, I would like to repeat the inquiry for the purpose of information. What is the L. D. number of this Constitutional Amendment to which the gentleman from Auburn, Mr. Jacobs, refers?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, requests information and any member may answer if he chooses.

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

Mr. JACOBS: Mr. Speaker, I have a House Amendment, after the bill has been read twice, which I would like to table in order that this amendment may be printed. It answers the question, I believe, of Mr. Chase of Cape Elizabeth.

The SPEAKER: Does the gentleman offer an amendment at this time?

Mr. JACOBS: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, presents House Amendment "A" —

Mr. JACOBS: It isn't printed. Mr. Speaker, and I would like to table the bill so as to print it.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, presents House Amendment "A" to Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River," H. P. 462, L. D. 232. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 462, L. D. 232, Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River."

Amend said Bill by striking out the Title and inserting in place thereof the following Title:

AN ACT to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn.

Further amend said Bill by striking out everything after the title and inserting in place thereof the following:

Preamble. Two-thirds of both houses of the legislature deeming it necessary in accordance with section 14 of article IX of the constitution;

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. State highway commission authorized to construct bridge. The state highway commission is hereby authorized to construct a bridge across the Androscoggin river between the cities of Lewiston and Auburn, in the county of Androscoggin, with necessary highway approaches thereto, at an estimated cost of \$3,000,000. The cost of said bridge, with the highway approaches thereto, shall be taken and appropriated from the proceeds of bonds issued under authority of this act.

Sec. 2. Toll bridge. The state highway commission shall operate such bridge when constructed as a toll bridge until all bonds issued as provided by this act shall be retired. The commission shall charge and collect such tolls for the use and crossing of said bridge by vehicles and other traffic, with the exception of pedestrians for whose

passage no toll shall be charged, as may from time to time be determined and ordered by it, having due regard to the value of the services rendered, the cost of upkeep, maintenance, repairs and operation, and interest of the bonds issued.

Sec. 3. Treasurer of state to issue bonds. The treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and behalf of the state to an amount not exceeding \$3,000,000 for the purpose of raising funds for the construction of said bridge, as provided in this act.

Sec. 4. Records of bonds issued to be kept by state auditor and treasurer. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 5. Sale, how negotiated; proceeds appropriated. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council; but no such bond shall be loaned, pledged or hypothecated in behalf of the state. The proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, are hereby appropriated to be used solely for the purposes set forth in this act. Any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the purposes set forth herein.

Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds. The proceeds of all bonds issued under the authority of this act shall at all times be kept distinct from all other moneys of the state and shall not be drawn upon or be available for any other purpose.

Sec. 7. Interest and debt retirement. Interest due or accruing

upon any bonds issued under the provisions of this act and all sums coming due for payment of bonds at maturity shall be paid by the treasurer of state from the general highway fund.

Sec. 8. Disbursement of bond proceeds. The proceeds of such bonds shall be expended under the direction and supervision of the state highway commission.

Sec. 9. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the people of Maine shall have ratified the issuance of bonds in behalf of the state at such time and in such amounts as set forth in this act for the purpose of building a toll bridge across the Androscoggin river between the cities of Lewiston and Auburn.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide election to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be: "Shall a bond issue be ratified for the purposes set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn,' passed by the 95th legislature?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said ratification voting "Yes" and those opposed to said ratification voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same and if it shall appear that

a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective as of the date of said proclamation.

Secretary of state shall prepare ballots. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

The SPEAKER: The amendment not having been reproduced, the bill and amendment will lie on the table pending adoption of the amendment until the amendment is printed or reproduced.

The SPEAKER: The Chair now lays before the House the 3rd tabled and today assigned matter, Bill "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer", H. P. 1795, L. D. 1363, tabled on May 4 by the gentleman from Addison, Mr. Lackee, pending the motion of the gentleman from Cape Elizabeth, Mr. Chase, to reconsider passage to be engrossed. The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, I move that the House reconsider its action of last Friday whereby it passed this measure to be engrossed.

The SPEAKER: The pending question is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House reconsider the passage of the bill to be engrossed.

Mr. LACKEE: Mr. Speaker, I move that the motion of the gentleman from Cape Elizabeth, Mr. Chase, be considered.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House reconsider its action whereby Bill "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer" was passed to be engrossed.

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

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, I now move that the House reconsider its action whereby House Amendment "A" was adopted.

The SPEAKER: The gentleman from Addison, Mr. Lackee, under suspension of the rules, moves that the House reconsider its action whereby it adopted House Amendment "A" to Bill "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer", H. P. 1795, L. D. 1363. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on motion of Mr. Lackee of Addison, House Amendment "A" was indefinitely postponed.

The same gentleman then presented House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1795, L. D. 1363, Bill "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer"

Amend said bill by striking out the period at the end of the first sentence of section 2 thereof and inserting in place thereof the following, ', and all the expenses incurred hereunder shall be paid.'

Further amend said bill by inserting after the word "act" in section 6 thereof the following, ', and the tolls collected hereunder.'

Further amend said bill by striking out in section 7 thereof the words, "from the general highway fund" and by adding at the end thereof the following, "The interest charges on the bonds issued hereunder that accrue before sufficient funds are available from tolls to pay them in full, shall be paid from the general highway fund until such time as the tolls of the bridge, applicable for the payment of interest are sufficient for this purpose, and such sums as are necessary for this purpose are hereby appropriated out of the general highway fund; provided however that all sums so paid shall be returned and repaid to said general highway

fund from the tolls received on said bridge as soon as the same shall be available.'

House Amendment "B" was then adopted and the Bill was passed to be engrossed as amended by House Amendment "B" and sent to the Senate.

