

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## SENATE

Thursday, March 25, 1937.

Senate called to order by the President.

Prayer by the Reverend L. E. Stiles of Hallowell.

Journal of yesterday, read and approved.

Mr. BECKETT of Washington: Mr. President, out of order and under suspension of the rules I would like to ask unanimous consent of the Senate to introduce a bill entitled An Act to Validate the Incorporation of the Town of Jonesport School District and I would like to say that under the laws of 1935 the Jonesport School District was set up subject to a local referendum by the voters of Jonesport and in March of 1935 the voters of Jonesport included in their warrants the form for the voting on said act. The form wasn't exactly as was provided for it under the act of 1935 but was in such form that the vote would be clearly indicated and the voters accepted that act by a vote of 235 to 7 but after the Board of Trustees had authorized a bond issue there it was discovered that in the certification of the bonds the form as set up in the warrant was not in accord with the provisions of the act and it was therefore illegal to issue the bonds.

Now before this building which is being built by the combined town and WPA can be finished it is necessary for the town to supply 55% of the project. The building is already started and it is necessary for the town to produce their share of that money and they can't legally do so until the act of the town and the act of the Board of Trustees have been validated. That is the reason, Mr. President. I am asking for this unanimous consent.

Miss LAUGHLIN of Cumberland: Mr. President, I just want to add my word to what the Senator from Washington County (Senator Beckett) has said, and say that I, too, looked into this matter and the only trouble is a slight technical error that in no way affects the fact that the will of the people and the will of the legislature have been carried out. The people have accepted it but not in the exact language of the act. It does however carry out both their will and the will of the legislature, and this is

an emergency situation, since the bonds have already been put out and are all ready to be signed, and therefore I hope that the motion of the Senator from Washington (Senator Beckett) will be adopted.

Mr. GOUDY of Cumberland: Mr. President, I have also inquired into this situation to some extent and I feel that it would be a miscarriage of justice if by chance this matter hasn't given unanimous consent and allowed to be introduced. I feel that it is a situation that we want to clear up and one that should be taken care of in this manner, and I hope that the motion prevails.

Thereupon, unanimous consent was granted for the introduction of the bill and on further motion by the same Senator, out of order and under suspension of the rules, the bill was given its two several readings and passed to be engrossed without reference to a committee.

Sent down for concurrence.

From the House:

Bill "An Act to Provide for the Surrender by Town of Carroll of its Organization." (H. P. 297) (L. D. 95)

(In Senate on March 17th, passed to be engrossed in concurrence.)

Comes from the House, passage to be engrossed reconsidered under suspension of the rules, House Amendment "A" adopted, and the bill as amended by House Amendment "A" passed to be engrossed in non-concurrence.

In the Senate, the rules were suspended and the Senate voted to reconsider its former action, taken on March 17th, whereby the bill was passed to be engrossed in concurrence. House Amendment "A" was read and adopted in concurrence.

Thereupon, Miss Martin of Penobscot presented Senate Amendment "A" and moved its adoption; "Senate Amendment A to Legislative Document 95, An Act to Provide for the Surrender by the Town of Carroll of its Organization. Amend said bill by striking out the period at the end of the first sentence in the second paragraph of Section One of said bill and inserting the following: 'and shall be subject to and required to pay state and county taxes.'"

Senate Amendment "A" was adopted and the bill as amended by House Amendment "A" and Senate

Amendment "A" was passed to be engrossed in non-concurrence.

Sent down for concurrence.

### House Bills in First Reading

"An Act Relating to Testing Computing Weights and Measures" (H. P. 1474) (L. D. 667).

"An Act to Amend the Law Relating to Industrial Banks Investments, and Loan and Building Associations" (H. P. 1480) (L. D. 527).

"An Act Relating to Savings Banks Investments" (H. P. 1481) (L. D. 528).

"An Act Relating to Hunting of Raccoons" (H. P. 1079) (L. D. 359), in new draft (H. P. 1723) (L. D. 838).

"An Act to Establish a Game Preserve in Caswell Plantation, County of Aroostook" (H. P. 1457) (L. D. 634), in new draft (H. P. 1738) (L. D. 843).

(On motion by Mr. Ashby of Aroostook, tabled pending acceptance of the report in concurrence.)

From the House:

"An Act Relating to Absent Voting" (H. P. 1163) (L. D. 429).

In the House, recommitted to the Committee on Judiciary.

In the Senate, recommitted to the Committee on Judiciary in concurrence.

From the House:

"An Act Relating to Registration Fees to be Paid for Motor Vehicles Used for the Carrying of Passengers for Hire and Operating over Regular Routes" (H. P. 875) (L. D. 310).

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

In the Senate, the report of the committee was accepted in concurrence and House Amendment "A" was read.

Thereupon, on motion by Miss Martin of Penobscot the bill and the Amendment were laid upon the table pending the adoption of House Amendment "A".

Papers from the House disposed of in concurrence.

### First Reading of Printed Bills

Bill "An Act Relating to Uniforms for Deputy Sheriffs." (S. P. 454) (L. D. 849).

Bill "An Act Relative to Pensions for Members of the Police Force in

the Town of Houlton." (S. P. 455) (L. D. 851)

Bill "An Act Relating to Terms and Salaries of City or Lewiston Officials." (S. P. 457) (L. D. 850)

Which bills were read once, and tomorrow assigned for second reading.

### Reports of Committees

Miss Laughlin from the Committee on Judiciary on bill "An Act Relating to the Uniform Criminal Extradition Act," (S. P. 335) (L. D. 587) reported that the same ought not to pass.

The same Senator from the same Committee on bill "An Act Providing that the State of Maine May Enter into a Compact with any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May be on Probation or Parole," (S. P. 338) (L. D. 601) reported that the same ought not to pass.

Mr. Tompkins from the Committee on Library on "Resolve for the Purchase of One Hundred Copies of 'The First Century of the Town of Naples,'" (S. P. 29) reported that the same ought not to pass.

Mr. Marden from the same Committee on "Resolve in Favor of the Purchase of Copies of 'The History of Oxford County,'" (S. P. 30) reported that the same ought not to pass.

Mr. Cook from the same Committee on "Resolve for the Purchase of One Hundred Copies of 'Financial History of Maine, 1820 to 1934'" (S. P. 31) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Miss Laughlin from the Committee on Judiciary on bill "An Act to Amend and Extend the Charter of Kennebec Reservoir Company," (S. P. 238) (L. D. 426) reported the same in a new draft (S. P. 465) under the same title, and that it ought to pass.

Mr. Spear from the Committee on Salaries and Fees on bill "An Act Relating to the Salary of the Judge and Recorder of the Westbrook Municipal Court," (S. P. 425) (L. D. 815) reported the same in a new draft, (S. P. 464) under the same title, and that it ought to pass.

Which reports were read and accepted and the bills laid upon the table for printing under the joint rule.

The Majority of the Committee of 15 Created under Joint Order (S. P. 430) as amended, which was directed to make a Survey with Reference to Possible Economies in Administration of the Affairs of State, presented an attached report:

(Signed)

Hussey of Kennebec  
Wentworth of York  
Chase of Piscataquis  
Varney of Berwick  
Chase of Baring  
Noyes of Franklin  
Donahue of Biddeford  
Whitney of Bangor  
Russ of Caribou  
Murchie of Calais  
Viles of Augusta  
Flanders of Auburn  
Hinman of Skowhegan

The Minority "A" of the same Committee presented an attached report:

(Signed)

Willey of Cumberland

The Minority "B" of the same Committee presented an attached report:

(Signed)

Fernald of Waldo.

Mr. HUSSEY of Kennebec: Mr. President, I move the acceptance of the majority report.

Mr. FERNALD of Waldo: Mr. President, in opposition to the acceptance of the majority report of the committee I have a few remarks that I would like to present for the consideration of the Senate at this time.

It is an interesting fact in the study of history, both ancient, medieval and contemporary, that when we are faced by a difficult problem frequently we are able by a certain amount of intelligence and effort and research to look back, to turn back the pages of history, to think back and to look back only a few years and see what was the situation, how similar peoples under similar conditions acted; and if we read that story clearly, intelligently and without any petty jealousy, without any rancor, and look at the picture and at the record of history as it is, frequently we are able to learn a great deal that will help us in the morrow and in the future.

Four long years ago the administration of the State of Maine was wrested from the control of the Republican party. In January of this

year we, the Republican party, came back with a new lease of power, but a lease limited by the act of the public and by the people in two more years. It is our job as Republicans and as citizens, believing in the causes that we expounded to the citizenry of Maine in 1936 to carry on, and to uphold our banner and to do our job. The record of this administration, the acts of this legislature, the functioning of this government and the satisfaction that we give to the people of Maine will, in the final analysis, mean the re-election of the Republican party to power in 1938, or the return of the Democracy. It is my desire, it is my sincere desire that we return, a faithful Republican party in 1938, backed by the overwhelming confident vote of the people of the 16 counties of Maine.

