

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 16, 1949

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

Prayer by the Rev. Mr. Colby of Wiscasset, formerly of South Paris.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Repealing Portions of the Bang's Disease Law" (S. P. 618) (L. D. 1335)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Bill "An Act Providing for a Standard of Electrical Installations" (S. P. 619) (L. D. 1336)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Katahdin Wild Life Sanctuary" (S. P. 621) (L. D. 1337)

Resolve Authorizing the State Tax Assessor to Convey Certain Land to Eunice Winslow of Rockland (S. P. 622) (L. D. 1338)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the Committee on State Lands and Forest Preservation in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Assistant County Attorneys for Cumberland County" (S. P. 206) (L. D. 269)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Providing for Completion of Medical and Surgical Building at the Augusta State Hospital (S. P. 157) (L. D. 225)

Report of same Committee reporting same on Resolve to Provide for a Pollen and Fungus Survey of Maine (S. P. 385) (L. D. 649)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Parolees from Reformatory for Men" (S. P. 427) (L. D. 785)

Report of same Committee reporting same on Bill "An Act relating to Paroled and Discharged Prisoners from State Prison" (S. P. 429) (L. D. 783)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Compensation of Trustees of the Gray Water District" (S. P. 463) (L. D. 915)

Report of same Committee reporting same on Bill "An Act to Amend the Charter of the Southwest Harbor Water Company" (S. P. 120) (L. D. 141)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice, the Resolves read once, and tomorrow assigned.

Non-Concurrent Matter

Resolve relating to Impounded Bank Accounts of Certain Trust Funds (S. P. 111) (L. D. 136) which was finally passed in the House on March 2nd and passed to be engrossed on February 25th as amended by Committee Amendment "A".

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

In the House: The House voted to reconsider its action taken on March 2nd whereby the Resolve was finally passed.

The House then voted to reconsider its action taken on February 25th whereby the Resolve was passed to be engrossed as amended by Committee Amendment "A".

Thereupon, the House voted to reconsider its action whereby it adopted Committee Amendment "A".

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

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 111, L. D. 136, "Resolve Relating to Impounded Bank Accounts of Certain Trust Funds."

Amend said Amendment by deleting the 7th line thereof which reads "Colonel Black Fund 2,000".

Further amend said Amendment by deleting the 10th line thereof which reads "\$6,000" and inserting in place thereof: "\$4,000 and be it further

Resolved: That there be, and hereby is, appropriated from the unappropriated surplus of the general fund the sum of \$2,000 to restore the original principal of the trust fund known as the Colonel Black Fund of the Augusta State Hospital.

Senate Amendment "A" to Committee Amendment "A" was adopted and the Resolve as amended was passed to be engrossed in concurrence.

Communication

From the Senate: The following Communication:

STATE OF MAINE
SENATE CHAMBER
Office of the Secretary
Augusta

March 15, 1949

Honorable Harvey R. Pease, Clerk
House of Representatives.

Sir—

This is to inform you that "An Act Relating to a State Police Barrack in the County of Penobscot,"

(S. P. 65) (L. D. 48) which was recalled from the Governor by Joint Order, has now been returned to the Governor for his approval.

Respectfully,

(Signed) Chester T. Winslow
Secretary

In the House, was read and ordered placed on file.

Bills and Resolves Requiring Reference

The following Bills and Resolves, transmitted by the Director of Legislative Research pursuant to Joint Order (S. P. 452), were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Judiciary

Bill "An Act Relating to Filing of Accounts in Estates Upon Petition of Sureties on Bonds" (H. P. 1979) (Presented by Mr. Chapman of Portland)

(Ordered Printed)

Bill "An Act Relating to Summation Arguments by Counsel in Criminal Cases" (H. P. 1980) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Rules of Descent" (H. P. 1981) (Presented by Mr. Marble of Dixfield by request)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the City of Brunswick" (H. P. 1982) (Presented by Mr. Labbe of Brunswick)

(Ordered Printed)

Bill "An Act to Provide for a Council-Manager Form of Government for the City of Westbrook" (H. P. 1983) (Presented by Mr. Larabee of Westbrook)

(Ordered Printed)

Bill "An Act to Revise the Charter of the City of Westbrook" (H. P. 1984) (Presented by Mr. Spring of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Mercantile Affairs and Insurance

Bill "An Act to Increase Death Benefits Payable to Children by Fraternal Beneficiary Societies" (H. P. 1985) (Presented by Mr. Williams of Auburn)

(Ordered Printed)

Sent up for concurrence.

Orders

Mr. House of Lincoln presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the State Controller supply for use of the Legislature fifteen hundred copies of a list of State employes, with their salaries, as of December 31, 1948.

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

Mr. BURGESS: Mr. Speaker and Members of the House: In the past, it has been customary to have these lists printed but a possible question may arise in your minds as to the number that should be printed at the State's expense. There are some one hundred and eighty members of both branches of the legislature and the Clerk of the House, I believe, has arranged differently this year than in previous years in order to enforce economy. In the past, I believe these lists have been printed by the State or the people who do the legislative printing. I believe under this setup, we will be able to put it up to bid and possibly save some money. In case there is any doubt in your minds as to how you wish to handle the number in the list over and above those for the members of the legislature, I think you should express yourselves at this time. My personal opinion is this: That any lists other than those needed by the members of the legislature should be sold and not printed and spread over the state at the State's expense.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker, I move that Order be indefinitely postponed.

The SPEAKER: The gentleman from Brewer, Mr. Thompson, moves that the Order be indefinitely postponed.

At this point a message from the Senate, borne by Secretary Winslow of that body, proposing a Joint Convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of extending to His Excellency, Hon. Governor Frederick G. Payne, an invitation to attend this convention and make such communication as pleases him.

House at Ease

On motion by Mr. Burgess of Limestone, the Clerk was charged with and conveyed a message to the Senate, informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

The Senate then entered the Hall of the House, amid applause, the Members rising, and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Burton M. Cross, in the Chair.

On motion by Senator Savage of Somerset, it was

ORDERED, that a committee be appointed to wait upon His Excellency, Governor Frederick G. Payne, and inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as he may be pleased to make.

The Chair appointed as such committee:

Senators:

SAVAGE of Somerset
WILLIAMS of Penobscot
BOWKER of Cumberland

Representatives:

BROWN of Unity
 BIRD of Rockland
 WEBBER of Bangor
 JOHNSTON of Jefferson
 JACOBS of Auburn
 DENNETT of Kittery
 JALBERT of Lewiston

Senator Savage for the committee, subsequently reported that the committee had discharged the duty assigned it and that His Excellency, Hon. Governor Frederick G. Payne, was pleased to say that he would forthwith attend the Convention.