The SPEAKER: The Chair now lays before the House the 4th tabled and today assigned matter, An Act relating to Automobile Travel by State Employees, H. P. 791, L. D. 471, tabled on May 4 by the gentleman from Liberty, Mr. Cole, pending passage to be enacted, and the Chair recognizes that gentleman.

On request of Mr. Cole of Liberty, the matter was placed on the special calendar, the pending question being passage to be enacted.

The SPEAKER: The Chair now lays before the House the 5th tabled and today assigned matter, Senate Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to Trespassing on Commercial or Residential Property", S. P. 411, L. D. 971, tabled on May 7 by the gentleman from Fairfield, Mr. Woodworth, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. WOODWORTH: Mr. Speaker, I move that the House do now accept the minority "Ought not to pass" report of the committee. Two years ago the Legislature passed this bill "whoever wilfully enters in and upon any land commercially used, including parking lots, or whoever wilfully enters in and upon residential property, including summer residences and cottages and lands adjacent thereto, after being forbidden to do so . . . by notice" and so forth "shall be guilty of trespass". The proposed bill inserts after the words "lands adjacent thereto" the words "and within ¼ of a mile thereof".

In moving the acceptance of the "Ought not to pass" report, I am taking exception to that limitation "within ¼ of a mile thereof". The parties who are interested in this are mostly the hunters on one side and the farmers on the other. So

far as most people are concerned, a limitation of $\frac{1}{4}$ of a mile makes no difference. If a man can keep everybody off his property which is his own residence so that he will not be unduly annoyed, he is quite satisfied. But in the light of a farmer, $\frac{1}{4}$ of a mile doesn't make much difference. His stock is apt to be pastured more than $\frac{1}{4}$ of a mile away and a high-powered rifle would carry a bullet a great deal further than that and this limitation of $\frac{1}{4}$ of a mile would do a farmer very little good. There is plenty of land on which to hunt in Maine; there are 20,800,000 acres of which 8,800,000 acres is unorganized territory and only one per cent of the population lives in this territory so there is plenty of hunting ground without entering some farmer's back yard.

In recent months we have heard much about the suggested enterprise of big cattle raising in Aroostook County. It seems to me that this would be a direct blow if you put that amendment on it. Last week the House passed an amendment—passed a bill whereby it provided that there should be no crop damage payments in the future. By the terms of the bill, the farmer is authorized to kill deer trespassing on his land and doing damage to his crops. All this has developed since this bill was introduced and I see no great benefit to be gained for the farmers as well as the hunters in adopting this amendment. It was strictly in the interest of the farmers that I ventured to oppose a majority of the committee in signing an "Ought not to pass" report. There is a discrimination against farmers because where most of us will be able to keep trespassers off our lands the farmer will be able to keep the trespassers off only a small part of his land.

The bill, in my opinion, received very little consideration in the committee. We had several trespass bills before us. One bill was to repeal this act and it was generally admitted that the bill had done a great deal of good and should not be repealed. This one was slipped in as more or less of a compromise measure; it was not discussed at least when I was pres-

ent and I do not believe that it does represent the considered judgment of the committee. I therefore hope that the House will go along and accept the "Ought not to pass" report.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House accept the minority "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Trespassing on Commercial or Residential Property," S. P. 411, L. D. 971.

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of the 6th, 7th and 8th grades of the Georgetown Central School in charge of Miss Beatrice Boutan.

In behalf of the House, the Chair, at this time, bids you a cordial welcome. (Applause)

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I notice that I seem to be the one who first signed the majority report so I suppose it is up to me to tell you something about this bill. The object of the bill, as I understand it, was to keep hunters, particularly, from trespassing upon the land of persons who, perhaps, had stock that might be shot while going across and the attempt was made to have some protection. There were several persons at any rate who appeared before the committee and said a bill of this kind was of a great deal of importance. There were three such bills before us; as I recall we disposed of two of them and finally got this and thought it was advisable to pass this one. The committee, I think, with the exception of Mr. Woodworth, was unanimous that this "Ought to pass."

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker and Members of the House: I want to go along with the motion of Representative Woodworth. This $\frac{1}{4}$ of a mile I don't think answers the purpose amongst us farmers. We have pastures on this land and we

still would like to have some control over it. We don't object, the most of us, but these hunters come and hunt on our land. They simply have to ask us if we will let them and we will give them that privilege. But we still want protection enough so that if we want to put them off we can. I don't think this amendment is the thing we want on this bill. I, therefore, would like to go along with the minority report.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, I would like to ask the gentleman from Portland, Mr. McGlauffin, a question.

The SPEAKER: The gentleman may state his question.

Mr. BAILEY: Mr. Speaker, I see in this bill "whoever wilfully enters in and upon residential property, including summer residences and cottages and lands adjacent thereto" is one part of the law.

Now, the question I would like to ask Mr. McGlauffin in the interpretation, do I understand that that $\frac{1}{4}$ of a mile is from the cottages, the residences or does that include the lands adjacent thereto? There would be quite a little difference in the working of this bill.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, asks a question through the Chair of the gentleman from Portland, Mr. McGlauffin, and the gentleman from Portland, Mr. McGlauffin, may answer if he chooses.

