

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 15, 1951.

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

Prayer by Rev. Mr. Grilley of Augusta.

The Journal of yesterday was read and approved.

Papers from the Senate Senate Reports of Committees Conference Committee Report

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to the Salary of the Mayor of the City of Lewiston" (S. P. 313) (L. D. 664) reporting that the Senate recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and by Senate Amendment "A"; and that Committee Amendment "A" and Senate Amendment "A" be indefinitely postponed; that the Senate now adopt Senate Amendment "B" and pass the bill to be engrossed as so amended.

That the House recede from its former action and concur with the Senate.

(Signed)

Messrs. BOUCHER of Androscoggin
DENNETT of York
TABB of Kennebec

—Committee on part of Senate.

COTE of Lewiston
JALBERT of Lewiston
COUTURE of Lewiston

—Committee on part of House.

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

In the House: Report was read and accepted in concurrence.

Thereupon, the House voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A"; and further voted to recede from its action whereby it adopted Committee Amendment "A".

The House then voted to in-

definitely postpone Committee Amendment "A" in concurrence.

Senate Amendment "B" was then read by the Clerk as follows:

SENATE AMENDMENT "B" to S. P. 313, L. D. 664, Bill "An Act Relating to the Salary of the Mayor of the City of Lewiston."

Amend said Bill by striking out in the next to the last line thereof the underlined figures "\$4,500" and inserting in place thereof the underlined figures '\$2,500'

Senate Amendment "B" was adopted and the Bill was passed to be engrossed as amended by Senate Amendment "B" in concurrence.

Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on White Perch" (S. P. 304) (L. D. 655) reporting a new draft (S. P. 576) (L. D. 1377) under title of Resolve Regulating Fishing for White Perch in Penobscot County and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to State Owned Cars" (S. P. 332) (L. D. 748)

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

In the House, Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

Orders

On motion of Mr. Senter of Brunswick, it was

ORDERED, that Mr. House of Lincoln, be excused from attendance for the remainder of the session because of illness, and that the Clerk of the House be directed to send flowers from the members, together with their hopes for a speedy recovery.

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

Mr. **COTE**: Mr. Speaker and Members of the House: Due to being cast in a certain roll recently, and wishing to exercise my right under the roll, I move that we suspend for the remainder of the day Rule 25. (Applause)

The **SPEAKER**: The gentleman from Lewiston, Mr. Cote, moves that the House suspend Rule 25 for the remainder of today's session. Is this the pleasure of the House?

The motion prevailed.

The **SPEAKER**: The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. **BEARCE**: Mr. Speaker, I would like to ask a parliamentary question.

The **SPEAKER**: The gentleman may state his question.

Mr. **BEARCE**: Mr. Speaker, would I be out of order in asking that the House send flowers to Mr. Hector Martin, who is sick? I did not have an order prepared.

The **SPEAKER**: Does the gentleman so move?

Mr. **BEARCE**: Yes, Mr. Speaker.

The **SPEAKER**: The gentleman from Caribou, Mr. Bearce, moves that the House send flowers to Representative Hector Martin and express its sympathy in his recent illness. Is this the pleasure of the House?

The motion prevailed.

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: I present this order which is pursuant to Item 6 on the calendar that carries an "Ought not to pass" report of the committee.

The **SPEAKER**: The gentleman from Lewiston, Mr. Jalbert, presents an order and moves its passage. The Clerk will read the order.

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, authorized and directed to study the transportation problems of the state government, particularly as

they relate to the custody and control of motor vehicles owned or leased by the state and individuals and used by officials and employees on state business; and be it further

ORDERED: That the Committee report the results of their study to the 96th legislature. (H. P. 1816)

The order received passage and was sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Fuller from the Committee on Judiciary on Bill "An Act relating to Disclosure Hearings" (H. P. 1347) (L. D. 922) reported leave to withdraw.

Mr. Harding from the same Committee reported same on Bill "An Act relating to Inheritance Taxes" (H. P. 1318) (L. D. 883)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Ingraham from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Town of Meddybemps for Hospitalization and Medical Aid Extended to Harold Clark" (H. P. 573)

Same gentleman from the same Committee reported same on Resolve in favor of Clarence G. Ricker of Clinton (H. P. 262)

Mr. McGlaulin from the Committee on Judiciary reported same on Bill "An Act relating to Eligibility for Employment by the State, Counties and Municipalities" (H. P. 1314) (L. D. 850)

Reports were read and accepted and sent up for concurrence.

Referred to Legislative Research Committee

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act to Create the Office of Director of Transportation and Define the Duties of the Director" (H. P. 1299) (L. D. 857) reported "Ought not to pass" and recommend the subject matter of the Bill be referred to the Legislative Research Committee.

Report was read and accepted and sent up for concurrence.

Passed to be Engrossed

Bill "An Act relating to Service Retirement Benefits Under State Employees' Retirement Law" (S. P. 237) (L. D. 508)

Bill "An Act relative to the Disposal of Assets in the Hands of Liquidating Trustees" (S. P. 323) (L. D. 721)

Bill "An Act to Allow City and Town Employees to Receive Federal Social Security Benefits" (S. P. 574) (L. D. 1376)

Bill "An Act Enacting the Sabotage Prevention Act" (H. P. 1316) (L. D. 852)

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 Resolve

Resolve Proposing an Amendment to the Constitution relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated (H. P. 1813) (L. D. 1393)

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

Mr. Chase of Cape Elizabeth, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1813, L. D. 1393, Resolve Proposing an Amendment to the Constitution Relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated.

Amend said Resolve by striking out in the 5th line thereof the following phrase and punctuation:

"as amended by article XXIII, is hereby further" and inserting in place thereof the words:

'is hereby'

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

Bill "An Act relating to Temporary Loans of Cumberland County" (H. P. 1814) (L. D. 1394)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Connor to Paul Damboise (S. P. 552) (L. D. 1309)

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

Amended Bills

Bill "An Act to Clarify Certain Procedures under Maine State Retirement Law" (S. P. 217) (L. D. 470)

Bill "An Act relating to Salaries of Members of Boards of Registration" (S. P. 262) (L. D. 560)

Bill "An Act Continuing Bounty on Bear" (S. P. 393) (L. D. 940)

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.

Finally Passed**Constitutional Amendment****Emergency Measure**

Resolve Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation (H. P. 1114) (L. D. 694)

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. 118 voted in favor of same and none 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 to Provide Fire Protection for Townships of Connor, Medford and Orneville (H. P. 394) (L. D. 230)

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. 120 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.

Passed to be Enacted

An Act relating to the Salary of

the Sheriff of Aroostook County (S. P. 420) (L. D. 980)

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

An Act to Incorporate Town Finance Corporation (H. P. 319) (L. D. 185)

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

An Act to Incorporate the Public Loan Corporation of Portland (H. P. 742) (L. D. 428)

An Act to Incorporate the Public Loan Corporation of Bangor (H. P. 743) (L. D. 429)

An Act to Incorporate the Public Loan Corporation of Lewiston (H. P. 744) (L. D. 430)

An Act to Incorporate the Exchange Finance Corporation (H. P. 1052) (L. D. 632)

An Act to Increase the Salaries of Members of the State Highway Commission (H. P. 1080) (L. D. 683)

An Act to Incorporate the Rumford Finance Co., Inc. (H. P. 1111) (L. D. 691)

An Act relating to Method of Issuance of State Highway and Bridge Bonds (H. P. 1197) (L. D. 761)

An Act relating to Temporary Loans for Highway Purposes (H. P. 1258) (L. D. 832)

An Act relating to the Operation of Trucks During the Months of December, January and February (H. P. 1473) (L. D. 1193)

An Act relating to Installations in Public Highways (H. P. 1528) (L. D. 1121)

An Act relating to Entrances to Highways (H. P. 1529) (L. D. 1122)

An Act relating to Bulldozing of Streams (H. P. 1784) (L. D. 1341)

An Act relating to Crop and Orchard Damage by Deer (H. P. 1788) (L. D. 1355)

An Act relating to Composite Certificates of Organization of Corporations (H. P. 1796) (L. D. 1365)

Finally Passed

Resolve in favor of Peter J. Beau-lier of Ashland (H. P. 808) (L. D. 1367)

Resolve in favor of Indian Island for Construction and Repair of Roads (H. P. 969) (L. D. 798)

Resolve Regulating Fishing in Red River and Birch River (H. P. 1540) (L. D. 1133)

Resolve Closing Certain Tributaries to Lake Moxie, Somerset County, to All Fishing (H. P. 1612) (L. D. 1172)

Resolve Regulating Fishing in the Fish River Chain of Lakes (H. P. 1690) (L. D. 1267)

Resolve Regulating Fishing in Somerset County (H. P. 1794) (L. D. 1362)

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: As a matter of personal privilege for the entire House I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Augusta, Mr. Martin, requests unanimous consent to address the House as a matter of personal privilege for the entire House. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. MARTIN: Mr. Speaker and Members of the House: Nearly twenty weeks ago this House elected a man to serve it in the capacity of Speaker.

As the Legislative Session is now nearly drawing to a close, your committee felt that it, in some small way, should pay tribute to this man. I feel, and I know that it is the opinion of all, that this man has led us through a session of Legislature that will go down in the history of the State of Maine. He has carried on the responsibilities of his office without prejudice, without favor, and with fairness to all. The gavel in his hand is a symbol of power and yet, throughout his term, it has been used with fairness and with consideration for all, and yet with a firmness and a sincerity of purpose to maintain order instead of chaos.

He has kept at all times an open mind and he has kept his door

open in the corridor so that any might go in for advice or counsel or just to swap a story or two. He has remained humble, and yet it is a tribute to his greatness that throughout this term he has received the unwavering support of all the members of this House.

Your committee has selected for a small token of appreciation a watch, and Mr. Speaker, as you know, there are one hundred and fifty members of this House assembled, and it occurred to us that if you were to look at your watch for two and a half seconds for each member, thus making a total of a hundred and fifty seconds, we think, in some small way, that you would remember the friendliness of each member, and in some small way remember the great esteem in which we all hold you. It is therefore a great honor for me, in behalf of the Legislative Dance Committee, and in behalf of each and every member of this House, of whatever party, to present you with this gift, a mere token of the great esteem in which the members of the 95th Legislature hold you.

Thereupon, the gentleman from Augusta, Mr. Martin, presented Speaker Silsby with the gift, amid prolonged and enthusiastic applause of the House, the members rising.

SPEAKER SILSBY: Members of the House: Thank you very much. Please be seated.

I appreciate more than words can express this beautiful wrist watch that you have presented to me.

It has been written, and I appreciate at this moment the significance of the words, "Feeling is deep and still. The spoken word is as a buoy floating on the water to betray where the anchor lies hidden."

I assure you that this is one of the happiest moments of my life. You have indicated to me that this gift carries with it your respect and confidence, and that, to my mind, Members of the House, is the greatest gift that any man can receive from his fellow citizens.

We are now in the twentieth week since this House convened on January the 3rd past. Each and every one of you have met the re-

sponsibilities of this session, resolutely and determinedly, and to my mind you have reached the right solution in all important matters. I appreciate more than words can express the cooperation that I have received from each and every one of you in the performance of my duties. May I, at this time, express my appreciation to Mr. Chase, our Floor Leader, and to his assistants for their cooperation and efficiency in keeping you members informed as to the necessary objectives of this session.

I also desire to express my appreciation to the Clerk, the Assistant Clerk, the employees of their office, the Sergeant-at-Arms, the Assistant Sergeant-at-Arms, the Pages, Messengers and the Doorkeeper, for their efficient service and cooperation, also my appreciation to Mr. Hanks and his associates in the splendid work they have performed in keeping the record of this House, and to the Newspaper Men who have courteously and fairly published the activities of this House.

I also desire to express my appreciation to the Minority Floor Leader and his assistant, as well as to his party, for the consideration of me and of this assembly.

It is my intention to express my appreciation to each and every one connected with this House in any way for their cooperation and support. Through the members and associates of this House it has been possible for us to perform our duty as God gave us the light to see our duty.

The time is near at hand when the 95th Legislature will adjourn without day, and I shall at that time leave this House with a profound feeling of friendship for every member, officer and employee of this House, and I trust that each and every one of you will depart with the same feeling toward me and toward each other.

Again I want to thank you for the splendid gift. It will remind me of the faces that I have looked into here for the past twenty weeks, and for the admiration that I have for each and every one of you. We have become very close to each other.

I want to thank you again for the privilege and honor of being your Presiding Officer during this session.

Members of the House: I thank you from the bottom of my heart. (Prolonged applause, the members rising).

Orders of the Day

The SPEAKER: The Chair lays before the House the 1st tabled and today assigned matter, House Report "Ought to pass" in new draft under new title "An Act Relating to Rights of Married Persons" (H. P. 1803) (L. D. 1379) of the Committee on Judiciary on Bill "An Act Relating to Making of Wills" (H. P. 158) (L. D. 89) tabled on May 10 by the gentleman from Portland, Mr. Burkett, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. BURKETT: Mr. Speaker and Members of the House: Under the present state of the law, the only people who can make valid wills are those who are over twenty-one years of age except in the case of a married woman of any age. This law, if passed, would extend the right to make a valid will to any minor person, provided they were married, and to the widow or widower. In other words, if a married person under twenty-one should lose his wife, or the other way around, then that person could make a valid will.

I think it is a salutary provision, in view of the increasing number of young people in the service and in college who are getting married while under age.

I move acceptance of the report of the committee.

The SPEAKER: The gentleman from Portland, Mr. Burkett, moves that the House accept House Report "Ought to pass" in new draft under new title "An Act Relating to Rights of Married Persons." Is this the pleasure of the House?

The motion prevailed, and the report was accepted, and the Bill having already been printed, was read twice under suspension of the rules and was assigned for third reading tomorrow morning.

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 Appropriations and Financial Affairs on Resolve in Favor of Hampden Academy (H. P. 1511) (L. D. 1105) tabled on May 10 by the gentleman from Hermon, Mr. Nowell, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. NOWELL: Mr. Speaker and Members of the House: As I have talked with some of the members of the Appropriations Committee, and they seem willing for this resolve to be recommitted to the Committee on Appropriations and Financial Affairs, I now move that this resolve be recommitted to that committee.

The SPEAKER: The gentleman from Hermon, Mr. Nowell, moves that the resolve be recommitted to the Committee on Appropriations and Financial Affairs. Is this the pleasure of the House?

The motion prevailed, and the Resolve was recommitted to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the 3rd tabled and today assigned matter, Majority Report "Ought to be adopted" and Minority Report "Ought not to be adopted" of the Committee on Judiciary on Joint Resolution Making Application to the Congress of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States, H. P. 1775, L. D. 1315, tabled on May 11 by the gentleman from Portland, Mr. McGlaulin, pending the motion of the gentleman from Wayne, Mr. Brown, to accept the majority report.

