

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

Wednesday, May 16, 1951.

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

Prayer by Rev. Mr. Brown of Gardiner.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the following Resolves be recalled from the Legislative Files to the Senate:

(SP 52) (LD 62)—Resolve in favor of Robert W. Traip Academy (HP 800)—Resolve in favor of Foxcroft Academy for Building (S. P. 588)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

New Bill

From the Senate:

Bill "An Act relating to the Sanford Sewerage District" (S. P. 592)

Came from the Senate received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a Committee.

In the House:

The **SPEAKER**: Under the cloture rule it requires unanimous consent of the House to receive this matter. Is there any objection? The Chair hears no objection and the bill is received in concurrence.

Thereupon, the Bill was given its two several readings under suspension of the rules, ordered printed, and assigned for third reading tomorrow morning.

Senate Reports of Committees Senate Divided Report

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Joseph T. Sewall of Wiscasset (S. P. 146)

Report was signed by the following members:

Messrs. **SMART** of Hancock

WEEKS of Cumberland
TURGEON of Andros-
coggin
—of the Senate.

FOGG of Madison
HALL of Calais
GOWELL of Berwick
POTTER of Medway
INGRAHAM of Rockport
—of the House.

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

Report was signed by the following members:

Messrs. **GAY** of Damariscotta
HAMILTON of Hartland
—of the House.

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

In the House: On motion of Mr. Gay of Damariscotta, a viva voce vote being taken, the Minority "Ought to pass" Report was accepted in concurrence.

Thereupon, the Resolve was given its first reading, ordered printed, and was assigned for second reading tomorrow morning.

Senate Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Payment of 1949-50 School Subsidy Shortage" (S. P. 316) (L. D. 717)

Report was signed by the following members:

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

JALBERT of Lewiston
JAMIESON of Presque Isle
CAMPBELL of Guilford
JACOBS of Auburn
COLLE of Liberty
PHILLIPS of Southwest
Harbor
FINNEGAN of Bangor
—of the House.

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

Report was signed by the following member:

Mr. **LEAVITT** of Cumberland
—of the Senate.

Came from the Senate with the Majority Report accepted.

In the House: The Majority "Ought not to pass" Report of the Committee was accepted in concurrence.

Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Price of Milk to the State and Certain Institutions" (S. P. 389) (L. D. 936)

Report of the Committee on Veterans and Military Affairs reporting same on Bill "An Act relating to Town, County and State Officials in Military Service" (S. P. 423) (L. D. 983)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass Amended

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to Use Fuel Tax" (S. P. 244) (L. D. 513)

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

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

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

SENATE AMENDMENT "A" to S. P. 244, L. D. 513, Bill "An Act Relating to Use Fuel Tax."

Amend said Bill by striking out all of the underlined words and punctuation at the end thereof and inserting in place thereof the following underlined words and punctuation:

"except in vehicles which are prohibited by law from operating on the public highways."

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

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

Consolidated Resolve Ought to Pass

Report of the Committee on Claims on the following Resolves:

S. P. 53 Resolve in Favor of Frank S. Naiman of Gardiner.

S. P. 54 Resolve in Favor of Dr. Robert Hutton of Eliot.

S. P. 212 Resolve in Favor of Mrs. Gertrude Lister of Caribou.

S. P. 213 Resolve in Favor of Hollis Leeman of Woolwich.

S. P. 226 Resolve in Favor of Sylvester A. Newell of Portland.

S. P. 429 Resolve in Favor of Christine H. Southard of Hampden Highlands.

S. P. 484 Resolve to Reimburse Togue Pond Camps in the Town of Millinocket.

S. P. 372 Resolve in Favor of Edwin M. Hutchinson, Jr., of Portland.

S. P. 474 Resolve in Favor of Rocco Gedaro, of Portland.

Reporting same in a Consolidated Resolve (S. P. 580) (L. D. 1387) under title of Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals 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 assigned for second reading at three o'clock this afternoon.

Consolidated Resolve Ought to Pass

Report of the Committee on Claims on the following Resolves:

S. P. 227 Resolve to Reimburse the City of Portland for the Support of Roger Williams, Gordon Williams, Robert Williams and Glenn Williams.

S. P. 228 Resolve to Reimburse the City of Portland for Cost of Burial of Old Age Assistance Recipients.

S. P. 250 Resolve to Reimburse the Town of Blaine for Assistance to Non-Settled or General Relief Cases.

S. P. 297 Resolve to Reimburse L. W. Jordan & Sons, Incorporated for Funeral Services.

Reporting same in a Consolidated Resolve (S. P. 581) (L. D. 1388) under title of Resolve Providing

for the Payment of Certain Pauper Claims and that it "Ought to pass".

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

In the House, Report was read and accepted in concurrence, and the Resolve was read once and assigned for second reading at three o'clock this afternoon.

Consolidated Resolve Ought to Pass

Report of the Committee on Welfare on the following Resolves:

S. P. 73 Resolve Providing for State Pension for Floyd Poland, of Bristol.

S. P. 74 Resolve Providing for State Pension for Mrs. Lillian L. Adams, of Bath.

S. P. 75 Resolve Providing for State Pension for James Caton, of Phippsburg.

S. P. 112 Resolve Providing for an Increase in State Pension for Mellon Hannigan, of Houlton.

S. P. 176 Resolve Providing for State Pension for Gilbert Ouellette, of Caribou.

S. P. 366 Resolve Providing for State Pension for Marie Ange Lesnard, of Lewiston.

S. P. 402, L. D. 952 Resolve Providing for State Pension for Mrs. Vivian Dill, of Mount Vernon.

S. P. 404, L. D. 950 Resolve Providing for State Pension for Ernest Hardison, of Franklin.

S. P. 447 Resolve Providing for an Increase in State Pension for Milton Connors, of Winterport.

S. P. 448 Resolve Providing for an Increase in State Pension for Flossie Mae Shaw, of Lewiston.

S. P. 463 Resolve Providing for an Increase in State Pension for Mary Alice Grant, of Greenville.

Reporting same in a Consolidated Resolve (S. P. 582) (L. D. 1389) under title of Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons and that it "Ought to pass".

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

In the House, Report was read and accepted in concurrence, and the Resolve read once and assigned for second reading at three o'clock this afternoon.

Non-Concurrent Matter

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-one and for the Year Nineteen Hundred Fifty-two" (H. P. 1798) (L. D. 1374) which was passed to be engrossed in the House on May 11.

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

In the House:

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

Mr. CHASE: Mr. Speaker, Senate Amendment "A" provides for a partial refund of tax to certain unorganized townships which have schools and roads on which they pay a tax. The total amount estimated that this amendment will reduce from the tax on the unorganized territory is \$56,000.

Senate Amendment "B" changes an administrative provision in the sales tax which previously provided that a receipt for the sales tax would have to be given as a condition for registration. This amendment simply requires a statement on the part of the applicant that he has paid the tax and to whom. With this provision it is believed that it will be possible, for the Office of the State Tax Assessor and the Secretary of State's Office, working together, to prevent any evasion of the tax.

I move that the House concur with the Senate in the adoption of both amendments.

Thereupon, the House voted to recede from its former action whereby it passed Bill "An Act for the Assessment for a State Tax for the Year Nineteen Hundred Fifty-one and for the year Nineteen Hundred Fifty-Two" to be engrossed on May 11th.

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

SENATE AMENDMENT "A" to H. P. 1798, L. D. 1374, Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred

Fifty-one and for the Year Nineteen Hundred Fifty-two."

Amend said Bill by adding at the end of section 5 thereof the following paragraph:

"The sum so collected for the year 1952 from each township and each lot or parcel of land not included in any township in the state shall be disbursed by the treasurer of state to each township and each lot or parcel of land not included in any township which are assessed for school or highway purposes in an amount not to exceed $\frac{1}{4}$ of the amount assessed for school and highway purposes and shall be credited to such purposes."

Senate Amendment "A" was thereupon adopted in concurrence.

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

SENATE AMENDMENT "B" to H. P. 1798, L. D. 1374, Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-one and for the Year Nineteen Hundred Fifty-two."

Amend said Bill by adding a new section before the Emergency Clause to read as follows:

"Sec. 12. R. S., c. 14-A, §4, amended. The last sentence of section 4 of chapter 14-A of the revised statutes, as enacted by chapter 250 of the public laws of 1951, is hereby amended to read as follows:

"Whenever any tangible personal property whose sale or use is subject to tax under this chapter is required to be registered for use within this state by any other chapter than this, no registration shall be granted unless the applicant [exhibits a receipt] for registration has paid the sales tax or the use tax thereon."

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

Non-Concurrent Matter

Bill "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer" (H. P. 1795) (L. D. 1363) which was passed to be engrossed as amended by House Amendment "B" in the House on May 8.

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

In the House: On motion of Mr. Lackee of Addison the House voted to recede from its action of May 8th whereby it passed the Bill to be engrossed as amended by House Amendment "B."

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

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

Amend said Bill by striking out the question at the end of the 1st paragraph of the Referendum and inserting in place thereof the following question:

"Shall a bond issue be ratified in an amount not to exceed \$2,500,000 as set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer,' passed by the 95th legislature?"

Thereupon, Senate Amendment "A" was adopted and the Bill was passed to be engrossed as amended in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Trespassing on Commercial or Residential Property" (S. P. 411) (L. D. 971) which was indefinitely postponed in the House on May 10.

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

In the House:

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

Mr. WOODWORTH: Mr. Speaker, this amendment of the Senate, in my opinion, adds nothing to the bill. This bill has been twice debated in the House and twice defeated.

I now move that the House insist on its former action and request a Committee of Conference.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House insist upon its former action on Bill "An Act relating to Trespassing on Commercial or Residential Property" and ask for a Committee of Conference.

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

Mr. DICKEY: Mr. Speaker and Members of the House: It seems to me that the amendment offered by the Senate takes care of the objections that I formerly had against this bill, therefore I move that we recede from our former action and concur with the Senate.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House recede from its former action and concur with the Senate.

The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the House recede from its former action whereby it indefinitely postponed Bill "An Act relating to Trespassing on Commercial or Residential Property."

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

Mr. BAILEY: Mr. Speaker, I will have to agree with the statements of the gentleman from Fairfield, Mr. Woodworth. We considered the matter very carefully and I think the House should confirm its action in the past.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that the House recede from its former action whereby the bill was indefinitely postponed on May 10th and concur with the Senate in the passage of the bill to be engrossed as amended by Senate Amendment "A".

Mr. WOODWORTH: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, requests a division.

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

A division of the House was had.

Twenty-three having voted in the affirmative and fifty-six having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Woodworth, a viva voce vote being taken, the House voted to insist and ask for a Committee of Conference.

The SPEAKER: The Chair will appoint the following Conferees on the disagreeing action on Bill "An Act relating to Trespassing on Commercial or Residential Property": The gentleman from Woolwich, Mr. Bailey, the gentleman from Auburn, Mr. Turner, and the gentleman from Fairfield, Mr. Woodworth.

Non-Concurrent Matter

Bill "An Act relating to Clearance Markings on Railroad and State Highway Overpasses" (H. P. 1531) (L. D. 1124) which was passed to be engrossed as amended by House Amendment "A" and as amended by Committee Amendment "A" as amended by House Amendment "B" thereto on May 10.

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

In the House: On motion of Mr. Senter of Brunswick, the House voted to recede from its former action whereby it passed the bill to be engrossed as amended by House Amendment "A" and as amended by Committee Amendment "A" as amended by House Amendment "B" thereto on May 10th.

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

SENATE AMENDMENT A to H. P. 1531, L. D. 1124 as amended, Bill "An Act Relating to Clearance Markings on Railroad and State Highway Overpasses"

Amend said bill by striking from Sec. 1 thereof the word "highway" when it appears next preceding the words "overpasses" and "overpass" therein.

Further amend said bill by adding to the end of Sec. 1 thereof the following: "; provided nevertheless, that such overpasses not indicated herein shall be marked by the municipalities in which the same shall be found and in accordance with the standards for marking hereinbefore set forth."

Further amend said bill by striking out Sec. 2 thereof.

Thereupon, Senate Amendment "A" was adopted and the Bill was

passed to be engrossed as amended in concurrence.

Non-Concurrent Matter

Bill "An Act relating to the Banking Department" (H. P. 1282) (L. D. 848) which was indefinitely postponed in the House on May 14 after having been amended by House Amendments "A" and "B".

Came from the Senate, House Amendments "A" and "B" indefinitely postponed and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The **SPEAKER**: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. **BURGESS**: Mr. Speaker, I move that the House recede and concur.

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, moves that the House recede and concur with the Senate.

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

Mr. **CHASE**: Mr. Speaker, the Committee on Taxation had no objection to the proposition contained in this bill that each bank should pay for the cost of its own regulation. We do object to the theory that the banks of the State owe nothing to the State except the cost of their own regulation. If such a principle is accepted it can be applied with equal force certainly to the Insurance Department from which the State now receives in revenue about \$1,300,000 per year.

The bill in its present form, in my opinion, would not make the Banking Department self-sustaining. The bill fixes the fee for carrying the overhead of the Banking Department. It makes no provision for the appropriation for the Retirement Fund for State employees, which is carried as a special appropriation. It doesn't pay rent; it doesn't pay the ordinary costs and overhead which go with the administration of any office, but the seven-cent fee is fixed in the bill.

If the bill should pass in the form in which it was passed by the Senate, it would cost the gen-

eral fund \$32,647 the first year and \$74,425 the second year.

I still believe that the House took the right action, but since there seems to be some possible basis for agreement by conference, if the House will defeat the motion of the gentleman from Limestone, Mr. Burgess, to recede and concur, I will then move that the House insist and ask for a Committee of Conference, and when the vote is taken I ask for a division.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House recede from its former action whereby it indefinitely postponed Bill "An Act relating to the Banking Department" and the gentleman from Cape Elizabeth, Mr. Chase, has requested a division.

All those in favor of the motion to recede will please —

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

Mr. **HAYES**: Mr. Speaker and Members of the House: I am supporting the original bill as adopted by the Senate. In the first place, my people whom I represent want this bill passed and unless there is some compelling reason to the contrary I feel as though I ought to support it.

Now I am not a tax expert and don't pretend to be one. It seems to me that so far as Savings Banks and Loan and Building Associations are concerned, that this is purely and simply a tax on the deposits made by individuals and others, which are time deposits, and that it is not a proper form of tax at all. If it can be justified it seems as though it might be justified only as an excise tax against banks for the privilege of doing business on somebody else's money.

Now, in Mutual Savings Banks and Building and Loan Associations any profit, as I understand it, above the necessary expenses of operating the banks inures to the benefit of such depositors, therefore we are taxing the money which somebody has saved and chooses to put into the bank in a time deposit. Now the individual who puts his money in a safety deposit box or in his stocking, who invests in securities

under the present administration method of collecting taxes doesn't pay anything.

If this is not a proper form of taxation, we ought to correct it at this time because we now have a broader tax base.

Now the reason that some of us voted for the tax which we have recently passed is that we felt that the tax on property, real property, was not the best form of taxation, that it was inequitable and in some cases unjust. If I am right, that the tax against deposits is the same kind of a tax, then it would seem that such a tax is also inequitable and unjust.

We voted not too long ago to restore to the municipalities something like five and a half million dollars, to take care of that inequity. If this tax is inequitable, it doesn't seem to me that the question of the amount of loss of revenue to the general fund should deter us in passing the bill as it comes to us from the Senate, and I hope the motion currently before the House will prevail.

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

Mr. PARKER: Mr. Speaker and Members of the House: I pose neither as a tax expert nor as a banking expert but from my point of view, after listening to the debate that we had here a few days ago on this matter, and trying to support a measure that my district has asked me to support, I must come to the support of this motion of the gentleman from Limestone, Mr. Burgess.

I do believe, however, that by passing this so-called "Fee Banking Bill" we will put our Savings Banks in the State of Maine on a comparable basis with other banks. That is the reason, one of the big reasons, why I am favoring this bill. Thank you.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I want to go along with the motion of the gentleman from Limestone, Mr. Burgess.

I have talked this thing over at great length with several people but no one has been able to explain to

me why we should ask our Trust and Savings Banks in this State to pay into the general fund around \$60,000 while our National Banks don't do the same. I just cannot understand it. I don't know why they should be doing it, and I am heartily in favor of the motion of the gentleman from Limestone, Mr. Burgess.

The SPEAKER: Is the House ready for the question?

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

Mr. CHASE: Mr. Speaker and Members of the House: Considerable has been said here about the competition between the State Banks and National Banks. It was more than implied here that all these State Banks were going to turn into National Banks on account of this disadvantage. As a matter of fact, I cannot think of a State Bank which has gone into a National Bank, and I can think of four National Banks which have gone into State Banks within recent time.

Now so far as the competitive position is concerned, at the present time, and for many years, the interest-bearing deposits in Savings Banks and Trust Companies in this State have been exempted from municipal taxation. At the present time the ordinary commercial deposits—Trust Companies are not exempt from personal property tax—and neither savings deposits nor commercial deposits in National Banks are exempt at all.

At the present time, in those communities where personal property or money items are taxed, anyone who puts the money of an estate in a Savings Bank or a Trust Company at interest escapes personal property taxation altogether. If you put it in a National Bank, you don't; it is taxable. That is one very definite advantage that the State Banks have had for a considerable time. Furthermore, they have another advantage, or many of them do, over the National Banks, that they don't have to keep deposits in the Federal Reserve system.

As I pointed out here the other day, the competitive situation in National Banks and State Banks in this State does not indicate that the

State Banks are under any disadvantage, in fact I think it can be clearly shown that the State Banks are making considerably more money on the amount of capital investments than the National Banks are.

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

Mr. MARCH: Mr. Speaker and Members of the House: I am far from being an expert but I think I have the capacity, maybe, to listen and absorb, and the other day when this was debated the House voted to indefinitely postpone this bill. I just want to go on record as 100 per cent in favor of the stand of our Floor Leader, Mr. Chase, and hope that the motion to recede and concur will not prevail.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House recede from its former action whereby it indefinitely postponed Bill "An Act relating to the Banking Department", H. P. 1282, L. D. 848, and concur with the Senate in the passage of the bill to be engrossed as amended by Senate Amendment "A".