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I should say that without any question that it refers to the property not to the house.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, in that case it really looks to me as though if this bill is passed that we may be getting into something that will create a controversy. Now I will give you a little example, in the section of property which I have. In that section there is possibly a hundred acres and it reaches along a brook which is known as Marsh Creek for about a mile, that ranges from 100 to 300 or

400 feet in width. I had that surveyed and along that brook it was designated by the Federal Conservation Program as a very favorable situation to wild life. Now if—my meadow, which I cultivate and pasture, usually in the fall of the year, there are around 40, 50 or possibly more head of cattle there—I see fit to post a sign forbidding trespassers from going on my land under this law I am forbidding the people on the other side of that meadow from coming on to their land and now you just see for a minute what this penalty is—it doesn't say coming on there to fish, it doesn't say coming on there to hunt, it says: "after being forbidden to do so by the owner or occupant thereof either personally or by notice posted conspicuously on the premises, shall be guilty of trespass and shall be punished by a fine of not more than \$100 nor by imprisonment for not more than 90 days, or by both fine and imprisonment." Now, that will protect me on my land but it looks to me as though in passing this legislation it might be felt, especially in that locality, that I was trying to inaugurate legislation here against my neighbors, and I cannot support this; therefore, I am willing to favor Mr. Woodworth's motion.

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

Mr. WOODWORTH: Mr. Speaker, I understood this bill to mean that you could not trespass on posted land if the land belonged to the man who posted it and was within $\frac{1}{4}$ of a mile of his residence. And my thought was that he ought to be able to post and keep trespassers out of his own land. I understood the gentleman from Portland, Mr. McGlauffin, to say that he understood that this $\frac{1}{4}$ of a mile limitation to be within $\frac{1}{4}$ of a mile of land adjacent to the building. In other words, a man could post his own farm, including all of his own land and thereby treat everybody alike, not only his own land but any land within $\frac{1}{4}$ of a mile thereof. I hope I have not misunderstood the gentleman, but I raise a point, that in either case the bill is bad and I hope that my motion may be sustained.

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the minority "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Trespassing on Commercial or Residential Property," S. P. 411, L. D. 971.

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

Mr. BROWN: Mr. Speaker and Members of the House: There are several things that I would like to have cleared up in respect to this bill.

I remember that two years ago we passed Bill "An Act Relating to Trespass," commonly known afterwards as the Slocum bill, and under the Slocum bill, or the act which was passed two years ago, a condition began to exist in my part of the country whereby non-residents and residents bought up large tracts of land and posted the land and had in effect a private fishing and hunting ground. Some went so far as to hire men to patrol their lands to see that their trespass signs were enforced, and others, in self-defense, in the same area, being prohibited to trespass on their neighbor's land to hunt or fish, in self-defense also erected signs prohibiting trespassing, so that an entire section was posted.

Now it was my understanding when we first came here in January that the so-called Slocum law was to be repealed. I do not know just exactly what has happened to it. I have no objection to a man posting his land within a quarter of a mile of his residence—I think that is probably fair—but if it means that he can post all of his land I am not in favor of it.

I would like to ask through some member of the committee who dealt with this problem, what happened to the bill which would repeal the Slocum act?

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the minority "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Trespassing on

Commercial or Residential Property" (S. P. 411) (L. D. 971)

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

A viva voce vote being taken, the motion prevailed and the minority "Ought not to pass" report of the committee was accepted in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the 6th tabled and today assigned matter, House Order re matters tabled without assignment, tabled on May 7th under the rules pending passage.

Is it the pleasure of the House that the order receive a passage?

Thereupon the order received passage.

The Chair now lays before the House the 7th today assigned matter, Bill "An Act to Clarify Provisions of the Liquor Law" (S. P. 118) (L. D. 209) tabled on May 7th by the gentleman from Ellsworth, Mr. Dunham, pending passage to be engrossed. The Chair recognizes the gentleman from Ellsworth, Mr. Dunham.

Mr. DUNHAM: Mr. Speaker, I want to offer House Amendment "A" to Committee Amendment "A".

The SPEAKER: The gentleman from Ellsworth, Mr. Dunham, moves that the House, under suspension of the rules, reconsider its action whereby it adopted Committee Amendment "A" to Bill "An Act to Clarify Provisions of the Liquor Law". Is this the pleasure of the House?

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

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

The SPEAKER: Twenty-six having voted in the affirmative and fifteen in the negative, the motion to reconsider prevails.

Mr. Dunham then presented House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 118, L. D. 209, Bill "An Act

to Clarify the Provisions of Liquor Law”.

Amend said Committee Amendment “A” by striking out the following single quote underlined words, Paragraph 4: **‘No license shall be issued to any law enforcement official who benefits either directly or indirectly.’**

The SPEAKER: Is it the pleasure of the House to adopt House Amendment “A” to Committee Amendment “A”?

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

Mr. MARCH: Mr. Speaker and Members of the House: House Amendment “A” seeks to delete from the Committee Amendment “A” the lines reading: “No license shall be issued to any law enforcement official who benefits either directly or indirectly.” I feel that amendment should not be adopted, because, for example, someone, a deputy sheriff, for instance, conducting a beer parlor or something of the sort, is very likely to say to some other law enforcement official, “If you overlook some of my minor infractions I will overlook yours.” I do not think that any law enforcement official should be interested directly or indirectly in the handling or sale of liquor.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Dunham.

Mr. DUNHAM: Mr. Speaker and Members of the House: I appreciate the zealously and the interest which the Liquor Committee has shown in the bills which have been before them, but sometimes I think in their zealously they give us a bill which is a bit too far-reaching, and I think this is one of them. It says “Anybody directly or indirectly interested in the sale of liquor or malt beverages.”