Let us go back. It has seemed to me that the situations that are facing us, conditions that were in the minds of our chief executive, our leader, were also problems that confronted other Republican executives, and I think we have a more exact parallel in the history of the administration of two governors, more closely than exists in any other state in the union, perhaps. Let us compare for a moment the record of history in Maine, in Augusta, in 1909 with the problems that confronted our chief executive in 1936 and 1937.

Governor Fernald is reported to have said in the Maine Senate Journal, 1909 at Page 25—I will quote from Governor Fernald's address: "I need not say that large issues confront us. Rarely has a legislature faced a greater complexity of problems in both moral and economic fields of legislation than does yours. Your solution of some of them may determine the policy of the State for years to come and may be the means of setting her face either towards progress or decline. It is not **much** legislation, but **wise** legislation that we need. A fearless regard for the rights of the people is required of each of us. The study of these problems demands our whole time and requires that our service be in the very spirit of the religion of our better natures." And then the Governor continues and quotes, as he has many times, very profusely from Holy Writ.

Now, let us compare that parallel with the record of the inaugural address of January 7, 1937; and

mind you, note the similarity; note the parallel of ideas; note the continuity of thought between the two great men.

Quoting from Governor Barrows—page 3 of his address, paragraph 3: "It is not necessary to remind you that tremendous issues confront us. Seldom, if ever, has a legislature faced a greater complexity of problems in various fields of legislation than does yours. Your solution of some of them may determine the policy of the State for years to come. It is not **much** legislation, but **wise** legislation that we need. A fearless regard for the rights of the people is required of each of us."

These two great men sensed the same ideas, sensed the same conditions, although living in an era 28 years apart. Then Governor Barrows goes on and quotes a very distinguished passage from Governor Kent's address to the Maine Legislature in 1837. Governor Kent was evidently a great governor. Evidently Governor Fernald thought he was a great governor because Governor Fernald quoted from Governor Kent. Now, let's peruse the record further. This record is interesting for the figures, in that it will give us some comprehension of the amount of money that was being spent then by our government as compared with our government which in the last fiscal year passed through the treasury of the State the sum of \$36,000,000. The total receipts for the years 1907-8 were \$6,298,252.48. I am quoting now from Governor Fernald's address at page 26. "The total expenditures for the same years were \$6,327,689.06. The estimated ordinary receipts for 1909 are \$3,958,440.82. The estimated ordinary receipts for 1910 are \$3,809,393.82. The estimated ordinary expenditures for 1909 are \$3,856,343.29. The estimated ordinary expenditures for 1910 are \$3,736,751.42."

Then Governor Fernald continues, "It should be remembered that while we have a large cash balance at this time much of this will be used in the next few months for current expenses, or before the State receives revenue from any available source. While it is a matter of gratifying pride that we are increasing rapidly in wealth, we should practice the same careful economy that has won approval of the citizens in the past. In using

this term 'practicing economy,' I wish you to understand that I employ it in the broader sense which means to 'deal liberally with all,' to stint no institution or State function but to keep within the reasonable limits of our ability; to expend our money wisely; to see that we get a good return for our expenditures and to live so that we may pay our debts without placing heavier burdens upon the tax payers."

Now, carrying the analogy a little further, we came to the closing remarks of Governor Fernald at Page 40. "And now, gentlemen, members of the seventy-fourth Maine Legislature, in your care these issues are placed. I proffer them not in a spirit of self assertion, but as issues which I believe demand your attention, if Maine is to keep up in the procession of her neighboring states."

If you will bear with me as I read further from Governor Fernald's address—the concluding remarks of our distinguished governor. Still quoting from Governor Fernald: "The people will forgive honest mistakes, but they never can and never should forgive wilful misrule. I do not stickle for methods, I but plead for measures, deep-laid in justice and in right. I do not ask you to follow absolutely in MY way, but I ask you to follow in SOME way that leads into avenues of progress and reform. I do not ask you to do violence to your party or your affiliations, but I do ask you to remember that higher than you or your party or your friendships, is your duty to the State, and in the fear of God and in respect of that duty, must you bear ever in mind when you cast your vote that you legislate great consequences into being, potent for good or ill, to Maine. God has given great blessings to our State. He has made her, as we believe, fairer and richer than her sisters. He has lifted her hills, and cupped the harbors and the bays between the rugged barriers to the restless seas. Our natural beauties, the inestimable wealth of our forests and our water powers, our incomparable climate, the purity of our rivers, the intellectual and moral strength of our people—these also, are our heritage, and these must be kept intact for our children's children. I doubt the sincerity of purpose of no man or interest, but self seeking

frequently clothes itself in a garb that bears the name of progress,—forgetting the claims of the future in its desire for the reward of the present. Be cautious and on your guard; remember that we are servants, not rulers, and that the talents committed to our keeping for a time must be husbanded against that day when our Master, who is the People, shall call upon us for an accounting.”

We will return to that later in the session. Now, coming up to date, coming up to contemporary legislative history, to the inaugural of our present governor, to his concluding remarks on Page 29, let's carry along. “And now, members of the Eighty-eighth Legislature, in your care these issues are placed. They are submitted not in a spirit of self-assertion, but as issues which I believe demand your attention. Thoughtful consideration and prompt action will receive the commendation of the citizens of Maine and stamp you as able and efficient legislators. The people may forgive our honest mistakes, but they cannot forgive wilful misrule from us. I plead for measures deep-laid in justice and right. It is not necessary to follow exactly MY way, but I urge you to follow SOME way which spells action and progress. Ever bear in mind that when you cast your vote you legislate great consequences, potent for good or for ill for Maine.”

Then I skip a paragraph. “Remember that we are servants—not rulers—and that the talents committed to our care must be protected for the day when our Master, who is the People, shall call upon us for an accounting. Maine, as a state, will go forward or go backward as a result of the contributions that we make here. I assure you of my earnest desire to cooperate with you at all times.”

I think the analogy is very clear. I think it clearly demonstrates a parallel in history, unknown before in Maine history, where two great governors felt the same and spoke the same about the tremendous issues that faced them and faced the people of Maine.

Well, half the record of history is clear and that is the half that pertains to Governor Fernald. Without trusting to my memory, but looking in the Maine Register of 1936-37 at Page 202 it shows that in 1909 Bert M. Fernald was

Governor for two years. Carrying over to the President of the Senate it shows a change. The Secretary of State, a change. The Speaker of the House—in 1911 the Honorable Frank A. Morey of Lewiston was Speaker, a man whose wife I had the pleasure of serving with in the House. Coming to the Clerks of the House, we find in 1911 another man from Arcostook made good and C. C. Harvey is on the list from Fort Fairfield. And over under State Treasurers we find another man from Bangor, a Democrat this time, State Treasurer James F. Singleton. We find Cyrus R. Tupper was Attorney General, and we find our former colleague, Frank Mace of Augusta, Land Agent; and Robert F. Dunton of Belfast, Bank Commissioner. The record of history to that phase of our government is clear. The lesson it teaches is that we should not, as Republicans, say one thing in our inaugural and then permit situations that perhaps Fernald as Governor was not entirely responsible for, but conditions should not happen that would permit a change of administration. We want in 1938, to return the Republican party to complete control here at Augusta. The issue is clear. Fernald in 1916 was not re-elected because of the budget, because of excessive expenditures in those times, and I, for one, am not willing that that condition shall happen in Augusta at this session of the legislature that will retard or make impossible the re-election of the entire Republican ticket in 1938.

There has been something said around here in the last few days about Economy. There is a little history that goes with that. On Tuesday, March 2, 1937 there was introduced into this body by the distinguished Senator from Cumberland, Senator John E. Willey, a so-called Economy Measure. The reference on that is Page 247 of the Legislative Record of 1937. That record would also show that measure was tabled by the distinguished Senator from York, Senator Wentworth. The vote on that tabling was 25 to 3; and the three opposed to the tabling were Senator Willey of Cumberland, Senator Ashby of Arcostook and Senator Fernald of Waldo. Time passes on and we come to Tuesday, March 9th. In the meantime we had returned to our respective homes. We had knelt at the altar on Sunday. We

had sat by the fireside. Tuesday, March 9th, 1937, the Economy order was taken from the table by the distinguished Senator from York, Senator Wentworth, and upon a motion made by the said Senator to indefinitely postpone same, Senate Amendment "A" was offered by Senator Willey. The reference to that is Legislative Record, Page 280. One of the inferences or remarks in the debate that occurred at that time, made by the distinguished Chairman of the Appropriations and Financial Affairs Committee, Senator Hussey, was that they would shortly report out an appropriation bill. That is at Page 286. I quote exactly: "I would like to say at this time that the Appropriations Committee, as I have already said, will report out next week an appropriations bill, not for its final passage but so that you may see the total amounts." I shall continue a little further. Page 286. "I hope I have made myself clear on this. I think it would hinder the work of the Appropriations Committee if they were not allowed to present their appropriations bill without being tied down by such a committee as you are contemplating naming." The order was tabled by the distinguished Senator from Hancock, Senator Kennedy. See the record at Page 287.