The gentleman from Cape Elizabeth, Mr. Chase, has requested a division. All those in favor of the motion to recede and concur will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and fifty having voted in the negative, the motion to recede and concur prevailed.

Thereupon, the House voted to recede from its former action whereby it adopted House Amendment "A"; and further voted to recede from its former action whereby it adopted House Amendment "B".

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

SENATE AMENDMENT A to H. P. 1282, L. D. 848, Bill "An Act Relating to the Banking Department."

Amend said Bill by adding thereto a new section to read as follows:

'Sec. 5. Effective Date. The effective date of this Act shall be November 2, 1951.'

Senate Amendment "A" was adopted and the Bill was given its third reading and was passed to be engrossed as amended in concurrence.

Non-Concurrent Matter

Bill "An Act relating to the Taking of Soft Shelled Clams in Jonesport" (H. P. 62) (L. D. 28) on which the House accepted the Minority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" and passed the Bill to be engrossed on May 4.

Came from the Senate with the Majority Report reporting a new draft (H. P. 1789) (L. D. 1358) under title of "An Act relating to the Taking of Soft Shelled Clams in Jonesport and Beals" and with the new draft passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Machiasport, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members: You will recall that this matter was before you a few days ago. It involves the town of Jonesport which was asking for protection of its clam flats. It is opposed by the town of Beals who objected to having the clam diggers of Beals shut out from digging clams in the town of Jonesport.

This House accepted the minority report. The other chamber has seen fit to accept the majority report.

Now we feel, according to this action, that Jonesport is practically lost and that Beals will, through the motion which I am soon to make, win all it asks for, the privilege to continue digging clams in the town of Beals, and Mr. Speaker, I move the indefinite postponement of both reports and accompanying papers.

The SPEAKER: The Chair understands that the gentleman from Machiasport, Mr. Hanson, moves to adhere. All those in favor of the motion will say aye; those opposed will say no.

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

Non-Concurrent Matter

Bill "An Act Permitting Basketball on Sunday" (H. P. 106) (L. D.

53) on which the House accepted Report "A" of the Committee on Legal Affairs reporting "Ought to pass" and passed the Bill to be engrossed on April 25.

Came from the Senate with Report "B" reporting "Ought not to pass" accepted in non-concurrence.

In the House:

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

Mr. PIERCE: Mr. Speaker and Members of the House: I move that we insist and ask for a committee of conference.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the House insist and ask for a committee of conference on Bill "An Act Permitting Basketball on Sunday."

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

Mr. MARTIN: Mr. Speaker and Members of the House: I move that the House recede from its former action whereby it accepted House Report "A" "Ought to pass" and that we now concur with the Senate and accept Report "B" "Ought not to pass."

When the vote is taken I ask for a division.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Augusta, Mr. Martin, that the House recede and concur with the Senate on Bill "An Act Permitting Basketball on Sunday," H. P. 106, L. D. 53.

The Chair recognizes the gentleman from Westbrook, Mr. Travis.

Mr. TRAVIS: Mr. Speaker and Members of the House: This bill was pretty well covered at the mock session. I don't think we should waste much time on it this morning, but I think the fair way is the method suggested by the gentleman from Bucksport, Mr. Pierce, that a committee of conference be appointed so I hope the House does not recede and will ask for a committee of conference.

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

Mr. MCGLAUFLIN: Mr. Speaker. I want to say I am in favor of the motion to recede and concur.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Martin, that the House recede and concur with the Senate on Bill "An Act Permitting Basketball on Sunday."

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

Mr. PARKER: Mr. Speaker, I rise to try to get some information on this vote that is coming up. I know there are many of us who do not know just how we are voting and I will ask that the Clerk might tell us what Report "A" and Report "B" actually mean because I know my seatmates here and myself are just wondering if we vote one way what will happen and if we vote the other way what will happen in that case.

The SPEAKER: The Clerk will read Report "A" and Report "B" to Bill "An Act Permitting Basketball on Sunday."

Thereupon, Report "A" and Report "B" were read by the Clerk.

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

Mr. MARCH: Mr. Speaker and Members of the House: Whenever I have been home weekends on Sundays, I attended basketball at Bridgton. I would like to have that legal. (Laughter)

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Augusta, Mr. Martin, that the House recede and concur with the Senate on Bill "An Act Permitting Basketball on Sunday," H. P. 106, L. D. 53, and the same gentleman has requested a division.

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

A division of the House was had.

Thirty-seven having voted in the affirmative and seventy in the negative, the motion to recede and concur did not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Bucksport, Mr. Pierce, that the House insist on its former action whereby it accepted Report "A" of the Committee on Legal Affairs reporting "Ought to pass" and passed the Bill to be en-

grossed, and the same gentleman asks for a committee of conference.

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

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair will appoint the following conferees on the disagreeing action of the two branches on Bill "An Act Permitting Basketball on Sunday," H. P. 106, L. D. 53: The gentleman from Bucksport, Mr. Pierce; the gentleman from Westbrook, Mr. Travis, and the gentleman from New Limerick, Mr. Hand.

Non-Concurrent Matter Tabled

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve in favor of George S. Bradbury of West Franklin (H. P. 1483) (L. D. 1090) on which the House substituted the Resolve for the Report and passed the Resolve to be engrossed on May 3.

Came from the Senate with the Report accepted in non-concurrence.

In the House:

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I move that we insist on our former action and that a committee of conference be appointed.

The SPEAKER: The gentleman from Ellsworth, Mr. Dunham, moves that the House insist on its former action on Resolve in favor of George S. Bradbury of West Franklin and ask for a committee of conference.

The Chair recognizes the gentleman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker, I move that the House recede and concur with the Senate.

In the case of George S. Bradbury, as I recall the figures—I haven't got them before me—the man is seeking to have an increase in his pension of about \$60, which would bring it to a monthly pension of \$100. The Claims Committee, at no time, has allowed a pension of more than \$60 a month. This sum is to be taken from the retirement fund and not from the general fund. And, for these reasons, I now

move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mrs. Fay, moves that the House do now recede and concur with the Senate on Resolve in favor of George S. Bradbury of West Franklin, H. P. 1483, L. D. 1090.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I already have an amendment which I was going to introduce which will take care of that, which will take the funds out of the general fund instead of the retirement fund so I think that answers the objections of the lady from Portland (Mrs. Fay).

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mrs. Fay, that the House recede and concur with the Senate on Resolve in favor of George S. Bradbury of West Franklin.

The Chair recognizes the gentleman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker, with the explanation, I withdraw my motion.

The SPEAKER: The gentleman from Portland, Mrs. Fay, withdraws her motion to recede and concur.

The question now before the House is on the motion of the gentleman from Ellsworth, Mr. Dunham, that the House insist on its former action on Resolve in favor of George S. Bradbury of West Franklin and ask for a committee of conference.

Will the gentleman from Ellsworth, Mr. Dunham, please approach the rostrum.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I move that we reconsider our action.

The SPEAKER: The gentleman from Ellsworth, Mr. Dunham, must withdraw his motion and the Chair understands that the gentleman withdraws his motion to insist on its former action on Resolve in favor of George S. Bradbury of West Franklin.

Thereupon, under suspension of the rules, on motion of Mr. Dun-

ham of Ellsworth, the House voted to reconsider its action of May 3 whereby it passed to be engrossed Resolve in favor of George S. Bradbury of West Franklin, H. P. 1483, L. D. 1090.

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

Mr. DUNHAM: Mr. Speaker, I offer House Amendment "A" and move its adoption.

This is an amendment to take the remaining funds of the difference between what the gentleman is getting now and what I propose for him to get out of the general fund.

The SPEAKER: The Chair will inquire of the gentleman if he has had the amendment reproduced.

Mr. DUNHAM: I can't remember, Mr. Speaker.

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

Mr. JENNINGS: Mr. Speaker, I move that this matter lie on the table until the amendment is reproduced.

The SPEAKER: The gentleman from Strong, Mr. Jennings, moves that the matter lie upon the table pending adoption of House Amendment "A" and for its reproduction. Is this the pleasure of the House?

The motion prevailed and the Resolve with accompanying papers was so tabled.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of House of the China Elementary School Social Studies Class under the supervision of Mrs. Taber and Mrs. Johnston.

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

Messages and Documents

From the Senate: The following Communication: (S. P. 586)

To
Hon. Burton M. Cross,
President Senate
of State of Maine,
Augusta, Maine

I cannot tell you how much I appreciate the cordial invitation from the two branches of your distinguished legislature. I deeply re-

gret the delay in replying and my continued inability because of the heavy demand made on my time by my present commitments to set a definite date for my visit. Please express my gratitude to all concerned and tell them that I shall avail myself of the proffered hospitality of your famous state as soon as circumstances permit.

With cordial personal regards to you and Mr. Silsby.

DOUGLAS MacARTHUR

Came from the Senate read and ordered placed on file.

In the House, read and ordered placed on file in concurrence.

Orders

Mr. Senter of Brunswick presented the following order and moved its passage:

ORDERED, that the Clerk of the House be requested to prepare a simplified manual of Legislative procedure adapted to use of newly elected members, and investigate the advisability of inaugurating a series of instructional meetings at the opening of the next regular session.

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

Mr. SENTER: Mr. Speaker and Members of the House: I talked this matter over with the Speaker and also with the Clerk of the House and also with many of you here. I think many of us agree that something should be done early in the session to help acquaint the new members in each session with the procedure so that they will be more valuable early in the session and this course of instruction would not be limited to new members, some of the older members might find it interesting to attend. I do think there is a need for such a procedure and I think that it will help the next session to be, perhaps, even more efficient, if that is possible, than we have been.

Thereupon, the Order received passage.

Mr. Albert of Augusta presented the following order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, ordered to study the provisions of Chap-

ter 430 of the Public Laws of 1949, namely the Maine Employment Security Law, to determine the advisability of granting "unemployment compensation" coverage to the employees of the State and its several jurisdictions; and be it further

ORDERED, that the committee shall make such report or reports and such recommendations as it concludes and such reports shall be made prior to the date of the convening of the 96th Legislature. (H. P. 1819)

The Order received passage and was sent up for concurrence.

Mrs. Fay of Portland presented the following order and moved its passage:

ORDERED, that the rules of the House be amended by striking out all of Rule 25 and changing the numbers of Rules 26 to 59, to 25 to 58.

The **SPEAKER**: Under the rules, the order will lie on the table until tomorrow morning.

The **SPEAKER**: The House is proceeding under Orders.

On motion of Mr. Bates of Orono, it was

ORDERED, that there be paid to Mr. Samuel G. Michaud of St. Agatha and Mr. John J. Nahra of Old Town, claimants to seats in the House, each three twentieths (3/20ths) of the regular compensation of a member, and travel for three (3) weeks, and be it further

ORDERED, that all other members of the House receive the full amount of compensation fixed by Statute, and be it further

ORDERED, that there be paid to Mrs. Alice H. Dorr, widow of the late Eugene H. Dorr, the balance of the regular compensation of a member, not paid to the late Mr. Dorr in his lifetime.

On motion of Mr. Morneault of Fort Kent, it was

ORDERED, that Mr. Martin of Frenchville, be excused from attendance during his illness.

**House Reports of Committees
Divided Report
Tabled and Assigned**

Majority Report of the Committee on Judiciary reporting "Ought not

to pass" on Bill "An Act Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years" (H. P. 1368) (L. D. 959)

Report was signed by the following members:

Messrs. **HASKELL** of Cumberland
BARNES of Aroostook
WARD of Penobscot

— of the Senate.

McGLAUFNIN of Portland
WOODWORTH of Fairfield
HAYES of Dover-Foxcroft
FULLER of Bangor
HARDING of Rockland

— of the House.

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

Report was signed by the following members:

Mr. **DELAHANTY** of Lewiston
Mrs. **FAY** of Portland

— of the House.

Report was read.

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

Mr. **DELAHANTY**: Mr. Speaker, I move that Item 1 lie on the table and that the same be specially assigned for tomorrow morning, May 17.

The **SPEAKER**: The gentleman from Lewiston, Mr. Delahanty, moves that the two reports and accompanying papers lie on the table pending acceptance of either report, and be specially assigned for tomorrow morning, May 17th.

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

A viva voce vote being doubted,

A division of the House was had.

Sixty-six having voted in the affirmative and six in the negative, the motion to table prevailed, and the matter was so tabled and so assigned.

Ought Not to be Adopted

Mr. Rollins from the Committee on Taxation reported "Ought not to be adopted" on Memorial Petitioning the Congress of the United States to Withhold its Approval of Proposed Increases in Federal Automotive Excise Taxes (H. P. 1804) (L. D. 1382)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Brown from the Committee on Natural Resources on Bill "An Act relating to Water Pollution" (H. P. 937) (L. D. 535) reported same in a new draft (H. P. 1817) (L. D. 1397) under same title and that it "Ought to pass."

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading this afternoon.

Tabled

Mr. Sinclair from the Committee on Taxation on Bill "An Act Increasing the Tax on Cigarettes" (H. P. 1035) (L. D. 563) reported same in a new draft (H. P. 1818) (L. D. 1398) under title of "An Act relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" and that it "Ought to pass."

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

Thereupon, Mr. Jalbert of Lewiston presented House Amendment "A" and moved its adoption and further moved that it be tabled until later in today's session pending adoption and for reproduction.

The motion prevailed and the matter was so tabled.

Included in Consolidated Resolve

Mr. Patterson from the Committee on Welfare on the following Resolves:

H. P. 7, Resolve Providing for an Increase in State Pension for Beatrice E. Morawetz, of Dresden.

H. P. 34, Resolve Providing for State Pension for Mrs. Eva Goodwin, of Lisbon Falls.

H. P. 35, Resolve Providing for State Pension for Irene Dorothy Ferrence, of Lisbon Falls.

H. P. 66, Resolve Providing for State Pension for Austin M. Weikel, of Cape Elizabeth.

H. P. 67, Resolve Providing for State Pension for Wilfred Turgeon, of Waterboro.

H. P. 99, L. D. 43, Resolve Providing for State Pension for John Smith, of Belgrade.

H. P. 176, Resolve Providing for State Pension for Maryon Boothby, of Westport.

H. P. 177, Resolve Providing for an Increase in State Pension for George Byrus, of Lisbon.

H. P. 211, Resolve Providing for State Pension for Kenneth Graves, of Orrington.

H. P. 212, Resolve Providing for State Pension for Everett Tarrio, of Bradley.

H. P. 213, Resolve Providing for State Pension for George Pitts, of New Gloucester.

H. P. 215, Resolve Providing for State Pension for Thelma Judkins, of Moody.

H. P. 216, Resolve Providing for State Pension for Herman Silver, of Wells.

H. P. 217, Resolve Providing for State Pension for Howard King, of Bath.

H. P. 218, Resolve Providing for State Pension for Clyde W. Johnson, of Garland.

H. P. 219, Resolve Providing for an Increase in State Pension for Maggie Caird, of Dexter.

H. P. 246, Resolve Providing for State Pension for Donald Forbes, of Brooks.

H. P. 247, Resolve Providing for State Pension for Joyce Teeney, of Brooks.

H. P. 248, Resolve Providing for an Increase in State Pension for Clarence Thomas, of Rumford Point.

H. P. 346, Resolve Providing for an Increase in State Pension for Alfred Wik, of Stockholm.

H. P. 348, Resolve Providing for a State Pension for Elise Ayotte, of Stockholm.

H. P. 350, Resolve Providing for State Pension for Edith Rossignoll, of Stockholm.

H. P. 351, Resolve Providing for an Increase in State Pension for John Henry McCullough, of Hudson.

H. P. 352, Resolve Providing for State Pension for Evelyn M. Moody, of Belfast.

H. P. 353, Resolve Providing for an Increase in State Pension for Charlotte E. Armstrong, of Belmont.

H. P. 354, Resolve Providing for an Increase in State Pension for Melvin Belden, of Palermo.

H. P. 355, Resolve Providing for an Increase in State Pension for John Ellis, of Monroe.

H. P. 358, Resolve Providing for State Pension for George W. Rines, of North Newburg.

H. P. 359, Resolve Providing for State Pension for LeRoy Clewley, of Etna.

H. P. 361, Resolve Providing for State Pension for Alice Sirois, of Old Town.

H. P. 362, Resolve Providing for State Pension for Joseph Chouinard, of Old Town.

H. P. 363, Resolve Providing for State Pension for Rolande Tondreau, of Augusta.

H. P. 365, Resolve Providing for State Pension for John Mitchell, of Patten.

H. P. 366, Resolve Providing for State Pension for Bertha Hodge, of Mechanic Falls.

H. P. 367, Resolve Providing for an Increase in State Pension for Margaret McLean, of Mechanic Falls.

H. P. 368, Resolve Providing for State Pension for Curtis Bragdon, of Mechanic Falls.

H. P. 369, Resolve Providing for State Pension for Jabez Coffin, of Mechanic Falls.

H. P. 399, Resolve Providing for State Pension for Thomas Norman Whitcomb, of Searsport.

H. P. 400, Resolve Providing for State Pension for Marlene Smart, of Prospect.

H. P. 441, L. D. 259, Resolve Providing for an Increase in State Pension for Fabien Boutote, of Fort Kent.

H. P. 565, Resolve Providing for State Pension for Charlotte Estella Morrill, of Belfast.

H. P. 566, Resolve Providing for State Pension for Otis Emery Robbins, of Belfast.

H. P. 568, Resolve Providing for an Increase in State Pension for Joseph William True, of Garland.

H. P. 569, Resolve Providing for State Pension for Pearl Izzetta Hariman, of Boothbay Harbor.

H. P. 662, Resolve Providing for State Pension for Walter W. Erskine, of Fayette.

H. P. 663, Resolve Providing for State Pension for John Chelsea Prescott, of East Corinth.

H. P. 664, Resolve Providing for an Increase in State Pension for Guy Babb, of Hudson.

H. P. 667, Resolve Providing for State Pension for Bernard M. Kelley, of Monroe.

H. P. 669, Resolve Providing for State Pension for Gladys Garnet, of Dixmont.

H. P. 670, Resolve Providing for State Pension for Omer Lousier, of Grand Isle.

H. P. 671, Resolve Providing for State Pension for Lucille Marquis, of Van Buren.

H. P. 764, Resolve Providing for State Pension for Mrs. Edith Darnen, of Mt. Vernon.

H. P. 766, Resolve Providing for State Pension for Hilda Malcolm, of Wiscasset.

H. P. 767, Resolve Providing for State Pension for Allen Malcolm, of Wiscasset.

H. P. 768, Resolve Providing for State Pension for Kenneth Martin Hunt, of Clinton.

H. P. 770, Resolve Providing for State Pension for Henry Beaulieu, of Grand Isle.

H. P. 771, Resolve Providing for an Increase in State Pension for Albert Beaulieu, of Grand Isle.

H. P. 772, Resolve Providing for State Pension for Katherine Parks, of Bath.

H. P. 773, Resolve Providing for State Pension for Ronald Martin Mosher, of Leeds.

H. P. 786, Resolve Providing for State Pension for Earle Beaulieu, of Orono.

H. P. 787, Resolve Providing for State Pension for Frank LeRoy Weir, of Richmond.

H. P. 788, Resolve Providing for State Pension for Helen E. Easler, of Richmond.

H. P. 789, Resolve Providing for State Pension for Westley Dow, of Richmond.

H. P. 852, Resolve Providing for State Pension for Ruth B. Holway, of Mount Vernon.

H. P. 853, Resolve Providing for an Increase in State Pension for Sadie Turner, of Palermo.

H. P. 855, Resolve Providing for an Increase in State Pension for Geneva May Gay, of Clinton.

H. P. 858, Resolve Providing for State Pension for Sylvio J. Gagne, of Brunswick.

H. P. 860, Resolve Providing for State Pension for Nelson Bouchard, of St. Agatha.

H. P. 862, Resolve Providing for an Increase in State Pension for Irene Dufour, of Madawaska.

H. P. 864, Resolve Providing for State Pension for Lura Griffin Donaldson, of Farmingdale.

H. P. 865, Resolve Providing for State Pension for Pauline Dechane, of Patten.

H. P. 866, Resolve Providing for State Pension for Lena Coolong, of Patten.

H. P. 943, Resolve Providing for an Increase in State Pension for Berton Knight, of Peru.

H. P. 944, Resolve Providing for State Pension for George McGinley, of Mattawamkeag.

H. P. 946, Resolve Providing for an Increase in State Pension for Albridge Raymond Ranks, of Randolph.

H. P. 947, Resolve Providing for State Pension for Alice Foster, of Dixmont.

H. P. 952, Resolve Providing for State Pension for Hugh Gallagher, of Mechanic Falls.

H. P. 1039, Resolve Providing for State Pension for Mrs. Hilda Ambrose, of Masardis.

H. P. 1041, Resolve Providing for State Pension for Sylvester Van Sickle, of Gardiner.

H. P. 1042, Resolve Providing for State Pension for Ray Morris, of St. Francis Plantation.

H. P. 1043, Resolve Providing for State Pension for Phillippa Jandreau, of St. Francis Plantation.

H. P. 1044, Resolve Providing for an Increase in State Pension for Eddie Ouellette, of St. Francis Plantation.

H. P. 1045, Resolve Providing for State Pension for John Doustou, of New Canada Plantation.

H. P. 1046, Resolve Providing for State Pension for Francis Cyr, of St. Agatha.

H. P. 1047, Resolve Providing for a State Pension for Mary Rose Mason, of Monmouth.

H. P. 1049, Resolve Providing for a State Pension for Harold M. Brown, of Stockton Springs.

H. P. 1147, Resolve Providing for State Pension for Howard Lund, of Mars Hill.

H. P. 1148, Resolve Providing for State Pension for Louis Soucie, of Hamlin Plantation.

H. P. 1149, Resolve Providing for an Increase in State Pension for Freda Potter, of No. Whitefield.

H. P. 1150, Resolve Providing for an Increase in State Pension for Ethel M. Merry, of Waldoboro.

H. P. 1152, Resolve Providing for an Increase in State Pension for Ira Stuart, of Whitefield.

H. P. 1154, Resolve Providing for an Increase in State Pension for Lillian Ireland, of Lincoln.

H. P. 1158, Resolve Providing for State Pension for Mary McMahon, of Eastport.

H. P. 1159, Resolve Providing for State Pension for Clinton Freeman, of Bar Harbor.

H. P. 1160, Resolve Providing for State Pension for Alexis Fournier, of Brunswick.

H. P. 1161, Resolve Providing for an Increase in State Pension for Frank Gilmore, of Bangor.

H. P. 1217, Resolve Providing for State Pension for Miss Leola Carleton, of Danforth.

H. P. 1219, Resolve Providing for State Pension for Austin Wiley, of Madawaska.

H. P. 1220, Resolve Providing for State Pension for A. Lewis Baker, of Houlton.

H. P. 1249, L. D. 804, Resolve Providing for State Pension for Elwin Verdon, of Fairfield.

H. P. 1286, Resolve Providing for State Pension for Joseph Quirion, of Augusta.

H. P. 1288, Resolve Providing for State Pension for Weston Elmer Hall, of Stonington.

H. P. 1289, Resolve Providing for State Pension for Harold Parsons, of East Machias.

H. P. 1290, Resolve Providing for State Pension for Joseph Michaud, of Frenchville.

H. P. 1337, Resolve Providing for State Pension for Miss Annette Chasse, of Van Buren.

H. P. 1338, Resolve Providing for State Pension for Guy Pulsifer, of Turner.

H. P. 1359, Resolve Providing for State Pension for Allen Scott, of East Machias.

H. P. 1360, Resolve Providing for State Pension for Evelyn Chase, of Burnham.

H. P. 1361, Resolve Providing for State Pension for Edna Bickford, of Richmond.

H. P. 1376, Resolve Providing for State Pension for Mrs. Blanche Dyer, of Belfast.

H. P. 1379, Resolve Providing for State Pension for Elizabeth Kavanagh, of Lewiston.

H. P. 1386, Resolve Providing for State Pension for Alfred Pelletier, of Madawaska.

H. P. 1396, Resolve Providing for State Pension for Valeda Marie Kennedy, of Waldoboro.

H. P. 1451, Resolve Providing for an Increase in State Pension for Jennie Mower, of Belfast.

H. P. 1453, Resolve Providing for an Increase in State Pension for Nellie Estes, of Lewiston.

H. P. 1454, Resolve Providing for an Increase in State Pension for Edith Carver, of Gardiner.

H. P. 1456, Resolve Providing for an Increase in State Pension for Eli Gaudette, Jr., of Rumford.

H. P. 1457, Resolve Providing for State Pension for Miss Viola Michaud, of Eagle Lake.

H. P. 1458, Resolve Providing for State Pension for Edith Langdon, of Bath.

H. P. 1460, Resolve Providing for State Pension for Mrs. Ina Lovejoy, of E. New Portland.

H. P. 1492, Resolve Providing for an Increase in State Pension for Gladys Guimond, of Auburn.

H. P. 1493, Resolve Providing for State Pension for Nellie Whitehead, of Belfast.

H. P. 1494, Resolve Providing for State Pension for Abbie Spencer, of Clifton.

H. P. 1495, Resolve Providing for State Pension for Leland White, of Oakfield.

H. P. 1496, Resolve Providing for State Pension for Beulah Tucker, of Smyrna.

H. P. 1497, Resolve Providing for State Pension for Mrs. Velma Lawler, of Oakfield.

H. P. 1498, Resolve Providing for an Increase in State Pension for Beatrice Bulley, of Randolph.

H. P. 1501, Resolve Providing for an Increase in State Pension for Edgar Jandreau of St. Francis Plantation.

H. P. 1556, Resolve Providing for an Increase in State Pension for Howard Hatch, of Kennebunk.

H. P. 1557, Resolve Providing for an Increase in State Pension for Ethelyne M. Stewart, of Clinton.

H. P. 1558, Resolve Providing for an Increase in State Pension for Arthur Wesley Hunt, of Clinton.

H. P. 1596, Resolve Providing for an Increase in State Pension for Arthur D. Sawtelle, of Oakland.

H. P. 1597, Resolve Providing for an Increase in State Pension for Gladys Eaton, of Sedgwick.

H. P. 1664, Resolve Providing for State Pension for Euphemie O. Michaud, of Houlton.

H. P. 1793, Resolve Providing a State Pension for John Upham of Thomaston.

reported that they have been included in a consolidated resolve, under title of "Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons" (S. P. 582) (L. D. 1389) reported into the Senate.

Report was read and accepted and sent up for concurrence.

Included in Consolidated Resolve

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

H. P. 70, Resolve to Reimburse the Town of Oakland for Support of George Bush.

H. P. 110, Resolve in Favor of Donald Currie of South Portland.

H. P. 113, Resolve in Favor of Harold E. Cash of Scarborough.

H. P. 114, Resolve to Reimburse the Town of Westport for hospitalization of Maryon Boothby.

H. P. 181, Resolve in Favor of the Town of Whiting.

H. P. 263, Resolve to Reimburse the Town of North Yarmouth for support of Marion Edna Polk.

H. P. 264, Resolve to Reimburse the Town of Columbia for hospitalization and support of Albert B. Reynolds.

H. P. 265, Resolve in Favor of Edith J. Patten, of Augusta.

H. P. 268, Resolve in Favor of Knowlton & Hewins, of Hallowell.

H. P. 451, Resolve in Favor of the Town of Sherman Mills.

H. P. 455, Resolve in Favor of the Town of West Gardiner.

H. P. 575, Resolve to Reimburse the Town of Harpswell.

H. P. 576, Resolve to Reimburse the Town of Pittston for Support

and Medical Aid Extended to Certain Families.

H. P. 578, Resolve to Reimburse the Town of Roxbury for Support and Medical Care of Certain Families.

H. P. 809, Resolve Reimbursing the Town of South Berwick for Transportation of School Children.

H. P. 812, Resolve in Favor of Dr. J. H. Smyth, of Edmundston, N. B.

H. P. 813, Resolve to Reimburse the Town of St. Agatha for Support of Francis Cyr, of St. Agatha.

H. P. 878, Resolve to Reimburse the Town of Pittston for Support and Care of Robert Calnam, otherwise known as Robert Callman.

H. P. 879, Resolve to Reimburse the Town of Dexter for Support Furnished to Henry Edward Hamilton.

H. P. 960, Resolve to Reimburse the Town of Caribou for Burial Expenses of Old Age Recipients.

H. P. 961, Resolve to Reimburse the Cary Memorial Hospital for Hospitalization of State Paupers.

H. P. 962, Resolve in Favor of Sister's Hospital.

H. P. 964, Resolve to Reimburse Wallagrass Plantation for Burial Expenses of Patrick Lamare.

H. P. 1195, Resolve in Favor of Saco Hospital Inc., for Hospitalization, Support and Care of Miss Anne Lesso.

H. P. 1404, Resolve Reimbursing the Town of Camden for Burial Expenses for Harriet May Fish.

H. P. 1467, Resolve Reimbursing City of Ellsworth for Pauper Supplies.

H. P. 1469, Resolve Reimbursing the City of Bangor for Burial Expenses for Certain Old Age Recipients.

H. P. 1518, Resolve Reimbursing the Town of Solon for Certain Hospital Expenses.

H. P. 1520, Resolve Reimbursing the Town of Clinton for Support of the family of Frank S. Smith.

H. P. 1522, Resolve Reimbursing the Town of Litchfield for Burial Expenses of Herbert Thurston.

H. P. 1561, Resolve Reimbursing Dean E. Wheeler & Son, Undertakers, of Oakland, for Burial Expenses for Elmer E. Ellis.

H. P. 1562, Resolve to Reimburse the Town of Crystal for Pauper Supplies.

H. P. 1568, Resolve Reimbursing the Town of Madrid for Burial Expenses for Dave Bussiel.

H. P. 1605, Resolve Reimbursing the Town of Albion for Burial Expenses for Charles B. Denaco, of Unity.

H. P. 1606, Resolve Reimbursing Stanley Bros. of Kezar Falls for Burial Expenses for George Day of Porter.

H. P. 1607, Resolve Reimbursing Stanley Bros. of Kezar Falls for Burial Expenses for Herman J. Pike of Parsonsfield.

H. P. 1608, Resolve Reimbursing Town of Roxbury for Aid Granted to Certain Persons.

reported that they had been included in a Consolidated Resolve under title of Resolve Providing for the Payment of Certain Pauper Claims (S. P. 581) (L. D. 1388) reported into the Senate.

Report was read and accepted and sent up for concurrence.

Included in Consolidated Resolve

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

H. P. 13, Resolve in Favor of Ralph Cooper, of Buckfield.

H. P. 111, Resolve in Favor of Clyde E. Gould, of East Livermore.

H. P. 182, Resolve in Favor of Lyle T. Fernald, of Troy.

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

Mr. DICKEY: Mr. Speaker, under Item 7, House Paper 182 Resolve in Favor of Lyle T. Fernald, of Troy, I move that the House accept the original resolve in place of this report.

I might add in explanation that they have approved this bill in a total of \$100. The original resolve was \$179.80. I see no reason why they wouldn't pay the \$79.80.

The SPEAKER: Will the gentleman please approach the rostrum.

The Chair understands that the gentleman from Brooks, Mr. Dickey, withdraws his motion?

Mr. DICKEY: That is right, Mr. Speaker.

H. P. 220, Resolve in Favor of Clinton J. Abbott, of Kingfield.

H. P. 258, Resolve in Favor of Cecil Packard, of Unity.

H. P. 259, Resolve in Favor of Kendall Hodgdon, of Blue Hill.

H. P. 260, Resolve in Favor of Elwood N. Grant, of Brewer.

H. P. 261, Resolve in Favor of Don C. Herrick, of Harmony.

H. P. 266, Resolve in Favor of Roy Stanley, of Salisbury Cove.

H. P. 267, Resolve in Favor of Benjamin H. Gowen, of South Portland.

H. P. 375, Resolve in Favor of Waldo F. Weston of Dexter.

H. P. 452, Resolve in Favor of Albion E. Rowe, of Brewer.

H. P. 454, Resolve in Favor of Oscar Hadley, of Bristol.

H. P. 680, Resolve in Favor of Eugene Dumont, of Berwick.

H. P. 681, Resolve in Favor of Mrs. Gertrude Durgin, of Skowhegan.

H. P. 682, Resolve in Favor of Fern P. Corson, of Skowhegan.

H. P. 877, Resolve in Favor of Peter P. Testa, of Waterville.

H. P. 1075, Resolve in Favor of Raymond Jackson, of Waldoboro.

H. P. 1196, Resolve in Favor of Mrs. Henry Peterson, of Norridgewock.

H. P. 1301, Resolve in Favor of Charles (Lucien) Levesque, of Auburn.

H. P. 1302, Resolve in Favor of Elwood N. (James) Grant, of Brewer.

H. P. 1362, Resolve in Favor of Dr. Arnold W. Moore, of Augusta.

H. P. 1468, Resolve in Favor of Lyle E. Smith, of Salisbury Cove.

H. P. 1516, Resolve in Favor of Claude Boyington, of Prentiss Pt.

H. P. 1566, Resolve in Favor of Verne Kimball, of Berwick.

H. P. 1600, Resolve in Favor of Harlan Witham, of Lewiston.

reported that they have been included in a Consolidated Resolve under title of Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals (S. P. 580) (L. D. 1387) reported into the Senate.

Report was read and accepted and sent up for concurrence.

Passed to be Engrossed

Bill "An Act relating to State Owned Cars" (S. P. 332) (L. D. 748)

Bill "An Act relating to Salaries of Certain Department Heads" (H. P. 1802) (L. D. 1381)

Bill "An Act relating to Rights of Married Persons" (H. P. 1803) (L. D. 1379)

Bill "An Act relating to the Commitment to Mental Hospitals" (H. P. 1807) (L. D. 1384)

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

Tabled and Assigned

Resolve Regulating Fishing for White Perch in Penobscot County (S. P. 576) (L. D. 1377)

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

(On motion of Mr. Fuller of Bangor, tabled pending second reading and specially assigned for this afternoon.)

Amended Bills

Bill "An Act to Incorporate the Guardian Finance Co." (H. P. 641) (L. D. 383)

Bill "An Act Creating the Maine School Building Authority" (H. P. 1274) (L. D. 824)

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

Amended Resolve

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)

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

Amended Bill

Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" (S. P. 263) (L. D. 551) to which are pending Committee Amendment "A" and Senate Amendment "A".

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

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

Mr. JACOBS: Mr. Speaker, this bill is rather complex and many of us do not understand this bill. It carries quite an appropriation and it seems to me with all the amendments attached thereto it would be well at this time, without understanding this bill, that it be referred to the next Legislature. I so move.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts", S. P. 263, L. D. 551, be referred to the next Legislature, the 96th.

Is the House ready for the question?

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

Mr. CHASE: Mr. Speaker, I am astonished that there weren't fifteen people here on their feet when this motion was made.

This is a bill to which a tremendous amount of work has been given. I will agree with the gentleman from Auburn, Mr. Jacobs, that it is a complicated bill and that we ought to understand it thoroughly. I do not understand the reasons for referring it to the next Legislature. I should hope to hear what some of those are.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I see no reason for passing the buck to the next Legislature; I think we can settle this thing right now.

Two years ago, we thought we could cure the educational ills of the State of Maine by having a Committee of Education appointed, a board which would be made up of citizens throughout the State, not particularly concerned or their jobs would not interfere with their position on the committee. This committee, looking at the statewide picture, going over the troubles which the Educational Department has, decided that the best thing they could do for the interests of the State was to settle this subsidy business to see if they couldn't find some way in which this thing could be simplified so that our towns and

our cities through their representatives on the school board and the selectmen, men who know, they know in advance how much money they are going to get through subsidies from the State.