Sometimes I think that these gentlemen who are so closely associated with the industry make the best enforcement officers. I do not like to do anything to hurt a man who is conducting a business, for instance has a grocery store and he is selling a little malt beverage on the side, a good citizen, a good member of his community, and in order to perhaps supplement his income he is ap-

pointed an enforcement officer and he makes a good enforcement officer. Shall we say to him that he has no right whatsoever to supplement his income in that way? Why, I know of a number of cases in my own community. I can also think of people who work in our liquor stores, clerks in our liquor stores, who perhaps want to use their rights as American citizens to supplement their income and they are appointed as an enforcement officer and they carry out the laws of the State and they do a good job on it. Are we going to say to them, “Because you are passing bottles across the counter you cannot do this job?” No. I think this bill is too far-reaching, and I would like to delete Section 2.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. March.

Mr. MARCH: Mr. Speaker and Members of the House: I think the amendment offered by the gentleman from Ellsworth, Mr. Dunham, seeks to look after the interests of the few. The committee amendment seeks to look after the best interests of the whole state.

The SPEAKER: Is the House ready for the question? The question before the House is on the adoption of House Amendment “A” to Committee Amendment “A” presented by the gentleman from Ellsworth, Mr. Dunham.

All those in favor of adopting House Amendment “A” to Committee Amendment “A” will say aye; those opposed, no.

A viva voce vote being taken, the motion to adopt House Amendment “A” to Committee Amendment “A” did not prevail.

Thereupon, a viva voce vote being taken, the House voted to adopt Committee Amendment “A,” and the Bill was passed to be engrossed as amended by Committee Amendment “A” in concurrence.

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

Mr. CHASE: In order that I may make a motion to reconsider to correct a technical error, I move that the rules be suspended.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the rules be suspended

in order that he may make a motion to reconsider. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CHASE: Mr. Speaker, on Resolve Proposing an Amendment to the Constitution, providing for Additional Signers for Direct Initiative of Legislation, in the Senate a mistake was apparently made. Senate Amendment "A" was adopted but Committee Amendment "A" was not indefinitely postponed as it should have been. In the House, assuming that the action in the Senate had been correct, we wrote ditto to the error. In order that that error may be corrected, I move that the House reconsider the passage of this resolve to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" on May 3rd.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that under suspension of the rules the House reconsider its action whereby it passed to be engrossed on May 3rd Resolve Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation. (H. P. 1114) (L. D. 694) as amended by Committee Amendment "A" and Senate Amendment "A."

Is it the pleasure of the House to reconsider its action?

The motion prevailed.

On further motion of the same gentleman, the House voted to reconsider its action of May 3rd whereby it adopted Committee Amendment "A."

On further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed.

On further motion of the same gentleman, the resolve was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the 8th tabled and today assigned matter, pursuant to House order, Resolve in favor of the Town of New Sharon for School Building (H. P. 109) (L. D. 83) tabled on May 3rd by the gentleman from New Sharon, Mr.

Caswell, pending consideration. (In House Majority Report "Ought not to pass" accepted. In the Senate Minority Report "Ought to pass" accepted in non-concurrence and Resolve passed to be engrossed.)

The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, the circumstances which caused the introduction of this resolve are probably pretty well known to many of the members of the House. I doubt, however, if all of the pertinent facts connected with it are as well known, and, with your permission, I would like to state, without any attempt at any undue pressure on your sympathies, the facts as I see them.

The town of New Sharon in less than thirty years has had three schoolhouse fires, burning and destroying three buildings on the same site, built to accommodate practically the same number of pupils. In nearly that length of time we have had a central school on that spot. The first fire was in the twenties. The town shouldered the responsibility; we took our insurance, which was small, and we borrowed some money; we raised quite a lot by subscription among individuals, and we built another schoolhouse. That lasted us eight or nine or ten years. Then the second building was burned. At that time we had a little more insurance. That was in the early thirties when there was a good deal of unemployment, building costs were low, and we secured the services of a contractor who wanted work for his men. We did the same thing again, we used our insurance and we borrowed some money and we built the second school at a cost of somewhat under twenty-five thousand dollars, to house the same number of pupils, approximately that we housed before. Then the third fire came, a year ago last June, about a week after school had closed. At that time building costs were extremely high, and in the fourteen or fifteen years that had elapsed since the construction of the second building, the Department's requirements had been somewhat increased. We had to make some changes in the building plans to agree with the Department's

requirements, which made the building cost more anyway. We called the Department into consultation. Their estimate of a building sufficient for our needs was in the vicinity of a hundred thousand dollars, more than four times what the last building had cost.

Well, we had two methods, that is so far as the town was concerned there were two methods of raising the money. We could do it by taxation, by immediate taxation, or we could do it by borrowing. The town's valuation is around \$350,000. We had a little insurance, not enough, because our insurance rates are pretty high, and we thought when we insured the third building that lightning did not generally strike three times in the same place right off and perhaps we would not have another fire, so we had probably too little insurance, still at the time we insured it for about all we could get on the cost of the building. But, in any case, if we raised that money by taxation, we would be raising somewhere around a quarter of our total valuation. That seemed to all of us to be a little steep. We are pretty tax-conscious up there and we pay a lot of tax, but we thought that to raise the money by taxation immediately in that amount was a little excessive.

By the same token, our borrowing capacity, inasmuch as we have a debt of around seven or ten thousand, that would be about a quarter enough to build the schoolhouse which the State said we must build, because we must provide adequate facilities for schooling our pupils.

We had a special town meeting and talked it over. Now the town is a dairying section and is largely composed of small farmers. They all wanted a schoolhouse, and the only way open to raise the money seemed to be by private subscription. Those fellows walked up and subscribed a hundred or two hundred dollars apiece, and we raised a couple of thousand dollars in about fifteen minutes at the special town meeting. Of course that was not enough. Then we organized an association to raise money. We did raise money. We set up food booths at several fairs and raised several thousand dollars that way.