Two days more—Thursday, March 11, 1937, the Economy measure or Economy order was taken from the table by Senator Kennedy, who yielded the floor to the distinguished Senator from York, Senator Wentworth, who thereupon killed the Willey amendment offered March 9, 1937, by indefinitely postponing the same. The distinguished Senator from York, Senator Wentworth, then offered Senate Amendment "B" which struck out all of Senator Willey's original order,—that is, the order of March 2nd—except the first nine words. This Amendment "B" of Senator Wentworth's was adopted. The record on that is Page 318.

Further—March 12, 1937. Nothing done on economy except that in good faith and pursuant to the order and pursuant to the reasonable interpretation of Senate Amendment "B" as offered by the Senator from York, Senator Wentworth, five members of the so-called Economy Committee met in the Judiciary room and spent several hours considering economies. Tuesday, March

16th the Economy Committee of five and the Appropriations Committee of ten met at two o'clock and seven recommendations were submitted. Wednesday, March 17, 1937 Senator Willey from the Joint Committee reported recommendations to the Senate, purporting to make economies of \$227,000. The same day Recommendations No. 8 and No. 9 were submitted to the Appropriations and Financial Affairs and the Economy group, and on the same day the Economy Committee was submerged—and if that word bothers anybody I will change it to something else—they were united with or combined with—or what have you—with the Committee on Appropriations and Financial Affairs by order presented in the House by the distinguished representative from Rockland, Cleveland Sleeper. The record on that is Page 362 to 368. And I might say, by the way, that in some of the remarks that were made in the House, I believe that if I had made them as a representative in 1931 or 1933 I would have been disciplined under the rules of the House.

Thursday, March 18th, Recommendations No. 10 and No. 11 were made to the committee of fifteen. Friday, March 19th, Recommendation No. 12 was made. Tuesday, March 23rd the fateful Recommendation No. 13 was made and the committee of fifteen decided to quit, dissolve, discontinue, deter, stop, think,—or any other word you would like to suggest.

Up to that time, beginning with March 2nd, with the delays and with the tabling, notwithstanding the fact that seriously minded people were seriously considering questions of economy,—chicken-feed if you may call it so; small change if you may call it so, but all in good faith,—the recommendations that were submitted in writing amounted to over \$900,000 for the biennium. And that by no means contained all the suggestions or all the constructive thoughts that were submitted; and those same 13 points that have been presented were, by no means, the final word. The question of economy,—why the very surface of the word "economy" had just been scratched. And the history of the Economy Order is about to draw to a close here today. That is that.

In the meantime, you and I, as duly accredited representatives of a sovereign people in legislature as-



sembled, have been here for a purpose, I hope, and that is to stop waste, stop extravagance, and give the man back home relief. Give the 800,000 people back home, relief. Well, let's just look at that record. In January, if I counted correctly, we were here 25 days. In February, 28 days. In March, 25 days. True, we were not in session every day, but on the other hand, we could have been if we had wanted to have been. Those three months figure up 78 days, and divided by seven, you get 11-7 weeks—or we are in our twelfth week of the legislature. Now, unless the Governor has posted some bills that he has signed, since half past six this morning, we have passed 37 private and special laws, 32 resolves and 71 public laws, one of which I believe the Governor or his secretary has neglected to post, making a total of 140.

Under our democracy and our form of government, it requires every two years the expenditure on the part of the people of Maine the sum of \$210,000 to express themselves in legislature assembled through their duly accredited and elected representatives here in Augusta,—\$210,000. Now, going back to these 140 measures that are posted, or were posted at six-thirty o'clock this morning, 19 of these, 19, one less than 20, or 14% have increased the tax burden of the people of Maine. I won't burden you with reading the proposition but I have that here worked out for anyone to save them the trouble of pursuing the record further. Nineteen of these have increased the tax burden of the people of Maine. Now, only one of these, or less than 1% has decreased the tax burden of the people of Maine, and I think perhaps I should make mention of that if you will bear with me. It is, if you care to look further, Legislative Document No. 425, An Act Relative to the Compensation of the Reporter of Decisions, reported out of the Committee on Salaries and Fees by Senator Fernald of Waldo, reducing the salary of the same official from \$2700 to \$1700, and that same measure which was introduced by the Senator from Cumberland, Senator Willey, was finally signed by the Governor on March 8th, 1937.

Now, we have a little proposition before us this morning in the form of an order that someone in their odd moments must have dashed off

in regard to the dissolution of the effort to economize, and before we go any further, the word "radical" I see here in several places. And so that I may have my terms correctly and know we are both talking about the same thing, I think it would be well that we refer to the authorities—so that we both will be talking about the same thing and that the issue will be clear cut. My old friend, Noah Webster in his *New International Dictionary*, Page, 1762—a copy of which is available for all members at the Library, says: "Radical. Of or pertaining to the root or origin; original; fundamental; reaching to the center or ultimate source; affecting the vital principle or principles; hence, thorough going; that is radical which is thorough going or which reaches the root of the matter." I d'cn't know but although Webster lived many years before I was thought of, I didn't know but he might be prejudiced in this matter so I referred to the *Oxford Dictionary*, Volume 8, Part 1, Q to R, Page 99, and under l, b, I find this short definition that will be enlightening a we go on with the discussion, "of qualities; inherent in the nature or essence of a thing or person; fundamental; forming the root, basis, or foundation; original, primary, getting to the root or origin or touching or acting upon what is essential and fundamental; thorough. A basis, a fundamental thing or principle. One who holds the most advanced views of political reform on democratic lines, and thus belongs to the extreme section of the Liberal party." With any of those interpretations of the word "radical" I concur.

Now, let's refresh our memory about this order. A copy from the committee was submitted to me officially—I requested it yesterday afternoon and officially received it at ten minutes past ten by this o'clock. "By a Joint Order passed on the eleventh day of March, 1937"—of course, that statement in itself doesn't recite the political history and the bickering that proceeded for nine days. "Which was clarified"—and, mind you, the orders that we proceeded on as the Economy Committee and the joint orders were orders that to my knowledge no member of the original five had the slightest thing to do with except that I believe Senator Willey

was permitted to write the first nine words. "Clarified and amended by a second Joint Order passed on the seventeenth day of March"—I want to point out to you that they admit in their report that the matter was not clarified until the 17th. "A special committee of fifteen members, consisting of two on the part of the Senate and three on the part of the House, together with the ten members of the Joint Standing Committee on Appropriations and Financial Affairs, was appointed for the purpose"—and that word "purpose" should be underlined—"of making a survey of the State Departments, and to promptly report to the Legislature such recommendations as it should deem necessary for the purpose of effecting economies in the management of state affairs, and to file with the Legislature such bills as it should recommend to effect such economies"—and thus far no bills have been introduced although several have been prepared and up to the present time I have no knowledge on my part that any bills will be introduced.

Continuing: "Several meetings of this Committee of 15, so constituted, have been held"—well, "several means more than one, but to be more exact than that I believe I am correct in saying that "several" was five. "At which meetings a large number"—and that should be clarified by saying thirteen or more—"of more or less radical changes in the management of various state activities were suggested. Many of these proposals were radical in the extreme and without merit"—and we might go into that proposition—"the others, while possessing some merit, were such that they could not be recommended to this Legislature for adoption without extensive study which would entail an expenditure of time and money not available to the Committee at this time." I would say to that, that three or four weeks should give the Committee time enough to make some suggestion.

"The time already devoted to this survey has prevented the proper functioning of the Committee on Appropriations and Financial Affairs"—all of which I deny—"and if continued at this time will undoubtedly delay adjournment of the Legislature and interfere further

with the work of the Committee"—nothing more than a repetition of the statement made many times before. I think the reference is page 286 of the record. "For these reasons the undersigned members of the Committee feel that further time should be devoted to the purposes of the orders by the Committee." I would say to that, that even if the Committee felt so disposed to disregard the written recommendations and other recommendations that were made orally, at least they shouldn't lose sight of the purpose and, as was alluded to in the famous "Amos and Andy" speech by the distinguished Senator from York, Senator Wentworth, they shouldn't lose sight of the spirit of the order that they themselves concocted and they themselves jammed through in their own sweet way through this Legislature.