So they attacked this problem and they spent two years on it and they got plans from other states and they went into this thing thoroughly and they brought this plan in as the best plan that they could find throughout the country which would fit our needs.

Now, they brought this plan in and they are presenting it to us and I see no reason at all why you and I should pass this along to the next Legislature. It is up to us to settle it ourselves, right here and now, and I want to do that very thing, because I believe that this plan is just exactly the plan that we want. It is something that distributes the money throughout the State by the very thing which we ought to be thinking about, the amount of money back of each child, the amount of money back of each child in our towns and our cities. And this plan is based on that theory and if you haven't got the money in your town or in your city that the average community has, the State is going to make up the difference.

I say to you there is no advantage whatsoever in passing this thing along. Let's settle it right here and now.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I find myself in a unique position. Up to now it has been rather harmonious on the Education Committee, but I went down to Rockland last night to a joint school board meeting; there were four or five superintendents there and they began itching around in their seats over this thing.

The gentleman from Ellsworth, Mr. Dunham, says this is going to put the money where it is needed. Well, I am like the gentleman from Auburn, Mr. Jacobs, I do not understand it. I argued yesterday morning in the Senate that I sat here and voted consistently for the sales tax. Now I have got to go

home and tell my people in two or three of my towns that after we have got the sales tax you are going to get back your seven and a quarter mills State tax, but you are going to take some of that seven and a quarter mills, maybe a quarter of it in the case of my own town, and put it into this school subsidy to take up the slack where we are going to get caught.

All you have got to do here is to take Column 1—and this was set out by Mr. Kenney, Director of Finance, Educational Department, April 23rd—Column 1 says for December, 1951, using L. D. 1272, which is the Appropriations Bill and the present laws—if you go right down the list on the first page, I have not had time to count them all up yet, but I imagine about half of them are going to stand a cut on their L. D. 551.

I move indefinite postponement of the bill.

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

Mr. FINNEGAN: Mr. Speaker and Members of the House: This bill, L. D. 551, I have referred to several times in the past several weeks when we were discussing the educational appropriation. I have spoken to Mr. Chase, the Floor Leader, privately and on the floor of the House. Why this document has not been made available to the members so they could discuss the educational appropriation intelligently, I do not know, but for some reason known to the leadership the information has been withheld.

Now the theory behind this L. D. 551 is well understood. The valuation of the towns as it now exists, divided by the number of pupils, is the basis for determining State subsidy.

In the first place, we are off on the wrong premise because the valuation is not accurate; it is certainly subnormal. There is nobody in this House who would deny that except with tongue in cheek. A revaluation to most cases would increase this figure at least twice and then probably one-half of the real valuation. I think that is a conservative statement. Except for a few cities where a valuation has already been undertaken profession-

ally and where it was necessary in conducting the affairs of the city and arriving at a suitable tax basis, this valuation should be more accurate than prevails in some of our other communities.

Now the gentleman from Portland, Judge McGlauffin, yesterday expressed this thing more clearly while he was discussing another bill than I can hope to do this morning. It is the duty and the responsibility of the towns to look after their own school program, and where the town is unable to do that then it is fitting and proper and just and necessary that the State supply that missing appropriation.

Now the old formula which has been repealed provided certain safeguards that are missing in this bill. Under the McKinnon bill and some of the others, in order to avail themselves of this subsidy, the town had to appropriate specific monies for school purposes, and, failing in that, they were denied the subsidy. There is nothing in this bill L. D. 551 that requires that. The only penalty in that bill—and I have read it carefully and been over it—is that if you fail to meet the minimum teaching requirements that you are find a dollar for every dollar you miss. I think it is something like that. Well, that is so remote and so immaterial that it does not really amount to anything.

You have had on your desks first the original proposal that came from the Educational Committee's office, and that denotes a price tag. This first formula came out February 25, 1951. They had it broken down by classes. That would indicate a price tag of \$1,600,000 roughly. That is the cost of Plan 8. To break it down by classes—I am not going to give you a whole lot of these figures because they are involved, and that is why I concur with Mr. Jacobs that we should have further time for study. We have had the time, but we have not had the study. In Class 1—that is supposed to be the poorest classes, under the breakdown of these figures, the percentage of change which the Department of Education has furnished us—these are official figures and they are ac-

curate, only instead of having them listed alphabetically this is by classes—in Class 1 there are 9,144 pupils being served at an educational cost of \$879,000 or a cost per pupil of \$96.00. Under the 1950 aid, which does not include this bill 551, they receive in subsidies \$454,642 or fifty dollars per pupil, which is more than fifty per cent of the cost of education. Under Plan 8 they would receive \$62.50 per pupil. In Class 2 there are 21,000 pupils; they are educated at a cost of \$107. The State pays forty-two dollars of that, and under this bill it would be fifty-nine dollars, and so on down the line. The first two classes are already receiving very substantial aid.

Now if the State should revalue and increase this value fifty per cent, those in Class 1 or 2, the sixty-five and the fifty-five per cent would become thirty-five per cent State aid, which would be less than they are now getting. The problem is too involved, there is too much at stake, it is too fantastic. If you look over these percentage changes, some of them are up one hundred per cent. Bear in mind that we discussed this in the Appropriations Committee quite carefully, and we had an executive session with the Department of Education, with Mr. Ladd, and he was very fair about the whole thing, and we certainly tried to be. No town has asked for this aid. They would be perfectly glad to have it, as we all would, but now that the State property tax has been abolished and the towns have this money, it would seem to me that this program requires a very, very much more lengthy study than we are able to give it in the remaining days of this session. I believe that we should confine ourselves to the 1950 aid and this plan 551 should either be indefinitely postponed or referred to the next Legislature. I heartily concur in that belief.

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

Mr. FULLER: Mr. Speaker and Members of the House: I believe that this bill is the second most important bill that is before this Legislature. Of course the sales tax would be number one, but to

me, and not just because I am interested in schools and education, I really think that it is the most far-reaching and the fairest bill that is before this Legislature, and the most important outside of the sales tax.

Now I have before me the present monstrosity which we are laboring under, and any man who has served a term on the school board or as superintendent of schools knows what he is up against. When you speak about not understanding, if you do not understand this bill you ought to read the old one. I cannot see any reason why we should not understand it. We have had it before us and it has probably been mentioned more than any other single bill, and if we cannot understand it in six months I do not think we are ever going to understand it.

If you have faith in your State School Board and in your Education Committee, I think you ought to give this a lot of serious consideration. For instance, the old law is based on valuation. Mr. Finnegan mentioned valuation. The old law is based on valuation. This is based on appropriations, on the amount of money behind each youngster. I might say that one of the amendments which has been presented is to allocate the 1951-52 money under the old law and start appropriating under this new plan for 1952-53.

I would just like to state the amount of money that is being returned to some of the cities. For instance, Bangor will have returned to it in 1952-53, \$231,527.43 in State taxes; Portland will have \$626,-696.71; Biddeford, \$115,672.23; Augusta, \$113,833.97.

The Governor in his message, you remember, recommended that we have a new State-subsidy program, and I am sure that he has gone along with this. He has told the State School Board that if they should do nothing else the first year than to devise a simpler and more equitable way of distributing State school funds their job would be very well worth while. I think they have done it. They have worked nine months trying to arrive at a more equitable distribution

formula and we have it here, and I think that it is very fair and just.

Going back again to the old law—if I am wrong Mr. Perry can correct me—but I believe out here in the town of Chelsea one year not so many years ago if they had raised something like thirteen dollars more they would have got five thousand dollars more in equalization. That shows how unfair that is. Any man who was on his job would raise a lot of money for two years so as to get high equalization and then ride along for the next two years on his surplus. This here is definite, it is fair and it is just, and I hope that you members of the House will go along with it. Thank you.

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

Mr. PERRY: Mr. Speaker and Members of the House: I am very definitely opposed to the indefinite postponement of this particular bill or referring it to the next Legislature. We have had the bill here before us, as has been stated, throughout this whole session practically, and I know myself and several others have been down in the Board of Education and gone through it thoroughly, and I believe, I know myself I understand it. I personally would defy anybody here in this House to sit here through this whole Legislature and try to explain the subsidy program we are working under at the present time. I will admit you could not understand that, even the next Legislature. Our own superintending school committees cannot understand it, cannot figure it out. In your small town you have a budget committee meeting to figure out about what you are going to need for appropriations to run your schools for the next year. If your superintendent of schools can figure it out it doesn't do him any good because he has got to know what every other town in the State of Maine is going to do. You have got a gamble. If you win and your school tax rate is above the rest of the school tax rate you get full equalization; if it is below it, you get nothing.

As the gentleman from South Portland, Mr. Fuller, stated, in the town of Chelsea two years ago, the year before that we appropriated \$8500 to operate our schools with, we came in to the budget committee and we went over the facts, and with equalization of \$5000 it gave us \$13,500 as what we needed to run our schools and we had no surplus. We assumed that we could get along with the same amount of money, counting on equalization for the next full year, so we appropriated \$8500. It came along in November when the little statements came out, issued to us in December, and low and behold, due to the increase in our State property tax rate and other towns going up in the school appropriations, lacking exactly \$13.80 we lost the whole five thousand dollars.

Now I do not see how you could possibly operate a business or a budget or operate on a sound basis when you are operating that particular way. Even if you can figure out the system we are using now, after you have figured it out it doesn't mean you are going to get it. It is a gamble, and in a lot of small towns, as has been said, I know they play around with the gambling; they deliberately appropriate a couple of thousand dollars more than they need for two years and they get the full subsidy, and then they end up with a surplus of six or eight or ten thousand dollars; so the third year they drop it way down and appropriate nowhere near what they need and use up the surplus; or if they can go two years without taking part in equalization, then bang! the third and fourth year after that they boost their appropriations way up again so they can go ahead and get their equalization. There is no close semblance to business in operating that way. It is a gamble.

Under this particular system, the town of Chelsea that I represent loses some money, but I had rather lose a little bit of money and be sure that we are going to get some and operate on a sound basis from year to year than to continue on this gambling that goes on now and under which not even the superintendent of schools or the

school committee can possibly figure out what we are supposed to get, and if they could they do not know they are going to get it. It depends on what every town in the State does. I sincerely hope that you will give this serious consideration and adopt it as the other branch has.

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

Mr. **ROUNDY**: Mr. Speaker and Members of the House: I certainly have a very fine appreciation of the intelligence of this House and its ability to decide matters, and I have very grave doubt if we would find any improvement in the way of ability to decide this important question if it is postponed to the next Legislature.

I sought to understand as best I could, as a member of the Committee on Education, the general principles that are involved in this new formula, and I think in the interests of simplification and fairness we have the right to accept the judgment of the Department of Education as it has been guided and advised by careful decision so far as our State Board of Education is concerned.

I am sure that we felt that we had done something very important in the last Legislature when we had created this board, and of all the studies that have been made by this board during the past two years, the studies leading up to the decision to make the recommendation about this formula have been of the greatest importance. I would like to recall to your minds just who composes this Board of Education. One of them is the dean of a college, another is a representative of the Parent-Teachers Association, another from Maine Teachers Association, another a representative of the School Superintendents, and the other of the Municipal Association, and the other five members selected by the judgment and decision of the Governor.

I am very certain that on the basis of facts so far as this formula is concerned involving the number of pupils and involving the expense toward their education in the formula division we are getting at as simple a formula as we can get.

Moreover, in its extent from fifteen to sixty-five per cent, as you know from your study of it, it does involve the very important principle of those who have the greatest strength in the larger communities extending their service to the communities that have the less strength financially and are less able to render the privileges in the way of teaching appointments and instruction of pupils. I certainly hope that we will go ahead and pass this bill as it is presented to us.

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

Mr. **McGLAUFFLIN**: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Auburn, Mr. Jacobs.

I understood Mr. Jacobs to say that this involved the appropriation of considerable money. My question is: Is that additional to anything that has been appropriated? I would like to get that cleared up.

The **SPEAKER**: The gentleman from Portland, Mr. McGlaufflin, asks a question of the gentleman from Auburn, Mr. Jacobs. The gentleman from Auburn, Mr. Jacobs, may answer if he chooses.

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: It does not add any more money this morning. I think possibly that was the major objection to Plan 8. This puts the census money legally into Plan 8. The Ways and Means Committee report took the school census money, the money itself, and put it into Plan 8. Now this puts it there legally. In other words, it eliminates that school census law.

The **SPEAKER**: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. **ROLLINS**: Mr. Speaker and Members of the House: It is really refreshing to agree with my friend and colleague, the gentleman from Ellsworth, Mr. Dunham, once more, who believes that we should not pass the buck, that we should decide it right here. That is what I feel too: we should decide it right here, by the indefinite postponement of the bill.

This is one of the first repercussions of the sales tax which you all passed. This is the first one. There are many more to follow up. The way I look at this bill, it is kind of, as the old saying goes: to those that have it shall be given; to those that have not it shall be taken away. That is about what this bill does, and there are a good many who are going home with a sales tax to confront their people with and also a bite into their income.

The gentleman from Chelsea, Mr. Perry, is very broad-minded: he is for this bill when his town loses \$1626, as I see it. He stood here on the floor and fought valiantly against the veterans of World War I to save money for his town, and now he is fighting to let his town lose money. I don't call that consistent.

I am very proud of my friend from Friendship, Mr. Winchenpaw, who at this late hour has found that he belongs to the economy bloc. I think there was an order put in by my good friend, the gentleman from Brunswick, Mr. Senter, this morning, hoping that the boys would learn a little earlier in the session, but I am proud of him to think that at last he has seen the light. I hope that the motion of the gentleman from Friendship, Mr. Winchenpaw, to indefinitely postpone, prevails.

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

Mr. CHASE: Mr. Speaker, I have spoken here on numerous occasions in favor of local responsibility. One of my reasons in advocating the abolishment of the State property tax on municipalities was to make it possible for localities to take care of their own services by making them able to do it.

The two communities which I represent under these figures both lose money under this formula subsidy. They do not have to pay the State property tax, and therefore I think that they are able, under this formula, to absorb the reduction in State subsidy. I feel that if we can get back by building up the ability of those municipalities to take care of their own educational services that we will help

education in this State by building up an enlightened public interest.

Now if democracy is going to work, sometimes a member of this House has got to vote when it is going to cost his community a little money. The question ought to be: Is this simplified formula the right way to do? and not: How does it affect our particular municipality? unless the loss is something serious and which they cannot make up. Now, there are many communities in this State which have to be supported in education through equalization and I am all in favor of that, but I do believe that through the application of this formula by which the Legislature can definitely know how much money it is appropriating for education so that every time a new teacher is hired in every town, it won't upset the whole State's budget, that we would be better off and in the long run State expenditures for education can be reduced. That is my hope through this formula.

Now, with respect to the school census, I am open-minded whether that should be embraced in the formula or whether it shouldn't. I don't recall that the Committee on Ways and Means is responsible for the present grouping of the educational money. As I remember it, the same grouping is followed as in the bill that came out either in the House or in the Appropriations Committee. Perhaps the school census should not be included in the formula. I had hoped that that might be an important feature of the debate this morning and I am open-minded on it.

I don't believe you can expect to do this thing just right in one Legislature. I don't think the occasion will ever arise in this State where you can wrap up an entire packet and say that I have eliminated from this every inequity. It is true that the value of the State valuation is wrong. It ought to be revised. I hope that this Legislature is going to take steps to correct it so that the next Legislature will have a more equitable basis for the distribution and equalization. There was a tremendous amount of work and I believe able work brought into the preparation of this formula bill, and there, as I

say, I am open-minded on the amendments which have been suggested here in regard to it. I certainly hope that this bill will pass in such form as the House may later see fit to put it through amendments, if any.

The **SPEAKER**: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. **DICKEY**: Mr. Speaker and Members of the House: I might add here that it was the unanimous report of the Committee on Education that this bill pass, that is including the gentleman from Friendship (Mr. Winchenpaw).

I might also add that when we had the appropriations bill before us, the Appropriations Committee saw fit to use this formula in reporting to us what should be appropriated for the Committee on Education. I think the trouble has been that the Department of Education has tried to keep up with the Legislature in submitting different figures and the first thing the members have done is to look to see: Does my town lose or does my town win?

I might add that under the new formula two of my seven towns will lose money but I am looking on this bill from the state level, not a town level, a community level. I am sure that the House will not go along with the motion to indefinitely postpone. If there is something we do not understand, let's find it out on the floor.

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

Mr. **FULLER**: Mr. Speaker, of course it is true that some of these towns lose and that could be because of the inequity of our present law. I am sure it is. But we have taken care of that partially through an amendment and if you would like to have these amendments explained, I would be glad to do that. There are five of them. One of them just changes a word and that is just not important. The second amendment, Senate Amendment "A," which is 403 filing, strikes out the fifth paragraph and adds section 3 at the end. House Amendment "A" to Senate Amendment "A" is filing 424 and restores paragraph 5 and adds for the small

towns two years in towns that have a valuation of \$200,000 or less. That takes care of some of the small towns that would lose under this plan.

And then the last one is one which I would like to read when you ask the question: Does it require more money? And, as I understand it, the Governor wanted this amendment to be introduced. I don't know that to be true but I understand that. "It is the intent of the Legislature that the formula contained in this section shall serve as a guide for the allocation of such appropriations that may be made by successive legislatures with respect to this school subsidy payment and it is not the intent of the Legislature to guarantee to the several cities and towns any more or any less than the sum total so appropriated."

The **SPEAKER**: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. **BRADEEN**: Mr. Speaker and Members of the House: Some few weeks ago, I found myself unable to concur with the sentiments of our Floor Leader, Mr. Chase, when he showed considerable interest in the outdoor advertising sign bill. This morning I am happy to go along with him.

Some years ago, I spent more or less time as a member of the school board in my town. As those of you who have served on local school committees well know, it requires quite a little ability to figure out just exactly how much money the town is going to get from the State from the existing subsidy payments that come through equalization, tuition, conveyance and teaching positions. If you think it isn't more or less of a problem, take into consideration the matter of teaching positions which involves not only the basic payments per position but also the varying amounts on a 3 mill variance basis which come to the towns through the so-called McKinnon unit subsidies.