Thereupon, His Excellency, Hon. Governor Frederick G. Payne, escorted by Hon. Harold I. Goss, Secretary of State, and attended by the Executive Council, entered the Convention Hall amid prolonged applause, the audience rising.

Governor Payne then addressed the Convention as follows:

Mr. President and Members of the 94th Legislature:

On January 12th the Budget Document for the ensuing biennium was discussed.

You will recall that this presented a balanced budget based upon existing revenues which were fairly estimated.

It was stated at that time and is now reiterated "It permits the continuation of all services of government for the biennium at a level comparable to, or greater than the present level."

That statement was true then and is true now. It further stated "any major expansion beyond recommendations in this budget will necessitate revenues greater than present levies provide." That statement also was true then and is true now.

You can continue state government without additional taxes, provided you limit your appropriations to current existing revenues and do not repeal any existing revenue sources.

It should be pointed out that the General Fund Budget for the present fiscal year as passed by the 93rd

Legislature was in the red \$933,000. For the first seven months of operation we have gained \$575,000, but if we in the remaining months make further gains, it will mean only holding the line and will not develop any substantial surplus from General Fund operations this year.

This is pointed out so that you can realize we are operating close to the line on present revenues.

Since January 12th your Committee on Appropriations and Financial Affairs have heard all Departments and have considered the case of each Department request versus Budget recommendations.

Your Committee after weeks of intensive work and deliberation has reported out an Appropriation Act that exceeds estimated revenues available for appropriation under current laws by \$1,623,810.00 in the first year of the biennium and \$2,169,676 in the second year.

The large portion of this reported increase is in the Department of Education, Health and Welfare, and Institutions.

The Commissioner of Education has projected an increased school population which will require added monies for subsidy on Teaching Positions, School Census, and Equalization. The remainder of the recommended increase covers increased costs largely in our State Training Schools.

Health and Welfare

The largest increases appear in Aid to Dependent Children, Aid to Public and Private Hospitals, Old Age Assistance, and Board and care of Neglected Children.

The increase in Aid to Dependent Children is because of projection of a larger case load, this amounts to \$336,000 in the first year and \$443,000 in the second year. Additional sums for Board and Care of Neglected Children amounting to \$243,200 for first year and \$293,700 for the second year provides for an increase from \$24 to \$30 per month board allowance per case plus the projected case load increase.

The Committee has approved a \$400,000 per year increase in aid to Public and Private Hospitals to more fully meet their increased costs and to aid in offsetting their loss on our indigent cases. The original request was \$600,000 per year.

The increase in Old Age Assistance and Aid to the Blind Program is the approximate amount recommended in the Budget Message, and is sufficient to provide for the increase to \$50.00 in maximum grants. It does not, however, provide for any further liberalization of these programs.

Institutions

The Committee has gone over very carefully the needs of all institutions and, because of a projected increase in cases, has provided for such increased costs. We have a definite obligation in seeing to it that our Mental and Tubercular Institutions provide the best possible treatments for our citizens needing such care. You may rest assured that a continuing study will be conducted to see to it that monies made available are administered on a practical basis, with a full analysis of per capita costs.

Any real economy to be gained that would be sizeable must come from these three departments as they represent 80% of the General Fund Appropriations. It seems apparent to me that Maine citizens have indicated their opposition to any substantial curtailment of these services.

These initial recommendations of the Committee on Appropriations and Financial Affairs have been carefully examined item by item. It is my conviction that they have been realistic in facing squarely the issue of increased cost due to an increased work load.

It is my conviction that the members of the Committee are not a "Tax and Spend" group. They have studied and analyzed the problem with the Commissioner of Finance and Budget Officer and his staff. It is my belief that the estimates arrived at by your Appropriations Committee are realistic and repre-

sent fair evaluation of the cost of existing laws.

Therefore, using these recommended amounts against our fairly estimated revenue, we find a deficiency of approximately \$1,900,000.00, average, per year.

In addition, we have Legislative Documents not provided for in the budget. Your Legislative Committees have already reported "ought to pass" on bills calling for \$656,286.00 in the first year and \$644,945.00 in the second year. Typical of these is the \$300,000.00 per year resolve for operating expense at the University of Maine. It is difficult, indeed, to oppose the enactment of this type of a bill. Unreported are many others, including the \$400,000.00 per year required to maintain present wages and salary levels in the State employee groups.

Also unreported is the act to relieve the cities and towns of their present aid to Dependent Children costs. This will require a minimum of \$500,000 per year additional.

As of this moment the amounts that may possibly be reported on the major educational bills have not reached me. However, they will no doubt contain provisions for a minimum of \$2,000,000 per year.

This afternoon in this Chamber, you will hear the tobacco tax repeal bill. Favorable action on repeal will increase the problem by \$660,000.00 per year.

At this same hearing you will hear opponents to the state property tax levy. In round figures this is another \$5,500,000.00 per year if you conclude that the state should abandon the state property tax to relieve real estate taxation at the local level.

To summarize, the picture presented indicates a deficiency in excess of \$11,000,000, for each year of the biennium in General Fund Revenues, irrespective of any decisions you may reach as regards other pending legislation.

Members of the 94th Legislature, confronted with these facts, it is plain to see that you face a very real and serious problem.

It is my definite intent to point out to you that if you accept these reports of your Appropriations and Financial Affairs Committee and the many other "ought to pass reports" that a meeting of the minds should be had as quickly as possible on a major general fund tax measure.

You have two courses open as I see it. First is to say we are going to live within the limits of current revenue to cover current activities. This would mean definite cuts in Educational Subsidies to our communities in School Census, Teachers' Salaries and Equalization. It also will mean lowered payments by Health and Welfare in the basic relief programs of Old Age Assistance, Aid to Dependent Children, Aid to the Blind and Board and Care of Neglected Children in order to cover increased case loads. Our institutions also will receive less per capita in food, clothing and basic needs. Further it would force a cut-back of the salaries presently paid State Employees under present levels. It would not provide for any of the many Legislative Documents now pending before this Legislature.

Secondly, if you desire spending measures over and above the current revenues, then steps must be taken to provide such funds as are required.

If you choose the second method, you must take such Legislative steps as will insure a balanced General Fund Budget. Any major General Fund Tax measure should carry with it the definite appropriations that such tax measure will support. This must be done to provide a balance between income and expense and permit a sound budget.

Spending measures over and above known revenues will not be signed into law unless they are accompanied by revenue measures sufficient to offset such appropriations, and further provision must be made in all cases for repeal of such appropriations in event of failure of the revenue measure to become law so that we return to a balanced budget.

It is my firm conviction that whatever decision is made with reference to finances that decision must be tempered with a desire to reaffirm a relationship of trust and confidence between the government and its citizens.