We conducted an auction. We asked for contributions from the townspeople and we got contributions from surrounding towns. We had an auction that took two days; we planned to get through in one day but it took two. That helped out because the ladies of the village furnished food and everybody ate one or two meals there, and that raised some more money. We had a street fair where we conducted lotteries and raised quite a bunch of money.

We had to start school in September and we did. Of course our rural school buildings had long ago been converted to other purposes but we still had to have our central school, and the halls and vestries in the village were converted to schoolrooms. They were not very satisfactory, but we moved in chairs and boxes for desks and conducted school, such as it was, and about the same time we started construction on the building. We had by that time gathered somewhere in the vicinity of forty thousand dollars, I think.

We thought that we might get a building up and a roof over it and perhaps complete one portion of the building so that a part of the scholars in town would be accommodated and the rest of them would still have to occupy some hall. But we got a little more money and we spent it very sparingly and we did get the building in such shape, incomplete as it was, but heated after a fashion and enclosed, doors and windows in, so that we got the whole school, which has a capacity of somewhere in the vicinity of 225, I think, including about 50 high school pupils from our own town and some fifteen or so tuition pupils. We got them in there at midyears and they are still there, but the building is a long ways from completion. The heating system is incomplete, the plumbing is far from complete, the whole interior has to be painted, the lighting system is unsatisfactory, ventilation has to be installed, and numerous other things have to be done; it is a long ways from completion. But for the time being the pupils are in there because that is better than any accommodation we can provide for them.

There is one thing more I want to say in addition to my other remarks in regard to raising the money. Of course in small towns particularly, and in large towns it is more or less true, the handling of subscriptions for raising of money by private means falls on the heads of a few citizens. There are just a few who have to do the work and carry it on. This association that has been raising money has been at it for almost two years now. They feel that they have gone the limit, they are faltering; and, too, the people from whom contributions are being sought in one way or another are getting a little edgy about it. They feel that they have done enough. And it seemed to us that the only other recourse was to ask for a little assistance by means of a special resolve. I don't know but there may be some other way of getting some more money but up there we do not know of any other method. We built two schoolhouses without asking for any outside assistance, but this third one is a little too much.

It would seem to me, at least, that where we are confronted with a "must" on the part of the Department of Education—we must provide adequate facilities for our pupils, that is the law—and we are also confronted with another law, which this time is a constitutional provision, that we must not go over our debt limit—so it would seem to me that we are somewhat in a box, and the only means available now is to ask for a little help from the State. I therefore move that the House recede and concur with the Senate.

The SPEAKER: The gentleman from New Sharon, Mr. Caswell, moves that the House recede and concur with the Senate in the acceptance of the minority "ought to pass" report.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Hayes.

Mr. HAYES: Mr. Speaker and Members of the House: I am very sympathetic with the object which the gentleman from New Sharon, Mr. Caswell, seeks to accomplish by his bill, and also I am deeply sympathetic with the situation in which his town of New Sharon finds it-

self. However, I think our vote on this matter involves not the town of New Sharon particularly but a matter of principle and a matter of policy and a matter of fairness, and that it poses a budgetary problem which is not inconsiderable.

I wish to remind the Republican members of the House that a long time ago now, when it became apparent that there were fifteen or sixteen bills of this nature, seeking grants in aid for construction and equipment of school buildings, academies and others, it seemed wise to determine whether or not the Legislature should embark upon a program of grants in aid for such purposes, and, if so, whether there should be a yardstick by which the merits of the various bills should be measured, or whether there should be some criteria adopted so that one might discover whether this bill or that bill had merit or did not have merit.

A great deal of discussion was had, as you recall, and finally it was decided by an overwhelming majority that this was not the time for this Legislature to embark on any such program at all. This information was communicated to the Appropriations Committee, and, as a result, ten or twelve of these bills of a nature similar to this one were reported out of the Appropriations Committee "Ought not to pass." And some of us who had bills introduced in this Legislature, seeing similar grants, feeling that perhaps the decision of the caucus was a good one, and being trusting enough to feel that the Legislature would go along with it, let our bills go. I, frankly, was one of them.

It seems to me now that it would be a gross injustice to the sponsors of other equally deserving legislation to make an exception in this case, and that it would create a new precedent which may well be tremendously expensive to the State of Maine in the future. Therefore I hope that the motion of the gentleman from New Sharon (Mr. Caswell) will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: Knowing quite a lot about this proposition,

I would like to say that I have been thinking very seriously, especially since the remarks made by the previous speaker, and I think that Representative Caswell feels a good deal as I do in regard to what we have before us. Being well-acquainted with this situation and knowing full well the exertion and hard work that has been expended to keep a place for the children to go to school in this town of New Sharon, I feel that there should be something done in the way of aid. I think that in a town where they have had the misfortune to be burned out three times and where they have gone to work and said "We won't give up," it is worthy of a great deal of consideration.

I could go on and tell you of the many things they have done and the hard time they have had to get places for the teachers to have a classroom, but I feel that you can understand what they were up against without a building. Even though it may be setting a different precedent than has been adopted in regard to other schools, I feel this should be given consideration. I therefore support the motion made by Mr. Caswell.

The SPEAKER: The Chair recognizes the gentleman from Norridge-wock, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker and Members of the House: I live in a nearby community to Mr. Caswell and I know what a hard time they have had to raise money, and I think the work that they have done up there is very commendable. I feel that this situation is a little different than some of the others that have asked for aid in the construction of a school building. They have lost three schoolhouses at the present site and are unable to finish this one. I do believe that this Legislature should give them a small support, and I go along with the motion of the gentleman from New Sharon, Mr. Caswell.