I believe that that conglomeration of subsidy arrangement is certainly out of date. I believe that this bill which we have before us — and I am going to interject a thought here — in my five towns, I find two will lose money but I feel that they will

be able to more than make up for that loss through the state tax which they won't have to pay. It seems to me that we should avail ourselves, at this time, and not pass any buck to a following Legislature two years from now, the members of which probably won't know any more about the matter than we do, perhaps not quite as much. I think we should accept the judgment of presumably well-qualified individuals who have put a great deal of time and conscientious effort into the preparation of what we know and have had presented to us as Plan 8 and I certainly hope it will be adopted.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, there is one more point I would like to clear up here. If you members will just take that first page, there are 51 towns listed on that first page. You take the first column, the first column says: For 1951 L. D. 1272, which is the appropriations bill which has been passed by this House and present laws, money distributed under present laws; the second column says: Money for 1952, L. D. 1272 and L. D. 551, the method of distribution including school enrollment — those are the two vital rows, the other rows match up each other, the only difference is the school enrollments have been subtracted. Now out of those towns, there are 51 towns there, 30 of them gain and 21 of them lose and those 21 that lose can ill afford to lose that amount of money. Now, if we have appropriated so much money under L. D. 1272, where does it go when we distribute it under 551?

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I certainly hope that the motion to indefinitely postpone or to refer to a later Legislature does not prevail.

The towns that I represent, four of them make a slight gain and the three others lose a little money under this program. My own town, where I live, loses a little money. I am sure that the municipal officers and the people in that town would

rather know what they are going to get each year than to work under the old equalization plan where they were not sure, or could not estimate the amount you get.

When this matter came before our committee for a hearing, one man who was opposed to it termed it cock-eyed. The Commissioner of Education said that the plan that we were operating at the present time was cock-eyed, and I thoroughly agree with him. No town could tell what they were going to get, and I certainly hope that we settle this matter right here and pass the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts", S. P. 263, L. D. 551, be referred to the 96th Maine Legislature.

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

Mr. PERRY: Mr. Speaker and Members of the House: Just to add a few more words. In all the towns that are listed and those on which particular people have spoken that the towns they represent are losing on this new formula, I would like to point out that what they have listed the towns were getting is what they got under the old system, maybe once every two years or once every three years. And then, by juggling, lost it for a couple of years and so forth. Then if you take this guaranteed amount that they know ahead of time and they can budget sensibly, and that they are going to get right straight through, it would average out. I think that probably would answer my friend, the gentleman from Greenville, Mr. Rollins, to do with the town of Chelsea. We lost \$1600 but got \$5,000 for a couple of years and then you lose the whole thing, \$5,000 for a whole year; it would be better to plan on having the full amount of \$1600 less and know you are going to have it to keep operating on. And the statement by the gentleman from Greenville, Mr. Rollins, that it is a repercussion of the sales tax, personally I see no connection. This was formulated and was studied for nine months

before the Legislature even convened, and I would get from his inference that under the old system it wouldn't cost any money, there wouldn't be any appropriation, and therefore this is costing us extra money. We have an appropriation under either system. This is just a different manner of distributing it on a more fair and equitable basis based on the state valuation.

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

Mr. DUNHAM: Mr. Speaker, I have House Amendment "A" which I would like to offer.

The SPEAKER: The Chair will state that the amendment would not be in order at the present time. Would the gentleman defer the amendment at this time?

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

Mr. JACOBS: Mr. Speaker, I was acting under the impression that this carried an appropriation. We find that we have no extra money. As long as this does not require an extra appropriation, I withdraw my motion so far as leaving it to the next Legislature.

The SPEAKER: Does the Chair understand that the gentleman from Auburn, Mr. Jacobs, withdraws his motion?

Mr. JACOBS: I do, Mr. Speaker.

The SPEAKER: The question now before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the bill and report be indefinitely postponed. Is the House ready for the question?

Mr. DUNHAM of Ellsworth: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. DUNHAM: I was going to ask for a division, Mr. Speaker.

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

Mr. McGLAUFFLIN: Mr. Speaker, after hearing the discussion, I want to go along with Mr. Chase of Cape Elizabeth.

The SPEAKER: Is the House ready for the question?

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

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

The SPEAKER: The gentleman may ask his question.

Mr. BURGESS: Mr. Speaker, I want to confess my ignorance and ask this question: Whether or not I am voting for a plan which simply changes the formula or whether or not if I vote for this I am voting for \$1,600,000 additional fund and the rearrangement of the reapportionment.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, requests information through the Chair and any member of the House may answer if he chooses.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Fuller, solely for the purpose of answering the question.

Mr. FULLER: Mr. Speaker and Members of the House: I am sure that I am right when I say that this formula has no bearing on an appropriation other than just the distribution of the money that has been appropriated.

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

Mr. FINNEGAN: Mr. Speaker and Ladies and Gentlemen of the House: This Plan 8 definitely does carry a \$1,600,000 increased appropriation. You have passed that appropriation in a way without having the bill before you. It is another one of my pet peeves that I have been talking about for about six weeks.

The 1950 Aid program—this is the official document from the Department of Education—the original appropriation for 1950 called for \$4,724,000. This calls for \$6,378,000 to implement it. Now when this plan was presented the State property tax was still in effect. The amount of that State property tax is just about equal to the subsidy here, very little difference. Now that has been removed. The money for this appropriation must come from the sales tax which means that the load has been transferred to some people we have been discussing here, who are going to be in the very low-income tax bracket; we are not going over all that again because that is all the people

there are in the State from which it can be collected.

I have profound respect for the educational abilities of the people on the Board of Education. I don't detect many people on there who have had too much experience in finance. I am sure that this would be a desirable thing from the standpoint of somebody who wants the utmost in State Aid without contributing to it, but the fact remains that when this property tax was frozen in 1933, at 7¼ mills, from which it has never been changed, the total subsidies for these very same purposes were \$1,600,000. Now in the last two years, with the transfusion of the Special Session of \$1,000,000 to the Educational Department, and \$1,600,000 here, you are increasing these subsidies in the past two years \$2,627,000 or \$1,000,000 beyond the total subsidy in 1933. These are just absolute matters of record.

I had hoped and I had almost requested that this bill be brought in here so that we would have a chance to go over it. It is too bad to adopt this thing hastily or without serious consideration. I would suggest that the matter be tabled until tomorrow and perhaps we can get together with some of the members of the Educational Committee and see if we cannot arrange some ceiling on this that would make it at least intelligent and accomplish for which it was intended. I am sure it does not accomplish the purpose. I am just as much of a zealot that the poor communities be aided when necessary but —

The **SPEAKER**: Does the Chair understand that the gentleman moves to table the matter.

Mr. **FINNEGAN**: Yes, I move that we table the matter, Mr. Speaker.

The **SPEAKER**: The gentleman from Bangor, Mr. Finnegan, moves that Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" lie on the table and be specially assigned for tomorrow morning, pending the motion of the gentleman from Friendship, Mr. Win-

chenpaw, that it be indefinitely postponed.

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

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

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

Mrs. **MOFFATT**: Mr. Speaker, in order that my position may be clear and I probably will vote with the minority, I find that I am in the same position as the gentleman from Friendship, Mr. Winchenpaw.

I have been asked by many of the people, many of the educators in my section who have worked under the program from way back, who studied with Doctor Packard, a former Commissioner of Education who made a very lengthy study of the whole thing, that that is all being torn down, that if we could go back to the program that Doctor Packard had rather than the substitute of the McKinnon, you would reach the fairest and the squarest thing for all concerned, especially in the small towns. That was Doctor Packard's chief concern; we have gradually got away from it. The feeling is that this bill has been sugar coated and fixed up in order to get through here with a definite promise that once it is through, it is going to be changed, and I do not think that is a fair, square way to put anything through. Therefore at this time I am registering the objection of the educators down in my section who have studied under both and worked under both plans and prefer Doctor Packard's method. Thank you.

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

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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: Sometimes, when I haven't had to serve as Prime Minister of England, I have had a chance to attend a few meetings in that unmentionable city on the Penobscot River bounded by Veazie and Hampden, Orono, otherwise known in our dictionary as "So what". I am very much amused at my colleague's statement to you that he was rushed off his feet in consideration of the bill. I happened

to attend what I thought was a representative meeting of various social clubs, civic clubs, in the city of Bangor one night, and Mr. Ladd came and explained the entire program, Plan 8. The gentleman from Bangor, Mr. Finnegan, was there. I don't think he, for one, is being rushed off his feet; I am sure he has probably had time—perhaps he is speaking for the rest of us who haven't had so much time.

I would like to state one point: As you may have noticed on this first page which the gentleman from Friendship, Mr. Winchenpaw, has referred to, the city on the Penobscot loses about \$16,000. I have received letters from both my City Manager and Superintendent of Schools, pointing this out, and yet I want to assure you that the officials in our town are fair-minded enough to realize, as I think Mr. Winchenpaw should realize, that we are going to get back far more from the return of property tax than we are going to lose under this bill, and the officials of my town believe that we should do what is fair and right and they are for it even if it means some money out of our pockets. Thank you.

THE SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" be indefinitely postponed, and the gentleman from Ellsworth, Mr. Dunham, has requested a division.

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

A division of the House was had.

Twenty-two having voted in the affirmative and ninety having voted in the negative, the motion did not prevail.

THE SPEAKER: The Clerk will read Committee Amendment "A".

COMMITTEE AMENDMENT "A" to S. P. 263, L. D. 551, Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts."

Amend said Bill by striking out the underlined word "**and**" after the underlined figures "1950," in the 19th line thereof.

Further amend said Bill by adding before the period at the end of the 2nd paragraph of that part designated "Sec. 201." the underlined words '**and financial reports for that school year**'

Committee Amendment "A" was adopted.

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

SENATE AMENDMENT "A" to S. P. 263, L. D. 551, Bill, "An Act Providing for General - Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts."

Amend said Bill by striking out the 5th paragraph of that part designated "Sec. 201." thereof.

Further amend said Bill by striking out the last line of the 6th paragraph of that part designated "Sec. 201." and inserting in place thereof the following underlined words and punctuation: '**for the purposes specified in this section.**'

Further amend said Bill by striking out Section 2 thereof and inserting in place thereof the following section:

'Sec. 2. R. S., c. 37, §§202, 203, 204, repealed. Sections 202, 203 and 204 of chapter 37 of the revised statutes, as amended, are hereby repealed.

Further amend said Bill by adding at the end thereof the following new section:

'Sec. 3. Effective date. The provisions of this act shall become effective for the allocations to be made in the year 1952. It is the intent of the legislature that the 1951 allocations be made under the provisions of law as they existed prior to the effective date of this act.'

The gentleman from Ellsworth, Mr. Dunham, offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to **SENATE AMENDMENT "A"** to S. P. 263, L. D. 551, Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plan-

tations and Community School Districts."

Amend said Amendment by striking out the 1st paragraph thereof.

Further amend said Amendment by adding at the end thereof the following:

"Further amend said Bill by adding in the 5th paragraph of that part designated "Sec. 201", after the underlined words "school district", the underlined words and figures 'with a valuation of \$200,000 or less'"

Thereupon, House Amendment "A" to Senate Amendment "A" was adopted.

Senate Amendment "A" as amended by House Amendment "A" thereto was then adopted.

The SPEAKER: Are there any other amendments?

The gentleman from Brooks, Mr. Dickey, offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to S. P. 263, L. D. 551, Bill "An Act Providing for General - Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts."

Amend said bill by striking out from the 2nd line of the 5th paragraph of that part designated "Sec. 201" the figure "4" and inserting in place thereof the figure "2".

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

Mr. CHASE: I wish only to say, Mr. Speaker, that with respect to consideration of any of these amendments, I hope they will be adequately explained to the House so that we will all know what we are doing and what the effect of the amendment is intended to be.

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

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

Mr. DICKEY: Mr. Speaker, I will offer an explanation of my amendment. You know that the Senate Amendment, under Filing 403, strikes out the fifth paragraph in the bill.

House Amendment "A" to Senate Amendment "A", under Filing 424, filed by Mr. Dunham, puts this

paragraph back in, but it also states that in towns with a valuation less than \$200,000 that they would pay nothing for four years. My amendment is the amendment to help Amendment "A" which would guarantee that the towns under \$200,000 would not have less than they are receiving now for a period of two years; it is simply to cut it down from four to two years.

The SPEAKER: The question before the House is on the adoption of House Amendment "B" to Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts", presented by the gentleman from Brooks, Mr. Dickey.

Is it the pleasure of the House to adopt House Amendment "B"?

The motion prevailed, and House Amendment "B" was adopted.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: With respect to Senate Amendment "A", Section 2 in particular, I rise for the point of making an inquiry, and that is, whether that section—if anyone here on the committee can enlighten me—eliminates the so-called school census or includes in 551 the school census and eliminates it as otherwise is provided for.

The SPEAKER: The gentleman from Lewiston, Mr. Delahanty, asks a question through the Chair of any member and any member may answer if they choose.

The Chair recognizes the gentleman from South Portland, Mr. Fuller, for the purpose of answering the gentleman's question.

Mr. FULLER: Mr. Speaker and Members of the House: Section 201 is repealed and therefore eliminates school census or school enrollment.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: I had not intended to say anything on this at this time. I do feel, however, with relation to Senate Amendment "A", that I would now move that we reconsider the adoption of Senate Amendment "A"

and I would offer as my explanation of that motion to reconsider the suggestion that has been made at all times by the State Board of Education that the school census remain as it is at the present time and that when Formula 8 was set up, it was set up having fully in mind the fact that the school census would remain as it is at the present time.

I would move, therefore, that we reconsider the adoption of Senate Amendment "A".

The SPEAKER: The gentleman from Lewiston, Mr. Delahanty, moves that the House reconsider its action whereby it adopted Senate Amendment "A" as amended by House Amendment "A".

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

Mr. FULLER: Is this amendment debatable, Mr. Speaker?

The SPEAKER: The Chair will state that the amendment is debatable.

Mr. FULLER: Mr. Speaker, I would oppose the motion of the gentleman from Lewiston, Mr. Delahanty. This was put in there for a definite purpose with which most of us I believe are familiar. We feel that with all of this money being returned to Portland, Lewiston, Augusta, Biddeford and Bangor, that it becomes much more of a truly equalization bill and this makes it much more of an equalization bill with the census out than it does in. All you have got to do is to turn to this State of Maine Bureau of Taxation and find what each town gets back in State taxes and you will find that they get much more back in State taxes than they would lose in school census.

I can see very plainly, and of course I would feel the same as Mr. Delahanty does, if I came from the city of Lewiston. Probably more than fifty per cent of the children in the city of Lewiston attend parochial schools, and yet under this school census bill the city of Lewiston would receive \$3.00 a head for every youngster enrolled in school, regardless of the fact whether they are in a public school or in a parochial school, and we feel that it is a much fairer propo-

sition with out, and then it goes back to the smaller or average sized towns where we feel it belongs.

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

Mr. CHASE: Mr. Speaker, without adopting a position one way or the other with respect to the school census, since the gentleman from Lewiston (Mr. Delahanty) suggests that this is involved in Senate Amendment "A", I presume, in order to raise his issue before the House, he probably wants to have time to prepare and offer an amendment to Senate Amendment "A", and I think he ought to have time in which to do it. I therefore suggest that his motion to reconsider be deferred over the recess.

The SPEAKER: Does the gentleman move that the House recess.

Mr. CHASE: Before moving to recess, Mr. Speaker, I have got a unanimous consent request to expedite procedure, which I should like to present.

Should I move to table the motion to reconsider until later today?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, requests unanimous consent to take up a matter of procedure. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. CHASE: Mr. Speaker, 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 were passed to be engrossed or that require Senate concurrence, and after that time no motion to reconsider any such matters shall be entertained.

The SPEAKER: Is there any objection? The Chair hears none and it is so ordered.

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

Mr. CHASE: I now move, Mr. Speaker, that the House recess until 2:30 Standard Time, in order that some committees may do some essential work in the meantime.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, now moves that the House recess until 2:30 Eastern Standard Time. Is this the pleasure of the House?

The motion prevailed and the House so recessed.

After Recess—2:30 P. M. (E.S.T.)

The House was called to order by the Speaker.

Mr. TOTMAN of Bangor: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. TOTMAN: I ask, Mr. Speaker, that the male members of the House may remove their coats during the afternoon session.

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent that the male members be permitted to remove their coats for the remainder of today's session. Is there any objection?

The Chair hears none.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Delahanty, that the House reconsider its action taken earlier in today's session whereby it adopted Senate Amendment "A" as amended by House Amendment "A" thereto to Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts".

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

Mr. DELAHANTY: Mr. Speaker and Members of the House, my motion to reconsider Senate Amendment "A" is based upon some confusion that may have existed here this morning concerning Section 202. Section 202, as you know, eliminates what is often referred to as "school census."

In past years there has been allocated to the cities and towns \$3.00 per capita for each student enrolled in the schools. The present bill, 551, with Senate Amendment "A", contemplates including in 1272 and in the distribution of school subsidies the \$500,000 heretofore used for school census by way of 551. That

is, it will be distributed under Plan 8.

I feel that the members of this House have shown some deep concern in Section 202 being included in Legislative Document 551. In view of this concern, and the fact that it will be eliminated if 551 with Senate Amendment "A" is adopted, I would like to have the House reconsider the adoption of Senate Amendment "A" so that it may be left open for a full and complete discussion.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Delahanty, that the House reconsider its action taken earlier in today's session whereby it adopted Senate Amendment "A" as amended by House Amendment "A" thereto on Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" S. P. 263, L. D. 551.

Mr. DELAHANTY: Mr. Speaker, when the vote is taken I ask that it be by division.

The SPEAKER: The same gentleman requests a division. All those in favor of the motion to reconsider will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Thirty-four having voted in the affirmative and forty-nine having voted in the negative, the motion did not prevail.

