

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
Ninety-first Legislature
OF THE
STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
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HOUSE

Thursday, February 25, 1943.

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

Prayer by the Rev. James E. Barr of Kents Hill.

Journal of the previous session read and approved.

Papers from the Senate

From the Senate: Resolve relating to Fishing in Androscoggin County (S. P. 407) (L. D. 704)

Came from the Senate, referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate: Bill "An Act providing that Labor Unions shall be Licensed by the State" (S. P. 408) (L. D. 703)

Came from the Senate, referred to the Committee on Labor.

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

From the Senate: Bill "An Act relating to the Registration of Motor Vehicles Used by Fire Departments" (S. P. 409) (L. D. 702)

Came from the Senate, referred to the Committee on Motor Vehicles.

In the House, referred to the Committee on Motor Vehicles in concurrence.

From the Senate: Resolve providing for a State Pension for Virginia R. Fisher of Augusta (S. P. 423)

Came from the Senate, referred to the Committee on Pensions.

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

Senate Reports of Committees Ought to Pass

Report of the Committee on Motor Vehicles reporting "Ought to pass" on Bill "An Act relating to Penalties of Motor Vehicle Violations" (S. P. 300) (L. D. 436)

Report of same Committee reporting same on Bill "An Act relating to Mirrors on Motor Vehicles" (S. P. 301) (L. D. 434)

Came from the Senate, the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and

the Bills read twice and tomorrow assigned.

Report Tabled

Report of the Committee on Welfare reporting "Ought to pass" on Bill "An Act Amending the Old Age Assistance Law" (S. P. 71) (L. D. 6)

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

In the House, on motion by Mr. Bubar of Weston, tabled pending acceptance of Committee Report in concurrence.

Ought to Pass with Committee Amendment

(Engrossed in Senate Without Amendment)

Report of the Committee on Legal Affairs on Bill "An Act relating to Compensation of Collectors" (S. P. 102) (L. D. 38) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate the Report read and accepted, Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed without amendment.

In the House:

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

Mr. PAYSON: Mr. Speaker, I move that the Report be accepted and that Committee Amendment "A" be indefinitely postponed in concurrence.

The SPEAKER: In view of the fact that this amendment has been reproduced and distributed, the Clerk will read Committee Amendment "A".

The Chair will state that under the rules the House cannot consider an amendment unless its has been reproduced and distributed.

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

Committee Amendment "A" to S. P. 102, L. D. 38, Bill "An Act Relating to Compensation of Collectors."

Amend said Bill by striking out the words "and not redeemed" appearing on the fourth and fifth lines of the first paragraph thereof.

(Amendment indefinitely postponed in the Senate on February 24th)

The SPEAKER: The gentleman from Portland, Mr. Payson, moves

that the Report of the Committee be accepted. Is this the pleasure of the House?

The motion prevailed and the Report of the Committee was accepted in concurrence.

The SPEAKER: The same gentleman now moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

Thereupon, the motion prevailed and Committee Amendment "A" was indefinitely postponed in concurrence, the Bill was given its two several readings and was assigned for third reading tomorrow morning.

Ought Not to Pass (Recommended)

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to the Expenses of the Board of Visitors of State Institutions" (S. P. 191) (L. D. 272).

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

In the House, on motion by Mr. Murchie of Calais, the "Ought not to pass" Report of the Committee was accepted in non-concurrence and sent up for concurrence.

Bills and Resolve Requiring Reference

The following Bills and Resolve, which were transmitted by the Revisor of Statutes pursuant to Joint Order S. P. 310, were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Banks and Banking

Bill "An Act relating to Investment of Deposits in Mutual Savings Banks" (H. P. 1231) (Presented by Mr. Flagg of Portland)

(Ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act to Create the Office of Clerk in the Office of the Treasurer of Androscoggin County" (H. P. 1232) (Presented by Mr. Snow of Auburn)

(Ordered printed)

Sent up for concurrence.

Temperance

Bill "An Act relating to Sale of

Liquor" (H. P. 1233) (Presented by Mr. Bubar of Weston)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the city of Bath (H. P. 1234) (Presented by Miss Deering of Bath)

Sent up for concurrence.

Orders

On motion of Mr. Downs of Rome, it was

ORDERED, that Mr. W. A. Jones of Waterville, be excused from attendance for the remainder of the week because of business; and that Mr. Crosby of Farmington, be excused for the remainder of the week because of illness; and that Mr. Renouf of Biddeford, be excused for the remainder of the week because of business.

House Reports of Committees Leave to Withdraw

Mr. Anderson from the Committee on Legal Affairs on Bill "An Act relating to Private Ways" (H. P. 592) (L. D. 358) reported leave to withdraw.