The SPEAKER: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Members of the House: This town is in my county and I am very familiar with the hardships that they have had up there during the last few years. This is not the first school, as you have been told, or

the second; it is the third. We all know what that means to any of our towns that have gone through it. I think that it is an outstanding case. I do not think it would hurt us and I do not think there would be any precedent involved in giving this town some benefit at this time. I certainly hope that you will see fit to go along with Mr. Caswell on this bill.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, when this matter is brought before the House I move that the vote be taken by a division.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker and Members of the House: As the most of you know, I come from a locality, a region where fire has done a great deal of damage. It came quickly and it left in its wake a scene of devastation that those in this generation now living will never get over. Now I am not going to say many words on this proposition. We did not lose our schoolhouses, but we might well have lost them. The town of Newfield, just a little ways from our town, across the Little Ossipee River, lost their schoolhouse, and, through aid from various sources, some from the State of Maine, they rebuilt.

Now as a general proposition I do not favor the State going into the work of constructing school buildings; but as I have looked at these resolves that have come in—I have not looked over too many of them—I have a feeling that they have to do with certain remodeling work, reconstruction, or additions to facilities now available. It is my understanding that the circumstances up in New Sharon are entirely different. These people, in a matter of two-score years, I believe, something like that, have lost three buildings. They had to replace the third building on a very high market, with which I am personally familiar, and with which to my sorrow I am familiar,

because I built a new home two years ago, so I know all about it.

It seems to me that this Legislature can very well make an exception in the case of the town of New Sharon and let them have some money to help them out of this particular predicament. I do know, as Mr. Caswell has very well said, they are restricted both ways: they are restricted in their debt limit, and the State Department of Education says, "Gentlemen, you must provide facilities of a certain type, a certain nature."

Years ago they could have gone ahead and built something. As Mr. Coolidge used to say, they could "make it do." They cannot now; they have to meet certain requirements. To meet those requirements and specifications costs money. I think the 95th Legislature should recognize that fact and make an exception and help these people out.

The SPEAKER: The question before the House is on the motion of the gentleman from New Sharon, Mr. Caswell, that the House recede from its former action where it accepted the majority "Ought not to pass" report of the committee on Resolve in favor of the Town of New Sharon for School Building. (H. P. 109) (L. D. 83) and concur with the Senate in accepting the "Ought to pass" report, and the same gentleman has requested a division.

All those in favor of the motion will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Seventy-four having voted in the affirmative and eleven in the negative, the motion to recede and concur prevails.

The resolve, having already been printed, under suspension of the rules was given its first reading and tomorrow assigned for second reading.

The SPEAKER: The Chair lays before the House the 9th tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Liberalizing Certain Limitations on Old Age Assistance" (H. P. 1245) (L. D. 799) tabled on May 3rd by

the gentleman from Blaine, Mr. Bubar, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. BUBAR: Mr. Speaker and Members of the House: I wish to substitute the bill for the report.

The SPEAKER: Does the gentleman so move?

Mr. BUBAR: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Blaine, Mr. Bubar, moves to substitute the bill for the report of the Committee.

The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I am not going to make any extended remarks on this bill because I know you are all familiar with the condition that exists.

This bill calls for an increase in the old age pension to sixty dollars. It is now fifty dollars. That is the minimum. And it calls for an increase in the maximum to seventy-five dollars, and the repeal of the relatives' responsibility, the lien law, the sworn statement or the pauper's oath.

Now these laws are constantly piling up, and they are hiring more help and more help all the time, renting more buildings, and they are not increasing by one cent the aid to these people under old age assistance.

Now the lien law requirement and the federal assistance bill states, on Page 15: The social security act does not require states to recover the value of assistance granted, nor does the federal government initiate efforts to recover any money granted to a needy person." And so the federal government advises that this lien law be repealed.

I am just going to state the bare facts, that is all. We still have it on our books.

Now the relative responsibility act, which many of our jurists have decided is unconstitutional, on Page 14 of the Federal assistance rules we read—the Federal government says: "We recommend that the states eliminate from their public assistance laws provisions conditioning eligibility for assistance on ability of relatives to support the applicant."

Now the federal government advises us to repeal this law and that we eliminate from our state law the responsibility act which requires that the children of the applicant for assistance, if they are able at all and have a little money on hand or any kind of an income, that they be compelled under the law to support their parents or else their parents will not receive support.

Now the federal government advises that this be repealed. I am not making this up out of my own head, just because I may think it; the federal government advises that this be repealed as well as it does the preceding law.

Of course anyone who accepts the old age pension today is subject to the case workers. They go around, and you know what they do as well as I do, and I do not need to go into it. They go into your home and they dig down and find out everything and anything, all your finances. They go to every child, they find out his bank account, they find out how much his wages are, how much it costs them to live. I tell you it is a disgrace, it is humiliating, and the people of the State of Maine are against it. None of these case workers go around to the judges—and they get a pension, and their pension is no different than the pension of these old people: it comes out of the taxpayers. And I contend, members, that any old father and mother—I saw a picture in the paper today of a woman that had fourteen children, I believe it was in Lewiston, wasn't it—Auburn—she had seventeen children. I think she has done more for the State of Maine than any judge that ever sat on the bench. She had seventeen children!

I contend that these old fathers and mothers that built the industries of the state, the schoolhouses and the highways, paid for our education, I contend that they have done just as much to build this state as any judge in our state. They have contributed just as much and they ought to have just the same consideration. I think this law ought to be repealed.