The task, while difficult, is clear. We must exhibit a willingness to place the public interest ahead of partisan or personal consideration.

If, after painstaking consideration, it is the considered judgment of this Legislature that financial requests approved are justified and that they truly represent the demands of our citizens, and if my subsequent personal analysis substantiates your conclusions, any reasonable and equitable revenue measure designed to produce the then required money will be favorably regarded.

Conversely, a major revenue producing act would be opposed if a clear-cut need is not evident.

We must be mindful, as was pointed out in my budget message, that any new services, as well as expansion of existing services, should be accomplished only if our citizens make the demand and express a willingness to pay the obligations incurred.

It is my sincere hope that my position is clear on our financial program, and you may be certain as has been said before, that such funds as you provide to administer our State Government will be prudently, efficiently and soundly administered. Not to see how much we can spend of that which you make available, but to use care and good business judgment to the end that we secure the most needed services at the least possible expense.

At the conclusion of the address, the Governor and his suite then withdrew, amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the Members rising.

In the House

The House was called to order by Speaker Haskell.

Mr. Fuller of Buckfield was granted unanimous consent to address the House.

Mr. FULLER: Mr. Speaker and Members of the House: The gentlewoman and the gentleman from the Oxford hills in cooperation with many good people of Oxford County are privileged to have upon exhibit, today, in the State House a cross-section of our products, both natural and manufactured. We greatly appreciate the opportunity to do this. We feel that Oxford County with its many lakes and streams, its beautiful woods and hills, its fertile and productive farms, helps to strengthen the testimony that our State of Maine is the grandest one of all in which to live and work and play.

We have no wine to offer or advertise. However, we do hope to have something for your refreshment during the day. We expect that the Mount Zircon Company of Rumford will furnish you with free drinks of sparkling, pure and healthful Oxford County spring water. (Applause and Laughter) On your desks, you should find the following articles: A jar of corn relish, courtesy of the Burnham & Morrill Company with packing plants in Fryeburg and Norway; a jar of pickles, courtesy of the Oxford Pickle Company of South Paris; a jar of jelly, courtesy of the Buckfield Packing Company, Buckfield; a box of clothes pins, courtesy of Penley Brothers, West Paris, and a package of matches, courtesy of the BFD Company, Dixfield. All citizens of the county, together with Councilor Dow, our two Senators, and the House Members join in bringing you greetings from Oxford County. (Applause)

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

Mr. BURGESS: Mr. Speaker and Members of the House, especially Mr. Fuller and the delegation from Oxford County, may I take this opportunity on behalf of each and every member of the House to thank you for the articles which you have placed on our desks.

Mr. Fuller has so accurately described those hills and streams of Oxford County that I'm sure he makes me wish that I could go fishing over there and adjourn this legislature today or tomorrow. So, on behalf of every member, may we again thank you for your thoughtfulness, generosity, your kindness in placing these articles upon our desks. (Applause)

Miss Cormier of Rumford moved that House Rule No. 25 be suspended for the remainder of the day's session.

An aye and nay vote was taken and the motion prevailed.

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of the Eighth Grade class on Maine Government from the Lincoln School in Augusta, with Mrs. George McDonough in charge of the group; the Senior English and Industrial Arts Class of Waterville High School with Mrs. Whitman in charge. In behalf of the House, we bid you welcome.

The SPEAKER: The question before the House is upon the motion of the gentleman from Brewer, Mr. Thompson, to indefinitely postpone the Order presented by the gentleman from Lincoln, Mr. House.

The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I move that this motion be laid on the table.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves to place upon the table the motion of the gentleman from Brewer, Mr. Thompson, that the Order of the gentleman from Lincoln, Mr. House, be indefinitely

postponed. Is this the pleasure of the House?

The motion prevailed.

House Reports of Committees Leave to Withdraw

Mr. Burgess from the Committee on Judiciary on Bill "An Act to Clarify the Law Relating to Clerks of the Judicial Courts" (H. P. 1491) (L. D. 847) reported leave to withdraw.

Mr. McGlaulin from same Committee reported same on Bill "An Act Relating to Counsel Fees in Bastardy Proceedings" (H. P. 1159) (L. D. 611)

Mr. Woodworth from same Committee reported same on Bill "An Act Relating to Registration of Voters in Towns" (H. P. 1494) (L. D. 850)

Mr. Faas from the Committee on Public Utilities reported same on Bill "An Act Relating to Railroad Crossings" (H. P. 1660) (L. D. 931)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Chase from the Committee on Taxation reported leave to withdraw on Bill "An Act Relating to the Tax on Gasoline" (H. P. 140) (L. D. 45) as it is covered by other Legislation.

Mr. Dow from same Committee reported same on Bill "An Act Relating to the Gasoline Tax" (H. P. 245) (L. D. 78) as it is covered by other Legislation.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Dennett from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Relating to Disposition of Fees Received by the Insurance Department" (H. P. 1762) (L. D. 1105)

Same gentleman from same Committee reported same on Bill "An Act Relating to State Aid for Municipalities Maintaining Free Public Libraries" (H. P. 1763) (L. D. 1106)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Relating to Construction of Airports (H. P. 1444) (L. D. 802)

(On motion by Mr. Robbins of Houlton, tabled pending acceptance of the Committee Report.)

Mr. Laughton from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Marion Wells of Boothbay Harbor (H. P. 1285)

Mr. Bearce from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in East Pond Stream in the Town of Smithfield, County of Somerset (H. P. 468)

Mr. Campbell from same Committee reported same on Bill "An Act Relating to Licensing of Fur Takers" (H. P. 1291) (L. D. 674)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Closing Embden Pond in the Town of Embden to Ice Fishing (H. P. 918) (L. D. 370)

(On motion by Mr. DeSanctis of Madison, tabled pending acceptance of the Committee Report.)

Mr. Hayward from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Relative to Registration of Deer" (H. P. 1396) (L. D. 760)

Mr. Plummer from same Committee reported same on Bill "An Act Relative to License to Ship Deer Skins" (H. P. 1475) (L. D. 878)

Same gentleman from same Committee reported same on Bill "An

Act Relating to Trapping of Beaver" (H. P. 1296) (L. D. 679)

Mr. Wight from same Committee reported same on Bill "An Act Relating to Licensing of Sellers of Bait for Trapping" (H. P. 1292) (L. D. 675)

Mr. McGlauffin from the Committee on Judiciary reported same on Bill "An Act Relating to Effect of Bankruptcy in Financial Responsibility Law" (H. P. 1165) (L. D. 617)

Mr. Williams from same Committee reported same on Bill "An Act Changing the Date of Labor Day" (H. P. 178) (L. D. 54)

Mr. Woodworth from same Committee reported same on Bill "An Act to Protect Bona Fide Purchasers of Real Estate in Cases Where There Has Been a Divorce Among the Owners Thereof" (H. P. 1164) (L. D. 616)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Dufresne from the Committee on Public Utilities reported "Ought not to pass" on Bill "An Act Authorizing Municipalities to Construct, Operate and Maintain Sewerage Facilities" (H. P. 1731) (L. D. 1085)

(On motion by Mr. Brown of Baileyville, tabled pending acceptance of the Committee Report.)