Mr. Baker from the Committee on Sea and Shore Fisheries reported same on Resolve relating to Fishing for Striped Bass (H. P. 601) (L. D. 368)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Ela from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve relating to Ice Fishing in the Aroostook River (H. P. 134) which was recommitted.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Snow from the Committee on Banks and Banking on Bill "An Act relating to the Capital Stock of Telephone Workers Credit Union of Maine (H. P. 165) (L. D. 119) reported same in a new draft (H. P. 1235) under same title and that it "Ought to pass".

Mr. Haskell from the Committee on Legal Affairs on Bill "An Act relating to the Voting Precincts in the town of Harpswell" (H. P. 103) (L. D. 62) reported same in a new draft (H. P. 1236) under title of "An Act relating to the Voting Districts in the town of Harpswell" and that it "Ought to pass"

Mr. Dutton from the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to Insurance Agents and Brokers" (H. P. 24) (L. D. 10) reported same in a new draft (H. P. 1237) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass

Mr. True from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve relating to Fishing for Smelts in Waters of Androscoggin Watershed (H. P. 180)

Report was read and accepted and the Resolve ordered printed under the Joint Rules.

Mr. Southard from the Committee on Banks and Banking reported "Ought to pass" on Bill "An Act relating to Mortgage Loans of Savings Banks" (H. P. 932) (L. D. 485)

Mr. Anderson from the Committee on Legal Affairs reported same on Bill "An Act relating to Deposits of County Funds" (H. P. 803) (L. D. 386)

Mr. Donahue from same Committee reported same on Bill "An Act relating to Expenses of Quarantine" (H. P. 255) (L. D. 189)

Same gentleman from same Committee reported same on Bill "An Act to Amend the Charter of the city of Bangor" (H. P. 563) (L. D. 313)

Mr. Sichel from same Committee reported same on Bill "An Act concerning Listing of Dogs by Assessors" (H. P. 801) (L. D. 383)

Miss Longstaff from the Committee on Public Health reported same on Bill "An Act to Enable Towns to Obtain State Aid in Securing Public Health Nursing Service" (H. P. 341) (L. D. 203)

Mr. Emerson from the Committee on Sea and Shore Fisheries reported same on Bill "An Act to Regulate the Sale and Packing of Sardines During the Present Emergency" (H. P. 834) (L. D. 400)

Mr. McLellan from same Committee reported same on Resolve relating to Close Time on Lobsters in Certain Waters (H. P. 602) (L. D. 354)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act relating to Shippers of Potatoes" (H. P. 163) (L. D. 118)

Bill "An Act to Amend the Char-

ter of the Kennebec Water District" (H. P. 468) (L. D. 250)

Bill "An Act relating to the Stipend for Agricultural Societies during the War Emergency" (H. P. 522) (L. D. 316)

Bills were read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Tax on Resources of Banks" (S. P. 137) (L. D. 144)

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

Bill Tabled

Bill "An Act Defining the Word 'Teacher' under Teachers' Pensions" (S. P. 144) (L. D. 146)

Was reported by the Committee on Bills in the Third Reading, and read the third time.

Mr. Webber of Mapleton then offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 144, L. D. 146, Bill "An Act Defining the Word 'Teacher' under Teachers' Pensions."

Amend said Bill by inserting before the underlined word "day" in the 4th line of the 2nd paragraph of said Bill the underlined word 'public.'

Further amend said Bill by striking out the period at the end thereof and inserting in place thereof the following underlined words: 'or in any school which is supported at least 3/5 by state or town appropriations.'

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, it is not the purpose of this amendment in any way to defeat the purposes of the law or to work hardship to any teacher or person entitled to benefits thereunder. It has been pointed out, however, that there may be some reason that this will work hardship to teachers of academies or other institutions. I therefore move, Mr. Speaker, that the amendment and accompanying bill lie upon the table pending adoption of the amendment.

The SPEAKER: The gentleman

from Mapleton, Mr. Webber, moves that House Amendment "A", together with the bill, be tabled pending motion by the same gentleman for the adoption of the amendment. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the bill, together with House Amendment "A", was tabled pending adoption of House Amendment "A."