"And that the Committee should be discharged from its duties." New paragraph: "In making this recommendation the Committee is not insensible"—I think they should have stopped right there but they go on to say, "to the need for effecting all possible economies in the management of our State Departments. It"—the Committee—"realizes that over the past decade the expense of government in this state has greatly increased"—what a platitude!

"It believes that there are economies that possibly could be effected in our State Departments"—and we might pause right there for a moment to recall the fact that the major portion of these gentlemen serving on this Committee have been struggling and wrestling and working on problems of state government and the budget hearings ever since last fall. "It feels, moreover, that if any department is over-manned"—that seems to me to be a nautical term—"or is costing more to operate than it should"—we are getting further into the wilderness—"this condition is not due to any irregularities or illegal acts"—I would like to stop right there and say that the words "irregularities or illegal acts" have never been thrown at anybody within my hearing during discussions of the Committee of 5 or the Committee of 15 and that the only allusions to those words were heard on the floor of the House—"this condition is not due to any irregularities or illegal acts on the part of

the heads of such departments." The thought just occurred to me right then that to make a change in our form of government or to discharge a person you don't have to find him with his hand in the state treasury and his overcoat on, headed out the State House door. And the report continues, "and that to pick out any one department for reduction of personnel or expense without a complete survey of the whole system would be unfair and destructive to proper government." Well, the answer to that is this, that if they had waited three or four days more we would have probably got around to mentioning several other departments. There was no thought on the part of the original movers for economy to whitewash anybody, to disregard any department or to play favorites with anybody. The intent and purpose was to chop wood, and by chopping wood we were going to economize and we were going to let the chips fall where they would.

Now, there is another interesting little word here. I forgot to look that up last night. "Without a complete survey of the whole system of government would be unfair and destructive to proper government." The assumption there would be that we are now living under proper government. Proper government! I am interested in knowing what the reaction would be to the people back home if one of us should attempt to tell them that we are now living under proper government. But we will skip that for the time being.

"The various heads of departments," starts the new sentence, "are not personally responsible for the increase of state expenditures"—and I think that answers the previous sentence. "The various heads of departments are not personally responsible for the increase of state expenditures." Now, that is just the trouble with our government. That is the crux of the situation right there. You know, the more you read that sentence the more it means to you. "The various heads of the departments are not personally responsible for the increase of state expenditures." That puzzles me because in the few short years that I have been in the legislature I do not recall—and this may not be correct—I do not recall of the head of a single department ever declining an increase in appropriation for

his department, publicly or otherwise. On the other hand, with the possible exception of one or two men who have been eliminated for the reason that they didn't, every other department has clamored for increased appropriations and they have lobbied for increased appropriations and they have gone to the people and they have got petitions with ninety-nine and eleven-tenths names on them favoring X Y Z and they have told you how needed and necessary it was. And they come in and they tell you that "if we don't have this appropriation the very life-blood of the state will stop, the state house will have to be closed and the state government discontinued." That may be an over statement but it is pretty near the truth.

Now, under a proper functioning form of state government—and this may be radical, this may be idealistic, it may be a crack-pot idea, it may be a crazy idea, but it is just my notion, that under a properly coordinated form of government, under a democracy, under a legislative system, we should have a governor and we should have department heads responsible to his will and wish. And under the heads of these departments should be deputy department heads selected because of their qualifications, and those deputy department heads would be deputy department heads regardless of whether we had a democrat or a republican or a socialist or a communist or whatever-you as governor. In other words, the merit system in fact, in spirit and in efficiency. And then you wouldn't have somebody telling you that "the various heads of departments are not personally responsible for the increase of state expenditures" because they would be, and they should be.

Well, of course there is nothing complicated about that except that it applies to state government but isn't supposed to apply to anything else. If you are running a business as a business man you delegate authority to key men, heads of departments or whatever you call them, and if they don't get the results, if they over spend their budget, what do you do? You pay them off and tell them to go. Now, in your city government what do you do? You have your heads of departments and if they overdraw they are criticized. The same applies in

your towns. Good management in your towns shouldn't stand for the overdrawing of appropriations.

Well, let's continue this, because it gets more interesting as you get into it. "Every extension of state activity that has become effective within recent years has been due to demands made upon the state by some group of citizens and all of it has been authorized and made necessary by various legislative enactment." Well, that is partially true. Every one of you has been responsible for the enactment of some law here which you were personally interested in and nobody else was particularly interested in, and if you haven't been you will be before you graduate from either body of this legislature.

The thought occurred to me as I look back two years—and let us read this sentence again: "Every extension of state activity that has become effective within recent years has been due to demands made upon the state by some group of citizens and all of it has been authorized and made necessary by various legislative enactment." I recall that two years ago between the twilight and the dawn we were here. I believe I was sitting in Senator Ashby's seat, without his consent, and we had the Airport put over on us. The bill was introduced into the legislature, but not printed, and was enacted without a printed copy being before the legislature. Nothing more than a steal. Of course it was a legal steal because it was put through the legislature. And that is not the first time that has been done, you know. You know, when you get so you can do that you are getting clever.

"Now, The undersigned, therefore, recommend that the Committee be discharged from further consideration of economy measures at this time and that a joint order be adopted which would place upon the Governor and Council the duty to investigate, or cause to be investigated, all the various departments of state prior to the convening of the 89th legislature and report the results of their survey together with such recommendations as they might deem proper regarding the financial affairs of the state." Well, that is involved and we will study it a little. "That a Joint Order be adopted which would place upon the Governor and Council the duty to investigate, or cause

to be investigated, all the various departments of the state prior to the convening of the 89th Legislature and report the results of their survey together with such recommendations as they might deem proper regarding the financial affairs of the state."

There is one word there that bothers me and possibly will bother some of the other lawyers in the legislature before they get through with it: "that a Joint Order be adopted which would place upon the Governor and Council the duty"—"place upon the Governor and Council the duty." Now, just an off-hand opinion coming from a country lawyer I would say that you just couldn't do that. So the order has resolved itself into this, "that the Committee be discharged from further consideration of economy measures at this time."

Now, there is your proposition. Well, time marches on. Let's look at some of these radical propositions—I suggest that it is twelve o'clock noon and lunch is being served below.

Now, getting further into this order—and here it looks like an interesting one. I don't know what order it came into the Committee of 15 on but it is the little proposition on the Augusta State Airport—and may I suggest in all humility that every member of the legislature who has not provided himself with one of these Maine State Budget Reports for 1937 should avail himself of one because he will find out more things about his government than he ever heard of before. I believe there are sufficient copies for everybody in the legislature.

Let us turn to page 9 of the budget report of 1937. We will skip the Adjutant General and go down to the Augusta State Airport, and the total appropriation in 1935-36 was \$5,000 for each year or \$10,000 for the biennium. I might go back a little on that. The original bill submitted in February on the Airport in 1935 was \$30,000 and somehow, by some mistake or something in the dark hours somebody smelled the thing as it came along and asked some questions about it so they cut it down from \$30,000 to \$5,000 a year with the idea in the back of their heads that we would get a little transfer out of the contingent fund. So I believe you will find that that \$12,565 was a transfer out

of the contingent fund. I want to explain however, that this contingent fund is not a bottomless pit. It is a fund that is made up of money that the taxpayers of Maine provide and put through. So that \$12,565 involves just as much toil and sweat and labor as does \$12,565 provided by your legislature in its regular way of appropriating money.

Now, they have requested for the next two years \$13,000 apiece, but, mind you, if we stop this proposition we will not only not have to appropriate \$26,000 but if you will read the 1935 Act you will see that we may be able to recover back our proportionate part of the \$10,000. And we will further nip the thing in the bud and another \$12,000 will not be transferred from the contingent fund.

Now, in the Christian Science Monitor, of Tuesday, March 23, 1937—and this was also reported in a copy of the Lewiston paper which I have here—it shows the federal funds that have been brought to Maine for aviation. Over in Auburn and Lewiston they have \$44,466. Down in Biddeford they have \$51,129; Bar Harbor \$68,630; Caribou \$44,156; Millinocket, \$44,408; Presque Isle, \$10,245; Houlton, \$39,907. But Augusta, notwithstanding the amount of money that they have already, let's put it, obtained, they come in for \$130,096.

May I return again to the Governor's Inaugural of January 7, 1937: "Your solution of some of them may determine the policy for years to come." And, gentlemen and lady members of the Senate, the action of this legislature will definitely place the state of Maine in the airport business—and what does that mean? That means that Auburn and Lewiston will come down here for an appropriation in two more years, and rightfully so; and Biddeford and Bar Harbor and Caribou and Millinocket and Presque Isle and Houlton and every other community.