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

Mr. McGLAULIN: Mr. Speaker and Members of the House: I am not particularly concerned how you vote on this matter but I am against it.

Some years ago, I, myself, introduced such a proposition, a similar proposition, whereby we were to

call a constitutional convention to amend the Constitution of the United States and it provided that in peacetime the government could not assess more than twenty-five per cent on your income tax. That measure, after some fighting, finally went through the Legislature and was sent to Washington. A few other states also passed the measure but it never got anywhere and this one won't.

Another reason that I oppose this bill was that two years ago we sent a Memorial to Congress and this year there have been all kinds of scraps to get it back to try to show that we didn't know what we were doing last year. Now, what's the sense of sending memorials to Congress and then the next Legislature comes in and says the last Legislature didn't know what they were doing; they want it to come back. I am getting sick of these memorials. You can do what you please but I am against it.

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

Mr. BROWN: Mr. Speaker and Members of the House: This is a subject on which we could talk for a long time. My remarks this morning will be as brief as possible.

For the past twenty years, we have been building up federal spending by Federal Congress. There has been a philosophy built up that all ills must be cured in Washington. In 1932 the federal budget was four and a half billion dollars; in 1950 it was forty-five billion dollars. The proposed budget for 1951 is something like sixty-one billion dollars. Not only that but the federal government has been continually encroaching upon the sovereignty of the states and if you remember the other day when we were debating on the so-called Dingell Bill, the gentleman from Greenville, Mr. Rollins, read you a list of departments which were receiving federal money. They are reaching into almost every category in our state government.

In 1949, according to the Bureau of Internal Revenue figures, the State of Maine turned into the federal government in all forms of federal taxes around \$171,000,000 and we received back in all forms of federal government grants and

aids, subsidies, salaries of our post office department and our internal revenue department, our highways, the sum of around \$31,000,000. And that is more or less true of all the New England States. The cream is being drained off and here this winter we have debated and worked all winter to try to raise \$10,000,000 to maintain our own state government.

I say that the further that you get government away from the people, the more inefficient it becomes. Democracy is everyone's business and in order to make it work we all have to take part in it. The further you get government away from the people, the more inefficient it becomes and the more wasteful it becomes.

In going back into history, into the Roman Empire, and reading some of the causes for the decline of that empire, I would like to read a passage from a book called "The Grandeur that Was Rome" by J. C. Stobart and this history was written in 1912 and it gave some of the causes for that decline and it said: "Secondly, the whole Roman world was being slowly strangled with good intentions. The bureaucracy had grown so highly organized and efficient, so nicely ordered through its various grades of official life, that everybody walked in leading-strings to the music of official proclamations. Paternalism regulated everything with its watchful and benignant eye. The triumph of the system may be seen in the famous Edict of Prices issued by Diocletian in A. D. 301. Here we find scheduled a maximum price for every possible commodity of trade and a maximum wage for every kind of service. . . . This delightful scheme, which was engraved on stone in every market in Europe, was evidently the product of a highly efficient Board of Trade, which had sat late of nights over the study of statistics and political economy. Benevolent officials of this type swarmed all over the empire, spying and reporting on one another as well as on the general public."

Now, I submit to you conditions today are somewhat similar and if we are to keep this country great then we must return the

sovereignty to the states and to the people and this proposal, which is before you this morning, is what is known as the Michigan proposal, by which it would return a percentage of the money back to the states to be spent as their legislatures deem fit for the best interests of their respective states. This money would come back without any strings and I think that it would be a step in the right direction.

This proposal has already been passed by several states: it was adopted by the Legislature of Michigan on April 11, 1949. Article 5 of the Constitution says that: "On application of thirty-two states a convention can be called for the purpose of amending the Constitution."

The proposal which Mr. McGlauffin, the gentleman from Portland, had reference to a few years ago was passed by twenty states. I believe that this proposal would get the necessary thirty-two states. It also, in time of war or in time of cold war, when this country is threatened, this proposal could be automatically dispensed with temporarily by concurrent resolution by both branches of Congress or by thirty-two states.

It sets a floor on income taxes to the present rate of \$600 per person per year and \$1200 per annum jointly. Under this proposal, if it was in effect today, the State of Maine would receive back \$77,806,448, more than the State of Maine spends for this biennium.

Ladies and gentlemen of this House, I hope the majority report of the Committee on Judiciary will be adopted.

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

Mr. **DELAHANTY**: Mr. Speaker and Members of the House: I suppose that my position on this measure was inevitable if we were to remain in session for a period of twenty weeks. That is the position I find myself in on the minority report. After signing that minority report with my good friend, the gentleman from Portland, Mr. McGlauffin, we finally wound up in the minority but yet together.

There is one reason why I am caused to speak this morning and that is because he has indicated that he signed the minority report feeling that this would have no effect on Congress. I should like to go a little deeper into the measure which we are now discussing for the reason that I also feel that it would have little effect on Congress and there are several parts in it that I feel might at some time in the future cause a great deal of confusion in the operation of both the federal government and our state government.

I hope that each and every member of the House has taken the opportunity to examine the bill very carefully. In Section 15, you will note that if this measure were passed in this House, no legislature shall revoke the affirmative action of a preceding legislature taken therein. That is not unlike the position we found ourselves in with respect to a memorial passed two years ago and which was referred to this morning by Mr. McGlauffin.

Mr. Brown of Wayne indicated that this measure would be suspended during time of war. I can visualize a situation wherein a war might not be declared yet the demands for money by the federal government would be far greater than they would be in time of war. For instance, the time which we are now going through. Certainly, this is a luke-warm war if you will not admit that it is a real hot one. It is an undeclared conflict and, under the circumstances, we would accept from the federal government a proportionate share of the money they are collecting in taxes from this state. That money is needed, in my opinion, today to operate our success on the national level as far as our security is concerned.

I feel also that with this philosophy that my good friend, the gentleman from Wayne, Mr. Brown, has mentioned, in the minds of our Congress, that in the event they had to return to each state a certain proportion of the monies they collect from the particular state by way of taxes, they would then be called upon to exact even larger taxes than they do now. For example: Assuming they need a

budget or set up a budget of sixty-five billion dollars, they would have to levy taxes to get enough money to cover that particular budget and also pay back to the states a certain proportion of the taxes they were to collect. That would, in my opinion, as I interpret this bill, if Congress felt that way, cause them to exact a tax from you in this state of such grand proportions that they would have left to themselves the sixty-five billion dollars. I visualize that situation as existing even though this measure is adopted and that, in my opinion, would create an even greater financial hardship on the states than is alleged here this morning.

We have heard much in the past, ladies and gentlemen, of a meeting called for the purpose of revising our national Constitution and, if a constitutional convention is called, I would assume that there are other articles in the Constitution other than what this particularly relates to that should be amended. As a part of this resolve, there is indicated herein that the Legislature of the State of Maine does not by this exercise of power under Article 5 authorize Congress to call a convention for any other purpose than the proposal of the specific amendment which is a part hereof. Now does it authorize any representative of the State of Maine who may participate in such convention to consider or to agree to the proposal of any amendment other than the one made a part hereof? That is a definite limitation on a constitutional convention and certainly, as I have said, if there is a constitutional convention, I assume that those members of that convention would feel bounden to examine the Constitution in the light of present day circumstances and make whatever changes the present needs demand.

I do hope that the majority report is not accepted and that you will accept the minority report.

The SPEAKER: The question before the House is on the motion of the gentleman from Wayne, Mr. Brown, that the House accept the Majority Report "Ought to be adopted" of the Committee on Judiciary on Joint Resolution Making Application to the Con-

gress of the United States for the Calling of a Convention to propose an Amendment to the Constitution of the United States, H. P. 1775, L. D. 1315.

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

Mr. WOODWORTH: Mr. Speaker, I arise as one of the signers of the majority "Ought to be adopted" report.

I am ready to admit that the gentleman from Lewiston, Mr. Delahanty, has presented very clearly some of the objections to the resolution. We often hear that the great trouble now-a-days is that the federal government takes too much of the taxpayer's dollar. I don't know that anybody disagrees with that. As I understood the gentleman from Lewiston (Mr. Delahanty) he said that we won't be much better off if the Constitution were amended as provided in this resolution. It is just a matter of speculation. If the Constitution were so amended, some money would come back to the State, a great deal of money. I also would suppose that certain statutes relating to assistance and grants in aid to the state would also be repealed so that if this Constitution were amended as this resolution asks all expenses would go up considerably just as our income would go up. I voted for the bill because so long as the federal government takes all the money out of the Maine taxpayers that it wants to, there is no hope for us. If the Constitution could be amended so that we might get a slice of that money, we might have some hope of relieving the taxpayers' burdens in some degree.

I hope that the motion to accept the majority report may prevail.

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

Mr. DELAHANTY: Mr. Speaker, to say very briefly that one of my chief concerns with respect to this measure is: What happens in time of war and what happens in time of emergency? I think it must be of great concern to us today that we would place any limitations on the men we have elected—and women—to the Congress of the United

States. I feel that they are closer to the subject than we are and I think it inappropriate at this time that we would adopt such a measure as this in order to attempt to tie the hands of those who are guiding the destinies of our national defense.

Remember when voting on this, ladies and gentlemen, that you are saying that this is in effect, you are asking that it become effective in time of war, and when you are doing that you are not leaving an opportunity for the United States Government to build up a security during a time of emergency such as we are going through now.

When the vote is taken, Mr. Speaker, I ask that it be by division.

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

Mr. **BROWN**: Mr. Speaker, in the event of a cold war or a time of emergency when we are threatened from without, under the terms of this resolution this could be suspended by concurrent resolution of both branches of Congress at any time and I would believe that the judgment of our Congressional members of Congress would be such that in time of cold war or threatened emergency that they would use their good judgment in suspending this particular article of amendment to the Constitution. And, therefore, I can see no danger in the argument as pointed out by the gentleman from Lewiston, Mr. Delahanty. It would be my belief, as Mr. Woodworth has said, that if the federal government returned this money to the state then the state would have to look after its own problem, and not expect the federal government to assist them further.

If something is not done to limit Congress and to put the government back into the hands of the people in the respective states, I believe that we will head towards an economic collapse eventually. No family can spend more than it takes in forever. They might do it for a time but forever, the inevitable is certain to happen. Our national debt today is over two hundred and fifty billion dollars and it is steadily rising. It is estimated that after July 1, 1951, that

the federal government will be drawing upon the citizens of the State of Maine to the extent of two hundred and forty million dollars. Something has to be done to limit this unlimited expenditure.

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

Mr. **McGLAUFFLIN**: Mr. Speaker, I just want to say one word more. This resolution reminds me of some of the resolutions passed by a woman's society telling Congress and the Legislature what to do when they don't know very much about it themselves.

Now, I venture to say that half of the members in this room haven't read this bill and I think it is a very dangerous thing to be undertaking to change the Constitution of the United States without knowing what you are talking about.

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

Mr. **HARDING**: Mr. Speaker and Members of the House: I arise primarily to have it a part of the record that for once this session I was in favor of something.

I am very much in favor of this particular resolution, and I will say to the gentleman from Portland, Mr. McGlaufflin, that I have read it and I am still in favor of it.

This is not a resolution attempting to tell Congress what to do. It is a resolution calling for a constitutional convention to limit the powers of taxation granted to Congress. I very much appreciate the position of the gentleman from Lewiston, Mr. Delahanty, in arising to try to prevent this Legislature from taking some action which is critical of the federal government which is controlled by his party at the present time. His position is somewhat inconsistent, and I sympathize with him in that dilemma in which he finds himself. I believe that is the only reason that he is opposed to it. It is critical of the National Democratic Party. We have for twenty years been governed by emergency. As soon as one emergency is over there is another one declared and each emergency is new grounds for taxation. I don't think that this is the per-

fect answer or the entire answer but it is a step in the right direction. I am very much in favor of it and hope that it receives passage.

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

The question before the House is on the motion of the gentleman from Wayne, Mr. Brown, that the House accept the Majority Report "Ought to be adopted" of the Committee on Judiciary on Joint Resolution Making Application to the Congress of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States, H. P. 1775, L. D. 1315, and the gentleman from Lewiston, Mr. Delahanty, requests a division.

All those in favor of accepting the majority "Ought to be adopted" report will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-six having voted in the affirmative and thirty-seven in the negative, the motion prevailed and the Majority "Ought to be adopted" Report of the committee was accepted.

The **SPEAKER**: The question before the House is on the adoption of the resolution.

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

A viva voce vote being taken, the Resolution was adopted and sent up for concurrence.

The **SPEAKER**: The Chair now lays before the House the 4th tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Elections in the City of Biddeford," H. P. 1204, L. D. 762, tabled on May 11 by the gentleman from Biddeford, Mr. Duquette, pending acceptance of the report. The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. **McGLAUFFLIN**: Mr. Speaker and Members of the House: This is purely a political measure and I am against the bill.

For some reason, however, there is a certain element in York County that feels it is necessary to upset whatever system the Democrats

of Biddeford happen to have or happen to want. I am very familiar with the steps that have been taken in the past regarding that city.

In 1937, a bill was introduced to upset the affairs as they then existed in Biddeford. It seemed to me to be totally unjust and I was one of the members who opposed it and eventually it was killed. Either the next year or two sessions later, they got through a bill and it was referred to the people and the people sustained it and I want to say now that the public that voted on that referendum did not know anything about what was involved excepting that it had passed this Legislature.

After that, the citizens of Biddeford, in 1943, sent in a petition of over 12,000 votes to revoke the initiative and that was sustained by this Legislature and that is the one that they now have.

Now, some of the Republicans of York County don't like this law and, therefore, they have introduced this bill. I do not know whether this bill is a good bill of itself or isn't but I do know this: That it is an attempt to force upon the citizens of Biddeford a law that they do not want. Not a single representative from Biddeford favors this bill so here is the situation: You have got a Republican House and Senate. You have got the power to force Biddeford to accept this law but I want to say to you that it is wholly unjust to do so. There is no fair play in it. It is coercion if you pass it, pure and simple.

I like to see fair play and when I think that the Democrats are being imposed upon I will stand up for them and that is exactly what I think now regarding this measure.

Two years ago a Democrat from South Portland had another Democrat from Rumford introduce a bill that would change the charter of the City of Portland. Nobody in Portland wanted the change; none of the representatives wanted it and the committee rightly turned the matter down. Now, I want you to consider just a moment how you would think in your city or town if the Democrats had the control of the Legislature and they forced something upon you that you did not want. You would say: "That

is unfair," and rightly so. If the party in power is going to resort to such methods as this, I do not see where the citizens of Biddeford are much better off than they would be under a dictatorship.

I am opposed to this bill, first, because it isn't fair. It violates the rule: "Do unto others as you would have them do unto you." Another point I want to call to your attention: The first President elected under the Republican Party was Abraham Lincoln. You will remember that Abraham Lincoln said: "Of the people, by the people and for the people." I say that refers to local conditions such as this. The people of Biddeford should have something to say about their own election system. I am calling your attention to the words of Lincoln because it puts the Republican Party on a standard that I want to see maintained that we don't take advantage, an unjust advantage, of a person who is weaker than we are. I want to point your attention to the fact that the citizens of Biddeford are American citizens. They have the same rights that you and I have.