Passed to Be Engrossed (Cont'd)

Bill "An Act relating to Game Management and Game Management Areas" (S. P. 159) (L. D. 180)

Bill "An Act relating to Rules and Regulations of the Commissioner of Inland Fisheries and Game" (S. P. 170) (L. D. 233)

Bill "An Act providing Authorization for Reimbursement of Officers and Directors of Corporations for Expenses Incurred by them in connection with the Defense of Certain Suits" (S. P. 190) (L. D. 276)

Bill "An Act relating to Collection and Disposition of Money Received under the Inland Fish and Game Laws" (S. P. 212) (L. D. 324)

Bill "An Act relating to Unstamped Cigarettes and Forfeiture Proceedings" (S. P. 215) (L. D. 327)

Bill "An Act to Authorize the Charging Off of Uncollectible Accounts" (S. P. 216) (L. D. 328)

Bill "An Act relating to the Improvement of the Military Laws" (S. P. 297) (L. D. 440)

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

Bill Tabled

Bill "An Act relating to the Sale of Oils" (H. P. 181) (L. D. 126)

Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Cross of Augusta, tabled pending third reading.

Bill "An Act Extending the Period for which the Board of Finance in the city of Waterville is Established" (H. P. 455) (L. D. 259)

Bill "An Act relating to the Ex-amination of the Public Debt Amortization Fund of the city of Waterville" (H. P. 456) (L. D. 245)

Bill "An Act relating to Transfer of Title Under Court Order" (H. P. 547) (L. D. 290)

Bill "An Act relating to Membership in the Jointly-Contributory Retirement System for Employees

of Inland Fish and Game Department" (H. P. 550) (L. D. 312)

Bill "An Act relating to the Definition of Interest under the Teachers' Retirement System" (H. P. 551) (L. D. 292)

Bill "An Act relating to the Board of Trustees of the Jointly-Contributory Retirement System" (H. P. 552) (L. D. 287)

Bill "An Act to Provide a Lien for Sewer Rates for the Houlton Water Company" (H. P. 557) (L. D. 296)

The SPEAKER: These bills having been reported by the Committee on Bills in the Third Reading that no further verbal amendments are necessary, is it now the pleasure of the House that these bills pass to be engrossed?

The Chair recognizes the gentleman from Fort Kent, Mrs. Leidy.

Mrs. LEIDY: Mr. Speaker, being the mother of several children develops a sympathetic nature, I cannot resist these appealing glances, and I move that House Rule 25 be suspended for the remainder of this morning's session.

The SPEAKER: If the gentleman from Fort Kent, Mrs. Leidy, will resist the glances of the brothers until we have taken care of the business now before the House, we will then entertain her motion. (Laughter)

These bills, having had their several readings and the Committee on Bills in the Third Reading having reported that no further verbal amendments are necessary, is it now the pleasure of the House that the bills be passed to be engrossed?

The bills were then passed to be engrossed and sent to the Senate.

The SPEAKER: The gentlewoman from Fort Kent, Mrs. Leidy, now moves that House Rule 25 be suspended for the remainder of today's session. Is this the pleasure of the House? (Applause)

The motion prevailed, and House Rule 25 was suspended in order to permit smoking.

Amended Bills

Bill "An Act relating to Jurisdiction of Municipal Courts in Washington County" (S. P. 180) (L. D. 281)

Bill "An Act to Repeal the Incorporation of the Madison Village Corporation" (H. P. 139) (L. D. 110)

Bill "An Act relating to Counting Ballots" (H. P. 323) (L. D. 223)

Bill "An Act relating to Desertion and Non-support of Families" (H. P. 548) (L. D. 291)

Bill "An Act to Amend the Charter of the Maine Central Institute" (H. P. 567) (L. D. 302)

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

**Passed to be Enacted
Enactor Tabled**

An Act Permitting Short Period Registration of Trucks (H. P. 37) (L. D. 27)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. McKusick of Parkman, tabled pending passage to be enacted)

An Act to Authorize Stacyville Plantation to Withdraw from the Maine Forestry District (H. P. 121) (L. D. 65)

An Act relative to Game Preserve in York County (H. P. 179) (L. D. 135)

An Act providing for Transfer of Property to State of Maine by the Maine Maritime Academy on Dissolution (H. P. 210) (L. D. 142)

An Act relating to Payment of Costs of Suspending Open Season for Hunting and Fishing (H. P. 265) (L. D. 172)

An Act Prohibiting Trapping in Certain Territory (H. P. 312) (L. D. 226)

An Act relating to Trapping in Unorganized Territory (H. P. 979) (L. D. 549)

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

Orders of the Day

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

Mr. BUBAR: Mr. Speaker, I move to take from the table the ninth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Welfare on Bill "An Act Amending the Old Age Assistance Law" (H. P. 52) (L. D. 33), which was tabled by me on February 24th, pending substitution of the bill for the report.

The SPEAKER: The gentleman from Weston, Mr. Bubar, moves to take from the table the ninth ta-

bled and unassigned matter, L. D. 33. Is this the pleasure of the House?