Sixty dollars a month minimum! Who can live on any less than

that? Can any member of this House? What in the world are they going to do? Can you tell me? Sixty dollars a month! Can they pay rent, buy their food, buy their clothing for sixty dollars a month? Sixty dollars a month! Members, some of you cannot do that on \$60. a week. What are you going to do? I don't want to enlarge upon that. I just want you to see that is \$1.75 a day for an old man and woman. What are they going to live on? Scraps, that's all. Warm over something for dinner that they had for breakfast; warm it over for supper. Resteep the coffee grounds. No sugar, no milk, no eggs, no butter. I can bring down a stack of letters that high. Some of the stenographers down here can tell you about it. Something to eat. I am just telling you as it is; I am not trying to overdraw the facts.

The miserable machines. I say it is the machines that put so many fellows out of work. I went down to Washington County here a few years ago, and I went in—I am looking at these blueberry men now—I don't know what attitude they are going to take—and there was the machine, and I asked them how many men that put out of business and they said: "This puts fifty men out of business." And it only took two men to run the machine. And I asked them what they were going to do with the fifty men that it put out of business and they said: "We don't know." And I said: "Why don't you take them out and dump them in the harbor here and not starve them to death." The machine ought to pay the bill.

Only last summer I asked one of our road constructors: "How many men does this machine put out of business?" "Well," he said, "it will take two hundred men to do the work of this machine." There you are. And I asked him right up. I said: "Well, what are we going to do with 198 men if it takes only two men to run the machine—what are we going to do with the the 198 men that this machine puts out of a job? Turn them out to pasture, take them out and shoot them, dump them in the lake?" "Oh," he said, "that is up to you fellows down in Augusta." It is

up to us. Now I contend that the machine, from the taxes of the man that owns the machine, ought to pay for the 198 people that the machine puts out of a job. You can figure it as you have a mind to; I am not going to argue the case.

It is lying before you. What are you going to do with it? The machine ought to pay. Now \$60 a month. It is laughable, isn't it? To tell an old man and woman to live on \$60 a month in this State, these men who have built our highways and the houses that we live in! Now we are taking over and they say: "Away with these old people. I got my education out of them; I got my home I live in. Let them go." Now that's a mighty funny attitude to take, isn't it? I don't say that the members of this House take that attitude, but there are a lot of people that do take the attitude and they don't want us to do anything for these old people. \$60 a month! Well, why don't we put this money into circulation? You give it to the old people and what will it do? That puts money in circulation and that money put into circulation is going to buy the potatoes and going to buy the milk and going to buy the butter. The money isn't lost; it is going to do business.

Now the dollar turnover right here in the State of Maine at the present time, they tell me, from the best authorities, is anywhere from ten to fourteen times—that is, you put a dollar into circulation and it does \$10 to \$14 worth of business before it is captured, put in the bank or somewhere. It just keeps on going.

Now here is the way it works, I want to show you: There was a man who went into a neighboring city as a collecting agent for a wholesale firm, and when he arrived at the hotel, he discovered that he had left his pocketbook at home. He was broke and in a strange city. He remembered that he had picked up a \$50 counterfeit bill one time; he had been carrying it along as a sort of a token or a keepsake. So he went to the hotel clerk and he said: "Here, I want to board and room here for a week. I am here to do business, and I don't want to break this bill, but you take this

bill and put it in your safe and at the end of the week I will take the bill and I will pay my board and room." Well, the hotel clerk said: "All right." And so he put it in the safe. Well, about that time a plumber came into the hotel to collect his pay for some work that he had done in the hotel, and his bill came to \$50. He wanted his money and the clerk remembered that this \$50 bill was there in the safe and he might as well use it at the present time, so he took the bill and he paid it to the plumber.

Well, that day a garage man went to the plumber and he said: "You owe me \$50 for service and I wonder if you could pay me?" The plumber remembered that he had \$50 just taken in, so he paid it. Well, the plumber had taken the \$50 bill from the hotel man, so he gave the bill to the garage man, and then the carpenter got the bill, then the hardware man called up the carpenter and he said: "You owe me \$50. I am collecting some today and I wonder if you can't pay me." "Oh, yes," he said—he remembered he had this \$50. And so he paid the hardware man. Well, that went on until ten people had had that \$50 bill and finally it came back to the hotel. Pretty soon the collector came along and he said: "I guess I will take my \$50 bill and I will pay my board and go on." All right, the clerk took the \$50 bill out of the safe and gave it to him. He put that in his pocket and he said: "Here, I guess I will pay you out of some other money" and he pulled out his pocketbook and paid his bill. All right, now that \$50 bill had paid ten \$50 debts, honorably paid, justly paid, and the bill was counterfeit, and that \$50 bill in that week had done \$500 worth of business before it was captured and taken away, and I contend with you that it was legitimate.

Now then, if you pay these old people \$50 a week, and that is turned loose in the community, that would do \$500 worth of business. I tell you, that is a profitable proposition. The thing we need in Maine is money turned over, purchasing power, and every time we deny the old people this purchasing power, we are robbing our own selves and we are robbing the busi-

ness of the town and the business of the city in which we live.

I tell you it is a great proposition to give these old people this money. It is a business deal for you and for me.

Now then, members, I don't think I will say any more on this matter because you understand, as I understand, that this matter of inflation is scaring everybody to death. Think of it, it is just like a scarecrow or a ghost going up and down the streets; it is inflation, inflation! And I contend there isn't any inflation or there can't be any inflation until every old man and every old woman and every boy and every girl has money enough in their possession to purchase the things they need.