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

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the Report and Bill "An Act relating to Elections in the City of Biddeford," H. P. 1204, L. D. 762, be indefinitely postponed.

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

Mr. HAWKES: Mr. Speaker and Members of the House: I was very interested to hear Judge McGlauffin quote Abraham Lincoln. He forgot probably a more colorful and more pointed quote in this situation that Abraham Lincoln made. "As no man would be a slave, neither would he be a master."

Now, there is no question in anybody's mind but what this is a party-sponsored measure through the Republicans in the City of Biddeford. There is also no question in anybody's mind but what certainly the present representative from Biddeford would not introduce a Republican-sponsored measure.

The gentleman from Portland, Mr. McGlauffin, likes to talk about fair play and the fact that possibly

the State of Maine is going to go on record and the Republican Party is going on record that they are going to play power politics to the nth degree; that while they are in control they are going to over-ride everybody else.

I would also like to call Mr. McGlauffin's attention to a certain situation that possibly exists in the City of Biddeford that plays power politics which I, myself, have to respect very, very much also to the nth degree. Now, it disturbed me to some extent—in previous talks this morning Mr. McGlauffin started to talk about people who would vote on a bill who had not even read it. I would also like, as Mr. McGlauffin admitted, that anybody to talk on a bill that they haven't read seems to me not to be too sound. It also seems to me that in certain instances the Republicans of York County this year seem to have been painted with rather a black hue.

When this bill came into the Legal Affairs Committee, it did not seem at that particular time to many members of the committee that it was a particularly fair bill. There were two amendments proposed. The idea of the bill is to allow an independent party to run in the city of Biddeford such as they can run in the rest of the State. Now the minute that you have an independent party in the race, you start to get a situation whereby a minority group in the city can run the city. Splinter parties, it seems to me, are in no manner desirable politically. I think that we have seen situations of splinter parties on a national level such as in France and what they can do to a democracy. Ideally, possibly they are very desirable, not ideally, not practically workable. With that thought in mind, the Legal Affairs Committee and I certainly had to endorse it and I realize that certain of the Black Republicans, whom Mr. McGlauffin quotes so well, were not particularly anxious to see this provision in but also there was a provision put into this bill to amend the charter of the City of Biddeford so that in order to constitute a valid election, a majority would have to cast their votes for the winning candidate. I certainly would

be the most hypocritical person standing on this floor today if I had voted otherwise on that measure.

The City of Saco asked me to put in a bill which I did by request this year changing the charter to say instead of a majority, a plurality vote, so in case three parties come in you won't possibly have to have a run-off. I am glad to say that that particular bill is in the graveyard and I think it is too far gone to ever be recalled.

I would merely like to say that my particular stand on this measure is that it would seem to me that the City of Biddeford is not so unique but what it should be governed by election laws which to the rest of the State seem perfectly adequate.

If this particular bill is in any way unfair to the Democrats, in any way unfair to the Republicans, I hope they so state on the floor of the House this morning.

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

Mr. DUQUETTE: Mr. Speaker and Ladies and Gentlemen of the House: I join the gentleman from Portland, Mr. McGlauffin, in his motion to indefinitely postpone this bill.

This proposal, as you have been told, does not come from the taxpayers of Biddeford. It was introduced by request, and not by anyone representing the citizens of Biddeford in this law-making body.

In order for the membership of this House to fully understand what this proposed legislation attempts to do, I must go back eighteen years when I was a member of this House and explain to you the background and the history of our new election laws and at the same time a new city charter was granted and the City of Biddeford has operated under these two good laws for the past eighteen years.

Prior to 1933 there were the so-called rump caucuses where anyone whether enrolled or not in a party would go to those caucuses. One night he would go to the Republican caucus; the following night, he would go to the Democratic caucus and naturally hoping to win but would vote for the

candidate at these caucuses least qualified to represent the citizens of Biddeford in government. And, unfortunately after the election they did not have the qualifications to render to the people the services and the government that they were entitled to. All of us are familiar with these rump caucuses of years ago. The result of these caucuses is reflected in the record of the administration of the government during that period prior to 1935, when the present administration came into power.

The present election law of the City of Biddeford is easily understood; it is a primary law identical in its operation to the State Primary Law with one exception. It is based on the two-party system and provides for enrollment in order to participate in said primary.

They would like to have you believe that this law deprives people from being a candidate for office. This law does not deprive anyone of becoming a candidate but it does provide that anyone who wishes to be a candidate must do the same thing as members of the Republican and Democrat parties must do in order to be a candidate. If one wishes to be a candidate for office under any other party designation than the two major parties, he must enroll himself as such; he must declare himself a member of the party under which he wishes to come before the people. For instance, if he wishes to run as a socialist or a communist, he must enroll as a socialist or as a communist and enter the primary as such. Our present law gives them that privilege.

The proposed legislation provides that anyone who wishes to be a candidate for office can by filing nomination papers with the city clerk signed by anyone whether enrolled in either of the two major parties become a candidate at the regular election.

That candidate does not have to go to a primary by the fact he files the required number of signatures he is assured of being on the regular ballot at the regular election, while a Democrat or a Republican must go through a primary and final election, if successful at the primary; but this other fellow does not have to enter a primary,

he is going to be on the final election ballot anyway.

Is that fair? Why have primaries? This bill is a repealing act. It destroys the primaries. This bill attempts in every way to change every provision of our election laws, laws that have worked so well for the past eighteen years. Anyone, under this proposed measure, can file nomination papers under a party designation other than the two major parties and also file nomination papers to enter either the Democratic primary or the Republican primary, and, although defeated at the primary, he is still on the ballot of the following regular election. He loses in the political party of his choice and yet he still is an opponent to the candidate who defeated him. It is clear that this proposed act attempts in every way to take out of our present election laws all its provisions that are effective in the conduct of clean, fair, impartial, honest elections where decent men and women can vote for the candidates of their choice without fear of being molested or kicked around which so often happened in these open caucuses of a few years ago.

Prior to 1935 it was possible for candidates for office by subterfuge and deals between groups to mislead the people and gain public office by misrepresentation and trickery with disastrous results, which I shall point out to you in a few moments.

A few individuals are attempting today to secure passage of a law that would allow them to return to the days of confusion and trickery. Prior to the enactment of our present election laws, candidates for office would file nomination papers under three or four different party designations, or seven or nine different party designations, so that you had a ballot the size of a newspaper.

There is no demand by the citizens of Biddeford for this proposed legislation, nor for a change in the existing election laws and charter. This proposed legislative measure does not originate with the taxpayers of Biddeford; it does not come from the people of Biddeford, it does not come from the representative Republicans of Bidde-

ford, nor from the civic leaders, groups or organizations. It is not sponsored by industry, the business and professional men, taxpayers and the citizens at large of Biddeford. There is nothing wrong with the present city government.

I repeat, these laws were given to Biddeford by the Legislature 18 years ago because of the deplorable conditions existing in the government at that period. The Legislature of 1933 with full realization of the need of a change granted these laws to the City of Biddeford and under these laws, may I repeat, orderly elections are now being conducted. People who have at heart the interests of Biddeford have come forth and become candidates for office and since then, and today, the City Council is composed of men of profession, business, trades, industrial workers and all of them property owners; men who have the welfare of their city at heart, men who have something at stake.

I have said that the two bills given to Biddeford by the Legislature of eighteen years ago, namely a new election law and a new charter, have been instrumental in enabling the elected city officials to give to the citizens a business-like, efficient administration which we enjoy today. So as to fully understand the conditions existing prior to 1935 and the situation today, let us look at the record.

When, in 1935, the present administration was entrusted with the duties of office by the citizens of Biddeford, they found the government in bankruptcy. For four months that government had been unable to function because of lack of money to carry on the affairs of government due to the fact that banks and financial institutions would not make a loan. All bills, including bills due to the State of Maine, salaries, wages for teachers, policemen, firemen, city employees, had not been paid for four months. Bonds, notes and interest had been defaulted. State and county taxes had not been paid. Money in a sinking fund to retire bonds had been withdrawn and expended.

To untangle that mess we requested the State Department of Audit to come to Biddeford and

conduct a complete audit for the years 1932, 1933 and 1934. The auditors found conditions in a more deplorable state than we had anticipated. For eight months a staff from the State Department of Audit worked daily in the City of Biddeford in order that the true financial condition of the city might be ascertained. At the conclusion of this audit the State Department of Audit issued in detail a voluminous report. I have it here. I won't read it, but I shall quote from it.

"The fact that the city records were insufficient was increased by the records of the creditors being either on a memo pad in some cases and in others just in the person's head. However we were able to take \$336,373.34 worth of 'unpaid bills' plus bills which were coming in at random for rent, fire hose storage, gravel, back pay, and so forth and reduce them to \$288,331.07."

Many of the bills which had been paid during those 3 years were not substantiated by vouchers and thousands of dollars had been expended by the City Treasurer without warrants being drawn for the same. I shall read you just one year, 1932. "The total expenditures of the treasurer amounted to \$968,122.93. We inspected vouchers amounting to \$252,103.72. Quite a few of these vouchers did not have a bill to support same. Also we found about twenty vouchers which were added wrong with amounts varying from .01 to \$2.00. There was \$189,035.75 for which we were unable to locate any vouchers to cover same."

Also I may give you briefly the record of the city government under the present legislation since 1935. At the end of every year since that time we have asked the State Department of Audit to conduct a thorough audit of the books of the City of Biddeford. We have always requested an audit by the state auditors even before the legislature made compulsory a yearly audit of municipalities.

Moreover, every month since 1935 at the meeting of the city council, the heads of the various departments of the city give a report of the financial condition of their

department to the City Council and to the citizens of Biddeford. Every week, bills, salaries, wages and all obligations of the City have been paid without interruption since 1935. State and county taxes have been paid in full in time.

Assuming the duties of office with a bankrupt government, the administration successfully surmounted the obstacles of the difficult period of reconstruction and then forged ahead to a position of trust and achieved a financial record unequalled not only in the history of Biddeford, but I dare say, in other communities in the State.

At the beginning of the year 1935 when the present administration assumed office, we were faced with a debt of \$576,333.42. In addition there was \$288,331.07 of unpaid bills as I just quoted from the record. Therefore the actual debt was \$864,664.49. A program of strictest economy was put into effect and has been continued ever since so that the bonded indebtedness of the city and the high amount paid to service that debt could be reduced as quickly as possible.

The program inaugurated in 1935 has been religiously adhered to and it has placed the city of Biddeford in the soundest financial position in its history. Not only have we wiped out the net city debt of \$864,664.49 but today we have a surplus of \$170,975.28 and again those figures can be checked with the State Department of Audit. I am quoting their figures. The prior administration had issued bonds to the amount of \$200,000 in 1929 for a period of twenty years. When these bonds were issued a sinking fund commission was created. The government was to appropriate \$10,000 a year for deposit in the sinking fund to redeem this \$200,000 in 1949. When, in 1935, this administration came into power there was no money in the sinking fund and again may I state that it is recorded in this book from the State Department of Audit. We re-established that fund and in 1949 we paid that \$200,000 in full, thereby saving to the citizens of Biddeford \$9,000 a year in interest.

In 1944, 1945, 1946 and this year, this administration did not have

to borrow any money in anticipation of taxes. During the same period we have reduced the tax rate from 56 mills down to 38 mills and the valuation is fair and just.

We have reduced our bonded indebtedness so that today the only bonded debt of the City of Biddeford is \$11,000, believe it or not, \$11,000 coming due next January and it will be paid.

Mr. Speaker and Members of the House, I have given to you the record, a record which can be checked. I have outlined to you the governmental and political activities of the City of Biddeford for the past 18 years. I know what I am talking about. I have been city clerk, auditor there since 1935. I do not believe that you wish to vote to destroy the hard work of the past 18 years so, therefore, Mr. Speaker and Members of the House, in behalf of the people of Biddeford and in the name of good government I hope you will support the motion of the gentleman from Portland, Mr. McGlauffin, to indefinitely postpone this bill.

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

Mr. FARLEY: Mr. Speaker and Members of the House: Representative Duquette has spoken as a Representative. I would like now to speak to you as a native and a taxpayer of the City of Biddeford. This may be the last time in this House that I speak. I have been taking the words of Calvin Coolidge in not choosing to run but while I am standing here I want you all to know that I will never forget the friendship of you all in my two terms in this House.

Speaking first as a native of the City of Biddeford, living under our caucus law as we have for years, and I have more bumps on my head than any Republican who lives in the City of Biddeford, today, we have been operating under a law to open the polls of the ward at least fifteen minutes and if members of the city committee thought they were defeated, the lights would go out or the ballot box would go out in the middle of the street. We, then, the next day voted in our city hall between the hours of 3 and 8 for a candidate for mayor not

by ballot but with a pamphlet and language that you could not find in a dictionary was always used upon the floor. As I said to you, I have had a lot of bumps and in that caucus anybody could vote and if you came out victoriously then what happened? You found yourself plugged up with six or seven parties on the ballot on election day. Now, I come from another school of thought politically in the City of Biddeford. It has not always been that I have been with the mayor of the City of Biddeford. Those I have been with have gone to the Great Beyond. Now, I know something about the new city charter in Biddeford. It was formulated in the rules of the late Charles T. Reed. It was backed by the leading Republicans in the City of Biddeford and some in the county, none other than Judge L. Henry, Homer Waterhouse and H. G. Moore, and that city charter was changed for the best interests of the citizens of the City of Biddeford and the taxpayers.

Now, I ask you as a native of the City of Biddeford, would you want to wake up some morning and find that in your city you couldn't pay your school teachers, couldn't pay your firemen, couldn't pay anybody and were in debt to the tune of \$700,000? Something had to be done in the City of Biddeford and one of the things that was done was to change our system into a primary law. I am a great believer in the two-party system. I believe when political plums are passed around they should go to the members who are enrolled in a political party if they think anything of their party.

Under this administration, and I know at home, this is not a movement by the taxpayers, this is just a movement by one man against another man who has never fought the man who is the mayor today like I have. I have fought him tooth and nail. Under this primary system I still have a right to go in and fight. We have a right to place a ticket in against the party in power at any time. The Republican party has a chance, but what do they do? They elect a city committee and they are all done until they find out who is judge. They know after the June

primaries that the State of Maine is going Republican and that settles it.

Our schools at home are as fine as there are any place. I am a graduate of the public schools and I have one child in high school, three graduated from there, and I have three more in public schools. There is not a church of any denomination in the City of Biddeford that under this administration does not have as fine a piece of road leading to the steps of that church as any place in the New England States. I do not agree with everything the mayor says, but I am not going to start in from Harmon's corner to Alfred Street criticizing 365 days a year the fire chief or the street commissioner or this or that, because I may end up with tuberculosis or something else.