The motion prevailed.

Mr. BUBAR: Mr. Speaker and Members of the House: This is Legislative Document 33 relating to the Old Age Assistance Law. Two sessions ago, when I came down here to the House, I was pledged to clean up on the Welfare Department. Some of the rest of you members had the same urge before you landed here. Shortly after I came here, I went down to the Welfare Building and strolled in, in a manner to beard the lion in his den. I was met by one of the members of the Department, and they handed me a copy of the Welfare Laws, and asked me if I had ever read them. I told them I had looked them over but had not spent much time on them. They said, "You had better take them home and look them over." I took them home that night and read them. The next day I went down to the Department, and I had to beg the humble pardon of that certain member with whom I had been talking, for I found the Department was not to blame at all. I found the blame was right here.

Members of the Legislature, we passed these laws, and the Department was trying to carry them out. I found that you and I were the ones to blame. My friends, this morning I maintain that one of our biggest troubles is that we have been rubber-stamping too much legislation without giving it due consideration as to the effects that it would have after we went home. We find our present Old Age Assistance Laws are contradictory at the present time.

They began—speaking of this Old Age Assistance Law—in one place they said that a recipient shall be provided with a reasonable subsistence compatible with decency and health, but shall not receive more than \$30.00 a month. My friends, I ask you how in Heaven's name those two things can go together? How many of you could get along on \$30.00 a month, buying your groceries and wood, paying your rent and buying your clothing? I do not believe that there is any member here in the House this morning that could do it, but still we expect our old people to do just that. It is not even a humane existence. I know of men up in

Aroostook County who use their cows even better than that.

Now, a recipient of Old Age Assistance, so the law tells us, shall not be pauperized. My friends, I know of recipients who are being pauperized; I know of recipients who are getting aid from local towns; I know of recipients who are being aided by the Pauper Division of our Welfare Department, all contrary to our present law. As I understand it, our whole system of Old Age Assistance would be jeopardized, if the Federal government wanted to take advantage of that point, because they tell us that no recipient of Old Age Assistance shall be pauperized. It is time, I believe, that we should do something about it.

Now, as to this bill that is before us this morning—this was brought to the attention of the Revisor of Statutes some time last Fall. When the session began, I went in and had him draw it up, and I brought it in and put it in the hopper. A friend of mine in authority came along, and patted me on the shoulder and said, "Bubar, do you intend to go through with that?" I assured him that I did. He said, "Bubar, you had better forget it; it will never go through." He went on and explained why. One reason was that he and his friends did not want it to go through. Well, the bill is in there, members; you can read it for yourselves.

Another man came along and said, "Bubar, what is the idea of your trying to be so extreme all the time?" I asked him what he meant by that. He said, "If you will tame down a little with some of your bills, you will get along better." He said, "Wouldn't you like to go to the Senate some day?" I said, "I don't know—it might be fine." He said, "Some of the rest of us have the idea that we would like to go." I do not know whether any of you here this morning have the idea you would like to go or not.

THE SPEAKER: The Chair will remind the gentleman that he must not mention the body on the other side of the building. We may think of it. (Laughter)

Mr. BUBAR (Continuing): Mr. Speaker, he said, "Bubar, why don't you save your thunder? Some of the rest of us would like to use it a little later on; we may like to use the same bill." Members, I

would like to inquire this morning—is that the attitude we are taking here? Are we going to take the attitude of my friend? I say that is an attitude we have been taking too long. We have tried to play politics with the suffering and misery of the aged people all over the State of Maine; we have been holding that out to them from one session to the next, in order to get their votes that we may come down here. Sooner or later they are going to get wise to the whole thing, if we just hold out promises and do nothing about it and continue to let them suffer. I think that is true this morning. Some people say, "Where is the money coming from?" Gentlemen, we are spending that money today. We are not taking it out of the Department of Old Age Assistance but we are spending that money; we are taking it out of our pauper accounts, over and above the amount called for here, because those people have to be supported. Do we want them to be paupers? It is up to you and me to answer that. We are willing to put the aliens back on the rolls. I am for it. I supported that measure. I believe they should go on the rolls; but also, my friends, I believe that we should take care of our own citizens first. I believe we owe it to them. I wish that we might also remember that point, and once more ask ourselves this morning: "How can they live on \$30.00 a month, or on \$40.00 a month?"—when I know some of you here are having difficulty getting by on \$50.00 a week.