Thereupon, the Bill was given its third reading and passed to be engrossed as amended in non-concurrence and was sent up for concurrence.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Provide Partial Cutting Adjacent to Road-sides" (H. P. 1642) (L. D. 1206) reporting that they are unable to agree.

(Signed)

Messrs. BEARCE of Caribou
BROWN of Wayne
HANCOCK of Casco

—Committee on part
of the House.

ELA of Somerset
SAVAGE of Somerset
GREELEY of Waldo

—Committee on part
of the Senate.

Was read and accepted and sent
up for concurrence.

Passed to Be Enacted
Bond Authorization Measure

An Act to Authorize the Issuance of Bonds in the Amount of Twenty-Seven Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways (S. P. 564) (L. D. 1357)

The SPEAKER: This bill, having had its three several readings in the House—

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

Mr. WOODWORTH: Mr. Speaker, I move that this bill be indefinitely postponed. This is a bill to authorize the issuance of highway bonds up to the amount of \$27,000,000. The purpose of the bond issue is to finance an accelerated highway program over a period of seven years, beginning in 1953. The figures showing the need of this bond issue are published in a booklet issued by the Maine State Highway Commission, and my objection, briefly, is that these figures, taken in conjunction with the established income of the State, do not establish the fact that a bond issue is necessary.

The figures given in this report show that the anticipated income of the State Highway Department for the year 1951 and 1952 is \$18,548,850. I consider that the estimates of this and future years is absurdly low for during the present year, up to April 30th, there have been collected in gasoline taxes and in car registrations more than \$17,000,000. These ten months, in each case, showed an increase over the corresponding months one year ago. If we take the income for the months of May and June in 1950 and add them to the income for the first ten months of this year, we will find that the income for the current year will be more than \$20,000,000. In other words, we have an income this year of \$20,000,000 and the State Highway Commission

estimates that the income for next year will be only eighteen and one-half millions.

The facts are that every year since the war there has been a steady increase in the amount of the revenue received by the State Highway Department from gas taxes and from registrations of approximately, that is to say, not less than 5 per cent. Every year the increase has been greater than 5 per cent, and as you will perceive, an increase of 5 per cent will mean an increase of \$500,000 each year.

If we are getting more than \$2,000,000 now, it is reasonable to suppose that we will get two million and a half next year over and above the estimate of the State Highway Commission, and I will remark at this point that according to these estimates the income of the Department from registrations and gasoline taxes does not reach the figure \$20,000,000 until 1961. That is their estimate, but the fact is that right now we are getting more than \$20,000,000 a year and the point that I am bringing up is that if you will take that \$2,000,000 that we are going to show as a surplus this year and freeze it, dedicate it, to this highway program, this accelerated highway program, take that two million and a half that we should realize next year over and above these figures and keep building that up, it would only take seven years to build up the entire \$27,000,000 that they want to get floating this bond issue. This book says that they plan to start that program in 1953, \$2,000,000 this year, \$2,500,000 in 1952, another \$3,000,000 in 1953; there are \$7,500,000 right there. You could start this program without any bond issue right now if you will freeze this money and dedicate it to this program.

I am willing to go along with the program. I do not consider that we need a bond issue to commence it.

You are all familiar with the fact that our liabilities in outstanding bonds are now at the lowest point they have been in years. The figure is \$6,973,500. All of the highway bonds will be paid off by 1958 or early in 1959. There will be a block of bridge bonds on which I understand the State is secondarily

liable which will remain outstanding until 1979, but I do not think those need to be figured at this time. Since those bonds are being rapidly paid off there will be less interest to pay and the balance of the fund which is now being used to pay principle and interest on these bonds will fall into the General Highway fund and be available for maintenance and any other purposes. But the point I really wish to make is that if you will freeze this surplus that crops up year after year, every year, and which may be spent by the Highway Commission on the advice and consent of the Governor and Council, to spend as they see fit, we freeze it and dedicate it to the purposes of this booklet, an accelerated highway program, we can finance this program without a bond issue.

I think the House realizes that in the not too remote future we will be required to float bonds for the enlargement of the State House and perhaps for other construction purposes. If we pass this bill, it means the abandonment of the pay-as-you-go program which we have successfully followed for a number of years.

You will recall that in 1947, one reason advanced for the increase of the gas tax was that it would take care of these carrying charges on the bond issue and give the income to the State Departments for building and maintaining highways. That has been continued and it has served its purpose well, but as a result of that accelerated increased gas tax, and as a result of increased registrations, and as a result of the low limitation on maintenance and other charges of the State Highway Commission, we now find ourselves operating in the Highway Department at what could be called a surplus. That surplus should not be left to the Highway Commission to spend as they saw fit; they should be required to use that for the purposes of this accelerated highway program. If you do that, you need not have a bond issue, you need not abandon your pay-as-you-go policy, you need not tie up the future with bonds, and I hope that this measure, which only provides for a bond issue, may be defeated.

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that An Act to Authorize the Issuance of Bonds in the Amount of Twenty-Seven Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways be indefinitely postponed.

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

Mr. ROBBINS: Mr. Speaker and Members of the House: I think it is significant that everybody in the Legislature, so far as I know, who gives any detailed study to this problem comes up with the same answer. I would like to remind the House that two years ago the ablest, as well as the longest, speech that was made against this bond issue was made by the then Representative from Nobleboro, Mr. Palmer. After that Mr. Palmer served on the Legislative Research Committee, as Chairman of their sub-committee on Highways, and this year he has introduced this bill, and he came before our committee, and again in the Senate, and made an extremely able presentation in favor of the bill.

It is unfortunate that there are no members of the Research Committee left in the House except the Speaker, but those who have moved on to the Senate, as far as I know, are unanimous in their support.

Those of us who have studied this problem come up against a blank wall when we realize that on the one hand the Legislature has relieved the towns of one type of expenditure after another, as I explained the other day, and I won't take your time to go into it again. It is impractical, if it were desirable, to put those burdens back on the towns. The only other solution, if we want to avoid losing our whole highway system, is to issue bonds.

Now the gentleman from Fairfield (Mr. Woodworth) made the statement that we have successfully followed a pay-as-you-go plan. I don't know how he would define the word "successful" but as I told you two weeks ago, the figures show that in three years we have 94 miles or more of intolerable highways than we had

three years ago. Now I don't call that successful.

He has given you some figures on income. It is true that the Highway Commission and your Highway Committee always attempt to estimate revenue conservatively. I think we would be wrong if we exaggerated the estimate, and it is true that the revenue has been lately higher than the estimate, but even so, Gentlemen and Ladies, reversing the usual procedure, even so, Gentlemen and Ladies, we are losing ground every day.

Now we have presented to you as best we can a program that will help the towns get out of the mud, a program that will improve the State-Aid system, and a program in this bill that will improve the Federal - Aid and State Highway systems. The increase and income that he speaks of, at best would match Federal money. We are already more than one year behind in matching Federal money, and as I said before, if we don't adopt this bill I, for one, would be willing to prophesy that in ten to twenty years from now our Highway system would be in such condition that no amount of the bond issue would rescue it, and I earnestly hope that the gentleman's motion to indefinitely postpone will not prevail.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: If a man has got a good product to sell, he has got to make it available to the people whom it wants to purchase it. There are certain sections of our grand and glorious State that are in kind of a bad way economically, but I don't think there is a man or woman in this House who can deny the fact that there is one product in this glorious State of ours in which there is no competition whatever. A vacation in Maine simply has no parallel. It is different from a vacation in New York. It is different from a vacation in Florida. A vacation in Maine stands out by itself. Those of us who have lived a few years outside of the State perhaps recognize that

fact more than those of you who have not had to do that.

Now we have got that product and we have got to make it available. Economically it seems to me this is one of the most important measures before this House.

If a man has a farm and he is doing well, and there is a piece of ground next door that he figures that he could do well on too, if he hasn't got the money, he goes to the bank and hires the money. Now that is just what we propose to do. It is just as simple as that. And when you stop to think that the cost of temporarily patching our roads costs a whale of a lot more than the interest on these bonds, it doesn't seem to me that there can be very much question.

Now as far as this pay-as-you-go success goes—it doesn't go far with me—it is one of those beautiful theories that sometimes runs up against the fact and is blown all to—well, smithereens. My mind is tired of pay-as-you-go, all three hundred pounds of my body is tired of pay-as-you-go, my crupper bone is tired of it. Let's get the bonds. Thank you. (Laughter)

The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker and Ladies and Gentlemen of this House: I came here in the session preceding this definitely opposed to a bond issue. During the time I was here in the previous session, as I commenced to know and understand the problems of our Highway Commission and the problems of the roads of our State, I came to the point of where, in any reasonable, sensible economy, to my mind there was only one answer and that was the issuance of a bond issue.

As regards to the bond issue, this bill does not state that there shall be \$27,000,000 worth of bonds issued at one time. The Highway Commission can issue them as they need the money, and I don't believe they will issue them prior to need of that money. They do need money to match Federal funds. They do need money to go along with the program which can be economical in the end, and I see no way out except to accept the bond issue.

We have talked of a highway program, talked of it for years and

years and years. This is the first time there has been one presented and we have a highway program presented to us now, and I hope that we can see fit to use it now. It is not only a proposition of revenue actually to the State, but it is revenue to anyone who owns a vehicle and operates it on the roads today. Our vehicles in Maine do not wear out; they shake out. If you take a car out of this State and try to swap it, you will readily find out, as soon as they find out it comes from Maine, that your allowance will be cut in proportion to what it would be had it come from other states. That alone means that the people who pay this are the people who use it, and they are going to save in the vehicles which they operate on the road, and I can see nothing but economy in the end in this measure, and I hope that the gentleman's motion does not prevail.

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

Mr. SPEAR: Mr. Speaker and Members of the House: I wish to arise and defend my position as a member of the Committee on Highways. Some of the committee members have been serving two terms on the same committee and we considered the bond issue of two years ago, and I can assure you that your committee considered this bond issue at the present time seriously, but there are certain pertinent things that occur to me which I wish to call to your attention also.

We speak of these astronomical figures which occur in the Highway Department of \$20,000,000. This money is not set up in an appropriation bill such as you members here understand an appropriation bill, but the income of the Highway Department is not a fixed figure, it is flexible, but they have only a certain income and so your committee approved, after perusal, what we term an allocation bill where we allocate certain moneys into certain departments and for certain purposes.

Now all of this \$20,000,000 does not go into highway construction. We can well imagine that. We have here our L. D. 57, which was the first one put in early in the

session which is just a tentative allocation bill, and we have for general administration practically \$1,000,000. Now that sounds like a large figure but it covers the Highway administration itself, the Planning Division and the other divisions, Topographic Mapping, the Motor Vehicle Division takes \$329,000; I think that has been increased to \$360,000 this year for the operation of the Motor Vehicle Division and the Motor Vehicle Division maintenance. So that itself takes practically a million dollars there.

Also your Highway Department is responsible for the operation of your State Police, the Maine State Police. The allocation of moneys to that department has increased by more or less leaps and bounds; the State Police have been called on for more services and more duty, and they are probably extending out and doing a lot of other things that do not pertain to highway safety with which they were originally charged and maybe your committee is more or less unhappy about furnishing the money for the services there, and that is near the million dollar mark each year of the biennium at the present time.

In the last six years I know, from certain arguments that I have had, that the subsidies to the towns two years ago we increased the State-aid units from 1 1-2 to 2 units. We refunded the maintenance money to them. I think four years ago we changed the designation of third-class highways; six years ago it was bush-cutting—altogether in the last six years we had an added subsidy going back to the cities and towns of \$2,000,000 a year.

In the same Legislative Document, Number 57, if you will care to look at it, you will find that snow removal is costing the State two and a quarter million dollars each year of the biennium, and your Highway Department is getting a little bit concerned because the money that they need for maintenance of roads and the money that they need for the matching of Federal funds which you have heard about in here is getting to be less and less. To be sure, we have an added income coming in each year. Probably the Highway Department

itself has planned conservatively, but they only have this money coming in; that is all they have, and they have to use it economically and well.

Now, when it comes down to the maintenance of State and State-aid roads, money which was not specifically earmarked does not amount up to such a great sum as others would have you believe. If we are going to fix our roads up, we might as well do a decent job and fix them well. We have roads now where the cost of maintenance would really scare you. If those could be rebuilt, the cost of maintenance would be diminished by enough to actually take care of the interest on the bonds, and as I have said before, you are really going to have this bond money for free. Your committee has cut down the time limit on the life of these bonds to fifteen years and also have said that the State shall not borrow any money on bonds that would exceed a rate of 2 per cent of interest.

The committee has heard from the Highway Department, has heard from others who are interested in this at a public hearing, and your committee is unanimous in the thought that this is something that is good for the State, that is good for the highways and that is good for our business.

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

Mr. GAY: Mr. Speaker and Members of the House: As a heavy taxpayer in this State I think I see this probably from a different light than has been expounded here this afternoon. I have to deal with the influx of people coming from other states throughout the United States. I get their cross opinions, which are worth a great deal. As a taxpayer and a user of our roads I am dependent upon the influx of this summer trade as is every other individual here in this House.

We have to admit that a large percentage of the non-resident persons who tour the State of Maine is paying a large proportional part of the cost of this bond issue. It seems only fair and just to me, for the benefit of all of the citizens of this State that we should give consid-

eration to ourselves and to those people who are coming in from out of the State to have the benefits of the finest type of black ribbons that we can possibly have them travel over. They are going to reach down into those little sows' ears where they pull out the pennies and pay their taxes. They are going to reach down into their billfolds where they haul out the bills and pay their proportional part.

Ladies and Gentlemen of this House, it is my wholehearted hope that the motion of the gentleman from Fairfield does not prevail.

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

Mr. BOOTHBY: Mr. Speaker and Members of the House: I am very much in favor of this bond issue. I still like to pay as I go but with this short-time bond for fifteen years I think we will have a lot more roads at the end of fifteen years if we have a bond issue so we can meet matching money and cut down the maintenance on a lot of these roads. In other words, we can build our Maine highways a lot faster. We might just as well have the roads to ride over as to ride over all of the bumps and everything else and at the end of the time we haven't got the roads and we haven't got any more money than we would have had if we had this bond issue and pay it off with short-time bonds. This is a good deal like a man who hasn't got any money to buy fertilizer and seed so he doesn't plant his corn until about the middle of July or the first of August. He doesn't get very much corn, but he still wants to pay as he goes and he doesn't get around to it, and we haven't got around to these roads either and I don't think we ever will unless we have a bond issue or something which is flexible that we can meet the needs of matching money and cut down on the main payments of a lot of these poor pieces of road on the main lines. I am very much in favor of the bill. I thank you.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I am not

going to ask you on this warm afternoon to sit and listen to me too long. I want to read into the record a report of the Legislative Research Committee, men who sat down and studied this program over a long period of time and this is what they have to say about it: "No statement could be truer than the one that Maine's highway program is out of balance and balancing scales designed and constructed by prior Legislatures so measure and divide our highway income as to leave the main artery program a neglected step-child in the present highway program of Maine," which means just this: That we have got to find some other way of getting money for our roads and I want to go along with the gentleman from Houlton (Mr. Robbins) and vote for this bond issue.

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

Mr. BUBAR: Primarily, Mr. Speaker, I rise in the interest of Aroostook County. We have gone the limit there. We must either have better roads, more roads or stop developing or attempting to develop. Our potato industry, and our lumber industry, have reached the limit unless we have more and better roads.

A man in Fort Kent told me over a year ago that he paid \$18,000 for his trailer truck and he said it takes more out of my truck going from Fort Kent to Macwahoc than it does to Macwahoc to Boston. We can't afford to run trucks up in Aroostook County unless we have roads. You fellows down here want our produce, you want our lumber, you want our potatoes. How are we going to get them down here, on a pack horse? Well, it is getting so we can't run a truck. Go through Aroostook County if you will and look behind the barns, look behind the potato houses, and what do you find? Truck after truck piled up. They can only run them about a year and they are done because they haven't any roads. I went up in there two years ago. I went up by train and coming down from Mars Hill, from Presque Isle to Mars Hill, I had to be hauled out twice by a truck and they had

trucks all along the road and bulldozers to pull the vehicles out. Of course, they have patched that up a little since that.

I was called to Fort Fairfield a year ago about now, and I looked around for that fellow over there grinning at me, Dorsey, and I couldn't find him and it was lucky I couldn't or he would have been in the hospital because that was where I was called. And from Mars Hill to Fort Fairfield half the time I couldn't tell whether I was on the highway or out in a potato field. (Laughter) That is the condition of the roads and I had to be pulled out on the way back. You fellows down here, oh, yes, you have them all varnished and polished. You don't want us to have anything in Aroostook County. We must have roads.

Now, I am more concerned a great deal about the people who live in the State of Maine than I am about the people who come in here just for a few months and a lot of them bum off of the farmers and get their potatoes and things for nothing. They call them tourists. I am more concerned about the year-round fellows who have to dig their living out of the soil and we have gone our limit in Aroostook County. Talk about paying as you go; I know you have to pay as you go; you have to pay some day or the sheriff will be after you. And he will be after the citizens of Aroostook County unless we get better roads because we can't do business on the roads that we have today and, for that reason, I speak only for Aroostook County, it is the top of the world and we are capable, if we have roads, of feeding the world, because a man can live and grow healthy and strong on just potatoes and a little buttermilk. (Laughter) Members, I have tried it and we can produce potatoes enough to feed this entire nation but we must have the roads to get the potatoes to the hungry fellows down here in Kennebec so I am speaking only for Aroostook County.

The SPEAKER: Is the House ready for the question?

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

Mr. DELAHANTY: Mr. Speakers and Members of the House: It may seem exceedingly strange that

I would stand here this afternoon and say that this is the kind of state financing that I approve of. I feel that it is about time that the State of Maine recognizes its obligation to the people of this State as far as our highway program is concerned. I can heartily endorse the sentiments of the gentleman from Portland, Mr. McGlauffin, what he has said is well-outlined and eminently fair and absolutely true. It strikes me that this is a method of planning for the continued expansion of our highway system and we will be able to give to those who use our highway system something that will mean something to them. I would, therefore, oppose the motion of the gentleman from Fairfield, Mr. Woodworth, and I heartily endorse this particular program.