Now, there is a principle involved here. Are we going into the airport business? Well, I have a little item here in the Portland Evening Express of March 13, 1937 and the heading on Page One is, "B&M Offers to Lease Airport Here". Now, they have got an airport in Portland. It doesn't mention here how much federal money they have got but I believe it is a correct state-

ment to say that they did get some federal money. But, anyway, they are running it on a business basis under business methods and under business principles just the same as they are running the city of Portland on a business basis. They have got heads of departments and they have a City Manager and they know where they are going and how they are coming out at the end of the year.

Now, let's assume for a matter of argument that you disagree with me, which wouldn't be unusual, and that you would maintain that we should go into the airport business, that we should be subsidizing airports. Let's assume that side of the question. I note that in my figures here I didn't read that Bangor got \$76,306 and I also note that the figures on Portland are available here. A total of \$194,808 has been spent on the Portland field.

But let us go back to this little argument that we are going to have here. Assuming that we agree that we are going to put the state into the airport business, that we are going to subsidize private industry in Maine. On the basis of giving \$26,000 to Augusta—and of course every subsidy is based upon need—due to the fact that they have already had \$130,096 plus \$40,000 or \$50,000 eventually from the state, if we treat everybody alike it would mean that these other communities should, under a proper handling of the matter and in a fair and equitable manner by this legislature, should receive little more than Augusta.

Now, there are serious implications involved in this proposition. It may be a crack-pot idea, it may be chicken feed, but by the time you quit feeding out money to all these communities for airports you are going to find out that you could keep a lot of chickens for the amount of freight it is going to cost you. That is the proposition on the airport.

Well, here is a little matter that we haven't discussed very much, and that is the county consolidation. Earlier in the session I pointed out that nineteen of the 140 measures that we have passed in this legislature had gone to increase the taxes of the state of Maine and by far the major portion of those nineteen were increases in county governments. But the attitude on that

is, "Well, the state doesn't have to pay it; the counties pay it." And the answer to that is self-evident. Who makes up the counties? Who makes up the state? Who makes up the towns? The fellow who pays the taxes back home! That is the answer. You can't get out of it because it is a county proposition. The same people have to pay the freight, and if anybody should care to go into the question you will find in the legislative record of 1935 on pages 571-574 a very enlightening discussion on the question on whether or not we should provide \$1500 to make a stud with a possible final suggestion of economies in county governments.

Now, if we all look at this county government proposition from a strictly political or personal angle the problem, perhaps, doesn't seem very great but according to the schedule of county estimates submitted by the county commissioners of the several counties and transmitted to us by the Secretary of State, the tax burdens for the carrying on of county governments will be \$1,231,816.91 per year—not for the biennium. And that is not taking into account the recent enactments of the present legislature.

County government in this country has been long known as the "dark continent" of American politics and it is time that we got some light on the proposition because you know and I know through coordinated effort, through cooperation, through study, through the bringing in of business principles, through the weeding out of waste, it wouldn't be very difficult to save ten per cent. And how much does that mean? That means \$123,000. And for the two years how much does that mean? That means \$246,000; and \$246,000 will take care of a lot of old people back home.

Now, to break the monotony of this I will give you this: Our job is to economize now; our job is not to impose any further tax burdens upon our people. And when I say that, I am looking to the future, my colleagues, and thinking of the social well being and security that we must prepare for the old and young alike. Therefore, let us build our bridges for the future in the spirit of the following lines:

"An old man, going a lone highway,  
Came at the evening, cold and  
gray,  
To a chasm vast, and deep, and  
wide.  
The old man crossed in the twilight  
dim,  
The sullen stream had no fear for  
him;  
But he turned when safe on the  
other side  
And built a bridge to span the tide.  
'Old Man,' said a fellow pilgrim  
near,  
'You are wasting your strength  
with building here;  
Your journey will end with the ending  
day.  
You never again will pass this way;  
You've crossed the chasm deep and  
wide,  
Why build this bridge at eventide?'  
The builder lifted his old gray  
head—  
'Good friend, in the path I had  
come,' he said,  
'There followeth after me today,  
A youth whose feet must pass this  
way;  
This chasm that has been naught  
for me,  
To that fair-haired youth may a  
pitfall be;  
He, too, must cross in the twilight  
dim—  
Good friend, I am building this  
bridge for him.'

And so, members of the Senate, that is our problem today; to build, not for today, not for tomorrow, but for the future, upon the principle of economy. No more new taxes; an honest dollar's worth of service to the people of Maine for every dollar expended by us for them.

Now this question of county government—\$246,000 in the biennium if we cut ten per cent. There is nothing new about it. Studies have been made. Other states are doing this. Other states are taking a step forward. Other states are looking forward. Other states are willing to see the light. Other states are willing to save this waste. New York, Virginia, Illinois—states, not in the south, not in the west, not in the east—states everywhere are re-vamping, changing their county forms of government to bring them up-to-date in conformity to the principles of government that we have long used in our cities in the state of Maine.

But they say that these things are radical. Now, I don't believe that when they use the word "radical" they are speaking in the same term that Webster spoke nor in the same term that the Oxford dictionary spoke.

Here is an interesting one, even if we did talk about it the other day. I have something more to add to it. This question of the September election that was made as a recommendation to the Committee. And I will promise you this, that I won't repeat anything on this proposition that I have said in the last three sessions of the legislature. Realizing as I do, that the question has been relegated to the political graveyard, nevertheless I appreciate the fact that this Committee was constituted under its own order drawn by itself to carry out its own notions on economy and could revise that issue, introduce a bill and permit the people to say whether or not they wanted to save \$40,000 or \$50,000 in the next four years.

Now, in 1909 a very radical man, a man whom probably not one of you here realized or knew from the study of your history, came within one vote of being President of the United States, and that man was the Honorable Bert M. Fernald of Poland, Governor of Maine, defeated for reelection, went to the United States Senate, and when they ganged up at Chicago the choice was between Bert Fernald and Warren G. Harding, and Warren G. Harding in that smoke-filled hotel room in Chicago got one more vote than Bert Fernald. But that man, in 1909 favored a "radical" proposition when he said in his Inaugural at page 32—and this is the same inaugural that parallels very closely Governor Gardiner's Declaration of Principle—"I suggest to you also the consideration of legislation leading to a change of the date of holding our state election to November, so as to conform with the customs of other states of the Union, and to bring our election in Presidential years on the same day as that of the election of Presidential electors. It is a waste of time and money to hold two elections where one can serve as well."

"Radical"? They must have been terribly radical in 1909. Although he was defeated for reelection as governor, he served in the United States Senate until his death and

came within one vote of being President of the United States. But that is the way he felt about it.

In 1933 Governor Brann felt the same way about it and said so in his Inaugural. The Bangor Daily Commercial felt the same way about it on February 3rd, February 11th, and February 16th, 1933. As a matter of fact the Maine Legislature, the Maine House of Representatives, in 1933 voted that the bill ought to be submitted to the people, by a vote of 96 to 50. Furthermore, forty-seven other states in the Union feel the same way about it. I suppose the forty-seven are all radical. There was an editorial in the Portland Press Herald that said a mouthful on the subject. Senator Herbert E. Holmes of Androscoggin county, later a Justice of the Supreme Court of Maine, felt the same way about it in 1933. The Lewiston Evening Journal felt the same in 1933. The Bangor Daily News on February 4, 1933 felt the same way about it. Senator Gratz Jackson of Sagadahoc felt the same way about it in 1935, as also did every Democrat in the Senate two years ago.

But here is an interesting analysis that I know will interest you. This is the big "if." If Senator Chase had voted in 1935 the same as Representative Chase voted in 1933 and if Senator Friend had voted as Representative Friend did in 1933, and if Senator Littlefield had voted the same as Representative Littlefield did in 1933, and if Senator Osgood had voted the same as Representative Osgood did in 1933, the vote would have been 15 to 17 in the State Senate yesterday.

I don't really think that any member has the right in a report to characterize a measure upon which the individual members of the Senate are so closely divided, a measure that has already passed at one time the Maine House, a measure that has been advocated by a former governor and by a former United States Senator, I don't believe it is fair to those of us who favor that measure to label it as radical in the way that they mean that.

Now here is the egg-laying contest. That is only a matter of \$7,000. I haven't any quarrel with the sponsors of that proposition but I do feel that in these times of stringent financial emergency when we

have already contributed to the Maine Egg-Laying Contest \$47,-877.16 that perhaps at least for the time being we could defer further appropriation for the next biennium. I think we may characterize this—and I don't speak as an authority nor do I attempt to speak as an authority on agriculture—that I think it is a fair statement to say that the Maine Egg-Laying Contest is a frill in agriculture.