I have got stacks of letters that have come in from people all over the State of Maine. I will not take time this morning to even refer to the individual letters, but there is one in particular that struck me, because he is a citizen of Maine. He writes me a letter occasionally; sometimes it is good reading; he is a recipient of Old Age Assistance. Speaking of his \$30.00 check, he says: "There is a feeling of joy when my thirty dollar check comes but that joy feeling is soon gloomed when I begin paying the monthly bills of: \$13.00 for rent (or mortgage); \$15.00 for a cord of fuel wood; .60 to Sears, Roebuck & Company on account for clothing, medicine, bedding, and so forth; \$1.50 for lights; \$2.00 for medicine for wife (high blood pressure); \$3.00 for incidentals, a total of approximately \$30.00. Of course, we eat

like other humans, and figuring meals at 12 cents each—36 cents a day for each one, totals about \$20.00 a month, added to \$30.00, totals a good healthy \$50.00, to be paid from a \$30.00 check. Any kind of a meal at a restaurant costs from forty to eighty cents. And here we are figuring only twelve cents per meal. With prices on everything going to hell up thru the ceiling into the attic x x x one cannot keep his intestine half busy." That is just his way of expressing it, and, my friends, there are others in the same predicament who are actually going hungry, when we come down here from one session to the next, and promise to provide them with subsistence compatible with decency and health.

Now, we can pick up our books here that contain the documents and look them over, and find a flood of bills in there asking for salary increases; there are salary increases for the heads of our different departments; there are salary increases for many other high-paid State officials. I admit they may not be as highly paid as they should be, but still, they are asking for more money. There are increases for our Judges, and we have gone into that in the past and know the racket that has been worked there. My friends, we do not hear any storm of disapproval there, at least I have never heard it yet. We nod our heads, and think they are working hard and we say, "Yes, they should have more money." But, friends, what about these old people who are not getting enough money to buy food enough and clothing enough to keep them warm? I wonder if we stop to consider them. We expect them to get along on a measly \$21.70 a month here in the State of Maine.

I mentioned this bill to one of my friends here this morning, and he said, "Oh, my, too much, too much! We can't afford to pay \$50.00." My friends, maybe we had rather pay it to our hospitals and maybe we had rather expend it in doctors' bills.

I have been a town official for a short time, and I found, when we began feeding our town paupers the proper amount of food, our doctors' bills began going down and I found that we saved a considerable amount of money. If the State of Maine will do that, if they will feed these Old Age recipients enough to keep body and soul together, they

can save more than they spend in doctors' bills.

Now, some people say, "How much is this going to cost?" Are we going to give everybody \$50.00 a month?" That is not what the bill asks for at all. It states "\$40.00 a month" and that is the maximum in which the Federal government will participate. What about that \$50.00? That is to take care of those exceptional cases, those that the \$40.00 will not take care of. It gives the Department a chance to go ahead and provide for them without going down to Charlie Brown's Department and pauperizing them, or without going to some town official who hates to take that money out of his meager poor account, and without pauperizing them in the local towns. It allows the Old Age Assistance Department to provide them with an extra \$10.00, if necessary, and, according to the figures of the Department, that would amount to less than 5 per cent of the number on the rolls, and the very maximum figure would be approximately \$90,000 a year.

Friends, we claim that one source of revenue which we could go to for Old Age Assistance increased over one million dollars last year over the year before, so we can well provide them with that extra \$90,000. It will not be very long—we hope it will not be very long—before the boys will be coming home from foreign fields, coming home here into the State of Maine, and we will, under our present set-up, expect those same fellows to support their parents, support those aged people, and they are not going to be able to do it. When they come home, we will find twenty-five to twenty-eight million men and women unemployed in this country, a larger percentage than have ever been unemployed before, and we are going to find things turned topsy-turvy; we are going to find ourselves with an internal revolution on our hands, because a hungry man will go to extremes any time, and the time for us to take precautions and take care of it is right now. This will not remedy the whole matter, I will admit, but, Ladies and Gentlemen, this will help. So this morning we are presenting Legislative Document 33 for your consideration, and again I move that we substitute the bill for the report of the Committee.

The SPEAKER: The question be-

fore the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

The Chair recognizes the gentleman from Vassalboro, Mr. Hawes.