Mr. O'Dell from the Committee on Public Utilities reported "Ought not to pass" on Bill "An Act to Amend the Charter of the Clinton Water District" (H. P. 1657) (L. D. 965)

Mr. Carter from the Committee on Taxation reported same on Bill "An Act Relating to Excise Tax on Tractors" (H. P. 1808) (L. D. 1132)

Miss Longstaff from same Committee reported same on Bill "An Act to Allow Cities and Towns to Raise Money by an Admissions Tax" (H. P. 1807) (L. D. 1148)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Payson from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Relating to Taking of Land by Towns for Parking Facilities" (H. P. 1049) (L. D. 465) as it is covered by other Legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Relating to Non-Resident and Alien Trapping Licenses" (H. P. 1293) (L. D. 676)

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

First Reading of Printed Resolves

Resolve in favor of Frank D Miller, of Orland (H. P. 454) (L. D. 1349)

Resolve providing for Certain Construction at the Bangor State Hospital (H. P. 632) (L. D. 1350)

Were read once and tomorrow assigned.

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of the Junior Class of Lawrence High School of Fairfield, Maine, in charge of Messrs. Puiia and Drossel, Miss Moore and Mrs. Terrill; and the Junior and Senior Classes of Farmington High School in charge of Mr. Reed. On behalf of the House, we bid you welcome.

Passed to be Engrossed Amended

Bill "An Act Relating to the Atlantic Sea Run Salmon Commission" (S. P. 124) (L. D. 145)

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

Mr. Prince of Harpswell presented House Amendment "A", which was read by the Clerk as follows:

HOUSE COMMITTEE "A" to S. P. 124, L. D. 145, Bill, "An Act Relating to the Atlantic Sea Run Salmon Commission"

Amend said bill by inserting in the third paragraph of Section 53-A after the word "conditions" where it appears in the first line thereof, the following underlined words: **' , except those which are or may be or become within the jurisdiction of the Sanitary Water Board under the provisions of Chapter 72 of the Revised Statutes of 1944, '**

House Amendment "A" was adopted and the Bill was given its third reading, passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Bill "An Act Relating to Terms of Court in Aroostook County (S. P. 433) (L. D. 787)

Bill "An Act Relating to Expenses of Recommitment of Patients to the State Hospitals" (S. P. 444) (L. D. 796)

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

Tabled

Bill "An Act to Aid Small Woodland Owners" (S. P. 542) (L. D. 1182)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Boulter of Stacyville, tabled pending third reading.)

Bill "An Act Relating to Forest Fighter Pay and Aid to Towns in Controlling Forest Fires" (S. P. 556) (L. D. 1179)

Bill "An Act Relating to Liens on Logs, Lumber or Pulpwood for Advances of Money or Merchandise" (S. P. 599) (L. D. 1291)

Bill "An Act to Appropriate Moneys for the Expenditures of the State Government for the Fiscal Year Ending June 30, 1949" (H. P. 1110) (L. D. 536)

Bill "An Act Relating to Bond Issues of the City of Portland" (H. P. 1645) (L. D. 997)

Bill "An Act Relating to Amending Complaints and Indictments in Matters of Substance" (H. P. 1965) (L. D. 1339)

Bill "An Act Relating to Qualifications of Voters at Primary Elections" (H. P. 1966) (L. D. 1340)

Bill "An Act Relating to Retirement of Justices of the Superior and Supreme Judicial Courts" (H. P. 1967) (L. D. 1341)

Bill "An Act Relating to Explanation of Constitutional Amendments" (H. P. 1968) (L. D. 1342)

Bill "An Act Amending the Limestone School District" (H. P. 1978)

Resolve in Favor of the Town of Trenton (H. P. 1610) (L. D. 1343)

Resolve in Favor of the City of Calais (H. P. 1708) (L. D. 1344)

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

Amended Bills

Bill "An Act Relating to Consignment of Fish, Lobsters and Shellfish" (S. P. 194) (L. D. 247)

Bill "An Act for State Forest Fire Prevention and Control in Organized Towns" (S. P. 528) (L. D. 1058)

Bill "An Act Relative to Fishing Licenses" (H. P. 986) (L. D. 417)

Bill "An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations Sewer Districts and School Districts" (H. P. 1051) (L. D. 467)

Bill "An Act Relating to the Department of Electrical Appliances of the City of Portland" (H. P. 1699) (L. D. 1022)

Resolve to Provide for a Fish Screen at Hot Brook Lake, in the County of Aroostook (H. P. 1486) (L. D. 843)

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

Bill "An Act Relating to the Houlton Water Company" (H. P. 1070) (L. D. 476)

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

The **SPEAKER**: The Chair, at this time, notes the presence in the Hall of the House of Miss Constance Twitchell of Norway, who is Maine President of the Future Homemakers of America; Cleon Adams of East Dixfield, who is the 4-H Club champion of Maine, and Eugene Andrews of Norway, who is the champion old-time fiddler of Maine. The Chair will request the Sergeant-at-Arms to escort our distinguished guests to the rostrum.

Whereupon, the Oxford County delegation was escorted to the rostrum amid the applause of the House, greeted by the Speaker and seated at his left.

Finally Passed Emergency Measure

Resolve Proposing an Amendment to the Constitution to Codify the Constitution (S. P. 48) (L. D. 30)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Relating to Resident Auditor for University of Maine (S. P. 183) (L. D. 240)

An Act Relative to Closed Season on Pheasant in the County of Aroostook (S. P. 272) (L. D. 445)

An Act Relating to the Maine State Prison (S. P. 352) (L. D. 577)

An Act Relating to Election of Presidential Electors (S. P. 386) (L. D. 650)

An Act Relating to Compensation for Members of the Racing Commission (S. P. 409) (L. D. 746)

An Act Relating to Agricultural Societies (S. P. 416) (L. D. 774)

An Act Relating to Credit for Returns of Malt Liquor Bottles (S. P. 448) (L. D. 800)

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.