Now, we have frills in agriculture, we have frills in taxation, we have frills in education, we have frills in sea and shore fisheries, we have frills in every department of our government, but the only imperative thing in the minds of the people back home—and I know because I have been back and talked with them, and I have talked with them not only in Waldo county but in other counties—let's delete the frills in government and make a determined effort to take care of the needy and deserving. Let's cut out this talk about new taxes and go to work, start chopping wood, and let the chips fall where they may, and economize.

Here is another little frill that we will talk about while we are talking about frills. If any of you have available the second biennial report of the Department of Finance for 1936 and will look at page 16 you will see some facts in regard to the excise tax idea. The suggestion was made—I must get this language back in my mind here—that one of the radical proposals in the extreme and without merit was that the excise tax audit should be done away with. Let me tell you just what that is, if I can, in my humble way. You and I, when we procure our automobile licenses, our first duty is to procure the cash to go to the tax clerk and pay our excise tax. And then we get a couple of slips of paper, receipts, and we take one of those slips and we bring it over here to the state house and after making out some other forms we file them with somebody downstairs and they give us our plates if everything is in due order. And, mind you, you have paid your excise tax to your local community and under the law that excise tax belongs to the community.

In 1933 we passed an act providing that all these slips that come in

from the tax collectors should be checked up again, and that costs about \$16,000 a year. Well now, in all fairness to the proposition the people on the other side maintain that the excise taxes collected by the local communities have increased over the period. We will all agree to that. It may be that some of this increase has been provided for by this audit, this recheckup, but I don't think that it would be fair to say that the entire increase was due to this audit.

Now, my quarrel with this proposition, spending the \$32,000 in the next two years, is this—getting back to the recommendation of our governor, "Your solution of some of them may determine the policy of the state for years to come." Now, if we are going to go forward in our state government on the theory that we are going to check up on the excise tax collecting, why not carry it to the dog tax collector, the local road commissioner, the tax clerk on real estate, the fellow who collects the victualers' licenses, and every other form of tax. In other words, why not take over the localities and run them; we are so wise over here. We don't seem to keep our own budget balanced and why should we expect everybody else's budget to balance? You see, it is the wrong theory.

Now, if these local communities, if these local towns back home haven't got brains enough in their town meetings to elect men who are competent to collect their taxes, why, whose hard luck is it? It shouldn't be any affair of ours. The thing will right itself. The condition will react and finally the people will stand up and they will say, "We won't stand for that kind of a man as tax collector because he can't do his job." There is nothing difficult about it. For two or three dollars you can buy a book with everything all figured out for you and I understand that everybody in the state of Maine is permitted to go to the common schools.

There is no sense to the proposition. What are you trying to do? You are putting an overhead on the state of Maine of \$16,000 a year or \$32,000 for the biennium. You are cluttering up the state house with a lot of balconies and if the thing continues—and this isn't a foolish statement either—if the system continues you will either have to build some galleries in here or



put another annex on the state-house, and the last annex that you put on the state house was one of the contributing factors to the defeat of Governor Fernald.

Now, if you can get rid of thirteen girls in this state house who are not performing any real public function and get a lot of these desks out of the corridors and from under the stairways and in cubbyholes and here and there, it would improve the looks of the state house and save us some money. You are going to get so jammed up and crammed up here with this bureaucracy we are building up here that it will be imperative that you build a wing on the state house. Is there anyone here who would really get right up and seriously say that he would vote for building a wing on the state house? If I should even put a proposition like that into the legislature here you would expel me from the Senate. Now, there is nothing radical about that proposition. It is just the expression of our form of government.

We are living under a form of government entirely different than the European system. Under the European system of government power is delegated from above, down to the localities. In America, under the American form of government, the residue of power is with the people and the power that the state gets is granted to them by the people through you, the duly accredited representatives of the state of Maine. Well, there is another frill that we might dispense with.

Here is a proposition that I won't quarrel with if you call it radical. It probably is. On the other hand, I will say that it is reasonable and eventually we will come to it. And that is the idea of one number plate. Florida has one number plate, and two other southern states have one number plate.

Now, the proposition will save \$15,000 over the biennium. A lot of you laugh at this proposition. The question of the one number plate was suggested by certain law enforcement officers. Let's look at it as a practical proposition. You don't have to have any survey to stop and determine this. You know and I know that in the night time it doesn't make any difference whether you are driving a Ford, a Mack truck or a Chevrolet, you cannot see the front number plate on a car.

No one will disagree with that proposition. So at least the front number plate isn't of any value half of the time. Now, some of us can see the front number plate in the day time and some of us can not. Now, I think that with the corps of state police we have now and with the very efficient men that have presumably been selected under the merit system, they can take care of all the automobiles they want to in the day time. I won't quarrel with anybody on the proposition that disagrees with me because there are two sides to the question as there are to every question, and there are only three states with me, but I will wager a guess in the record that before there are less than three states using one number plate, there will be more states using it.

Now let's come to this proposition—the insurance of state property. Now that is a radical proposition, but let me point out to you this: In 1930 the State of Maine spent \$30,000 in making a report on a survey of state government, conducted for Governor William Tudor Gardiner, entitled State Administration Consolidation in Maine, and this survey was carried on by the National Institute of Public Administration, 261 Broadway, New York City. Now, at Pages 22 and 23 the whole situation is put out there before you. It is presented by experts. It is presented by those who are not interested in selling insurance or buying insurance. One argument I will present in favor of doing away with \$30,000 in the state budget for 1937. \$30,000 will pay old age pensions to a great many people. Now I will submit further the fact. The fact is in the record of 1935 that 20 states in the union, including some of the most powerful and progressive states in the union do not use state insurance but that 11 states set up a reserve system. In other words, 31 states in the union do not carry on the same policy of insuring state buildings that we do. Now, we are either wrong or 31 states are wrong as far as fiscal or state policy is concerned. Now I have a feeling that this proposition will be eventually adopted in this state, and within five years, although I am well aware of the fact that the insurance lobby is the strongest lobby that a Maine legislature has to run up against. Figuring an expenditure

of \$80,000 for premiums over two years and figuring a 20% cut on that, 20% of \$80,000 is \$16,000 and that is worth fighting for. I do not quarrel with any insurance man. I do not quarrel with any insurance man who fights me on this proposition, but I maintain that the State of Maine is a bigger corporation, has a greater diversity of risks and has more backing than a great many of the insurance corporations that we are doing business with. And I think that good, sound insurance principles will some day push the State of Maine to do business in the insurance proposition the way that the insurance people do.

Now, here is a proposition that we may differ on—the consolidation of the banking and insurance department. I have suggested a saving of \$20,000. Perhaps it is a little premature but I doubt it, because we are getting to the proposition every day, and we have been for the last four years, that the state banks which include trust companies and savings banks in Maine, the ones which pay us considerable taxes, are decreasing in number. Why? Because they cannot compete with the national banks which are benefited to a greater extent than are our state institutions under the present paternalism of the banking business fostered upon us by the administration at Washington. And the time will come, and I want this in the record, when we will stand up here and we will fight in Maine for the Maine savings banks and the Maine trust companies,—and I have no quarrel with the national banks. My only proposition is that if I have \$500 sometime in the near future to deposit in a national bank and should have \$500 to deposit in a Maine savings bank chartered under our Maine laws by a Maine legislature, and \$500 to put in a Maine trust company, I would expect every one of those three banks to contribute equally their proportion of taxes to the state treasury, and when they all three pay the same tax, or all three of them pay no tax, I will be contented with this proposition.

Now, here is a little proposition that doesn't amount to much, but represents \$8,000. Legislative Document 189, An Act Relating to the Safeguarding of Clamflats. Now

that appropriates \$12,000 next year—\$1500 to eight counties. Now everything that Legislative Document 189 purports to do or could do, can be carried out by an appropriation of \$4,000. I am not going to argue clams with you but I will say in passing that this legislature and the past legislatures have been passing a lot of discriminatory clam legislation here, restricting the digging of clams in certain localities, which is unfair, but the greatest objection to it is that it is detrimental to the clam industry itself, because clams are just the same as apples—if you don't pick them they will rot on the trees.

Now, here are the legal fees,—some \$25,000 last year. I am not going to quarrel with this legislature and make a fuss with my brethren in the legal profession over somebody getting a big fee out of the state, if the rest of the legislature is not interested, but the fact remains that with the increase in personnel of our state police, the major portion of the investigating we paid for in the last few years could be equally as well carried on by the state police; and with the induction into office as one of the new liquor commissioners, a very able lawyer, there should be no additional money spent for legal fees in the liquor commission. With the election to the office of attorney general of Franz U. Burkett, who is an expert on the milk control board, we should not have to go out and break in a new lawyer and teach him all the law he is supposed to know about the milk control board. The same theory carries right down through. I do not think it is a radical proposition. I do not think there is anything unreasonable about it. I might remind you further that in the Health and Welfare Department considerable sums are spent for attorneys' fees, and I believe careful investigation will demonstrate that 16 county attorneys of the 16 counties in the State of Maine, under the present law are required to do most of that work; and if they are not, this legislature ought to pass a law to make them do it, because as far as I know, every legislature I know of has been increasing the salary of county attorneys. But I can understand the point of view of the county attorneys, what is the use of their sticking their noses into the

health and welfare proposition if they know someone from Augusta is coming down and take the headaches off their hands? Bear in mind that county attorneys are state officers and are paid by state funds.