Mr. HAWES. Mr. Speaker, I shall not attempt to hypnotize or electrify you with oratory that I do not possess. I am sympathetic with the argument presented by the gentleman from Weston, Mr. Bubar. The only criticism I have to make of his argument is that most of it has nothing to do with the facts of the case. There is a bill pending in the Legislature, favorably reported by the Committee on Welfare, which would increase the maximum grant for Old Age Assistance from \$30.00 to \$40.00 a month, and inasmuch as the Federal government participates in State contributions up to \$40.00 a month, of course one-half of that \$10.00 increase would be paid by the Federal government. There are many cases in which the present \$30.00 a month is not sufficient; perhaps the \$40.00 is not sufficient, but it goes a long way toward alleviating it. If any considerable number of grants were made under the proposal to increase the payment to \$50.00 a month, it would disrupt the whole present program, and there would be more denials on new applications and there would be fewer increases in pending cases which are badly needed. If our funds were unlimited, the proposal of \$50.00 a month would be very nice, but we have not—and have not in prospect—sufficient funds to grant this increase.

The Committee gave very careful consideration to all phases of this matter, and it was their conclusion that the greatest good to the greatest number could be accomplished under the provisions of the bill to increase from \$30.00 to \$40.00 a month.

I hope the motion of the gentleman from Weston, Mr. Bubar, to substitute the bill for the "Ought not to pass" report of the committee, will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Smith.

Mr. SMITH: Mr. Speaker, I am very much impressed with what the gentleman from Vassalboro, Mr. Hawes, has said, but I would like to read to you Legislative Document 6, and see if it does not take care of a

lot that the gentleman from Weston, Mr. Bubar, wishes to put through. **Sec. 3. Old Age Assistance provided for.** Subject to the qualifications and restrictions contained in this act, every person residing in this state shall be entitled to assistance in old age. The amount of assistance which any person shall receive shall be determined on a budgetary basis with due regard to the conditions existing in each case and in accordance with the rules and regulations made by the department. This assistance shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health, but not exceeding \$40.00 per month. No person receiving assistance under this act shall be deemed a pauper."

The Welfare Committee was unanimous that this bill ought to pass. That is the bill that was tabled this morning. I hope the motion of the gentleman from Weston, Mr. Bubar, will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

The Chair recognizes the gentleman from Bethel, Mr. Boyker.

Mr. BOYKER: Mr. Speaker and Members of the House: As conditions change in the life we lead, we must provide for those changed conditions. Today we are interested in raising the salaries of State employees. We are interested in raising the wages of teachers throughout our State. We are interested in the retirement pensions, and so on. Let us use the same zeal in providing assistance for the aged persons of our State who have not the necessities of life.

Since the passage of this bill, the Old Age Assistance Act, we have found by experience that the \$30.00 maximum per month in many instances is not sufficient. We have before us two bills, each calling for a maximum amount of \$40.00 per month. The \$50.00 in the bill of the gentleman from Weston, Mr. Bubar, I consider immaterial. It will not be put into action more than a dozen times in the whole State of Maine. My policy is, in my circumstances, first come, first served, and I am in favor of the passage of this bill.

The SPEAKER: The question be-

fore the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

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

Mr. BUBAR: Mr. Speaker and Members of the House, I believe that some, with more or less good intentions, have more or less befogged the point. An increase to \$40.00 is a step in the right direction but, according to figures that we have, that \$10.00 increase would not take care of the increased cost of living over the last eighteen months. It would amount to more than \$10.00 a month. I submit to you that we have to pay these bills, anyway, as the law states the old people should be taken care of in a manner compatible with decency and health, and I ask, my friends, that we go ahead and take care of them in this manner. It would help to relieve our State pauper rolls and help to relieve the burden on many of our bankrupt towns, because we know that the welfare problem is still a big one in a great many of our towns and cities in the State of Maine, and this is just one manner of relieving that burden. It gives the Welfare Department at their discretion the right to go in and take those people off the pauper rolls, as the law states that they shall be taken. Let us do it now, instead of waiting and trying to make it a political issue two years from now, and expect the people to send us back two years from now to do the job that we should do here and now today.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

The Chair recognizes the gentleman from Bradford, Mr. Osgood.

Mr. OSGOOD: Mr. Speaker, I wish to say just one or two words with regard to this bill. As one on the Welfare Committee, I heartily agree with the gentleman from Weston, Mr. Bubar, in many of his statements. However, I do feel that we on the Committee are each and every one of us concerned as much with the Old Age Assistance problem in Maine as is Mr. Bubar. I feel that we have taken into consideration the funds available and the number of recipients receiving

aid; we have taken into consideration the maximum amount they average to receive under this new \$40.00 bill, which we have reported "ought to pass"—also the average they are receiving at the present time. I just want to say that I feel we are doing everything possible with the funds that are available at the present time. We have all the sympathy in the world for these aged people, and we hope that in the future there may come a time when we can do a great deal more for them than we are doing now. However, you must realize, each and every one of you, that there are a great number of people in the State of Maine who are receiving Old Age Assistance, that are far, far below the average. The average at the present time is twenty-three dollars and some cents per month, and this would bring the average up to something like \$26.00 or \$27.00, which is not high. We know there are extreme cases; we know that \$40.00 a month will not cover some of these extreme cases, neither will \$50.00 a month cover them, but, after all, I think we have done the very best we could, with the best intentions of every member on that Committee. I hope the motion of the gentleman from Weston, Mr. Bubar, does not prevail.