Enactor Tabled

An Act Relating to Qualification for Liquor Licenses (S. P. 450) (L. D. 798)

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

An Act Relating to Registration and Excise Taxes of Volunteer Fire Departments (H. P. 195) (L. D. 66)

An Act to Incorporate the Trustees of Franco American Oblate Fathers (H. P. 296) (L. D. 84)

An Act Relating to Boards of Registration (S. P. 536) (L. D. 1067)

An Act Relative to Certain Implements and Devices Prohibited in Fishing (H. P. 745) (L. D. 287)

An Act Relating to Right of Appeal in Cigarette and Tobacco Products Law (H. P. 830) (L. D. 315)

An Act Relating to Powers of Baxter State Park Authority (H. P. 831) (L. D. 316)

An Act Relating to Payments to Town of Masardis by Seed Potato Board (H. P. 860) (L. D. 329)

An Act Relating to Payments from Baxter State Park to Forestry District (H. P. 861) (L. D. 330)

An Act Relating to Appeals by Male Minors (H. P. 919) (L. D. 371)

An Act Granting Additional Powers to the Ogunquit Village Corporation (H. P. 1000) (L. D. 431)

An Act Relating to Compensation of State Park Commissioners (H. P. 1004) (L. D. 435)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be en-

acted, signed by the Speaker and sent to the Senate.

Enactor Recommended

An Act to Incorporate the Town of Dexter School District (H. P. 1052) (L. D. 468)

On motion by Mr. Atherton of Bangor, under suspension of the rules, the House voted to reconsider its action whereby the Bill was passed to be engrossed, and, on further motion by the same gentleman, the Bill with accompanying papers was recommitted to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

An Act Relating to Money Held in Trust for Cemetery Purposes (H. P. 1154) (L. D. 554)

An Act Relating to the Care of Cemetery Lots (H. P. 1155) (L. D. 608)

An Act Repealing the Incorporation of the Town of Orono School District (H. P. 1167) (L. D. 594)

An Act Relating to Park and Recreation Commission of City of South Portland (H. P. 1176) (L. D. 596)

An Act Relative to Stockholm Game Preserve (H. P. 1289) (L. D. 655)

An Act Relating to Liquor License Fees (H. P. 1325) (L. D. 639)

An Act Relating to Duties of the State Auditor (H. P. 1403) (L. D. 763)

An Act Relating to the Powers of Insurance Companies (H. P. 1405) (L. D. 752)

An Act Relating to Scope of Purchasing Authority (H. P. 1504) (L. D. 809)

An Act Relating to Payments to Maine Forestry District in Lieu of Taxes for Lands Within Indian Township (H. P. 1585) (L. D. 907)

An Act to Clarify Certain Provisions in Motor Vehicle Law (H. P. 1710) (L. D. 1012)

An Act Relating to Facsimile Signatures of Judges, Recorders and Clerks of Municipal Courts (H. P. 1757) (L. D. 1029)

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.

Enactor Recommended

An Act to Incorporate the City of Westbrook School District (H. P. 1758) (L. D. 1030)

On motion by Mr. Atherton of Bangor, under suspension of the rules, the House voted to reconsider its action whereby the Bill was passed to be engrossed and, on further motion by the same gentleman, the Bill with accompanying papers was recommitted to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

An Act Relating to Boards of Registration (H. P. 1759) (L. D. 1031)

Was 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.

Finally Passed

Resolve Authorizing the Trustees of Town of Houlton School District to Convey Certain Land to the State of Maine (S. P. 380) (L. D. 646)

Resolve Closing Mantle Lake in the City of Presque Isle, Aroostook County, to all Fishing by Persons Over 17 Years of Age (S. P. 281) (L. D. 453)

Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls (S. P. 348) (L. D. 574)

Resolve Providing for a Fish Screen at John's Pond in Davis Plantation (H. P. 285) (L. D. 412)

Resolve Regulating Fishing in Red River, in Aroostook County (H. P. 1043) (L. D. 527)

Resolve Closing Chase Brook, in Township 13, Range 8, and Township 13, Range 7, in the County of Aroostook, to all Fishing (H. P. 1142) (L. D. 602)

Resolve Providing for the Abatement of Certain Inheritance and Estate Taxes (H. P. 1201) (L. D. 607)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, Senate Report of the Committee on Judiciary on Bill "An Act Creating a Merit Award Board to Encourage and Reward Efficiency and Economy in State Government" (S. P. 83) (L. D. 71) Majority Report "Ought to pass" in New Draft (S. P. 537) (L. D. 1069) and Minority Report "Ought not to pass" tabled on March 10th by Mr. Williams of Auburn, pending acceptance of either report; and the Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I move acceptance of the majority "Ought to pass" in new draft report. At the same time, I think it might be well to call your attention to a few matters in connection with this bill.

What does the act propose to accomplish? You will note from its title it is "An Act Creating a Merit Award Board to Encourage and Reward Efficiency and Economy in State Government." It proposes a board of three, appointed by the Governor, who would serve without compensation and who could be State officers or employees. They would be reimbursed for their actual expenses. The purpose of the act is to encourage employees of the State to look for a better and more efficient way to perform their duties, to look for a better and more efficient way to use the machinery at their disposal and in a more efficient way to conserve resources.

You have all heard the message of the morning which shows the need for being as careful as we can with State finances. This bill will cost a little something from the point of view of administration and

from the point of view of making awards. However, awards would not be made unless some worthwhile suggestions were made by employees. It seems to me that we would do well to encourage any and all employees of this State to work for some way to save money on their jobs.

In that connection, I would like to point to the operation of this law in the State of New York. Over a two-year period in the State of New York 222 suggestions have been accepted and 1054 rejected. Seventy-three of those who made suggestions that were accepted were awarded only a certificate, 149 of those who made suggestions were given a cash award. These total cash awards in New York State amounted to \$6,880. You will bear in mind, of course, that New York is a state of tremendous size and that our operations would be on a comparatively small scale. The suggestions that were made and accepted resulted in a saving in New York State of approximately \$210,000. The total expense for administration and the awards in New York was \$26,000.

In an editorial, our Lewiston Evening Journal states as follows:

"A State Merit Board to reward efficiency on the part of Maine employees is favored by a majority of the Judiciary Committee. The board would pay cash and other prizes to employees whose ideas for economy and efficiency were adopted. This works in business and industry. It works in New York State Government. We believe that a \$10,000 fund for this purpose would be a good investment for the State."

It seems to me that further discussion is unnecessary. The outlay would be small and the benefits could be great.

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

Mr. McGLAUFFLIN: Mr. Speaker, I wish to speak in opposition to this bill.

Let me give a little explanation of what this bill proposes to do.

On the face of it, it is a fine sounding bill, and I myself think the idea is, under some circumstances, worth considering. In this particular case, this bill was introduced by the Hon. Senator Ward, a man of very high caliber and very high character. I asked him where he got the idea for this bill. He said he saw an article in the Readers Digest and then he inquired into it, and the information I have I received from him.