Now, the racing commission. Certain recommendations were made concerning the racing commission. Recommendations were made and suggestion were made that the racing commission in the performance of their duties, stick to the duties. There is no need and no justification for the racing commission to go outside of the statutes, going outside of the law created by you people two years ago, and performing additional functions for different people, for the fairs, because it is the duty and the job of the legislature to expand the law and it is not the duty nor the function of the head of the state racing commission, and that same theory applies to every state department. Now, considerable saving could be made there. The case has been well argued before the committee of fifteen by a man more familiar, more competent to present the facts, and I would not presume upon his information or upon his time to discuss a matter which he is better qualified to present than myself, and I mean by that none other than my colleague, the Senator from Cumberland, Senator Willey.

Now, here is No. 13—the last straw that broke the camel's back. Recommendation No. 13 was brought in, setting up a department of conservation, and the committee said, "We have heard enough." Now that proposition,—all it proposes to do is to carry out the spirit and the intent and the recommendations of the Gardiner Code of 1930, which code cost the people of the State of Maine \$30,000. Here is the proposition, saving \$125,000 a year, \$250,000 for the biennium. What does it try to do? It does this—After I get through don't let this thought come into your mind that you cannot do it, because you are the legislature. You can change any law on the statute books except the Constitution, and you can provide means for the Constitution being changed by submitting it to the people. Now, why not consolidate the departments of Inland Fish and Game, Sea and Shore Fisheries, Maine Publicity

and Forestry under one head, under the Department of Conservation? Vermont, New York, Massachusetts and a score of states are evidently radical. I wonder where all these other people—how all these other states are able to do these things. The thought has always occurred to me that we have just as many men of brains and just as many pioneers in the state of Maine as they have in any other state, in proportion to our population, and I am inclined to think that the proportion is a little in our favor. I am not going to argue with you about it but the proposition will be adopted in this state within five years.

Now, here is the question of the bonded debts. On January 1, 1937, the bonded indebtedness of the state of Maine was \$31,443,500. The interest on that is \$12,039,210, or by the time we get through paying that bonded indebtedness in 1978 it is going to cost the state of Maine, the taxpayers of Maine, \$43,482,710. Now, there is a possibility there, through the adoption of business methods, through the adoption of methods of refunding as carried out by the United States government, of refunding, or recalling, or what-have-you, some of that debt to lower the rate of interest. The exact method, the exact bill, the exact process, might take some study and a banker and a good lawyer and one or two others could do it and they could save a lot of money.

Now outside of that, from time to time in the future the state of Maine is going to embark on programs that are going to require the borrowing of more money and we should for once and for all establish our bonding and debt policy upon a sound basis and not let those propositions bother us every two years.

Thus far I have taken up with you the thirteen radical propositions that "have little merit in them." In the brief time that I have had to discuss these propositions I have tried to cite to those of you who have an inquiring mind authorities that you may go to and I believe that any fair person will agree with me that the precedents for most of them are well established.

Now, let us go a little further into this proposition because I don't expect that after this conversation with you gentlemen, this heart-to-heart talk on economy, after the whitewash has been completely dis-

solved and has been carefully and fully applied to all those concerned, that the word "economy" will be heard until the next campaign.

Now, there are some other things here and we might as well go into them while we are here. And I want to make this suggestion, and I want you to take it, in the right spirit: that I don't believe it is ethical for any man who is employed by the state of Maine to be over here as a paid lobbyist for any proposition that is before the legislature. Now, if there is anybody who reads this and it applies to them, why, I hope they take it in the spirit in which it is presented. I might further say that there are a lot of people working around this legislature on propositions that are not registered down stairs and they had better get on the bandwagon because I am out gunning.

There are one or two other propositions. Here is a proposition that the Governor has been advised of, I am told; the purchase of fresh milk at our state institutions.

The PRESIDENT: The Chair will ask that those who are occupying seats in the Senate Chamber and are not members of the Senate, vacate them, and that any member of the Senate who is not in his or her seat will please take his seat and the Secretary will ascertain whether a quorum is present.

The Chair is advised that a quorum is present. The Senator may proceed.

Mr. FERNALD (resuming): The further suggestion that I was making was that the purchasing of certain commodities such as fresh milk for our state institutions costs a lot of money. It costs a little over six dollars a week to keep an inmate in our state institutions. I for one am willing, and insist, that they have proper food but I think that when an institution like the Bangor State Hospital has an opportunity to be provided with fresh milk up to the standard, the same standard which they are now receiving, at a saving of from one thousand to two thousand dollars a year, that that is something somebody should look into. And I am told by the party who advised me of the proposition that the Governor has been sent a copy of this letter. But I have cleared myself on the proposition and I am in the record.

Now, there is no politics to this,

either. I think there is an opportunity down at Thomaston to save \$30,000 in running that place. I am not going to say any more about it because somebody will say that Johnson is a friend of mine or something like that and I have only seen the man three times; twice at the prison and once up here.

I will make this statement, that I think it is a matter of state policy that when we have a change of administration and the head of a department is of the opposite political faith and we want to change him we should go down and say, "Johnson, you are a Democrat. We have a Republican whom we want to put in," and we should do it that way, and the thing should work both ways.

Now, on the question of our legislative machinery there is no question but what in the carrying on of this legislative machinery here matters might be run more economically, and I don't mean by practising petty economy, either. But there is a lot of waste and a lot of unnecessary cost and I suppose somebody will say that it is very unnecessary for me to speak today but I don't feel that way about it.

I think everybody is aware of how I feel about the Governor's Council but I won't make any personal recommendations about that. I felt the same way about it when there was a man from my county on the Council and I feel the same way today, and there is no man who is a member of this Council or a member of the past Council or any other Council who can honestly say that there was anything personal in my position on the matter of the Council—and there isn't today. I am guided in my thought by the recommendations in the Gardiner code of 1930. The matter is covered in Chapter 2 of that report beginning on page 24 under the title, "The Executive and the Council," and the fact remains that within the last year it cost us \$19,634.56. I think in that connection I might return to my first proposition, the Augusta Airport, and say that when you talk about an annual cost of the Governor's Council of \$19,634.56 I think that with a more complete analysis and a more complete investigation you would be able to charge to them a greater cost than that because I believe that the \$12,565 that they transferred to the Au-

gusta Airport was a waste of money and that was by no means the only unnecessary transfer that was made by the Governor and Council.

Now, getting back to the proposition that I was talking about before, when they go around buying real estate that nobody wants or needs I think that should be investigated. I think if we are going to buy any real estate for any of these heads of departments we might just as well let the legislature do that.

Now, the Gardiner code report suggests the abolition of the office of State Treasurer and the office of Secretary of State. There is a happier solution of this if you don't want to go the full distance, if you still insist that Maine wants to be one of the three states out of the forty-eight that clings to the Governor's Council.

The PRESIDENT: The Chair will ask that any Senator who is not in his seat will take his seat in order that the number may be counted.

A quorum being present the Governor may proceed.

Mr. FERNALD (resuming): Getting back to the proposition of the alternative on the matter of the Governor's Council, there is the extreme and radical method, as some might hold, of complete abolition. On the other hand, if you still feel that you only want to go half way why not set up a Governor's council of five officers, state officers, who are now elected by the legislature and let them be the Governor's Council. That wouldn't cost the state any added money. Your Attorney General is elected by your legislature; your State Treasurer is elected by your legislature, your Secretary of State is elected by your legislature; your Commissioner of Agriculture is elected by your legislature; and there is one other that just slips my mind now. Set those five up as your Governor's Council.

State Police. I really think this is a very serious proposition. When a legislature will permit petty party politics to continue in the conduct and supervision and the selection and control of your state police—in England they would call that treason because that strikes a death blow at the very system of government that we are living under and no pretense or no newspaper publicity to the effect that our policy is two years off will be of any

avail until the people back home are shown that the spirit and the facts of that declaration are being carried out. And this taking people out of the state police and allocating them around under stairways, getting them out of the way because you don't like them and giving them a swivel chair job, that is neither good business, good politics nor good government. Mayor Fiorello La Guardia of New York City said that there are more men ruined by swivel chairs than by chorus girls, and I think he is right.