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

Mr. BROWN: Mr. Speaker and Members of the House: Two years ago when this same question was before the House I opposed it. I am going to say this time that I am definitely in favor of the bond issue. We, in Washington County, and we have a Washington County in the State of Maine, many of you never go down there but there is such a place alongside of Aroostook County. We are definitely interested in better roads down there. We see a movement down there at the present time to by-pass Washington County. It is being by-passed for only one reason and that is the fact that we haven't got proper roads. If we do have proper roads, we would get plenty of the tourists down through that area. We are not getting them at the present time. We have got the same resources down there—yes, we have got far better recreational resources than they have in any other part of the State, but the people just don't come there because of the road conditions. This time I am going along with the bond issue because we do want that end of the State to survive along with the rest of it.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion—

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

Mr. BURGESS: Mr. Speaker, when the vote is taken, I will ask for the yeas and nays.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, has requested that when the vote is taken, it be taken by the yeas and nays. In order for the vote to be taken by the yeas and nays it requires the consent of one-fifth of the members present.

As many as are in favor of having the vote taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

Twenty-four members arose.

The SPEAKER: The monitors will please return the number of members present in their section.

One hundred and twenty-five being present, and one-fifth not having consented, the yeas and nays were not in order.

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

Mr. LACKEE: Mr. Speaker, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House indefinitely postpone An Act to Authorize the Issuance of Bonds in the Amount of Twenty-Seven Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways, S. P. 564, L. D. 1357, and the gentleman from Addison, Mr. Lackee, has requested a division.

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

A division of the House was had.

Seven having voted in the affirmative and one hundred and ten having voted in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: 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 it as being truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This Bill providing for the issuance of bonds, according to the Constitution, requires a two-thirds vote of the House. All those in favor of its being passed to be enacted will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred sixteen having voted in the affirmative and eight in the negative, the Bill was accordingly passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Clarifying the Election Laws (S. P. 101) (L. D. 156)

An Act to Clarify Provisions of the Liquor Law (S. P. 118) (L. D. 209)

An Act relating to Conditional Sales Agreements (S. P. 240) (L. D. 510)

An Act relating to the Establishment and Use of Common Trust Funds (S. P. 317) (L. D. 756)

An Act relating to Use of Joint Fund for State Aid Road Construction (S. P. 320) (L. D. 726)

An Act relating to Change of Purposes of Corporations Without Capital Stock (S. P. 344) (L. D. 811)

An Act relating to Construction of State Aid Highways (S. P. 354) (L. D. 869)

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

Passed Over Temporarily

An Act relating to Open Season for Hunting Deer with Bow and Arrow (S. P. 561) (L. D. 1348)

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

Mr. PARKER: Mr. Speaker, I wish to make a motion on Item 9.

The SPEAKER: The gentleman from Sebec, Mr. Parker, moves that Item 9 be passed over temporarily until the other items are disposed of.

An Act Prohibiting the Printing of Pauper Assistance in Town Reports (H. P. 206) (L. D. 128)

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

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

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

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

An Act relating to the Salary of the Register of Probate in Penobscot County (H. P. 940) (L. D. 545)

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

Tabled and Later Today Assigned

An Act relating to Examination of Certain School Bus Operators (H. P. 1243) (L. D. 795)

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

The Chair recognizes the gentleman from Sweden, Mr. Moulton.

Mr. MOULTON: Mr. Speaker, I would like to lie Item 16 on the table until later in today's session, at which time I would like to take the necessary action to introduce an amendment.

The SPEAKER: The gentleman from Sweden, Mr. Moulton, moves that Item 16, An Act relating to Examination of Certain School Bus Operators, lie on the table until later in today's session. Is this the pleasure of the House?

The motion prevailed.

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

An Act relating to Weight of Commercial Vehicles (H. P. 1646) (L. D. 1209)

Finally Passed

Resolve Designating New Bridge in Augusta as Augusta Memorial Bridge (H. P. 1801)

Resolve in favor of Howard P. Fairfield of Skowhegan (S. P. 144) (L. D. 1370)

Resolve in favor of Eathel F. Rowe, of Aurora (S. P. 471) (L. D. 1369)

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.

Placed on Special Calendar

Resolve in favor of the Town of New Sharon for School Building (H. P. 109) (L. D. 83)

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

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

Resolve Authorizing a Reclassification of Highways (H. P. 1780) (L. D. 1318)

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

The CLERK: An Act relating to Open Season for Hunting Deer with Bow and Arrow, S. P. 561, L. D. 1348.

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

Mr. PARKER: Mr. Speaker and Members of the House: It is with a great deal of reluctance that I arise to oppose this bill. Some of my personal friends are greatly in favor of it but we all have legislation in which we are interested and sometimes the bills which we support pass and sometimes they are indefinitely postponed. I have always tried to accept the voice of the majority and do it graciously but when a principle is as clearly defined as the one involved in this bill, it presents itself. I cannot sit still without taking this last opportunity to give the members of this House a chance to clearly state by their vote what they think is right in this matter.

I believe this bill is unnecessary, uncalled for and unneeded. That it will permit bow and arrow enthusiasts to go into two of our

smaller counties here in the State and shoot and wound tame deer that are around our fields and roadsides fifteen days before our licensed gun hunters have an opportunity to hunt. One of the reasons why I oppose this bill is this: Under Maine's present hunting law any person using a bow and arrow as a weapon can shoot during the regular hunting season under the same advantages or disadvantages that gun hunters must operate under and I maintain any special privilege that allows any group to lengthen the open season for hunting deer, which this bill proposes to do, is certainly class legislation and I don't believe any member in this House can honestly and truthfully deny that charge.

Under the amendment offered on this bill, the bow and arrow hunters are allowed to kill and wound deer in only two of our counties: namely, Franklin and Somerset. I believe this amendment was offered with the idea in mind that they are opening up only two counties to this special group that it would remove some of the objections many of us have. But the result, to my mind, is exactly the opposite. This is what must happen when several hunters with bows and arrows are given the special privilege to hunt in a restricted area. One, every livestock breeder must move his young animals from all back pastures in order to protect them. This would be especially true with a large number of hunters in a small area. Personally, I would have had less objection to this bow and arrow hunting bill if it had been state wide, because under those conditions you would have had only the hunters from that area hunting in that area. Under the proposed bill, you have all of the bow and arrow hunters in the State of Maine and outside of the State of Maine hunting in the restricted area of two counties.

Two, while I grant, as has been pointed out by the proponents of this bill, that the members of this special privilege group are some of our finest citizens, and I grant that, even they will become a noticeable nuisance if confined to just two counties where they will scare and damage our livestock, on our farms

and roadsides, and kill, wound and scare our tame deer that have been living in pastures and eating grass in our fields all summer.

Three, the fact that there will be a few hundred dollars paid into our Fish and Game Department for licenses from this special privilege group, it will be more than offset by the loss in revenue from out-of-state hunters who pay \$20.25 for each and every big-game license that they purchase and they expect an equal chance to obtain big game without being handicapped by some law that allows any special privilege group to hunt for fifteen days before as well as during the full open season of gun hunters.

Four, I want to say that this point I am about to mention was brought to my attention by a former president of one of our fish and game associations. He is now a member but just happens not to be present. That is, by opening the doors to these bow and arrow hunters what can we say to any other special privilege group—and don't think, ladies and gentlemen, that there won't be others asking for special privileges if we open the door and give any special privilege group a chance to get their foot in—what will we say to any other special privilege group when they demand 15 days of open season before the bow and arrow hunters have their 15 days of open season before the gun hunters have their regular season and it is the gun hunters, ladies and gentleman, who bring in the revenue that operates our State Fish and Game Department. And how do the people in these two counties, Somerset and Franklin, feel regarding this bill? Here is what H. Parkman White of Skowhegan, a large landowner, a businessman, who operates a modern poultry farm and hatchery says. He says, and I quote: "I believe this bill will cause a great deal of trouble for us in Somerset County". John Pillsbury of Farmington, who, in company with his sons, owns and operates the largest Guernsey breeding establishment in the State of Maine and I am not sure but what New England. They pasture their dry cows and young cattle on outlying farms. I am quoting Mr. Pillsbury. "We hope the members of

the 95th Legislature will not allow this bill to become a law. It will be enjoyed by a few at the expense of many because it would cause a hardship to farmers and landowners and be a terrible nuisance."

I have a letter here that was handed to me by my colleague, the gentleman from Skowhegan, Mr. Lessard, which was written by Mr. D. D. Knowles of the Skowhegan Sportsman's Club, dated May 11, 1951. "Dear Henry: In behalf of the Club I am writing to ask that you put all possible pressure against Senate Paper 561 regarding open season for hunting deer with bow and arrow in its present form. The draft of April 26, 1951 limits the open season to Franklin, Penobscot, Piscataquis and Somerset Counties. We understand that it is now being further reduced to just Franklin and Somerset Counties. Our club is in favor of some open season for archers but has voted unanimously to oppose any bill which does not provide such open season state wide. Your cooperation is appreciated. Sincerely, D. D. Knowles, President, Skowhegan Sportsman's Club."

Now, Mr. Speaker and Members of the House, this bill has been debated pro and con here in the House. I certainly did not stand up here this afternoon for any reason of mine wanting to debate this any further but I believe that this is an unnecessary, uncalled for and unneeded bill. I think it is something we do not want at this time and if, at the next session of the Legislature, they will bring in a bill that is state wide or something that we can reasonably get behind, I won't oppose it but I do believe that by confining this, as was intended in the first place, to four counties of which one is mine, we couldn't go along with it. I believe it is much worse to confine it to two counties and I certainly think the proper thing to do is to indefinitely postpone it and, Mr. Speaker, I so move.

THE SPEAKER: The gentleman from Sebec, Mr. Parker, moves that An Act relating to Open Season for Hunting Deer with Bow and Arrow, S. P. 561, L. D. 1348, be indefinitely postponed.

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

Mr. CARVILLE: Mr. Speaker and Members of the House: I am glad that some of our neighbors have taken such good care of our two counties, I as yet, have not heard a complaint or a call on the bow and arrow bill from my county, or from any other. I did have a gentleman from the southern part of the State.

I don't think there has been much added and I certainly can't add anything to what I said the other day. All of the objections that the gentleman previous to me had to the bow and arrow: shooting chickens and cattle, he still says he is going to come back two years from today and make it state wide. I just bring that point out. And there is no law today to prevent any one from using a bow and arrow. They can hunt with those today just the same as they could if this bill were not in, only they have the two weeks prior to the open season, which was explained to you the other day. I don't believe there is any need of any extensive arguments on this. I think that I carried this out very nicely the other day and I can't believe that this House will change its mind with no new arguments. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker and Members of the House: I am sure I can't give as clear a picture of this bill as the gentleman from Sebec, Mr. Parker, has done. There are one or two items I would like to bring forth. Regardless of whether or not you believe that this is class legislation, I wouldn't stress that too much, but you can't get away from the fact that we are by this bill giving privileges to one group that we are denying to a much larger group. Last year there were some over 160,000 hunting and fishing licenses granted in Maine. By using a little imagination, you can readily see how this large group are going to feel towards the small group that has been granted this privilege of going into the woods on October 1st and taking the cream of the crop.

On the matter of the State getting any added revenue from this bill, I checked with the department and I was advised that the department

feels that they would be fortunate if they break even on the matter. They have got to get their warden force started twenty-one days ahead, they have got to have their inspection stations open, special tags printed and, all in all, it is going to cost them as much as they would get in these added license fees.

Therefore, I am heartily in accord with the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: Much has been said on this bill about its being class legislation and special privilege. I just fail to follow the logic that there is special privilege in this bill, because anyone who is interested in archery and wants to get a bow and arrow and practice for a while and has the price of a license and gets one can hunt with a bow and arrow under the terms of this bill, and I fail to see how that can be called special privilege.

It has been said that the bow and arrow hunters can go in the month of November, the open season, and hunt with a bow and arrow if they so desire. That is true, but, as has been brought out in previous arguments, these men go into the woods camouflaged and certainly unless they are entirely foolish they are not going into the woods in November camouflaged.

It has been mentioned about the danger to young cattle pastured in remote pastures. I think that that is much ado about nothing. I would point out that during the month of October, bird hunters are in the woods with their guns and they don't seem to have too much trouble with accidentally shooting cattle, and I am sure that a bow and arrow hunter is going to be close enough to his mark so that he is not going to mistake a deer for a cow.

I don't live in these counties, but they pasture cattle in Cumberland County and York County and I am sure if this bill applied there I would not fear for my cattle at all. I think that this is a tempest in a teapot and I certainly hope that the motion does not prevail.

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

Mr. LORD: Mr. Speaker and Members of the House: In the process somewhere it costs between \$400 and \$600 a day to print the record and, as I am a taxpayer in the State of Maine, probably contributing from one to three cents a day for this privilege, I want to get up and get my money's worth and say just a few words.

I think that the gentleman from Sebec, Mr. Parker, has an objection in saying that this is restricted to two counties. It is an objection to me also, and I wish it was four counties or state wide, the same as he does. However, the objection to me is not enough to make me change my mind from the way I voted the last time and I don't imagine it is enough to make anybody else change their mind from the way they voted last time and I hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Sebec, Mr. Parker, that An Act relating to Open Season for Hunting Deer with Bow and Arrow, S. P. 561, L. D. 1348, be indefinitely postponed.

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

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

Forty-four having voted in the affirmative and sixty in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the 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 was truly and strictly engrossed, it was passed to be enacted, signed by the Speaker and sent to the Senate.

At this time, the following matters which were assigned for third reading earlier in today's session, appearing on the first supplement to the House Advance Journal on today's calendar, were brought up for consideration.

Passed to be Engrossed

Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals (S. P. 580) (L. D. 1387)

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

Mr. Dickey of Brooks offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 580, L. D. 1387, Resolve, Providing for the Payment of Certain Damages Caused by Protected Wild Animals.

Amend said Resolve by striking out the figure "100.00" in the line reading "Lyle T. Fernald of Troy, for damage to car by deer" and inserting in place thereof the figure '179.80'

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

Mr. HALL: Mr. Speaker, this particular item is a deer claim, deer damage to a car. The original resolve called for \$179.80. In going through the bill as we do on each case, each case has to be accompanied by a receipted bill, and in going through the bill we discovered there were some things there which the committee has never allowed and, in subtracting those items, we came to the figure of \$100. As an example on that, the towing charge in there. We have never paid for towing. Telephone calls—the car was fixed in apparently three different garages and the gentleman who owned the car apparently kept track of it by calling up and finding what was going on. \$20 of it was for two trips to Bangor from wherever the gentleman lived, and it is this type of thing which was taken out of the bill which cut it down to \$100. Therefore, I shall have to ask that the amendment is not passed.

The SPEAKER: Does the Chair understand that the gentleman moves the indefinite postponement of House Amendment "A"?

Mr. HALL: That is right, Mr. Speaker.

The SPEAKER: The gentleman from Calais, Mr. Hall, moves that House Amendment "A" be indefinitely postponed.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I appreciate the work of the Claims Committee. Some people are able to have their cars fixed in the larger communities but this is the little town of Troy and it did involve these various trips to Bangor for parts. The towing—it must have cost the man money for towing and it cost the man money for telephone calls. I don't want any lengthy debate with the Claims Committee but I believe it is a just claim. They saw fit to make it a round \$100. I am not asking you to make it a round \$180 but I do ask you to make it \$179.80, which was the bill. I might add that back in 1947, it was too late to be introduced in the Legislature that year, and again in 1949 it was mislaid some way and it wasn't introduced; it came upon me to introduce it in this Legislature. I feel very grateful to the Claims Committee to find that they will pay \$100 but it seems to me that if the claim is just for \$100 it is just for \$179.80. I hope the gentleman's motion to indefinitely postpone this amendment does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Calais, Mr. Hall, that House Amendment "A" to Resolve Providing for the Payment of Certain Damages Caused by Protected Wild Animals, S. P. 580, L. D. 1387, be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed.

Thereupon the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

Amended Resolve

Resolve Providing for the Payment of Certain Pauper Claims (S. P. 581) (L. D. 1388)

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

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

Mr. HALL: Mr. Speaker, since this morning, it was called to my attention by the Revisor's office

that in turning out this 581, they made an error in one bill and the error is the fact that it is a pauper claim and we have it coming out of the Fish and Game Department funds. So, I would like to offer an amendment to correct that. That is the only thing that the amendment does is to replace and put that payment into the proper department.

The SPEAKER: The gentleman from Calais, Mr. Hall, presents House Amendment "A" to Resolve Providing for the Payment of Certain Pauper Claims and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 581, L. D. 1388, Resolve, Providing for the Payment of Certain Pauper Claims.

Amend said Resolve by adding at the end thereof the following:
'and be it further

Resolved: That the sums appropriated for the above-mentioned items shall be appropriated from the general fund; and be it further

Resolved: That there be, and hereby is, appropriated the sum of \$316 from the appropriation for the state schools for boys to be paid to Robert George Llewellyn, of South Portland, as a full and final settlement for his claim against the state for damage to his car which was taken by an escapee from the state school for boys; and be it further

Resolved: That chapter 100 of the resolves of 1951, heretofore passed by this legislature, is hereby repealed and shall not be printed as a part of the session laws of 1951.'

Thereupon, House Amendment "A" was adopted and the Resolve was given its second reading, passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (S. P. 582) (L. D. 1389)

Bill "An Act relating to Water Pollution" (H. P. 1817) (L. D. 1397)

Were reported by the Committee on Bills in Third Reading, Bill read the third time, Resolve read

the second time, passed to be engrossed and sent to the Senate.

The following paper from the Senate was taken up out of order by unanimous consent:

Joint Resolution Appointing a Committee of Citizens to Study the Government of Maine (S. P. 589) (L. D. 1396)

Came from the Senate read and adopted as amended by Senate Amendments "A" and "B".