In 1946 New York passed this law and they appropriated for the set-up \$5000. This bill calls for the setting up of \$10,000. I call your attention to the fact that New York has a population of about sixteen times that of the State of Maine and its bank accounts show that they have eight hundred times the bank deposits that we have. They tried this for a period of one year. They gave out sums of money in one case as high as \$500. The lowest was \$5.00. Many of the amounts given were twenty dollars each, and for one month the expenditure was about \$1800.

In this measure we appropriate \$10,000 to set up the machinery, and that \$10,000 does not pay any of these awards. Under this bill, this board can award medals, they can award cash. There is no limit; it is up to their judgment. The only limit is it must be from funds that are available in some department. It was reported that we had a surplus of six million dollars. Some departments, at least, must have a pretty large surplus available. Now of course these men would not do the absurd thing, probably, but they have the power to expend an indefinite sum of money, if they see fit to do so, in cash prizes alone.

The gentleman who has just spoken stated that this brought in a return to the State of New York of \$200,000. The figures that were shown to me by Mr. Ward showed that they estimated that one idea that was put up might have been worth three to four thousand dollars and another idea that was submitted out of the several thousands

they thought might be worth three hundred dollars. Now Mr. Ward showed me no other figures than the three to four thousand and the three hundred dollars. Where they get the \$200,000 I do not know, but, in any event, it is only somebody's estimate.

Now let us get down to the reason why I oppose this bill. I think, first, that it is a luxury that we can get along without at the present time; I think there is need of spending money in this State on matters that are vastly more important than this giving an extra bonus to some of the State's help. Last year, there were 6200 old-age people who applied for assistance in this State, all of whom were turned down because their children would not fill out a return showing their financial responsibility. I have not the slightest doubt that if I had the time I could tell you many instances of great need and great suffering, and I think this Legislature ought to take the means to take care of these needy people. We find that our hospitals are in a condition where free treatment is likely to be taken away for those in need; they just have to be turned down.

I say, first, that we can use the \$10,000 that it takes to set up this machinery to a better advantage than to give these awards.

Now, secondly, let us assume that the idea of this bill is a good one, let us assume that we are all for the idea; the second point I am going to make — and this is extremely important — there is not the slightest need of expending \$10,000 or any other sum to set up this machinery. The Personnel Board can do everything that this board is called upon to do without expending an extra dollar for a new board or new machinery that is going to cost you \$10,000 this year, \$10,000 next year, and \$10,000, so far as I know, forever. I say that this can be done without the expenditure of any of this money. Where is the man that feels like throwing away ten thousand dol-

lars of the State's money, although that may seem quite a small sum?

Finally, they undertake to tell you that this is a paying proposition. Bear in mind, ladies and gentlemen of the Legislature, that this measure has only been tried in one state and it did not start until 1946. When you tell me that this is going to be a money-making proposition, I say that it is nothing more or less than a gamble.

Let me tell you a story. When I was a boy I attended Calais grammar school. A cousin of mine was the American Express agent there. One night I was at his office, and he said to me, "Cliff, I have got something to show you." It seems that he had seen an ad entitled "How to Get Rich Quick," and it cost five dollars. He sent in the five dollars and got a book and he showed me the book. It was about two and a half inches long and about an inch and a half wide, and it contained ten pages. It said, in substance — I remember these two: "To get rich quick, buy wheat at 30 cents a bushel and sell it for 60 cents." "Buy coal for \$7.00 a ton and sell it for \$14.00."

Now I do not gamble myself, and I would not for a moment have the State of Maine put up \$10,000 on a horse-bet. I am not in favor of the State gambling \$10,000 on the chance that we are going to get rich quick by any such proposition.

To sum up, I am opposed to this bill, first, because it is an unnecessary luxury, and, second, because, even if you approve of its point, there is absolutely no need of spending \$10,000 to set up this machinery.

I have talked with the former head of the Personnel Department and I have talked with one of the directors of the Personnel Department, and they both tell me that they see no reason at all why the Personnel Department cannot do everything that is called for in this bill without the spending of a dollar for machinery. I say that the

bill is unnecessary, and if you think you are going to make any money on it you should think twice, because it is gamble, pure and simple, and the State of New York and the State of Maine are two very different states.

I am opposed to the motion to accept the "Ought to pass" report.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, to accept the majority report "Ought to pass" in new draft.

The Chair recognizes the gentleman from Union, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I rise to support the motion of the gentleman from Auburn, Mr. Williams.

The previous speaker has said that this will cost \$10,000. It is true that there is an appropriation for that amount in the bill, but that is no guarantee that that amount is to be spent. As I interpret it, this money would not be spent unless it could be shown that employees had come up with some recommendations, plans and suggestions that would benefit the State of Maine and its government. It would save the State dollars in efficiency.

I have here several papers from the Employees Suggestion Board of the State of New York, showing awards made to employees there and for what reasons. One of them in particular is an award made to an employee who came up with an idea which replaced three separate records with a single credential and which saved approximately \$300 in postage. Another was an award made for an idea for efficient operation of procedure relative to suspension and revocation of licenses which was estimated to save the State of New York three to four thousand dollars annually.

I personally feel that this is sound and progressive legislation. I think it would stimulate in employees a desire to aid the government of the State of Maine in its efficient operation.

I have here also a quotation from the Public Personnel Review which

is a publication of the Civil Service Department of Canada, which commented on what the New York Board has said. It says: "The experience of the suggested program in New York State has been most gratifying. Employees have evinced considerable interest in it. Suggestions continue to arrive in increasing numbers. Several states have requested information about the New York plan. The merit award idea is spreading rapidly among public agencies. It will go far in turning employees into thinking employees."

I hope, therefore, that the House will sustain the motion of the gentleman from Auburn, Mr. Williams.

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

Mr. BUBAR: Mr. Speaker, I am very sorry that I feel called upon to take issue with my two neighbors because I may get into a glass house myself, and I fear their rocks that they might throw at me, but this bill, to me, is a very vital bill in this respect: That it calls for a reward for some man to do better service for his employer.

I do not believe that a member of any family should be rewarded for doing service that would make the family a better family. I always felt, in my home, that it was to my personal advantage to give the best service I could so that we might have the best home in the community, and my boys and my daughter always believed that it was their duty, and they took pride in doing that which would make our home the very best home in the town in which we lived, and here is a bill that is going to pin a medal on a man's breast or put a crown on him if he will do something for his employer to the employer's advantage. I don't see why that is necessary.

If this bill had any educational or moral or financial advantages, I would like to go along with these two wonderful neighbors of mine, but under the circumstances I cannot do it.