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

Mr. ROY: Mr. Speaker, I want to say just a few words. There is a saying that the misery of a child interests a mother; that the misery of a young man interests a woman; but the misery of an old man interests no one. He is nearly on the threshold of eternity. I think we should take more interest in the welfare of the old people, as much interest as we have in the welfare of the young people. For that reason, I hope the motion of the gentleman from Weston, Mr. Bubar, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, it seems to me that the two bills under consideration have a common purpose. The purpose is common, and it would be a fine thing if we could get together in our work here, and adopt the measures which we

can agree upon, and not be too anxious to defeat other measures.

Now, the extra \$10.00 a month called for is safe-guarded by the good judgment of the Welfare Department, and would it not be wise for us to give that Department the opportunity of exercising their judgment in certain cases, so that they might relieve these cases.

I hope the motion of the gentleman from Weston, Mr. Bubar, will prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Fort Kent, Mrs. Leidy.

Mrs. LEIDY: Mr. Speaker and Members of the House: Coming from the north as I do, I feel as though I should speak a word. In December we had ten days of thirty below zero weather. Most of the homes had to burn two cords of wood during the month of December. Wood at its lowest price today in my town is \$9.00 a cord; that means \$18.00 a month that these old people have to pay for wood. That means in December, sometimes in November, and January, February, and March, and along into April, they have to burn two cords of wood a month. The price of wood is going up. It will be \$12.00 a cord next year. If you take \$24.00 out of your \$40.00, what have you got left for food, clothing and medical care?

This bill says \$40.00 per month—I am referring to the bill of the gentleman from Weston, Mr. Bubar—except, in cases where it is determined, upon proper investigation by the Welfare Department, that these funds are insufficient, \$50.00 a month shall be granted. I think Mr. Bubar's bill covers everything, and I feel, Members of the 91st Legislature, that we should take care of the elderly people, who have sent their sons to the front, who are fighting for your freedom, my freedom and their freedom, and why should we not take care of these elderly people? I know of people in my home town whose sons are at the front, and they are carrying our burdens. Why should we not help these elderly people?

I hope that the motion of the gentleman from Weston, Mr. Bubar, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Hemphill.

Mr. HEMPHILL: Mr. Speaker and Members of the House: I was brought up to be good to the poor. Now, I have tried to exemplify that all through my life. These elderly people have made this country what it is today. You know that the man who gets the highest salary receives the highest pension, and so on, and those elderly people have continued all the days of their life toward that pension. Now, are we, in their declining years of life, going to deny them the food that will keep them from starving and the clothing that will keep them warm? It is a terrible thing if we do not keep them from want. I know of cases in my own town. There are two elderly people I am going to call to your attention. They have an invalid daughter; she never went to school in her life; she is a cripple and she can hardly walk. They are receiving \$30.00, the two of them, to take care of themselves and that daughter, and they are paying \$16.00 a cord for wood. Can you do that? Can they do it? No! Now, I say, let us be lenient to those elderly people, because you may some day be placed in the same position as they are. Many is the man back before the last crash who had plenty to provide his family with food and clothing, and who woke up the next morning and found they were destitute. Some of them could not stand the pressure; they committed suicide; but these elderly people have drifted along and gotten used to it by degrees. Now, let us do for those elderly people what we should do, and thus we will do a credit to ourselves.

I hope that the motion of the gentleman from Weston, Mr. Bubar, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I should be ashamed to return to my home, if I sat here in this House without at least raising my voice in support of this measure which is before us this morning. It seems between the two bills, the only difference is \$10.00. I have heard it asked, "Where is this \$10.00 coming from?" In two years of experience here in this House, when the question of raising salaries for employees in the State House was proposed, I never heard any person ask the

question, "Where is the money coming from?" When there have been appropriations totalling a million dollars, I have seen them pass here without the wink of an eye. No one asked where the money was coming from. I notice that the State of Maine can find ample funds to do anything that it really wants to do. This matter of \$10.00 a month, in exceptional cases, as I understand it—if I am wrong, I would like to be corrected—is the only difference between the two measures—that \$10.00 to be distributed in cases of extreme need to worthy cases.