Now, the gentleman from Saco has spoken. In the last thirty odd years that I have checked the City of Saco has been under a Republican administration and nobody in Biddeford cares nor do we care what they are in Kennebunk, Kittery or any other place in the county. Ours are peace-loving people, minding their own affairs and who work each and every day in the mills and the shops and raise their families and own their property. They are the ones today who are getting some benefit. We have a small tax rate. We have an unfortunate feature, possibly. Like a great many places we have probably got bad roads. The only time that you find good roads in the State of Maine is when the snow and ice is on them and you can't find the holes. Now, we're no different than anybody else. As I said to you a moment ago, I have not always agreed with the mayor. I am speaking now as a taxpayer of the City of Biddeford. It is not a new movement of the taxpayers, or the corporations or businessmen—I am in business and I am on the streets every day—there are none who know anything about this with the exception of one who came here and I know deep in my heart it is nothing but that he just hates the mayor of Biddeford. Well, isn't it true that there is a lot in political life that we hate but we have to go along with it?

I don't want to take any more of your time but I want to go along with the best interests of the citizens and the taxpayers of the City of Biddeford and keep our own room to ourselves and clean it and let no one else from York County tell us what we are going to do in the City of Biddeford, because we can handle our own affairs, and, at the same time, go along with the majority party in the State of Maine when they are right. I want to go along with the gentleman from Portland, Mr. McGlaulin.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Gowell.

Mr. GOWELL: Mr. Speaker, I am the last representative on this floor to deprive any community of the right of local self-government but there are two sides to every story and it is possible there is another side to this story although Mr. McGlaulin to the contrary. Mr. McGlaulin says he knows what is right for the City of Portland, and he takes the ethical side of it. I agree that he is usually right but in this particular case, I am going to say, not as a Republican but as a citizen of the State of Maine, there is another side to this story.

When the Legislature convened, a group of gentlemen from Biddeford waited on some of us in York County and said they wished to have this bill presented. It was not to deprive anyone of any right they had but it was to liberalize the election law of the City of Biddeford so if anyone wanted to run as a member of the school board, an alderman or a councilman, they might have a right by complying with the provisions of this law. I agree heartily with what my friend says here, the city clerk of Biddeford, and a member of the Biddeford delegation, and what was said in regard to the administration of Biddeford at the present time. Mr. Lausier is a member of the York County bar; he is a gentleman who has given to the city a wonderful administration to my mind. I am not sure—I am a strong party man—I might give him a vote; probably I wouldn't say anything detrimental and I have said in the past and I say today that they have done down there in Biddeford a wonder-

ful job in the way of self-government. But I don't care whether it is Mayor Lausier or the President of the United States, he is not big enough to say who shall run on the ticket.

Now, if they comply with this rule and they get a certain number of signatures to run in the municipal elections of Biddeford why should this party, which is 5 or 6 to 1 in the majority, why should they object? That doesn't seem very reasonable. What reason does Mr. McGlauffin or any other gentleman in the House who is an attorney see about it? It is not to deprive anyone of rights; it is to liberalize the election laws. I have no personal interest in it. I have high regard for all these people who are trying to maintain their rights, but they haven't any rights to maintain. It simply gives some poor individual a chance if he has the courage to run against that political machine in the City of Biddeford and he should have some encouragement.

I didn't consider it a political matter. Mr. McGlauffin says it is a political matter. It may seem so to our friends in Cumberland County. They maintain that it is not politics but ethics, but we have some ethics down there in York County and I will say this: This bill was presented to your Legal Affairs Committee. It has come out of that committee with a unanimous report "Ought to pass". Now you all know the Committee on Legal Affairs and what they stand for and I do not hesitate to say that if there is anything very wrong about this bill there is some one of that number would dissent and from the facts as they appear I hope that the motion of the gentleman from Portland, Mr. McGlauffin, will not prevail.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the ten pupils who are graduating this year from the 8th grade of the Lovell Grammar School, in charge of Miss Sawyer.

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

The SPEAKER: The Chair recog-

nizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker and Members of this House: As a member of what might be aptly termed the up-country section of the delegation from York County, I have listened with a great deal of interest to the evident fervor with which we might call the political integrity of the City of Biddeford which has been debated here this morning.

I recall a quotation from a speech by General Washington which was carried for many years at the masthead of the David Lawrence editorial in the United States News. It runs about like this, I believe, it says that in proportion as the structure of government gives force to public opinion, it is essential that public opinion should be enlightened. Now, it seems to me that we have taken sufficient time to enlighten public opinion as represented by the Representatives of the State of Maine on this particular issue in which, perhaps, we might say the political future of the city affairs in Biddeford may be somewhat concerned.

The only thing that I want to say about it is this: It seems to me that the gentleman on the opposing side covered the issues very well but there is one thing that I personally can't understand. It is my impression that the Democrats, more or less, run Biddeford. There are a few Republicans there, presumably not enough to represent His Majesty's loyal opposition to any marked extent, that is, not to an extent that would constitute great political danger to democratic control. Now, if that is the case, as it apparently is, I do not understand why the democracy of the City of Biddeford should be so interested in preventing a man running as an independent on nomination papers.

I thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Biddeford, Mr. Duquette.

Mr. DUQUETTE: Mr. Speaker, it is surprising to me that the Republicans outside of Biddeford are so concerned about the independent voter in Biddeford and

that no one apparently gives the organization there any opposition. If they are so concerned about having opposition to this organization in Biddeford, why is it that this handful of men haven't run a Republican ticket in Biddeford in 1940, 1941, 1942, 1944, 1945, 1947, 1948, 1949 and 1950?

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

Mr. WOODWORTH: Mr. Speaker, I arise in support of the motion of the gentleman from Portland, Mr. McGlaulin.

Four years ago we had a similar bill to this and there was an adverse report by a majority of the Legal Affairs Committee, the House voted by a large margin to follow the Biddeford representatives in according them the right to represent the sentiment of their own city. I have voted very many times with the York County Republicans but, in this instance, I think they are wrong and I rise in tribute to the Democratic Representatives from Biddeford who had the courage to come up and fight for the rights against a Republican majority, and I hope their fight is successful.

The House has uniformly through the years extended to the representatives of each community their right to represent that community in things which pertained particularly to their town or city. I think in this instance we should do the same. The only point that has been debated here to any great extent is the matter of politics. It has been said that this is a Republican Party measure. I have never agreed, I do not agree now any more than I did four years ago that such a bill as this is for the benefit of the Republican Party. The Democrats in Biddeford out-number the Republicans 4 or 5 to 1. This bill requires that the candidate shall be elected by a majority vote. Where you have a charter which requires that a candidate be elected by a majority vote and one party out-numbers the other by 4 or 5 to 1, why prolong the agony? You know who is going to win. The only thing this bill can serve is to stimulate a little false hope in

Republican minds that they may achieve some measure of success. There is no assurance that this bill will please all the Republicans in Biddeford any more than it would please all the Democrats or any of them.

As far as political success is concerned, I would like to mention the case of Androscoggin County. Some years ago, Lewiston acquired a new charter. It abolished party lines. That has happened. Now-a-days, if you elect a Republican candidate in Androscoggin County, it is an accident. Formerly we had Republican senators, we had Republican sheriffs and Republican county commissioners in Androscoggin County but that is almost a thing of the past. The Democrats split somewhat in Androscoggin in the last election and as a result they did get a Republican sheriff there and we did get one Republican Senator.

If you want to turn York County over to the Democrats, just do for Biddeford what you did for Lewiston. It will only take a short time before York County goes Democrat. That is my belief and that is why I have spoken here today.

Last year the Republicans in York County put on a campaign that was the admiration of the State. It is my sincere belief that no county committee, no Republican organization in the State, put on a finer campaign than the York County delegation did last year. I would say: Don't pass this bill. Stick to your own organization. You can win; you know you can win but with this bill nobody knows and I hope that the motion of the gentleman from Portland (Mr. McGlaulin) may prevail.

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

Mr. HAWKES: Mr. Speaker, I would just like to make one or two comments in closing.

It certainly is in no respect proper for me to be butting into the business of the City of Biddeford which has been implied here this afternoon. This bill was presented to the York County Republican delegation and they agreed to sponsor it. It was assigned by some chance

to the Legal Affairs Committee of which I am a member and being the York County member on the Legal Affairs Committee, naturally much of the information was given by myself as requested. Now, it seems to me in this game of politics, there is only one thing we should be concerned with and that is each individual voter. If each individual voter is having a perfect right to vote as he sees fit, if he is being hamstrung in no way, shape or manner, whether the county goes Democratic or whether the county goes Republican, whether the City of Biddeford goes Democratic or Republican is immaterial. It does seem to me that the City of Biddeford's election laws should be similar to election laws throughout the State.

I mentioned in speaking before that I certainly admire power politics and I certainly do. However, to me, if in some way, shape or manner we, in the State of Maine, can get each individual person interested in voting, then whether the State of Maine is Republican or Democrat, we are going to have a good administration in the State.

Mr. Speaker, when the question is put for a vote, I request that it be by division.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Biddeford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: I hope you will not be shocked in seeing me get up to address the House this morning, for the simple reason I have been here for five terms and I always kept my seat warm, listening to the pros and cons and to the leaders of different parties and I always tried to make up my mind and vote what I thought was right. I must have voted right lots of times. I may have made mistakes but when it comes to local affairs as a rule I was inclined to be influenced by the party that was affected by the case. If we should go, not to the southern part of Maine, but to Caribou or Presque Isle and tell them how to run their affairs, they wouldn't like it. And it is the same with the citizens of Biddeford.

At the present time, if there was really a call for a change, you would have seen quite a delegation when they had that hearing and if I have been told right there was one member that came and spoke in favor of a change and that man—I have nothing to say against his character—he has been trying to take control of the City of Biddeford for years and he just happened to be unlucky. When he came from a certain town he come into the City of Biddeford as an enrolled Democrat and he was a Democrat for a couple of years, but seeing that he could not control the place, seeing that he could not be the boss like they claim we have a boss in Biddeford, although if we have a boss in Biddeford, it is our fault and the fault of the councilmen because nobody has to let him boss if you don't want to, all they have got to do is vote. They have got enough councilmen; they can overrule him any time. Well, coming back to the other gentleman to see what he could do about it, he changed party, and it paid him because I think he had a few offers given by the Republicans, and if I am not mistaken he was the only one who came to that hearing. And just to show that I am in accord with my colleagues, Mr. Duquette and Mr. Farley, this is the reason I thought I would get up and say a few words.

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

Mr. FARLEY: Mr. Speaker and Members of the House: I would like to make one thing clear here possibly to the minds of some. In our primary system as Democrats we have a right to oppose the administration and I have opposed the administration in the primaries in the last ten years five times, but as they win I go along with them. Now, the Republican party has the same opportunity to put a ticket in there and vote and at the same time they have an opportunity to try to knife a few of the Democrats but they don't know how to do it. (Laughter)

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman

from Portland, Mr. McGlaflin, that the House indefinitely postpone Report and Bill "An Act relating to Elections in the City of Biddeford," H. P. 1204, L. D. 762, and the gentleman from Saco, Mr. Hawkes, has requested a division.

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

A division of the House was had.

Ninety-three having voted in the affirmative and seven in the negative, the motion prevailed and the Report and Bill were indefinitely postponed and sent up for concurrence.

Mr. PIERCE of Bucksport: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. PIERCE: For personal privilege, Mr. Speaker.

The SPEAKER: The gentleman may state his privilege.

Mr. PIERCE: Whereas—

The SPEAKER: Will the gentleman please state his privilege before he proceeds?

Mr. PIERCE: To present a gift, Mr. Speaker. Out of order, under order and under suspension of the rules and anything else you can think of. (Laughter)

The SPEAKER: The Chair will inquire if the gentleman's remarks are off the record? The gentleman may proceed off the record.

Mr. PIERCE: On the record, Mr. Speaker.

The SPEAKER: On the record. Is there any objection?

Mr. PIERCE: On May 15th, 1902, there was born a child in Aurora and through research he was named William Sand Silsby.

Whereas, back in 1914, this gentleman and I went to high school together. I have seen this boy grow from a—well, I will use the word "hick" up to his present stature and furthermore, it is my privilege to present to you Bill, William, Mr. Speaker, (Laughter) it is my privilege to make a presentation of a gift which we of the House feel is particularly fitting—a stainless steel gavel.

"Stainless steel" — the word "stainless" correctly designates our

Speaker's character and life. The word "steel" equally designates his characteristics—for steel is one of the strongest of metals because it is made from many ingredients. Similarly our Speaker has many great qualities — he has ability, courage, tact, consideration of others, tireless energy, and love for the finest things in life; yet in spite of the success that has been his for years, he has never lost the common touch. The friends of his boyhood are the friends of his manhood.

To such a man, whose record as Speaker has won the admiration and affection of all, I now present you with this stainless steel gavel. (Prolonged applause)

The SPEAKER: Thank you, my friend, and Members of the House. It seems as though today my cup runneth over. I must say to you that fortunately or unfortunately this is my birthday and although I have enjoyed many, I can only say that this is the happiest day I have yet experienced.

Thank you many times for your kind thoughts and for the gavel. (Prolonged applause, the Members rising)

The SPEAKER: The Chair now lays before the House the 5th tabled and today assigned matter Majority Report "Ought to pass" as amended by Committee Amendment "A" and the Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Creating the Maine School Building Authority," H. P. 1274, L. D. 824, tabled on May 11 by the gentleman from Rockland, Mr. Low, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. LOW: Mr. Speaker and Members of the House: In the Phillips report on taxation, the statement was made that between 1948 and 1956 the number of children in school in Maine would increase by 42,000. That roughly means 1400 new class rooms and owing to the fact that practically all the schools in Maine are overcrowded that will mean the expenditure of close to \$30,000,000 in addition to the many schools that are almost falling down, and

a careful survey indicates that the need for new school buildings amounts to nearly \$65,000,000. To meet this problem we have, at the present time, the School District and to show you just how badly the School District can work out, I would like to tell you briefly the story of the Rockland School District of which I happen to be the president of the board of trustees.

In June, 1945, the people finally decided they wanted a school but unfortunately the Legislature had just adjourned so it was nearly two years before that bill could be passed.

The citizens accepted the charter in June but the trustees were not elected until December. It took the trustees six months to let a contract so the school could not be finished that fall of course and all those four years and two months went by before Rockland got the school for which they voted. In addition to that, we didn't have any temporary funds available; we had to sell bonds in a falling bond market and we had to pay three per cent interest. So, altogether, we waited four years and paid too much interest. That isn't very good. That doesn't always happen but it can happen to anyone; it has happened to us in the School Districts in Maine. Against that, the School Building Authority is simply a financing agent. It is set up to avoid these delays and, by pooling the credits of many schools together, we get a better interest rate than any one school could get by itself. The board will consist of the governor, the commissioner of education, a member of the board of education, the senate chairman of the committee on education and three others appointed by the governor. They will accept and process applications very much as the Legal Affairs Committee does here but they will have more time and they will be able to do a more thorough job. That authority will be able to help anyone who comes to them but it won't be able to force its services on anyone at all. If consolidations are wanted they can help them. If they are not wanted, they can do absolutely nothing about it. It is purely a per-

missive act and only applies to people who ask for the help they can give.