Are we giving a reward to the old men and the old women who have given their best endeavor to build up this State and make it the best State in the Union? No! Thousands of them today are in sorrow and they are hungry and they are crying out for bread, and we are hurling them a stone. Yet, we want to take ten thousand dollars more from these old men and women and give it to somebody to pin an emblem upon his breast and put a feather in his cap. I do not believe in it. I cannot go along with it, and I hope and trust that this bill shall not prevail.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: I signed the majority "Ought to pass" report, and I want to support the motion of the gentleman from Auburn, Mr. Williams, that that report be accepted. It seems strange to me to hear described as a luxury any bill which can promote economy in our State government. If that is a luxury, it is a luxury that we have done without long enough.

We are told this morning that this bill does nothing that the Personnel Board isn't equipped to do and can do under its present authority. If that board is so equipped, I ask: "Why haven't they done that job?"

Two years ago we were given a report by an investigator appointed by this Legislature with regard to one of our important departments. That report indicated that substantial savings could be made in the administration of that department. As a result of that report, in the two years since, substantial savings have been made in the administration of that department.

I think that experience is sufficient precedent for the conclusion that similar savings might be found in other departments of the State. It is impossible for us, in the few months we are here every two years, to check for ourselves and get our own knowledge of the facts con-

cerning the possibility of such saving.

Here is a measure that permits us to take advantage of the knowledge and the close association of our own State employees. It is not a reward for something that they should do without a reward; it is merely an incentive for them to look about to ascertain whether or not there are steps that can be taken for the operation of our State government that would permit substantial savings. It is a principle which is adopted in industry. We continually ask for a more businesslike administration of our State government. Here is an opportunity to adopt some of those business principles.

I think there is a little confusion as a result of some of the remarks made this morning as to what this bill provides. This bill does not provide for the setting up of any elaborate new machinery. Let me read you the first sentence: "There is hereby created the Maine state employees' merit award board, . . . called the 'award board,' to consist of 3 persons, who may be state officers or employees, to be appointed by the governor, with the advice and consent of the council . . ." That is not new machinery; that is making use of employees we already have.

The gentleman from Portland, Mr. McGlauffin, suggested that this ten thousand dollars was purely for the purpose of obtaining new machinery. Let me read that section again: "There shall be appropriated from the general fund of the state the sum of \$10,000 to carry out the provisions of sections 6-A to 6-C, . . ." Those sections include not only the machinery, but the awards that are to be made. In other words, a large part of that amount would not be spent unless savings are approved or saving suggestions are approved. We will spend it and get the money back. If such suggestions are not made, we won't spend the money.

Now it seems to me that we are making a lot of to-do about a measure involving at the most a

matter of five thousand dollars per year that could bring us substantial savings. If that is a gamble, it is a gamble that business takes every day. It is not a gamble for new money; it is a gamble to save money that we are now appropriating, and I say it is worth while making the gesture. I think the people will appreciate a gesture of this type which could possibly mean the savings of thousands of dollars to the State.

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

Mr. McGLAUFFIN: Mr. Speaker, I would like to briefly reply to the gentleman who has just spoken. If he would look at the Revised Statutes of Maine, Chapter 59, Section 4, he would find that the Personnel Department is now authorized to set up a compensation plan and is now authorized to provide for the promotion of classified service. He read you a part of this bill. Let me read you some more:

"The board" — this board that works for nothing — "may appoint such other employees and assistants as it may require, prescribe their power and duties and fix their compensation within the amounts appropriated therefor."

That means, if I can read English, that they can spend the whole ten thousand dollars on that set-up.

Let me read you some more. If you think you are going to pay these awards out of that \$10,000 it is no such thing. On page 3, it says: "****payment of such increase is hereby authorized from any appropriation available to such department," which, as I pointed out a few minutes ago, might be half a million dollars. That would be in their power to spend if they wanted. I still insist that there is no occasion for this bill in this State. Who is going to spend \$10,000 that is not necessary, and who is going to gamble \$10,000 on a proposition that is so uncertain?

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

Williams, that the House accept the majority "Ought to pass" in new draft report.

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

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

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the previous question. In order for the Chair to entertain the motion for the previous question, it 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 is ordered.

The question before the House now is: Shall the main question be put now?

Mr. WILLIAMS of Auburn: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. WILLIAMS: To debate the question of whether the main question should be put now.

The SPEAKER: The gentleman may proceed.

Mr. WILLIAMS: Mr. Speaker, this motion has been made several times during the current session. Several members of our Judiciary Committee have spoken on this particular question and some other members of the House have spoken. I have had my opportunity to speak, and it seems to me that there may be other members who might wish to express an opinion. In order to perform our duties to the State in enacting legislation, it is my judgment that we should be a little slow in moving the previous question. I think we should wait and allow everyone who may want to speak to do so. It may be that no one wishes to speak now, but if they do I believe they should be given the opportunity to do so.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It is not my intention to stop anybody from expressing their opinion, but I did not come down here to get out of a committee around ten thirty and wait for a bus until 1:25 to go home and get up at six o'clock to come back over, and just sit here and waste our time when we know how we are going to vote on my bill or any bill. If they move the previous question that is their problem and their privilege.

The first week we spent here we spent two hours and a half deciding whether or not we would smoke; we spent three days of one week and two of another making up our minds whether we were going to be paid five cents a mile or ten cents a mile for travel.

I am not speaking now as a Democrat or a Republican. I was elected on the Democratic ticket and I am down here to serve 1. My State. 2. My community. 3. To go along with the dictates of my conscience, and 4. My party. I do not think that we need to sit here and dilly-dally with the reports of the Judiciary Committee. That is all I have heard: The majority report and the minority report, and every time a split report comes out they lay it on the table and then we have to sit here an hour and a half or two hours and listen to arguments back and forth. We all know lawyers can't get together. If there were two of us we would start a revolution among ourselves.

Now we have a very important afternoon, and the reason I move the previous question is not to stop anybody from speaking, but it is because I have respect for some of our older members who sit here day in and day out and listen to arguments when they have made up their minds on the question to be put.

Now more than one-third of the members here voted to support my motion for the previous question.

Let us get on and stop dilly-dallying and vote on the question.

The **SPEAKER**: 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 Auburn, Mr. Williams, that the House accept the majority "Ought to pass" in new draft report of the Judiciary Committee on Bill, "An Act Creating a Merit Award Board to Encourage and Reward Efficiency and Economy in State Government"

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

Mr. **BURGESS**: Mr. Speaker, I would ask that when the vote is taken it be taken by a division.

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, has requested a division.

As many as are in favor of the motion of the gentleman from Auburn, Mr. Williams, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Eighty-seven having voted in the affirmative and forty-two having voted in the negative, the motion prevails.