Now, Ladies and Gentlemen of this House, if we go home denying the old people this little additional \$10.00 per month, we ought to be ashamed to look the old folks in the face. I tell you that it is not such a long distance between the old people at home and the old people here in this House. We may be well and healthy and happy and prosperous today, but prosperity and wealth and worldly substance can vanish just like the dew before the morning sun.

It seems to me that this House should feel well ashamed if they cannot give to those old people at home this little additional \$10.00 per month when they are in dire need. I know of many cases personally where they are seriously in need of aid this very moment.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

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

Mr. BRALEY: Mr. Speaker and Members of the House. I think that we had a very fine example here in the city of Augusta in the recent fire which took place here on lower Grove Street. Four of those persons who were burned to death in the fire were over seventy years old; one of those was over eighty years of age. I think if they had been living under better conditions, and had also been receiving more aid in the form of a pension, they never would have perished in that fire, and they would have been living in some other place under better conditions.

Therefore, I nope that the motion of the gentleman from Weston, Mr. Bubar will prevail and I want to go on record in this regard.

The SPEAKER: The Chair recognizes the gentleman from Vassalboro, Mr. Hawes.

Mr. HAWES: Mr. Speaker, this discussion appears to have gone far afield. The Committee, in arriving at its decision, based it upon the funds that we were told would be available. The amount recommended by the budget. This is not an appropriation bill. I could sympathize with what all the other speakers have said—if the money were available. Now, if they will expend their energies in telling us how we can get another million or introduce a bill for that purpose, we will go along with them, but we were trying to expend our appropriation in the way that seemed wisest under the conditions that existed. It is not a question of what we want to do; it is a question of what we can do with the funds available.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee.

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

Mr. LEAVITT: Mr. Speaker, this new committee which was formed this year on Welfare is a new experiment and the people who tried to go on that committee were people who had the welfare of this State very much at heart, and wished to help out all of the people who are now recipients of welfare. Mr. Bubar came before that committee and we had a long hearing. It lasted over an hour. All of the arguments were heard. We also had the records of the amount of money which the State has available for this work. We had both bills—one for \$40.00 and one for \$50.00. I know that every one of that committee, including myself, knows that \$40.00 a month, or even \$50.00, is not enough to handle the situation, but we had to balance things with what we had, and we believe that the step-up from \$30.00 to \$40.00 at this time is all that the State can afford. I would like to see it go way beyond that.

Of course there is one thing that has been overlooked here and that is that an old couple under this law is eligible for \$80.00, because each recipient receives up to the \$40.00, so that some of these old families we are talking about have not got to live on \$40.00, because they will

receive \$80.00. I still think that is low, but I believe you should have some confidence here in the committee which has been appointed to go into this matter, and I believe that they have given more consideration to it than is possible by this body here, just hearing the sob stories about the older people. I grant they are legitimate stories. I have heard them myself. I believe that if Mr. Bubar's bill goes through, we will have to have a large tax measure to take care of it.

Mr. BUBAR: Mr Speaker—

The SPEAKER: For what purpose does the gentleman rise?

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

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

Mr. DOW: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Falmouth, Mr. Dow, moves the previous question. In order for the Chair to entertain the motion for the previous question requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question will be entertained. The question before the House is shall the main question be put now? As many as are in favor of the main question being put now will say aye; those opposed no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" report of the Committee. The gentleman from Weston, Mr. Bubar, has asked for a division. All those in favor of the motion made by the gentle-

man from Weston, Mr. Bubar, that the bill be substituted for the report, will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. Forty-four having voted in the affirmative and 87 in the negative, the motion to substitute the bill for the "Ought not to pass" report of the Committee failed of passage.

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

On motion by Mr. Downs of Rome, the House voted to take from the table the seventh tabled and unassigned matter, Bill "An Act Placing Officers and Employees of the Legislature under the Provisions of the Contributory Retirement System." (H. P. 1216) (L. D. 695), which was tabled by that gentleman on February 23rd, pending reference, and on further motion by the same gentleman the bill was referred to the Committee on Judiciary and sent up for concurrence.

On motion by Mr. Bubar of Weston, the House voted to take from the table the Senate "Ought to pass" Report of the Committee on Welfare on Bill "An Act Amending the Old Age Assistance Law" (S. P. 71) (L. D. 6), tabled by that gentleman earlier in today's session.

On further motion by the same gentleman, the Report of the Committee was accepted in concurrence, the Bill was given its two several readings and assigned for third reading tomorrow morning.

The SPEAKER: The House is proceeding under Orders of the Day. If there is no further business to come before the House at this time, the Clerk will read the notices.

On motion by Mr. Edwards of Oxford,

Adjourned until ten o'clock tomorrow morning.