The buildings would be built in accordance with local wishes and you can have any architect you want; you could have a modernistic building or an old-fashioned building, any type that the community wants is okay provided that it meets with the present elementary requirements of school buildings.

The School Authority would own the building and rent the building to the community. The rental would consist of the amount necessary for the interest and depreciation or amortization over a period of as far as forty years in the few cases where that would be advisable. It would be financed by a blanket bond issue which would include many smaller issues and in that way get the benefit of a large issue on the financial market which always brings better prices than a small one. The bonds would be secured by the contracts, the rental contracts of the community, and in addition would be secured by the State subsidy of that community if they should fall down in their payments. I might say that the largest bond house in New York and many of the other very large ones have already come down here and have enlisted the banking business of the authority, had no criticisms of the act and offered to arrange temporary loans so that the contractors could be paid from time to time before the larger bond issue was sold, and offered to do everything they could to cooperate.

This act, as many of you know, is patterned after the Pennsylvania act, which was the first one in this country. That was passed in 1947, they have had 350 applications and they have processed over 100 of them and many of the schools are about finished now. Also this winter, Indiana and Georgia have passed similar acts and Ohio and California have similar legislation under consideration. I believe it would do most for the smaller communities. The large cities can sell bonds at a good rate of interest in most cases but the small communities with \$20,000 worth of building or thirty or fifty has trouble placing

those bonds at a fair rate, and in addition to that they are often involved in a long delay.

So, to sum up, this is simply an agency to do away with these delays and to make cheaper to all concerned the cost of doing this big job.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: It so happens that this particular morning I have to speak to you several times, because I happen to be interested in three measures.

I personally am against this bill. I want to say that I have very high regard for the gentleman who has just spoken. He is a highly-educated man; he is sincere; he really believes in what he advocates, and I respect him highly. But I am going to give a different point of view, and then it is up to you to decide whether or not you favor this measure.

Some years ago, if different communities needed railroads—and I know this was true in Aroostook because I lived there before the Bangor and Aroostook Railroad came—the towns pledged a certain amount of money from each town in order to persuade the railroad to come in. As a result, they often spent more money than they could really afford, and in the course of time the Legislature put on an amendment to the Constitution and changed it so that the debt limit of towns and cities was put at five per cent. That was true everywhere, but some years ago the City of Portland found that it could not get along with a five per cent debt limit, so the Constitution was again amended to enable cities of forty thousand—Portland being the only city that was affected—could have a debt limit of seven and a half per cent.

We have in the Legislature now a bill that, if it goes through, and I think it is going through — it should go through—that will give the towns seven and a half per cent instead of five.

Now another thing that has curtailed the amount of money available was the State tax assessment. Under this seven and a quarter

mills that we have been accustomed to paying, in order for the cities and towns to make that tax as small as possible, they put their valuations very low and their percentage is high.

I want to call your attention to the fact that if this property tax goes back to the cities and towns as is contemplated and in all probability will work out, then there is nothing to prevent the cities and towns from increasing the valuation of their property to a point somewhere near what the property is actually worth. I know for a fact that in the City of Portland the property of that city is worth vastly more than the assessed valuation. That being the case, with the property tax taken away from the State, the cities and towns can increase their valuation to something like what the property is worth and make the percentage lower. By so doing they do not increase the tax but they do increase their borrowing capacity.

Now what I am trying to make clear to you is that if this amendment to the Constitution is passed you are going to have two and a half per cent from that source in addition to what you have now, and if you increase your valuations as I have suggested—and I am sure that the towns will do so—there is no reason that I can see why within the next two years the towns should not have available twice the borrowing capacity that they have today. And if that is—and I believe it is—true a great many of the towns are going to be able to take care of their own problem.

The Constitution provides that the towns shall take care of the education of the children in their towns. That I thoroughly believe is the way it should be. I think it is most essential that the towns should have control of their own educational plans, and I am one of those who oppose the idea of letting the United States government get control of our schools, for if that happens then our educational program is going to be dictated by the United States government; and I am saying that there is nobody in Washington that can tell the people of Presque Isle or

Houlton how to manage their schools as well as the people that live right in those cities and towns.

I have talked with persons who favor this bill, and every one that I have talked with agrees with me that it is much better for the towns to control their own school system when they can and if they can than it is to adopt some other system.

Now it so happened that the towns were limited to the five per cent, and with that limitation they could not build the schools they needed, and so, following along the line of water districts, they started out to have school districts; and a great many applications were made to this Legislature for school districts. In some cases they almost ran away with the towns; they went far beyond five per cent, ten per cent; I think in some places they went up to pretty near twenty-five per cent. But the Legal Affairs Committee, before whom these district bills were presented, found that in some cases it was necessary to curb their expenditures, and I understood, at least in the last two sessions, they have carefully considered what the school districts were doing and have tried to curb them to some extent.

Now this is what I want to point out. First, if my analysis of this is correct, for the most part there is no need of this super-school district or school authority. But the next thing I want to point out to you is this: that when once you get this matter in the hands of the authority then the citizens of the town have lost all control of the schools.

The provisions of the bill are that if the superintendent of schools thinks he needs a school building he makes his recommendation and that has got to be approved by the selectmen of the town, and then it is that this authority takes over. The citizens of the town have nothing whatever to say about it, and when once it is in the hands of the authority they can build just such a school building as they see fit and not what you see fit. The citizens of the town may think that a ten thousand dollar building

is sufficient, but the authority at Augusta, or wherever their headquarters may be, may think that that building should be twenty thousand.

Another thing is that they have the sole say of what these rentals shall be. As I understand it, they erect the building and charge the town whatever they see fit to charge. The bill says it shall be a reasonable rate, but this authority is the one to determine what is reasonable and nobody else.

So I say that you have taken the matter out of the hands of the citizens of the town and apparently forever. You cannot get it back. There is no provision for that. And you have taken it for the time being out of the hands of the Legal Affairs Committee, because this authority supersedes that as to the judgment of what shall happen. I do not believe that that is a wise measure either.

The only reason I am discussing this matter is that I think we should see the two sides of the question. I have considered this matter carefully, and so has Mr. Low. You have got two schools of thought, you might say, here, and there is argument for both sides. One is to hand it into the control of some master mind and the other is to keep it in the control of the people themselves.

It has long been said that the best form of government in the world would be to have a king if you could have a perfect king, but you seldom get a perfect king.

I think that represents the point I am trying to make. I think that we can increase the amount of money available to the towns very soon and that they can take care of their own problem; and I feel, as I have heard Theodore Roosevelt say more than once: "The citizens in handling their own affairs may make mistakes, but they are their own mistakes."

The SPEAKER: The matter under consideration is the acceptance of either report.

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

Mr. BURKETT: Mr. Speaker and Members of the House: I think this bill might well bear a subtitle to the effect that it was for the relief

of the Legal Affairs Committee and the Legislature.

In the last several sessions of the Legislature there have been a large number of towns coming down to the Legislature and asking for the passage of school district bills. This year we had thirty-seven, and we processed them all, we fixed up some amendments to them and made them passable at least. I know, speaking for myself, and I think for all of the members of the committee, I don't think any of us were fully satisfied that we knew enough about the situation in any one of these towns to judge correctly what action the Legislature and they should take.

With a few exceptions, every one of them bore an emergency clause, and I surely got the opinion that in many of these thirty-seven cases the matter had not been thoroughly thought out enough in the towns to warrant the passage of a bill. There was only one town that brought a bill in that had the emergency clause on it that I was really satisfied faced a real emergency, and that was the town of Burnham, as I recall it, where the schoolhouse had burned and they had no place for their scholars.

We had cases where proponents brought down bills and appeared before the committee where there had not been any meeting in the town at all and no public discussion of the matter of the school district. We had cases where the superintendent and the selectmen, in one particular case I think of, came down alone and said that they had thought up the idea of the school district; they had not taken it up with the town's people but they were sure it would be all right.

There was one town two years ago that had a school district passed and had to come down here again this year; they had to wait two more years to come down here to have some wording in the bill passed; that was the town of Jay, I think. I remember that one because we had to get through some emergency legislation to fix it up.

The town of York got a bill through early in the session and the attorneys for the people to whom they applied for their loan found one word in the bill that

they said invalidated it, and we had to get that changed.

So all in all I have felt, and still do feel, very clearly in my mind that the present situation is not satisfactory. Of course everyone knows that a school district bill is just a method of evading the constitutional debt limit. I was going to use the word "subterfuge" but I don't think that is hardly a correct word because the Supreme Court has said that that is a perfectly proper method of evading the constitutional debt limit.

But in the case of the bill of the gentleman from Rockland, Mr. Low, I have a feeling that the matter of necessity of building a school building and the town affected going more fully in debt could be much more carefully considered by the board that he has set up in his bill and by the townspeople, and that many towns that should not be building schools and increasing their debt limit would be prevented or be talked out of perhaps doing something inadvisable, and that many of them will get a much better result from the operations of this bill than they do coming down here before the Legal Affairs Committee and trying to explain the situation in five or ten minutes. That committee can well go into the towns and look into the books of the town. We always ask a town, in the Legal Affairs Committee, what their valuation is, and of course that is the State valuation, and they will tell us, and we applied the yardstick of ten per cent to that valuation and were careful not to authorize any districts in excess of ten per cent of the State valuation.

And we ask the towns if they have any debt, and they will tell us, but who knows, from asking a selectman of a town with which you are not familiar, what its debt limit is, and have him say five or six thousand dollars, whether that is an accurate picture of the situation in that town, because who knows what but tomorrow that town is facing the construction of a new town hall burned by fire; they don't tell us how many fire engines they have got to buy or how much the roads have got to be repaired or

what bridges have to be built, so even then a statement by the selectmen as to the debt limit of the town is not wholly satisfactory. This board could well go into the towns and look into their financial situation, and the problem, as Mr. Low suggested, of the probable increase of scholars and the future of the town, and give them a lot better advice.

The gentleman from Portland, Mr. McGlauffin, spoke of the possibility that valuation of towns would be increased to enough so that they wouldn't have to borrow money for schools. I would like to disagree with him as it has always been my mind that that valuation is going to be still fixed by the State. If you let the towns increase their own valuation to as much as they desire, there would be a wild scramble for a slice of the school subsidy law and I cannot believe that it is going to happen. I don't feel the same fear as Mr. McGlauffin does about the town losing control of its schools under that act, and it seems to me it would be a step forward in the right direction.

My seatmate, Mr. Caswell of New Sharon, has some figures here on the result of doubling the borrowing capacity of his town which I hope he will give you. I feel very sure that this is a step forward and that it will save the Legislature a lot of expense and the committees in the Legislature a lot of unsatisfactory consideration, and I feel very sure that the Legal Affairs Committee will join with me in the feeling that I have, about the inadequacy of the present arrangement.

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

Mr. SENTER: Mr. Speaker, am I correct in understanding that there is not a motion on the floor at the present time?

The SPEAKER: The gentleman is correct.

Mr. SENTER: Mr. Speaker, I therefore move, Mr. Speaker and members of the House, that we accept the majority "Ought to pass" report on Bill "An Act Creating the Maine School Building Authority."

I would like to make a few comments on this subject. Now the 94th Legislature created the School Building Commission to promote the construction of adequate and safe schools. They showed their interest in school buildings, but the 94th Legislature did not see fit to allocate any funds to the School Building Commission, so that of course no school buildings were built.

I had the honor of serving as a member of the School Building Commission. Now what did we do? This is what we did: We had several meetings and we felt, inasmuch as we didn't have any money to loan to towns to build schools, that we should try to determine what the needs were for school buildings in this State of Maine and also to determine how well the communities could take care of their own needs.

Now some time ago I distributed a memorandum which was the result of that survey. I will simply call a few of the State totals to your attention, to impress upon you that there is a need for the Maine School Building Authority, that we need additional facilities in this State for the proper education of the boys and girls in this State.

First, basing elementary school capacity on not less than twenty square feet of classroom area per child, and not more than thirty pupils per teacher, and replacing temporary units in basements, halls, libraries and so forth, how many additional rooms would have been necessary to provide space for your April 1st, 1950 enrollment, April 1st, 1951? This question was asked of the Superintending School Committees of the various communities in this State, and the reply to that question was that they need 579 additional rooms to take care of the existing enrollment at the present time, with no allowance for an increased enrollment.

How many classrooms in addition to Item 1 would be necessary to restore sub-primary grades and other services which have been abandoned in deference to critical State needs? Ninety-five other rooms, to put back in operation programs that have been abandoned.

How many classrooms in addition to Items 1 and 2 will be neces-

sary to provide for increasing enrollments or new services desired during the next five years? 621, to provide for the expected additional enrollment.

This gives some indication of the needs of more classroom facilities in this State.

Now in answer to the question about the community's ability to take care of their own building program, our commission was convinced that from the replies received that many of the communities could not take care of their needs by themselves and that there was a need for this School Building Authority.

I am convinced that this is the answer to our problem of providing more school facilities in this State.

Now I had the pleasure recently of visiting a new, modern school in the city of Portland, the Helen King School, an elementary school. It was the finest building of its kind that I have ever seen. I only wish that the town of Brunswick, and many of the other towns and cities in this State could have such a building, could have the facilities that Portland is able to offer to the children that go to this fine school. Many of these other towns and cities cannot afford to now build such a building, and I say that the educational opportunities that a school of that kind can give are needed by many other communities.

I am not concerned about the control being taken away from the local communities. I want to impress upon you again what the gentleman from Rockland, Mr. Low, said: If a superintending school committee of a community is able to take care of itself, or if they are not interested in entering into an agreement with the Maine School Building Authority Act, they don't need to apply; they can either take care of their own needs or let their schools go and get along as best they can. There is nothing compulsory here. This simply gives them an opportunity, if they wish, to help themselves, to make application, and I don't think the erection of a building or the alteration—and that is provided in this act, that the School Building Authority may help a community alter an existing building—I don't think that

control of the educational program goes along with the erection of the building, and I am sure it is not the intent of this bill and that there are safeguards to protect the community and the State from that; but I say that these communities, many of them, do need better school housing to do a better job, and this is the way to accomplish that purpose.

The SPEAKER: The gentleman from Brunswick, Mr. Senter, moves that the House accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from South Portland, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: I know the hour is getting late and I intend to speak but a very few moments, but I think if this bill is passed, it could become one of the five most important things that have come before this Legislature. I know town after town who just don't know what they are going to do with all of their youngsters by 1955.