Last Sunday night I took it upon myself as an individual to wire Luther Gulick, Director of the National Institute of Public Administration, 261 Broadway, New York City. I sent him a telegram last Sunday night and I asked him four questions—and by the way, I will state to you that the National Institute of Public Administration is the organization that the state of Maine spent \$30,000 with to bring out the Gardiner code. I asked him four questions—but before I get to that, the Gardiner survey cost \$30,000 and it took them four months to do the job—four months—and they had to begin at scratch. Now, I asked the director of that institution, "How much will it cost to make a survey bringing the Gardiner report on state administration up to date; How much will it cost to make a survey of county costs; How much will it cost to make a survey of our legislative machinery; and How much will it cost to make a survey of our judicial system?" I haven't his letter here but I have it in the other room. I believe I am correct in saying that he said that on the question of the state administration, that could be done for from \$6,000 to \$8,000. On the second proposition, our county governments, \$7,500. Of course you realize that with the survey of the county governments you have to begin at scratch, you haven't the standards to go by, you haven't the information at hand. Now, my third question was asked about the Legislative machinery and he said from \$1500 to \$2000. To my fourth question he made no reply.

Now, what does that mean in a nutshell? I never heard any particular criticism of this survey made by the National Institute of Public Administration, at least as far as being non-partisan or being biased in any way. Of course, the most

economical and business-like method would be to employ these people. If you want to make a survey for \$15,000, for \$7,500 for the next two years, or for a little more than it will cost to continue the Augusta Airport, we can have a non-partisan, unbiased, scientific survey made of our state government, right up-to-date, and have a survey made of our county governments, and a survey made of our legislative machinery, and that can all be done this summer and the report can be submitted to us in special session next fall. Now, somebody will say, "Oh, well, a special session is going to cost \$8,000." Well, we are going to have a special session anyway so you might as well have something to do at the special session. Fifteen thousand dollars!

Now, I don't know of any easier way of saving money and saving new taxes than to spend \$15,000 this way, half of what it costs to put through the original Gardiner survey and with a more complete survey—\$15,000.

Why, you propose to waste \$8,000 planting clams. You are wasting \$15,000 every year in nearly every department in the state house. Now that isn't any exaggeration. Now if this survey is made, if it should come about, you are not going to adopt all the recommendations of the survey but you are, at least, going to be able to take account of stock. I think it will be a good tonic for the State of Maine. It will spruce us up. It will put some of these political employees of ours on a little better behavior. Just let me remind you about this. On January 25th, 1937, the report came out on one department here, made by Professor Hormell of Brunswick. I do not want to involve him in any controversy or anything. It is a printed document. It is a bulletin of Bowdoin College. Here is his statement at Page 30: "It has been stated, by competent financial authorities, and no one has offered to refute it, that the taking of the liquor administration out of political patronage and placing it on a strictly business basis would save some \$200,000 annually." That is just one department. Take any department, I do not care what department it is, put it on a business basis.—anyone could go into that department and make a good year's pay besides saving \$15,000.

Now, our job here is to do some-

thing. Now you can pooh-pooh the idea, but the people back home want some action on economy and there is not a darned one of you going to be criticized for spending \$15,000 for cleaning up some of this stuff, but on the other hand there is the alternative I pointed out to you,—why if the Republican State Committee would take \$15,000 or go out and sign notes for \$15,000 and make this survey themselves, they would not have to spend a nickel to re-elect the whole ticket in two more years. When you look at some of the ways they spent their money in the last campaign,—when you look at some of the asinine performances they went through to get votes, paying a salary to citizens who should be willing to take their coats off and their vests off to work for the party. Why, it is a reflection upon our form of government. It is a reflection upon our patriotism. Take the list and look it over. You would only have to look once to agree with me. Take \$15,000 and clean up this mess. They cannot say anyone is going to get any newspaper publicity out of it.

There isn't anyone in this National Institute of Public Service who is running for office here. Herbert Hoover, who is on the board of directors, doesn't want a job in Maine. Professor E. R. A. Seligman of Columbia University, one of the greatest authorities on taxation,—I am sure he doesn't want a job here in Maine, and I do not think that Luther Gulick is interested in a petty job here. It seems to me we have got to see it as our duty to go forward. I am always reminded of that slogan of Theodore Roosevelt's, "God hates a quitter." And now this order before you today, when you get down to the meat of the thing, when you get down to what it really says and read it,—it is true the second part you cannot do for this legislature cannot tell Lew Barrows to go to Presque Isle tomorrow and pick a carnival queen, or tell Lew Barrows to go to Boston, or tell Lew Barrows to come in here, or tell Lew Barrows to go to the Blaine Mansion; so that second part can all be crossed off,—and it resolves itself to this one proposition, "that the committee be discharged from further consideration of economy measures at this time."

I appreciate your patience with me. I have, at least, had an oppor-

tunity to express myself and regardless of what action this body takes upon this measure, I am content, because I feel I have done my duty as I saw it and I am willing to stand by the results in 1938, and I, for one, and I am running for State Senator and I am not running for anything else, and I am running on this platform of "No New Taxes" and "Economy." If I am defeated, I will take it on the chin, but I do hope before we throw to the winds every opportunity of returning the straight Republican ticket in 1938, that we proceed with caution, conservatively, and consult with others. Consider well the future as portrayed to us by the past, always remembering that we, as legislators took an oath to do a job, and let's do it if it takes us to the Fourth of July. I thank you.

Mr. WILLEY of Cumberland: Mr. President, first, at the proper parliamentary time, in the interests of economy. I will move that the remarks of the Senator from Waldo, Senator Fernald, be not printed.

I was reminded when he was talking and drinking a glass of water to wet his mouth and parched lips of a story I heard in town meeting at one time. They had a character in the town who always got up on some subject and he would talk for an hour and a half and all the people in the town would get so disgusted with him that they just didn't know what to do, and one time at one town meeting he got up on an issue and was talking away and talking away and talking away and he reached over and got a glass of water and took a big drink of it and sat it down, then talked some more and then took another drink. There was another town character and he was a bright little witty fellow, and when this fellow talked on and on, and kept picking up the glass of water, this little fellow said, "by gad, that is the first windmill I ever saw that ran on water."

Well, the report of fourteen members of this committee of fifteen has asked that a survey of the affairs of our state government be made. That is incorporated in the report of 13 members, excluding Senator Fernald and myself. It is included in my minority report. Fourteen of fifteen members of that committee have recommended that

survey. Fourteen members of that committee know that our Governor and our Council will forthwith put into effect every economy consistent with good government. Fourteen members of that committee knew that the affairs of this state were too complex for us to deal with them in the time allotted to the members of this legislature or any other legislature. Fourteen of us have the interests of the state at heart when we make that recommendation. Although I do not agree with the line of reasoning based upon the report of thirteen, I agree with the conclusion.

I cannot feel,—and I must say something to follow the thought and remarks of Senator Fernald in connection with the airport in Augusta. I do not feel, and I signed a report to the effect that I feel that an appropriation should not be made for that project because I feel, and rightfully so, I believe, that it was discriminatory legislation, and for no other reason. But for any man to say that it was a "steal," I think that is hitting below the belt. For none other than Senator Fernald, the last night of the session, asked to have the order read, and it was read to him. He knew what that appropriation carried and if it was a "steal" then he was an accessory to the fact because he didn't vote against it. That kind of parliamentary procedure I do not go with one inch and I do not think any other gentleman in the Senate does either.

Now, we have worked conscientiously on that committee. We have done the best we could. We have made a report which we believe,—and I speak both for the report of thirteen and my own,—will best serve the interests of this state, and I certainly shall support the motion of the Senator from Kennebec, Senator Hussey, that the report be received, knowing well, as Senator Fernald does, that there is another order to follow, which he has seen, which gives to the Governor and Council the authority to put into force just such a survey as he has suggested, and it seems to me in view of his knowledge of those facts, that he was unkind and inconsiderate to take up the time of the Senate in this way.

He said he had been home and he had knelt and he had prayed. Well, if he did, I don't believe he

received any intellectual or any spiritual blessings or cooperation with his intent to run this government in an economical and prudent way. I fear, perhaps, considering the remarks I read in the Kennebec Journal this morning I am forced to agree with the representative from Calais with respect to his opinion of the Senator from Waado (Senator Fernald).

Mr. GOUDY: of Cumberland: Mr. President, inasmuch as the legisla-

ture has seen fit to outlaw marathons and inasmuch as I am not a participant in an endurance contest, I move we adjourn.

The PRESIDENT: The motion is debatable. Is the Senate ready for the question?

A viva voce vote being had, the motion prevailed.

Adjourned until ten o'clock, tomorrow morning.