In the House:

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

Mr. ROUNDY: Mr. Speaker and Members of the House: I think this joint resolution has very extensive and real merit and that it deserves our careful consideration. I am assuming that you have read the sentences that lead up to the matter of the resolution and if you have done so I am sure that it clarifies in your minds the background of the importance of this resolution.

During this past year I was very much interested in looking up a little the matters that took place under the so-called adoption of the code. That was something like twenty years ago, and I am sure that if we have given the matter any thought or should do so, that we would think as I did, that we owe a great deal to those who at that time simplified our State government and made its administration and its work so valuable in a very real way that we can be unusually proud of the way we operate as a state government, and certainly so as we compare it with other state governments in their similar actions. However, twenty years have passed by, and in the enthusiasm that various ones of us have from time to time there are certain actions which need to be performed by our legislative body, and other interests have come in in such ways that in my humble judgment it is in order that at least an appreciative and perhaps more or less critical review should be made in order that we might in an effective way as is possible make this excellent government of ours in keeping with what we have been doing through the years.

This matter was clearly emphasized to those of us who sat in on the tax panel commission, and while we definitely turned aside from taking any action in the particulars that this resolution outlines, we nevertheless did come to the realization that here was an important field for investigation and presumable action.

I am sure that the members of the House have noted that this is a citizens committee. It is believed that the Governor with the council may find that in the State of Maine we would have quite as important judgments and opinions laid out by our own citizens and selection therefrom as we would if we made large expense in the say of some special study by those that might be specializing in the field of State government.

However, the resolution does indicate sufficient in the way of expenditure for any special study that might be made in the way of some specialized survey that would be in order to come to a final conclusion on the part of this citizens committee. And I am sure it will be noted that we are asked in this joint resolution to cooperate fully, continuously with the Legislative Research Committee, and that the amendments from the Senate, one of them in particular, do make it appear definitely that it is non-partisan in its consideration, that there is no political partiality indicated in it, by realizing that it shall be done by citizens of both parties, if you will, and not by any specialized group.

Mr. Speaker, I think this resolution has very real merit, and I move that it be adopted.

The SPEAKER: The gentleman from Portland, Mr. Roundy, moves that the Joint Resolution be adopted in concurrence.

The Clerk will read Senate Amendment "A" to the Joint Resolution.

SENATE AMENDMENT "A" to the Joint Resolution Appointing a Committee of Citizens to Study the Government of Maine.

Amend said Resolution by inserting after the word and punctuation "citizens," in the 15th line thereof, the words and punctuation "to be

composed of members of both major political parties,'

Senate Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "B" to the Joint Resolution Appointing a Committee of Citizens to Study the Government of Maine.

Amend said Resolution by striking out of the title the word "SUGGESTED"

Senate Amendment "B" was then adopted, and the Resolution was adopted as amended by Senate Amendment "A" and by Senate Amendment "B" in concurrence.

Orders of the Day

Mr. Taylor of Lyman, out of order and under suspension of the rules, presented the following order and moved its passage:

ORDERED, that the House show its appreciation by rising to our Majority Floor Leader for his very able efforts in presenting the many controversial bills and resolves of this Legislature and the very fair manner in which they were presented by him.

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

Mr. **McGLAUFFIN**: Mr. Speaker, I wish to speak briefly on this order, and, for once in my life, I am going to read my remarks.

Ed Chase is a man of outstanding ability. That fact is recognized not only by the members of this Legislature but by his associates in business. He is a man of sound judgment, and whether you agree with him or not, it is wise to give his judgment consideration. No man in this Legislature has worked harder during this session and he, himself, never worked harder than he has to promote what he considered the welfare of this State.

Ed Chase is a thinker, and he has the brains with which to think.

Ed Chase is a square shooter. He has taken advantage of no man, and he has given a square deal to Democrats and Republicans alike.

Ed Chase has the courage of his convictions. He stands for what he

thinks is right even if he has to stand alone.

This House has been fortunate in having him for its Republican Floor Leader. In my opinion this House will go down in history as one of the most outstanding and far-reaching Houses that has sat in this Hall for many years, and it is also my opinion that that fact is due in no small degree to the outstanding leadership of Edward Chase.

I heartily support the Resolution of Mr. Taylor from Lyman. (Applause)

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

Mr. **DELAHANTY**: Mr. Speaker and Members of the House: The gentleman from Portland, Judge McGlauffin, has so eloquently stated the sentiment of this House with respect to the Majority Floor Leader and a friend of all of us, Ed Chase, that words of mine seem inadequate at a time like this, but I feel, as the leader of the minority party in here, that I speak not now as their leader but for them as a colleague of Ed Chase.

Certainly during this session he has evidenced the characteristics that are necessary for the position he fills in here, that of leadership, a characteristic which we all admire in any man that demonstrates those qualifications, but over and above that characteristic which you would expect of him, having chosen him your leader, we have recognized in this House that he has been eminently fair, he has shown sound judgment and given mature consideration to every measure that has come before the House. He has been quick to defend the rights of the minority; he has stood for what he believed to be right and fair and just.

I feel that if I have accomplished nothing more in this session of the Legislature, I have made a true friend of Ed Chase, and I would offer him my friendship in the same manner. I am sure that in the opposition that we have had he has earned our greatest admiration, the admiration of all of us in a job which he has undertaken and a job which we know he has done so well. (Applause, members rising.)

Thereupon the Order received passage.

The SPEAKER: The Chair lays before the House the 1st tabled and today assigned matter on today's calendar, Bill "An Act Relating to Time Sales on Motor Vehicles" (S. P. 509) (L. D. 1227) tabled on May 15 by the gentleman from Rockland, Mr. Harding, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. HARDING: Mr. Speaker and Members of the House: Yesterday we reconsidered the action that was taken where this bill had been passed to be engrossed and tabled it that an amendment might be prepared and offered, and this amendment has been prepared, reproduced and distributed, and it is the joint efforts of some of the automobile dealers and the sponsor of the bill, and the sponsor of the bill has agreed to this amendment. I therefore offer it and ask for such action as is necessary to have it adopted.

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

HOUSE AMENDMENT "A" to S. P. 509, L. D. 1227, Bill "An Act Relating to Time Sales on Motor Vehicles."

Amend said Bill by striking out subsection IV in that part designated "Sec. 264-A" and inserting in place thereof the following underlined subsection:

'IV. The cost of insurance and emergency benefits included in the transaction, the coverage and benefits provided, and the party or parties to whom the insurance is payable; and'

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

The SPEAKER: The Chair now lays before the House the 1st tabled and today assigned matter on the supplemental calendar, Resolve Regulating Fishing for White Perch in Penobscot County (S. P. 576) (L. D. 1377) tabled earlier in

today's session by the gentleman from Bangor, Mr. Fuller, pending second reading; and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: I find that this resolve is a conservation measure that was advocated by the Fish and Game Association of our county and it was introduced by a member of our delegation, so I move that it be given its second reading.

Thereupon, the motion prevailed and the Resolve was given its second reading and was passed to be engrossed in concurrence.

The SPEAKER: The Chair lays before the House the 2nd tabled and today assigned matter on the supplemental calendar, House Amendment "A" to Resolve in favor of George S. Bradbury of West Franklin (H. P. 1483) (L. D. 1090) tabled earlier in today's session under the rules for reproduction, pending adoption.

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

Mr. Dunham offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1483, L. D. 1090, Resolve in Favor of George S. Bradbury, of West Franklin.

Amend said Resolve by striking out in the last line thereof the words "funds of the Maine state retirement system" and inserting in place thereof the words 'general fund of the State of Maine'

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

The SPEAKER: The Chair now lays before the House the 3rd tabled and today assigned matter on the supplemental calendar, House Amendment "A" to Bill "An Act relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" (H. P. 1818) (L. D. 1398) tabled earlier in today's session by the gentleman from Lewiston, Mr. Jallbert, for reproduction of the amendment.

The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 1818, L. D. 1398, Bill "An Act Relating to Tax Stamp Discounts in Cigar and Tobacco Products Law."

Amend said Bill by inserting at the beginning of the 1st line thereof of the underlined abbreviation and figure 'Sec. 1.'

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

'**Sec. 2. R. S., c. 14, §186, amended.** The 10th paragraph of section 186 of chapter 14 of the revised statutes, as enacted by section 1 of chapter 377 of the public laws of 1947, is hereby repealed.

Sec. 3, R. S., c. 14, certain sections amended. Wherever in sections 186, 187, 190, 191, 192, 193, 194 and 195, as amended; section 195-A, as enacted by section 4 of chapter 409 of the public laws of 1949; sections 196, 197, 199, 201 and 204, as amended; and section 205-A, as enacted by chapter 8 of the public laws of 1949, of chapter 14 of the revised statutes, the words "cigars and tobacco products" or "cigars or tobacco products" appear, they are hereby repealed; and wherever in said sections there are provisions which relate to "cigars and tobacco products" or "cigars or tobacco products", they are hereby repealed.'

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: This amendment calls for the repeal of the tobacco tax. It is more a matter with me of placing my remarks on the record. I am certainly mindful of the fact that we find ourselves possibly having to do a little cutting the second year of the biennium. I am also mindful of the fact that I did not vote for the sales tax, and in view of the fact that I might within the next forty-eight hours stand before you and plead to possibly pick up some of the load on the local level, I presume that the possibility that I was asked to present this repealer

is because I am a cigarette smoker. (Laughter)

I seriously, however, want to very definitely place my remarks upon the record in deference to these people in the tobacco industry who, I would almost say, have possibly been led to believe that if we did go into the sales tax or the income tax field or major tax field, that we might go out of the tobacco tax field.

I read from the Budget Message of Governor Payne two years ago: "Your attention is again called to the so-called cigar tax of twenty per cent which deserves your consideration as to repeal. Such action will call for \$660,000 per year of new revenue."

And from the Budget Message of this year:

"At the same time we should overhaul our antiquated and inequitable tax structure by abolishing the State property tax and the so-called twenty per cent tobacco tax."

I cannot help but recall an evening four years ago at the time my party had honored me by electing me their leader, when you very kind gentlemen of the opposition invited we Democrats to attend one of your Republican caucuses held in the House. All that I heard pertaining to this tax—and I looked at the record today and some of the comments that some of the members made I thought were a little rough and I could not use that sort of language, so I withdrew from the position I was going to take and decided not to quote from that record. But everything bad was said pertaining to this tax.

I want to assure you again that the reason I introduce this measure is to place some of my remarks on the record. I certainly do not intend to make an issue of it. I shall not get up and speak again. I will, however, state that in deference to these gentlemen it might be well that if the experts—and I have no reason to believe that they are wrong, the experts who claim that the yield of this tax will be what they claim it will be, if the yield is more than they claim it will be, it might then be possible for us to at least give considera-

tion to going out of the tobacco tax field. I understand that the Committee on Taxation deliberated over this and they decided to remain within the field. The only reason that I am presenting this amendment is for possible future reference.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Sinclair.

Mr. SINCLAIR: Mr. Speaker and Members of the House: I appreciate the remarks made by the gentleman from Lewiston, Mr. Jalbert, in regard to this bill. He is right when he states that the committee considered very carefully the possibility of repealing the tobacco tax, and, because of that, this bill, L. D. 1398, does give some relief to the people who are handling the tobacco products in the manner of a reduction on the tobacco stamps.

I have got to oppose the adoption of this amendment because the committee felt that this was no time for us to remove this tax which would take away some \$683,-300. That was the amount of the tobacco tax in 1950. They do not feel that this is any time to remove that, not knowing what the income is going to be from the sales tax. I agree with the gentleman from Lewiston that perhaps at a later date something might be done to relieve the handlers of tobacco.

Mr. Speaker, I move the indefinite postponement of House Amendment "A".

The SPEAKER: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Sinclair, that the House indefinitely postpone House Amendment "A" to Bill "An Act Relating to Tax Stamp Discounts in Cigar and Tobacco Products Law." (H. P. 1818) (L. D. 1398)

All those in favor of the motion to indefinitely postpone House Amendment "A" will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was indefinitely postponed.

Thereupon the Bill was tomorrow assigned for third reading.

The SPEAKER: The Chair now lays before the House An Act relating to Examination of Certain School Bus Operators (H. P. 1243) (L. D. 795) which was tabled earlier in today's session by the gentleman from Sweden, Mr. Moulton.

The Chair recognizes the gentleman from Sweden, Mr. Moulton.

On motion of Mr. Moulton, under suspension of the rules, the House voted to reconsider its action where it passed to be engrossed "An Act relating to Examination of Certain School Bus Operators" as amended by Senate Amendment "B" on May 10th.

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

Under suspension of the rules, the House voted to reconsider the adoption of Senate Amendment "B."

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

HOUSE AMENDMENT "A" to SENATE AMENDMENT "B" to H. P. 1243, L. D. 795, Bill "An Act Relating to Examination of Certain School Bus Operators."

Amend said Amendment by adding at the end thereof, before the period and single quotation mark, the following underlined punctuation and words: 'unless written notification to the contrary has been received by the operator of a school bus from the parents of such children or the person or persons having care and custody of such children'

House Amendment "A" to Senate Amendment "B" was adopted and Senate Amendment "B" as amended by House Amendment "A" was adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

(Mr. Burgess of Limestone was granted unanimous consent to address the House)

Mr. BURGESS: Mr. Speaker, with your kind permission, I would like to address my remarks to the Clerk of the House.

In 1917 there came a young man from Lincoln County to Augusta, and he secured for himself a position as clerk of a committee, the

name of which I do not know. Later that same gentleman was elected by the House of Representatives as Assistant Clerk and served in that capacity for three sessions. Still later on, following his three terms as Assistant Clerk of the House, he has been elected to serve as Clerk of the House for ten consecutive sessions.

I do not need to point out to the members of this House the efficiency and courtesy with which he has served you and me in this and other sessions for that long period of time. I would like to point out to the members of this House some changes which have been brought about in the efficiency and accuracy of the office of the Clerk in the filing system, the printing of amendments, with which you are all familiar.

Now the work that this good man has done for you and me as our Clerk we know about; we see it. But there are other things to which he has contributed of his own time. He is presently serving his County of Lincoln as Register of Probate, and I am told on good authority that he accepted the position by request and took that office out of chaos and has effected in that office the fine, systematic controls, the filing systems and efficiency with which he has served this House for the last ten sessions of the Legislature.

I am also told on good authority that he has consistently served his own community as a leading, civic-minded citizen, and that he has consistently given to his people at his home every minute of time which a civic-minded program has demanded of him.

Harvey, on behalf of the House, I want to say to you that we appreciate all of the kindnesses and courtesies which you have extended to us, and we hope that you will continue in this same capacity for at least ten more sessions. On behalf of the House, we thank you. (Prolonged applause, members rising)

Mr. JACOBS of Auburn: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. JACOBS: Mr. Speaker, I

would like to take off some items from the Special Calendar.

The SPEAKER: The gentleman may proceed.

The gentleman from Auburn, Mr. Jacobs, then called up from the Special Calendar Item 4, Resolve Providing for State Pension for Mrs. Minnie Fenderson of Saco (H. P. 1455) (L. D. 1343) and moved that it receive final passage.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 5 on the Special Calendar, Resolve to Compensate Edwin Blanche of Augusta for Personal Injuries (H. P. 1521) (L. D. 1330) and moved that it receive final passage.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 7 on the Special Calendar, An Act relating to Salary of Justices of the Supreme Judicial and Superior Courts (H. P. 1657) (L. D. 1229) and moved that it be passed to be enacted.

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

The gentleman from Auburn, Mr. Jacobs, called up Item 8 on the Special Calendar, Resolve in favor of Christian M. Jensen of Westbrook (H. P. 11) (L. D. 1321) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 9 on the Special Calendar, Resolve in favor of Oscar Pinette, of Portland (H. P. 12) (L. D. 1322) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 10 on the Special Calendar, Resolve in favor of Jackman Plantation (H. P. 38) (L. D. 1323) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 11 on the Special Calendar, Resolve in favor of the Town of Warren (H. P. 810) (L. D. 1326) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 12 on the Special Calendar, Resolve in favor of Carrie M. Longfellow, of Machias (H. P. 1015) (L. D. 1344) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 13 on the Special Calendar, Resolve Granting a Pension to James E. Harvey, of Readfield (H. P. 1735) (L. D. 1342) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up Item 14 on the Special Calendar, An Act relating to Automobile Travel by State Employees (H. P. 791) (L. D. 471) and moved that it be passed to be enacted.

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

The gentleman from Auburn, Mr. Jacobs, called up Item 15 on the Special Calendar, Resolve in favor of Winifred Malloy, of Hallowell (H. P. 846) (L. D. 484) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The gentleman from Auburn, Mr. Jacobs, called up item 16 from the Special Calendar, Resolve in favor of Helen G. McShea, of Fort Fairfield (H. P. 1585) (L. D. 1157) and moved that it be finally passed.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 804) (L. D. 477) which is Item 6 on the Special Calendar.

This being an emergency measure requires for its final passage the affirmative vote of two-thirds of the entire elected membership of the House, and the Chair understands that the gentleman from Auburn, Mr. Jacobs, requests that it be placed upon the Special Calendar?

Mr. JACOBS: Yes, Mr. Speaker, on the Special Calendar.

Thereupon the Resolve was placed on the Special Calendar.

The gentleman from Auburn, Mr. Jacobs, called up Item 3 on the Special Calendar, An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operations of Institutions in Maine, New Hampshire and Vermont (H. P. 928) (L. D. 541) and moved that it be passed to be enacted.

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

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

Mr. CHASE: Mr. Speaker, if the Chair will bear with me for just a moment out of order, I would like to say how much I appreciate the testimonial you gave me here this afternoon. At some later time when the House is at leisure I will try to reply adequately to what you said to me here today.

And now, out of respect for all of my pet measures long since dead, I move that the House do now adjourn until 8:30 Standard Time tomorrow.

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

The motion prevailed and the House so adjourned.