The good Judge, the gentleman from Portland, Mr. McGlauffin, has said that we are taking things away from the citizens. It almost seems to me that I remember that he said a little while back that he didn't think the people back home knew what they wanted. I would agree with that. It must be approved by the superintending school committee and by the selectmen of the town, and I cannot see anything wrong with it, and when you say that there is a bill going through to increase the towns' debt limit from 5 mills to 7½ mills, that isn't adequate. For instance, most towns have already reached their debt limits. You are not going to build many schoolhouses on 2½ mills on your valuation; that is State valuation.

The gentleman from Portland, Mr. McGlauffin, would seem to intimate that the government has something to do with this. The government has nothing to do with it whatever as it is all State authority and of course the State can borrow money much cheaper than the small towns. We are not thinking of the cities. They can get along very nicely; their credit is

good; they can borrow money at a very low rate; but we are thinking of hundreds of these small towns where the children are housed in inadequate buildings, the ventilation is poor, and we are talking about equal educational opportunities in the State of Maine, and this is one place where we certainly could give it to them, and it comes down to this: That it is all up to the people. If they don't want it, they haven't got to have it, but if they do want it, it does give a chance to have a building that is fit and decent for the kids of the State of Maine.

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

Mr. **CASWELL**: Mr. Speaker and Members of the House: I won't talk more than a minute or two because I couldn't without repeating myself, but there is one thing which is suggested by the remarks of the gentleman from Portland, Mr. McGlauffin, that I am trying to apply to my own town. My vision is extremely limited and in these questions that come before the House, wherever I can apply the question to my own town, sometimes I can come to what I think is a logical conclusion.

Now, my town has a valuation of approximately \$350,000. Provided we doubled that, and I don't think anybody would consider any larger increase in valuation than that for any town—provided we doubled that, which would give us a valuation of \$700,000, and provided also that the constitutional amendment goes through to increase the borrowing capacity to 7½ mills, if my arithmetic is correct, provided we had had no town debt whatever, our borrowing capacity would have been raised to \$51,500, and the building which I told you about the other day is going to cost in the vicinity of \$100,000. That was the estimate made by the State Educational Department. We would therefore have had, under that situation, half enough money to build the building with, and only, practically, one-half. This proposition of the School Building Authority would have allowed us—if that had been in effect I do not know as we would have accepted it—but

in any case it would have allowed us to borrow enough money to build the schoolhouse while no increase in valuation, no reasonable amount of increase in the debt limit, would have given us more than half enough.

One other point in connection with that, and I know because it applies to my town, what money we did borrow we had to borrow at a higher rate of interest than we would have to from the School Building Authority, and not only that, but we borrowed from a local bank, and they don't like to allow their loans to cover too long a period of time, and we are having to pay that back at a much more rapid rate than we would have to had we borrowed from the School Building Authority.

The **SPEAKER**: The Chair recognizes the gentlewoman from Bath, Mrs. Moffatt.

Mrs. **MOFFATT**: Mr. Speaker and Members of the House: I am not going to take a lot of time going all the way through this bill but I wish each and every member of the House would take the time to read and thoroughly digest this bill.

I don't believe that you pay much attention to folks any more when they say that the Federal government won't come in, when they say the State government won't come in. I would just call attention to page 5. In that this Authority has the right of eminent domain.

Under Article XII they have the authority to utilize the services of agencies and departments of the state whenever feasible, and to employ such other persons and agents as may be necessary in its judgment, and to fix compensation."

Article XIII. "To accept from any authorized agency of the federal government loans or grants for the planning, construction or acquisition of any project and to enter into agreements with such agency respecting any such loans or grants, . . ." and so on

This School District thing is rather bitter in our section, and it would be very bitter from this: Our city voted it down in the fall and our Superintendent of Schools

turned around and said: "Well, we are going to get that School District and we are going to get it in such a way that you won't know anything about it or have anything to say," and I should say "Here it is, right here." It doesn't give the voters of a city or town anything to say about it; it says that the School Committee, Superintending School Committee, or some such small group" but it doesn't bring it back and say "of the people." It doesn't give the people in the cities and towns, the fathers and mothers of the children, the right to say yes or no, and I think they still should be allowed to say whether they want any such agreement or not.

The whole article takes up about ten pages, and I do wish that before you vote on this thing that you would read the bill and see what it says and what it means, and remember, in voting on this bill, it doesn't mean what the committee had in mind, it doesn't mean what the committee thought would be done, but it means exactly what is here in black and white, and I think this is one of the most extreme steps I have seen, taking the education away from the people in the towns and giving it to your state and your government. Thank you very much.

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

Mr. LOW: I, too, think that people ought to read the bills and I recommend to you that you read all of this bill because there is an amendment which is filed with this bill by the committee which insists on the right of the people at any time to vote on whether they shall accept a contract with this new Building Authority or not, and if you will look over the amendment, you will find that that is in it.

I think I also ought to point out the decision of the Supreme Court. They have in effect ruled that the act is entirely constitutional but very limited in its scope unless the constitutional amendment, which follows immediately after this, is passed by the people.

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

Mr. WOODWORTH: Mr. Speaker, I rise as a member of the Judiciary Committee who signed the "Ought not to pass" report. Corporations, as you know, must be created by the Legislature or by legislative authority. This bill creates a large corporation which will have the authority to borrow money and lend it to towns for the purpose of building schools. It is really to be construed with the next item on the calendar which provides that any town which makes a contract with this School Building Authority shall not include the cost of that school in computing its debt limit.

As part of its authority to create corporations the Legislature creates all towns or cities or municipalities. It is the duty of the Legislature to see that those towns are run well, they they spend their money wisely, that they stay inside of their debt limits. If you pass these two bills, this one and the next one, the Legislature has simply and completely abdicated its responsibility so far as school buildings are concerned. We have nothing whatever to say. The town has the contract with the School Building Authority, and that is that. They can spend all they want to, all that they can contract for themselves, and the Legislature will not be able to do a thing about it.

I think you people have followed progress in municipal, state and national affairs long enough to know that slowly but surely legislative power is weakening. We have a government divided into three branches, legislative, executive and judiciary, and except where the Constitution gives certain powers to the judiciary and certain to the executive, the legislative holds the people's powers; the legislative power is supreme, but the minute you pass bills like this you have cut your legislative power; you have evaded your legislative responsibility, and you have no right to do it, in my opinion.

The gentleman from Portland, Mr. Burkett, has told you the situation in the Legal Affairs Committee. There are a lot of things about our legislative duties that are not confined to the Legal Affairs Committee. I served on that committee one

term and I know all about School District bills.

The proof of the pudding is in the eating. What has been the result of the legislative creation of these school districts? I am informed that without exception all of these school districts which have been created by legislative authority after review by Legal Affairs Committee, have worked out successfully. If we have a successful method of procedure, why should we change it? The only reason that I can see is that we are going to convey and confer upon some outside authority the right to do things that the Legislature itself should be doing. It is my belief that our Department of Education would do well if it confined itself to the management and direction of education in the public schools and would not give its time to supervising the construction of schoolhouses all over the State. I don't believe that this is going to be the inexpensive proposition that is sponsored; I believe it is going to be a millstone around our necks and the thing to do is to beat this bill now.

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

Mr. HAYES: Mr. Speaker and Members of the House: As most of you know, I am fundamentally allergic to this sort of thing. However, I think this bill has merit.

I had the honor two years ago to be appointed to the Legal Affairs Committee, and I think the number of bills considered by that committee two years ago were 73 as compared to 37 this year. A great many of the bills were unskillfully drawn. Each of them had a different proposition from each of the others, and I had one myself in my own town, and I thought by the time that I got through that I would get a good one, so I took it home and the first thing, of course, that we did was to follow the provisions of the bill by having a town meeting, which we did. Then we cast a vote to borrow some money and I found, much to my surprise, that that was where the trouble immediately started. The gentlemen who had money to loan looked at the bill with an exceedingly baleful eye. They didn't like it; they didn't

like any part of it. By the time we got through we had four additional town meetings and finally, I think more out of sympathy than anything else, they agreed to loan us some money.

Now that reason alone convinces me that if you can get a bill, a general law which has the sanction of the court, and to which the underwriters are favorable, we are going to have a lot less trouble in borrowing money than we do now.

Two years ago, as some of you know, I also interested myself in the revision of the community school district bill, which is now a general law and which, in its original form, also did not meet the restrictions and requirements of the underwriters. We have one now which is workable; it isn't bothering anybody; it gives the right to small towns to combine together to give themselves decent schools, and I think it is a good thing.

I have read this bill. There is nothing in it that worries me, and I think it ought to receive a passage.

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

Mr. FULLER: Mr. Speaker and Members of the House: I also rise in support of this bill. I think, if we look at it as an instrumentality to help some of our smaller municipalities with their educational problems and as a means to help bring about the help which the Legislature was supposed to give these municipalities, then that would be the proper way of looking at it instead of considering it as some sort of a monstrosity.

It perhaps might make it a little clearer if I could offer what to me are two illustrations of something along the same line. I am sure that the corporation opposed by this bill is quite similar to a private corporation which is a subsidiary of the Congregational Church, and was used by the Congregationalists to help them in the financing of their churches for some of their smaller parishes. Now those of you who read the financial news have, of course, noticed the bond issue which bears the title of the Roman Catholic Bishop of Portland. There is another illustration here in the State of a set-up for financ-

ing all of the Church property in the State, and I don't feel that in principle Mr. Low's bill is much different from those. I certainly hope that it will be enacted.

The SPEAKER: The question before the House is on the motion of the gentleman from Brunswick, Mr. Senter, that the House accept the majority "Ought to pass" as amended by Committee Amendment "A" report of the Committee on Judiciary on Bill "An Act Creating the Maine School Building Authority," H. P. 1274, L. D. 824.

All those in favor of accepting the majority report will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

Thereupon, 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. 1274, L. D. 824, Bill "An Act Creating the Maine School Building Authority."

Amend said Bill by adding at the end of that part designated "Sec. 218." thereof the following underlined paragraph:

'No contract or agreement between a town or towns or community school district and the Authority shall be valid unless first approved by the inhabitants of the town or towns involved either individually or as members of a community school district.'

Further amend said Bill by adding, after the underlined word "Authority" in the 3rd line of that part designated "Sec. 219." thereof, the following underlined words and figures: **'but not to exceed \$15,000,-000 outstanding'**

Further amend said Bill by inserting, before the underlined words "any project" in the 6th line of that part designated "Sec. 228." thereof, the following underlined words: **'any of its property or'**

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

On motion of Mr. Harding of Rockland, the House voted to reconsider its action of yesterday whereby it passed to be engrossed

Bill "An Act relating to Time Sales on Motor Vehicles" (S. P. 509) (L. D. 1227).

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

Mr. HARDING: Mr. Speaker, the motion was made for allowing an amendment to be introduced. The amendment has not been prepared, and I move that the matter lie on the table until tomorrow.

The SPEAKER: The gentleman from Rockland, Mr. Harding, now moves that Bill "An Act relating to Time Sales on Motor Vehicles" lie on the table pending passage to be engrossed and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled and so assigned.

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

Mr. CHASE: Mr. Speaker, in order to expedite procedure, I ask unanimous consent that unless previous notice is given to the Clerk of the House of intention to move reconsideration, the Clerk be authorized to send to the Senate one hour and thirty minutes after the House recesses all matters acted upon this morning that require Senate concurrence, and that after that time no motion to reconsider any of such matters shall be entertained.

In explanation of the motion, Mr. Speaker, I would like to say that at this time in the session, in order to keep matters moving, this is the regular procedure established by precedent. I should like to say further that it is expected this afternoon that certain matters acted upon in the Senate this morning will be in the House for consideration on a special calendar.

I now ask unanimous consent for this motion.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, asks unanimous consent that unless previous notice is given to the Clerk of the House of the intention to move reconsideration, the Clerk be authorized to send to the Senate one hour and thirty minutes after the House recesses all mat-

ters acted upon this morning that require Senate concurrence, and after that time no motion to reconsider any of such matters shall be entertained.

Does the Chair hear any objection? The Chair hears none and unanimous consent is granted.

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

Mr. CHASE: I now move that the House recess until 1:30 Standard Time today.

Mr. LOW of Rockland: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. LOW: To ask whether our Floor Leader would withdraw his motion for a moment.

The SPEAKER: Does the gentleman from Rockland, Mr. Low, care to make a motion?

Mr. LOW: I would like to make a motion, Mr. Speaker, that we take up one more matter today which I think is uncontroversial as the School Building Authority Bill is to be—

The SPEAKER: The matter would come the first thing after recess.

The gentleman from Cape Elizabeth, Mr. Chase, moves that the House now recess until 1:30 Eastern Standard Time. Is this the pleasure of the House?

The motion prevailed, and the House so recessed.

After Recess — 1:30 E. S. T.

The House was called to order by the Speaker.

Report of Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Regulating the Taking of Marine Worms" (H. P. 1131) (L. D. 698) reporting that they are unable to agree.

(Signed)

Messrs. BAILEY of Woolwich
BARTON of Vinalhaven
WALLACE of Portland
—Committee on
part of House.

LARRABEE of Sagadahoc
PALMER of Lincoln
SLEEPER of Knox

—Committee on
part of Senate.

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up by unanimous consent:

From the Senate: The following Order:

ORDERED, the House concurring, that the following bills be recalled from the Governor to the Senate:

(H. P. 372) (L. D. 215) "Resolve Restoring interest on certain Trust Funds."

(H. P. 869) (L. D. 517) "Resolve Appropriating Moneys to obtain Plasma."

(S. P. 293) (L. D. 652) "Resolve Appropriating Moneys for replacement and conversion of certain Elevators at the Bangor State Hospital. (S. P. 587)

Came from the Senate read and passed.

In the House: The order was read and passed in concurrence.

Senate Reports of Committees Divided Report Recommended

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Portland Junior College (S. P. 92) (L. D. 147)

Report was signed by the following members:

Messrs. REID of Kennebec
BREWER of Aroostook
—of the Senate.

JAMIESON
of Presque Isle
PHILLIPS
of Southwest Harbor
JACOBS of Auburn
PINNEGAN of Bangor
CAMPBELL of Guilford
COLE of Liberty
—of the House.

Minority Report of the same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. LEAVITT of Cumberland
—of the Senate.

JALBERT of Lewiston
—of the House.

Came from the Senate with the Reports and Resolve recommitted to the Committee on Appropriations and Financial Affairs.

In the House: The Report and Resolve were recommitted to the Committee on Appropriations and Financial Affairs in concurrence.

Ought Not to Pass Recommended

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Lincoln Academy for Classroom Building (S. P. 94) (L. D. 145)

Report of the same Committee reporting same on Resolve in favor of Corinna Union Academy for Construction of Fireproof Room (S. P. 141) (L. D. 263)

Report of the same Committee reporting same on Resolve in favor of Corinna Union Academy for Construction of an Agricultural Workshop (S. P. 140) (L. D. 264)

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

In the House: The three resolves were recommitted to the Committee on Appropriations and Financial Affairs in concurrence.