There is too much deflation. Deflation simply means — well, like a deflated tire. You take the air out of a tire and you have got a deflated tire and you are running on a flat, and you take money out of a community, you are doing business on a flat, that's all. And everybody suffers; you can't get very far on that; you have got to keep everything inflated, and there must be money enough in circulation so that everybody — think of it, My God, in a country like this, where there is bread enough and to spare and more than we know what to do with and people are hungry, just because there isn't any purchasing power, and these old people are asking us to give them that power, and every \$50. you give them, will do \$500. worth of business before it is captured and put away.

I contend that these old men and women, I contend anyway that the laboring men, when they were laboring, built the banks, they created them, and they built the industries and that the money has gone down so cheap — it is so cheap now that no man can work for common wages and lay anything by for other days; it costs so much to live. God bless you, I have got a cheap suit on here, and when I bought it I paid \$21. for it — think of it! Now that same suit costs \$55. You can't live today. You have got to have something to eat and you have got to have something to wear, or else we have got to establish right here in the State of Maine a Nudist Colony, and I am going to

put in a bill for it. (Laughter) Or else you have got to pay these old people enough to live on. I contend that any man, I don't care who he is, if he is in overalls, he has just as much right to have the things that he needs in life and the necessities of life as does the banker or the industrialist, and I don't care — he may have never gone through the common schools but he has just as much right to a living and just as much right to the necessities of life as a Harvard graduate, and the fellow that runs around, not in overalls, but in broadcloth and nylon shirts and is a dude and a sport, a fellow has just as much right to live and live right and have plenty to eat as the other fellow does. I wish to God today that this bill could be enacted. That is all I am going to say. I don't care how you vote or what you do, but I want to say this: Our vote is all right. It is the outward expression of an inner life, our vote is. Our vote is the expression of our hopes and our ambitions, our vote tells us what we are, tells us what we want, and it is what we expect in life, what we desire to be in life. It is our very blood and bone and brains, and it is what we think, it is our hearts. That is what our vote is. I hope we vote right today. I am going to. I don't think many of the rest of you are.

The SPEAKER: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House substitute the Bill "An Act Liberalizing Certain Limitations on Old Age Assistance" for the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs.

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

Mr. CHASE: Mr. Speaker, it is estimated that the passage of this bill would cost \$5,100,000 the first year and \$5,600,000 the second year. Under tax measures already enacted and those which are in process we shall probably have a small amount of money to take care of these L. D.'s which may be deemed to be essential. There is no great amount of money here to spend without robbing the next Legisla-

ture; it seems to be quite impossible, under the present financial status of the State, that this bill could pass. I therefore hope that the gentleman's motion will not prevail.

The **SPEAKER**: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. **BUBAR**: Mr. Speaker, I just want to say this about the \$5,000,000. Well, of course we know that we are only worth just as much property that we have; that is our value, property. Who, in the name of God, built the property in this State? These old people? Who built it? Who made the State worth what it is today? Who gave us this property? These old people built the industries, and now we are going to kick them out, are we? Well, for my part, if it is \$10,000,000, it's here in the State, and it belongs to these old people by rights. It is not a charity; it is not a gift; it is theirs. They built it. They made the State. That is all I am going to say, and it is enough.

The **SPEAKER**: Is the House ready for the question?

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. **PATTERSON**: Mr. Speaker and Members of the House: Some of the conversation I have heard I guess I have lost. I was brought up to take care of my father and my mother. Those were the first things we were brought up to recognize years ago. The gentleman who has been speaking has been telling that the others shouldn't look after their father and mother, I think he is way off his base in more ways than one. The fact is, from my consideration, if he had wanted to help them so darned much, why in the Devil didn't he vote for the sales tax? (Laughter)

Now if he wants to put this where it belongs and get what he wants, and you want to put a five or seven cents sales tax on, would he vote for it? He hasn't voted for a thing to take care of those old people, not since I've been here, since 1929, therefore I consider a lot of the conversation that has been made is just—it can go right down through the barrel as far as that goes and you can forget it, and the fact is that I attended about every meet-

ing of the Welfare Committee, and if he had been there, he would have known more about the circumstances as far as finance is concerned than he knows now.

Therefore, I hope the motion will be defeated because you cannot handle it under the circumstances. It has gone way beyond the limit of even a two per cent sales tax.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the House substitute Bill "An Act Liberalizing Certain Limitations on Old Age Assistance, H. P. 1245, L. D. 799, for the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs.

All those in favor of the motion will say aye; those opposed will say no.

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

Thereupon, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

Mr. **BROWN** of Wayne: Mr. Speaker.

The **SPEAKER**: For what purpose does the gentleman rise?

Mr. **BROWN**: To make a motion, Mr. Speaker.

The **SPEAKER**: The gentleman may proceed.

Mr. **BROWN**: I would like, Mr. Speaker, to ask that the House reconsider its action on the 5th today assigned matter, whereby the House accepted the Minority "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Trespassing on Commercial or Residential Property" (S. P. 411) (L. D. 971) and I would like further to move that my motion be tabled and be specially assigned until tomorrow morning.

The **SPEAKER**: The gentleman from Wane moves that the House reconsider its action taken earlier in today's session on the 5th today assigned matter on today's calendar, whereby it accepted the minority "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Trespassing on Commercial or Residential Property" and the gentleman further moves that his motion lie on the

table and be specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed.

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

Mr. CHASE: Mr. Speaker, in order that the committees may have a lot of time this afternoon to clean up pending matters in com-

mittee, I move that the House do now adjourn until 8:30 a. m. Standard Time tomorrow.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House do now adjourn until 8:30 Eastern Standard Time tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the House so adjourned.