The SPEAKER: The Chair now lays before the House the 6th tabled and today assigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitation of Municipal Indebtedness (H. P. 1082) (L. D. 695) tabled on May 11th by the gentleman from Brunswick, Mr. Senter, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion of Mr. Senter, the Majority Report "Ought to pass" as amended by Committee Amendment "A" was accepted.

The Resolve, having already been

printed, under suspension of the rules was given its first reading.

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

COMMITTEE AMENDMENT "A" to H. P. 1082, L. D. 695, Resolve, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness.

Amend said resolve by inserting after the underlined word "agreements" in the fourth line thereof, the underlined words and figures 'not exceeding 40 years'.

Further amend said resolve by striking out in the fifth line thereof the underlined word "considered".

Committee Amendment "A" was adopted.

Mr. Senter then presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1082, L. D. 695, "Resolve, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness."

Amend said Resolve by striking out the 2nd paragraph thereof and inserting in place thereof the following paragraph:

'Constitution, Art. IX, Section 15, amended. Section 15 of Article IX of the constitution, as amended, is hereby further amended by adding at the end thereof a new sentence, to read as follows:'

House Amendment "A" was adopted, and the Resolve as amended was tomorrow assigned for second reading.

The SPEAKER: The Chair lays before the House the 7th tabled and today assigned matter, An Act Providing for Construction of Roadside Picnic Areas (H. P. 72) (L. D. 34) tabled on May 11th by the gentleman from South Portland, Mr. Spear, pending motion of Mr. Chase of Cape Elizabeth to reconsider vote whereby the bill failed on passage to be enacted.

Is it the pleasure of the House to reconsider the vote whereby the bill failed on passage to be enacted?

The motion prevailed.

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

Mr. SPEAR: Mr. Speaker, this is an emergency measure, and as I look around the House I think the attendance is still short, and I think the measure should be given a fair trial, so I wish that the Speaker would instruct the Sergeant-at-Arms to notify the members in the corridors to attend.

The SPEAKER: The Chair would inform the gentleman that there is a sufficient number here if they will all vote and there are none in the corridor at the moment.

This bill, having had its three several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

This being an emergency measure, under the Constitution it requires for its enactment the affirmative vote of two-thirds of the entire elected membership of this House.

All those in favor of its passage as an emergency measure will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and seven having voted in the affirmative and none in the negative, the Bill is passed to be enacted. It will be signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the 8th tabled and today assigned matter, Bill "An Act relating to Salaries of Certain Department Heads" (H. P. 1802) (L. D. 1381) tabled on May 11th by the gentleman from Guilford, Mr. Campbell, pending adoption of House Amendment "A"; and the Chair recognizes that gentleman.

Mr. CAMPBELL: Mr. Speaker and Members of the House: I hesitate to oppose the adoption of this amendment, but I feel that I should state the recommendation of the

Appropriations Committee in this matter.

As you know, under this bill certain department heads were granted a one thousand dollar increase in salary each year. While we recognize the fact that the Commissioner of Agriculture is a very efficient administrator and is doing a wonderful job, we felt that he should fare the same as the other department heads and receive one thousand dollars rather than the two thousand dollar increase, so I therefore move the indefinite postponement of House Amendment "A."

The SPEAKER: The gentleman from Guilford, Mr. Campbell, moves the indefinite postponement of House Amendment "A."

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

Mr. BOOTHBY: Mr. Speaker and Members of the House: This House Amendment "A" which I have here is to raise the salary of the Commissioner of Agriculture to \$8000. As I understand, it was the recommendation of the Governor that he have \$8000. In the reclassification here he is rated \$8000. To support that claim, I would like to say that we farmers especially in the State are very much interested in this department.

The Commissioner has about twelve different heads under him and a great many things to handle. He is a very busy man. If you will notice in this book which I think all of you have had on your desks, in the Department of Agriculture about 41.4 per cent of the money under his control comes from appropriations and 57.8 per cent comes from farmers, shippers and processors, so we are very much interested in that. We pay out a great deal of money for these services that we have. We feel that he should have that amount of money for the job that he is doing. He is a very good man for the job. I do not think he has ever asked for this himself, but we feel as if he should have it. I cannot go along with the indefinite postponement of the amendment.

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

Mr. COLE: Mr. Speaker and Members of the House: I want to go on record as favoring the indefinite postponement recommendation of Mr. Campbell.

We felt that the increase of a thousand dollars for these department heads right straight across the board was somewhat along the recommendations of the P.A.C. We feel that if you give one department head an additional thousand dollars you are setting up a precedent whereby others will be coming in for theirs and rightly so; therefore I am highly in accord with the motion of the gentleman from Guilford, Mr. Campbell.

The SPEAKER: The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: I hesitate to rise in opposition to my friend and colleague, Mr. Campbell, but I really believe that we have a man at the head of our Agricultural Department here in the State of Maine that we could not replace today with a man of equal ability for much more than the amendment calls for, which is \$8,000 a year.

I would like to point out that for the last two years his salary has been six thousand dollars and he has had under him as heads of different departments one or more men who have headed up those departments that have got more by just a few dollars than he himself was drawing. The situation certainly was not healthy.

As was pointed out by the gentleman from Livermore, Mr. Boothby, the \$8000 was not arbitrarily pulled out of the air by any of us as what we thought he should have as a salary. It was recommended by the reclassification committee in their booklet. And that was cut one thousand dollars, I presume, by the Appropriations Committee, to bring it down to \$7,000.

I, for one, certainly oppose the indefinite postponement of the amendment. I hope that many of you will realize that an efficient head of a department such as we have at the head of our Agricultural Department certainly should be paid somewhere according to his worth; and anyone who knows of Mr. Gardner's conduct of the

Agricultural Department will certainly agree that he is worth the \$8000.

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

Mr. JACOBS: Mr. Speaker and Members of the House: There are four offices in the State department that are elected by the Legislature: the Secretary of State, the Treasurer, the Attorney General and the Commissioner of Agriculture. Now a bill came before us in the Appropriations Committee to increase the salaries of these gentlemen and we considered it quite lengthily. Some of the members did not want to give any increase, some wanted a partial increase of \$500, and we compromised on a thousand dollar increase for each of these four. We believe that it is fair for every department head to have the same. Sometimes their work may be a little more than others, but at the same time they are our men, our commissioners, elected by this Legislature, and we felt when we made our report increasing these salaries one thousand dollars that we were fair to all, and I believe that you will think so too.

The SPEAKER: The question before the House is on the motion of the gentleman from Guilford, Mr. Campbell, that the House indefinitely postpone House Amendment "A" to Bill "An Act relating to Salaries of Certain Department Heads."

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

Mr. BAILEY: Mr. Speaker and Members of the House: So far as the person of the Commissioner, we all realize his ability, but I do not choose to base on that the position itself.

The Department of Agriculture covers a very vast scope in the industry of the State, and if we have a man who can head that position we certainly ought to give some fair recompense to him, because we know that if one man should leave we certainly would have to pay a much larger salary for another.

Now a few years ago we had a man who was considered to be an exceptionally good man for the position. He was offered a much bet-

ter position and we lost him right off, and such a thing could happen at this time. It is not agricultural interests alone, but in considering the business of the State, which is around a two hundred and forty million dollar business, do you think that an eight thousand dollar salary for the head of that department would be out of place when you consider the potatoes, the dairy products, fruit and other industries? I think those should be placed foremost in considering the position about which we are talking in trying to pay a reasonable compensation for the man who fills that position.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Guilford, Mr. Campbell, that the House indefinitely postpone House Amendment "A" to Bill "An Act relating to the Salaries of Certain Department Heads" (H. P. 1802) (L. D. 1381)

All those in favor of the indefinite postponement of House Amendment "A" will say aye; those opposed, no.

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

The SPEAKER: Seventy-eight having voted in the affirmative and thirty-two in the negative, the motion to indefinitely postpone House Amendment "A" prevails.

Thereupon the bill was tomorrow assigned for third reading.

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

Mr. JACOBS: Mr. Speaker, I now offer an amendment to this bill just passed.

The SPEAKER: Is it the pleasure of the House to reconsider assignment for third reading of Bill "An Act relating to Salaries of Certain Department Heads"?

The House then voted to reconsider the assignment for third reading.

The SPEAKER: Will the gentleman from Auburn, Mr. Jacobs, approach the rostrum?

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

Mr. JACOBS: Mr. Speaker, in order that this amendment may be

printed in proper form, I withdraw my motion at this time.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, withdraws his amendment and moves that the bill be assigned for third reading tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the Bill was tomorrow assigned for third reading.

The SPEAKER: The Chair now lays before the House the 9th tabled and today assigned matter, Bill "An Act relating to Inspectors of Public Utilities Commission" H. P. 1433) (L. D. 1039) tabled on May 14th by the gentleman from Fairfield, Mr. Woodworth, pending further consideration. (In Senate passed to be engrossed in non-concurrence) (In House indefinitely postponed)

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

Mr. WOODWORTH: Mr. Speaker, I move that the House insist on its previous action and ask for a committee of conference.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House insist upon its former action on the ninth today assigned matter and request a Committee of Conference. Is this the pleasure of the House?

The question before the House is on the motion and the motion is debatable.

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

Mr. BURGESS: Mr. Speaker, I would like to ask a question of the Chair.

The SPEAKER: The gentleman may state his question.

Mr. BURGESS: Mr. Speaker, I would like to inquire if it is in order to debate the bill or just the motion.

The SPEAKER: The entire matter is debatable.

Mr. BURGESS: Mr. Speaker and Members of the House: Before a further vote is taken I would like to ask you to bear with me, very briefly, I assure you, in explaining this measure. It is not with any intent of trying to influence the vote but because I believe that it is thoroughly misunderstood.

I would like to point out that

this bill, if it became law, would not require any funds. Second, that it would relieve the State Police force of a job they are now doing with one state trooper with the help of two civilians who are already being paid out of Public Utilities funds. The two civilians do not have any authority to summons into court. They do act more or less in a completely civilian capacity.

The funds which accumulate and accrue in the Department of Public Utilities amount to sufficient so that at the end of each year there is a sum which reverts to the Highway Department, and last year the accumulation of several years was returned to the Highway Department in the amount of \$27,000. The actual year's net income over expenses was something in excess of \$7,000. I point that out to show the House that this is not a money proposition.

May I further state that if the Department of Public Utilities were allowed under this act to set up its own enforcement agency it would be in no different position than the Liquor Division of the State.

I can distinctly remember, not too many years ago, when the office of the Secretary of State required the services of state troopers in manning their outpost registration offices. You too will recall that time. Several years ago the Legislature deemed it wise to allow the Secretary of State to set up its complete division for the handling of those offices and they are manned in that manner at the present time, and very satisfactorily, I presume, certainly to me. It is very evident that the State Police force is never entirely large enough or adequate to take care of the services upon which they are called.

Now, as I see the situation, it makes no difference whether you increase the State Police force or whether you permit the same three people to act as Public Utilities Inspectors under this act. I do not believe that it is anything new, that it is establishing a precedent, as the precedent is already established in both the Liquor Division and in the office of the Secretary of State. The over-all plan that is in effect at the present time, I am told, and I have no reason to doubt, would

remain the same; the same duties would be performed and no additional duties.

I hope before you vote on the motion of my good friend and seat-mate that you will seriously consider that now is the time when this House should take an affirmative action in a constructive manner. I firmly believe that this bill is one which certainly will not establish a precedent, will not cost the State any money and will place that department in the position where it rightfully belongs and relieve the State Police force from responsibility in that department. The enforcement will be no worse but will be as good and perhaps better, due to the fact that people will be trained specifically for this type of job.

I have a note here which I do not thoroughly understand; but it is my understanding that this bill, if it should become law, applies only to the Motor Transport Division. It is my further understanding from the department head that it is self-supporting inasmuch as it collects from fees, permits, plates and fines a sum which is in excess of the operating costs of the particular department, namely the Division of Motor Vehicles.

So again I want to state my position and that I am going to vote to concur with the Senate in the enactment of this bill.

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

Mr. BURKETT: Mr. Speaker and Members of the House: The gentleman from Limestone (Mr. Burgess) has very well covered the subject. I do have some figures here which show the amount that was paid into the motor truck regulation division which is a part of the Public Utilities Commission in 1950 by the persons engaged in motor transportation in the state. The amount was \$63,272., and of that amount the Commission expended in the regulation of the trucking industry \$52,000 and, after taking out some sums that went to employees retirement and salaries, they had a net balance of \$7,361.

I don't think that this type of inspection which this act calls for is something that the State Police should be doing. Those men are

highly trained for criminal work and highway patrol and to take them off from that work with the shortage present in the summer time and put them to doing work that civilians could do just as well or better isn't good business. I think the men who are paying in this money through the Public Utilities Commission for fees and number plates and submitting to the over all jurisdiction of the commission should have the protection that this act would give them in that these men would be out on the road looking after people who have no right to be competing with the licensed transportation industry, for the benefit of the whole State and everyone connected with the industry.

I move that the House recede and concur with the Senate.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Burkett, that the House recede from its action whereby it indefinitely postponed Bill "An Act relating to Inspectors of Public Utilities Commission," H. P. 1433, L. D. 1039.

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

Mr. BOOTHBY: Mr. Speaker and Members of the House: As you probably recollect when this bill first came up why I spoke briefly on it against the bill. Since that time I have been looking into the situation somewhat and I think the bill is a good bill. We, in the Public Utilities, are paying into that department and if we have got the men who are especially for that department to enforce those laws I think we will get a lot further than we do with the regular police force as they are not very much interested in that part of the work, I don't think. I, myself, drive one truck on Public Utility plates and I am interested that these laws should be enforced. These fees that we have to pay under the Public Utilities, we would like to have the rest of them have to go along too, of course. And I think this extra force while it will be paid out of that department probably two, three or maybe more, it won't be any money out of the appropriations, anything out of the State Highway fund. It will be

paid fully by these people that are paying into the Public Utilities and I think it would be a good rule.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Lord.

Mr. LORD: Mr. Speaker and Members of the House: I think we should recall that this bill was introduced a couple of years ago and came out of committee with a unanimous "Ought not to pass" report. It was reintroduced this year and apparently with a good deal more efficient work done in committee it did come out with a "Ought to pass" report.

However, I want to arise in support of the gentleman from Fairfield, Mr. Woodworth, that we insist on our former action and ask for a committee of conference.

I am wondering if everybody in the House knows who wrote the bill. It was no member of the Legislature. I wonder if they know who had the bill introduced, who sponsored the bill. It wasn't my good seatmate on my left here whose name appears on the bill, at all. The bill was offered to me at one time and I didn't feel that I wanted to support the bill and introduce it at that time and told the person who offered it to me that I wouldn't be able to support it on the floor of the House. I think it is regressive and special privilege legislation to create a private police force with the special privilege of one particular industry, which is what this bill does.

It can build up as it has in our neighboring states if this bill passes. However, if the regulation should be enforced by the police, which would be the State Police we have now, there is one problem and that is the fact that as the proponents of this bill say, they are short of man-power and therefore cannot enforce it and therefore the State may lose five or six hundred thousand dollars during the biennium. But, the place where this can be enforced is by the State Police and not with a special private police force. Now, if you insist and adhere to your former action, which I hope you will do, you should remember that this is one trouble that hasn't had the enforcement it should have up to the present time,

that the State Police have been short of men, and we have a bill coming in here shortly asking for more men for the State Police. It is coming in, I believe, with a committee recommendation, I believe, that ten more men be added. These men should be added to the police force and certainly some of them specified for this particular work.

I cannot understand how they say that a man is any more capable of enforcing the particular sections in the statutes that this refers to because he has on a Public Utilities Commission uniform than if he has on a State Police uniform. To me, that doesn't make sense. One person is just as capable as the other if he is given the proper training and I want to support the motion again and hope that we will adhere to our former action.

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

Mr. DOW: Mr. Speaker and Members of the House: Regardless of the merits of this bill, I cannot go along with the argument we often hear of this thing or that person requires more appropriation or doesn't cost anything because it is supported by fees or otherwise. It is all State money and if there is a surplus, whether it goes to the Highway Department or back into the general fund, it is so much money saved and I can't see where there is any virtue in the argument that it comes from fees or otherwise. And I shall certainly oppose the motion to recede and concur so that we may vote on the motion to insist.

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

Mr. FULLER: Mr. Speaker and Members of the House: There are two questions that are involved in this bill actually. The first one is having a regulated trucking industry for common and contract carriers rather than having wildcat competition and the second question is this matter of reciprocity of the truck registration, and that matter of reciprocity is the thing that allows the truck that is registered in another state to drive into Maine under the registration of the other state, which is all right until we run into this question of a truck

from another state which is hauling as a common carrier or a contract carrier. If we are going to have reciprocity and do have effective regulations, it is simple and logical for Maine people engaged in inter-state trucking to organize corporations in Massachusetts to handle their trucking business.

The Public Utilities Commission estimates the difference in registration fees running as much as \$350 in Maine and as low as \$60 for Massachusetts in some cases. That is a considerable saving, \$350 in Maine and only \$60 in Massachusetts. Now, if we are going to have the regulations, the regulation of the trucking industry, that has been provided for by past legislatures, the only question is, how are we going to do it? And this bill indicates the manner in which the Public Utilities Commission, which is charged with enforcement, would like to do it. Now the question comes in whether the State Police could not do this just as well and shouldn't perform these duties. The fees involved, that is that \$30 per permit, that goes into the plates. That proposition is a civil matter and not a criminal matter and it seems to me that it is proper for the Public Utilities Commission to handle the collection of civil fees and leave the criminal aspects of law to the State Police.

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

Mr. WOODWORTH: Mr. Speaker, this is the same bill that was considered a week ago and indefinitely postponed. At that time, I pointed out that the bill called for five inspectors, that the sponsor of the bill said that all that was needed was three and that it has developed that they would be satisfied with one and they might need a few more at some other time. I don't know just exactly what has changed the situation so that today we learn that it isn't going to cost anything; the bill says they have to be paid and will be paid out of the Public Utilities fund so I guess it is going to cost somebody something sometime.

We learn also today that these people who do business with the Public Utilities Commission ought

to receive some consideration. And the consideration seems to be that they ought to have a private police force which will tell them in language that they like to hear just what their responsibilities are. The ordinary police, the State Police force, tell us, but somebody else has got to tell them, and that is the kind of enforcement that I expect to receive if this bill becomes law.

Now, I don't believe in two standards of law enforcement. One is a great plenty. I don't see why one industry should have a private police force and why they should come in and ask for a private police force as it has been brought out that they have done. It seems to me that our laws should be applied equally upon all. In so far as this being a civil matter, let me tell you that when people get into trouble with the law because of some defect in their registration or the way that truck is loaded, it usually is very much of a criminal law. I think many of you people who have been unfortunate enough to get into such trouble realize that criminal law is in force.

This bill has been laid down as nothing but a great benefit to the people of Maine. They ask for one, they ask for two, they ask for five and the point is that over a period of years they expect to keep adding on and on to this number until we have another great department budget. It has been said that the liquor agency, the Liquor Commission, has its own police forces but I think if you will follow the record of the Liquor Commission you will find that every time they go somewhere they take a sheriff or police officer with them, what for I do not know, and I would like the kind of police force that is composed of trained men and when they go somewhere they don't have to have someone come along and hold their hands. They know what they are doing and they do it. We have such a body. It is the State Police and I, for one, will not consider that this Legislature or any other ought to create a new state department to take over the work that has been so well done by our Police Officers, our State

Police Officers, who have done that work in the past.

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

Mr. ALBEE: Mr. Speaker and Members of the House: I would like to make one or two corrections. In 1949, I had the pleasure of serving on the Public Utilities Committee. There was a bill, too, before that committee at that time, a similar bill, not exactly in the same language but a similar bill. At that time, the State Police came before us and said the bill was not necessary, that they were supplying four men to the Public Utilities Commission, and we thought that where they only needed three and they were supplying four that the bill was not necessary; therefore we passed it out "Ought not to pass".

Now, the gentleman from Fairfield (Mr. Woodworth) has just mentioned here that they wanted three, and then they would be satisfied with one. The Public Utility Committee met in the evening and this particular bill was heard in the evening and I do not believe this House was in session at that time and there were about ten in favor of this bill and actually no one in opposition to it and certainly those who are in opposition to this bill today had plenty of opportunity to come down at that meeting on that Wednesday evening and tell us their objections at that time.

This year, we went over this very thoroughly; I personally went to the Police Department, the State Police Department, and they are in favor of this bill. They say, at the present time, they are crowded with work, they are not patrolling the highways as they should; they have to give men to this particular commission. They need additional men at the present time and if you have been reading the papers in the past month and a half on the crime wave and the lottery tickets and what have you, these police are just busy up to their necks practically twenty-four hours a day. I trust that we will concur with the Senate in this bill.

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

Mr. PERRY: Mr. Speaker and Members of the House: I spoke briefly on this bill when it was here before on the side of the gentleman from Fairfield, Mr. Woodworth, and I would like to say that I am still on his side.

I have checked somewhat since the last particular discussion took place in the House and was interested in this bill when it first was presented. The gentleman from Portland, Mr. Albee, just stated that he went to the State Police and got their views on this particular bill. I can state that in the Transportation Committee of ten members, and I believe seven of the members of the House were sitting in the committee at the time when I asked the State Police about this particular bill, and they were not in favor of it and they definitely stated that they could handle the job more efficiently than can be done now with the Public Utilities Commission, and from the particular remarks that they made there before the full Transportation Committee, I see no reason now why they should take it away from the State Police and start a private police force of their own for the Public Utilities Commission. I haven't said anything; I have been listening to the particular people speaking on this, because a couple of the people interested, from the Public Utilities Commission, approached me, and I told them I would listen to the argument this morning and see if there was any change. I see nothing which has come up here to change my mind in the least, and it can be handled thoroughly and properly with our own State Police force that we have today, and I hope the motion of the gentleman from Fairfield, Mr. Woodworth, prevails.

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

Mr. SENTER: Mr. Speaker and Members of the House: Very briefly, I happen to live very near a weighing station on Route 1, just outside of Brunswick. Oftentimes on my way home I notice that trucks are being stopped. Sometimes there are as many as five or six State Police Officers there stopping these trucks. It often has occurred to me to wonder what is going on in the dif-

ferent districts from which those State Policemen have been pulled away. When they are weighing trucks in Brunswick, five or six of them, their territories are not being covered. It seems to me that leaves their territories wide open.

I am opposed to the motion of the gentleman from Fairfield, Mr. Woodworth.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Portland, Mr. Burkett, that the House recede from its former action whereby it indefinitely postponed Bill "An Act relating to Inspectors of Public Utilities Commission."

All those in favor of receding —

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

Mr. BURGESS: Mr. Speaker, when the vote is taken, may I request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Burkett, that the House recede from its former action whereby it indefinitely postponed Bill "An Act relating to Inspectors of Public Utilities Commission" H. P. 1433, L. D. 1039, and the gentleman from Limestone, Mr. Burgess, has requested a division.

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

A division of the House was had. Forty-four having voted in the affirmative and sixty-three having voted in the negative, the motion did not prevail.

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

Mr. WOODWORTH: Mr. Speaker, in view of the substantial vote, I would like to withdraw my motion and move that the House do now adhere.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, withdraws his motion to insist and ask for a Committee of Conference and now moves that the House adhere.

All those in favor of the motion

to adhere will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, and the House voted to adhere.

The SPEAKER: The Chair now lays before the House the 10th tabled and today assigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act to Incorporate the Guardian Finance Co." (H. P. 641) (L. D. 383) tabled on May 14 by the gentleman from Fairfield, Mr. Woodworth, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion of Mr. Woodworth, the House voted to accept the majority report "Ought to pass" as amended by Committee Amendment "A".

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. 641, L. D. 383, Bill "An Act to Incorporate the Guardian Finance Co."

Amend said bill by striking out Section 5 thereof, and inserting in place thereof the following:

Sec. 5. Subject to supervision of bank commissioner. The corporation shall be subject to the supervision of the bank commissioner and he shall have the same authority over it as he has over savings banks, trust companies and loan and building associations.

Further amend said bill by adding thereto a new section to be designated Sec. 7., and to read as follows:—

Sec. 7. Fee payable to secretary of state. The certificate mentioned in Sec. 5 of Chap. 49 of the revised statutes shall not be received and filed by the secretary of state except upon payment to him for the use of the state, the sum of \$500., in addition to the fees prescribed by Sec. 11 of said Chapter 49.

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

The SPEAKER: The Chair now lays before the House the 11th tabled and today assigned matter, Resolve to Reimburse Robert Ballard, of Hallowell (H. P. 1808) (L. D. 1385) tabled on May 14 by the gentleman from Calais, Mr. Hall, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. HALL: Mr. Speaker, I tabled this bill yesterday in the interests of the gentleman from Hallowell, Mr. Vaughan, who has an amendment to present, and I would like to say that the committee is entirely in favor of the amendment.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Vaughan.

Mr. VAUGHAN: Mr. Speaker and Ladies and Gentlemen of the House: The resolve has received a favorable passage but there was no designation as to what department was going to pay this claim, and this House Amendment "A", Filing 435, states that the State School for Girls' farm account is to pay this resolve.

The SPEAKER: The gentleman from Hallowell, Mr. Vaughan, presents House Amendment "A" to the eleventh today assigned matter and moves its adoption. The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to H. P. 1808, L. D. 1385, Resolve to Reimburse Robert Ballard, of Hallowell.

Amend said Resolve by adding at the end thereof the following sentence: 'The said sum shall be taken from the fund for state school for girls' farm operations.'

House Amendment "A" was adopted.

Thereupon, the Resolve was passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair lays before the House the 12th tabled and today assigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Education on Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" (S. P. 263) (L. D. 551) tabled on May 14 by the gentleman from Chelsea, Mr. Perry, pending acceptance in concurrence.

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker and Members of the House: It is my purpose to speed up legislation and I realize that this L. D. 551 may entail many questions. One member of the Education Committee was unable to attend today, and it might be my move to table in respect to his wishes. However, I think, in order to speed up legislation, as I say, by one day, I believe that we could have the first and second reading of this L. D. 551 today and that would carry it on to its third reading tomorrow at which time it could receive debate if necessary, and there are a few amendments to be offered at that time.

With that in mind I move that we concur with the Senate in accepting the "Ought to pass" as amended by Committee Amendment "A" report.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the "Ought to pass" as amended by Committee Amendment "A" report be accepted. Is this the pleasure of the House?

The motion prevailed and the "Ought to pass" as amended by Committee Amendment "A" Report was accepted in concurrence.

Thereupon, the Bill was given its two several readings and was assigned for third reading tomorrow morning.

Mr. GAY of Damariscotta: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. GAY: Mr. Speaker, in view of the report of the Committee of Conference on the Marine Worm action and under my parliamentary right, due to the fact that the committee could not agree I now ask for a new Committee of Conference.

The SPEAKER: The gentleman from Damariscotta, Mr. Gay, moves that the House further insist on Bill "An Act Regulating the Taking of Marine Worms" and requests a new Committee of Conference. Is this the pleasure of the House?

(Calls of "No".)

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: As a member of the Committee of Conference we felt that we had heard about all that was necessary about worms and, from anything we had found, we could see nothing advanced in trying to extend the argument any further. Therefore it was decided and the report was sent in, signed by all six of the members, as a Committee in Disagreement; therefore it would naturally be the end of the bill, and I trust that the motion of the gentleman from Damariscotta (Mr. Gay) will not prevail.

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

Mr. BARTON: Mr. Speaker, I rise in support of the remarks of the gentleman from Woolwich, Mr. Bailey. The Committee of Conference met and made an honest effort to come to an agreement. I can see no basis for any compromise measure; therefore I hope that the motion of the gentleman from Damariscotta, Mr. Gay, does not prevail.

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

Mr. GAY: Mr. Speaker and Members of the House: I know that the members of this House like a good, clean fight. I am not being unreasonable. You members are going to concur with this thing I know because you are fair, honest and just men. These men who are on that committee, and according to the parliamentary procedure and the rules, have to have two from the House and two from the Senate to agree in favor of the passage of a Committee of Conference. Otherwise, if it is divided three and three, they cannot agree.

Under the Reed Rules that we operate under here of parliamentary procedure, I have the right, as a member of this House, to ask for a new Committee of Conference. No member of the previous committee has anything to do with this measure from now on, so I still insist.

The SPEAKER: The question before the House is on the motion of the gentleman from Damariscotta, Mr. Gay, asking a new Committee

of Conference on the disagreeing action on Bill "An Act Regulating the Taking of Marine Worms" H. P. 1131, L. D. 698.

All those in favor of the motion will say aye—

Mr. BARTON of Vinalhaven: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Vinalhaven, Mr. Barton, has requested a division.

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

A division of the House was had.

Forty having voted in the affirmative and forty-five having voted in the negative, the motion did not prevail.

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

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

Mr. CHASE: Mr. Speaker, may I come to the rostrum?

The SPEAKER: The gentleman may.

The Chair would like at this time to compliment you members on the attendance that you have given here today in disposing of the matters on our calendar. Now we have everything up to date at the moment. There is nothing more for us to do today, and I am sure that if you will all give your attendance here when the House is in session for the next few days that we can complete this job that we have to do and perhaps, or rather I will say, I hope, that we will get through this week. I certainly appreciate your cooperation.

There are but two matters on our table and they are both assigned for tomorrow morning. Now if you will please continue giving your attendance, I am sure that we can take care of this end of the Legislature.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 8:30 tomorrow morning E. S. T.