The bill, having already been printed, under suspension of the rules, was given its two several readings and was tomorrow assigned for third reading.

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

Mr. **McGLAUFLIN**: Mr. Speaker, when this vote was taken a moment ago, I for one misunderstood the vote and I voted wrong. I thought the question was whether we should have a division. If others understood the question as I did, I wish that vote could be taken over again. I surely got the wrong impression and I did not

intend to vote against my own mind.

The **SPEAKER**: The gentleman from Portland, Mr. McGlauffin, moves that the House reconsider its action whereby it assigned the bill for third reading. Is this the pleasure of the House?

The motion prevailed.

The **SPEAKER**: The Chair would inquire of the gentleman from Portland, Mr. McGlauffin, if he would like to make a motion to indefinitely postpone the bill, which might accomplish the desired result.

Mr. **McGLAUFLIN**: I make that motion, Mr. Speaker.

The **SPEAKER**: The gentleman from Portland, Mr. McGlauffin, now moves that the bill be indefinitely postponed. Does the gentleman request a division?

Mr. **McGLAUFLIN**: I would be glad to have one, Mr. Speaker.

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

Mr. **WOODWORTH**: Mr. Speaker, am I in order to debate now?

The **SPEAKER**: The motion has been made and the matter is open for debate and the gentleman from Fairfield, Mr. Woodworth, may proceed if he wishes.

Mr. **WOODWORTH**: Mr. Speaker, last week the gentleman from Portland, Mr. McGlauffin, suggested that when I agree with him I am always right. This morning I have some doubt, but I also signed the minority report of the committee. I have always believed that State officials did try to regard merit, and I do not believe that it is necessary to get three more men to tell them how to do it.

The Governor and Council are the heads of the executive branch of the government. It is their duty to run the State. I think on the whole they have done a good job in the past. I do not know why they could not continue to do so in the future. But this bill would give them that help. If they need the help I hope they get it. I am not opposed to rewarding merit, but every bill that is paid by the State

must receive the approval of the Governor and Council, and I think the heads of the departments can recommend meritorious service to the Governor and Council just as well as any committee they might have to do that job for them.

I hope the motion to indefinitely postpone will prevail, and I still have a kindly regard for the gentleman from Portland, Mr. McGlauffin, for what he said about me last week.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the bill be indefinitely postponed. The same gentleman has requested a division.

As many as are in favor of the motion of the gentleman from Portland to indefinitely postpone the bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Fifty-seven having voted in the affirmative and sixty-nine having voted in the negative, the motion does not prevail.

Thereupon the bill was tomorrow assigned for third reading.

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

Mr. CHASE: Mr. Speaker, I want to preface a motion which I am about to make by a brief explanation. Sometimes a Legislature has before it several measures relating to the same subject. In the ordinary course of procedure these measures come before us one by one, and we are compelled to vote upon the first one without knowledge of what may happen to the second.

Such a situation now exists in this Legislature with respect to various measures on the subject of education. It is in the hope that a general discussion of the whole subject of educational policy may be helpful to the Committee on Education in the formulation of the program which it shall recommend

and that such a discussion may bring out at least the fundamentals of a long-term educational policy, that I am making this motion. The procedure of a committee of the whole House is used to a considerable extent in Congress on problems of this kind, and it is recognized in the rules of our own House, with the general outline of the procedure outlined in Reed's Parliamentary Rules which we follow. This motion contemplates that on Friday of this week the entire House will go into a committee of the whole House where we can discuss educational problems in their entirety. I will now read the motion:

That the House go into Committee of the whole House on Friday, March 18, immediately after completion of the regular business for the purpose of considering the educational policy of the State with respect to educational measures now before the Legislature and to other matters involved in the general subject of educational policy, and

That the Committee on Ways and Means be instructed to prepare seasonably an agenda containing a list of topics or questions, the discussion of which, individually or collectively, shall be deemed pertinent to the subject of educational policy under consideration, among which topics shall be:

1. State aid to towns for school construction
2. The method of state aid to towns for equalization
3. State aid to private schools and junior colleges
4. The need for a state board of education
5. The status of local school boards
6. The desirability of federal aid to education

The SPEAKER: The Chair will state that the motion of the gentleman from Cape Elizabeth, Mr. Chase, is in the nature of an amendment to the rules. Notice having been given, it is in order to take the matter up for consideration tomorrow morning.

On motion by Mr. Burgess of Limestone, the House voted to take from the table the twenty-third tabled and unassigned matter, Bill "An Act Creating the Development Credit Corporation of Maine" (H. P. 1970) (L. D. 1358) tabled on March 15th by that gentleman, pending motion of Mr. Campbell of Augusta, to refer to Committee on Banks and Banking.

Mr. BURGESS: Mr. Speaker, as I understand the situation, the pending motion now would be to refer the bill to the Committee on Banks and Banking. I would like to be corrected if that is not right.

The SPEAKER: The Chair will state that the gentleman is correct.

The pending motion before the House is the motion of the gentleman from Augusta, Mr. Campbell, that the bill be referred to the Committee on Banks and Banking. Is it the pleasure of the House that the bill be referred to the Committee on Banks and Banking, the bill having already been ordered printed, and sent up for concurrence?

The motion prevailed, and the bill was referred to the Committee on Banks and Banking and sent up for concurrence.

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

Mr. GRANT: Mr. Speaker, due to a slight accident last week to our Speaker's gavel, I took it upon myself over the week-end to construct one, which I believe will stand that right arm of his, and I would like to present it to him at this time.

The SPEAKER: The Chair will state that he appreciates the solicitude shown by the gentleman from South Portland, and will endeavor to wield this gavel with due care. (Applause)

The gentleman from Limestone, Mr. Burgess, was granted unanimous consent to address the House.

Mr. BURGESS: Mr. Speaker and Members of the House: May I preface my remarks, which I assure you will be brief, by stating that I

am this morning speaking as an individual, I believe, for the first time during this session.

I want to call your attention to the motion made by the Honorable Mr. Chase, and to point out to you what I think is the correct situation so far as the House is concerned. We are all agreed that education is not a party measure, so do not misconstrue me in my remarks.

There are so many things about the educational policy of the State which are confusing to the average person that I am firmly in accord with the gentleman from Cape Elizabeth, Mr. Chase, that a sort of open forum of this kind would help all of us, perhaps, to more clearly understand the operations of the educational system, which I consider to be so confused that the average person here or at home does not understand them. So I hope, when the time comes, you will give favorable consideration to the gentleman's motion and thus place the House in a position to have an open and frank discussion of each and every educational problem which confronts us and will continue to confront us for the remainder of this session, because there are huge amounts of money involved in the structure of our educational department. I hope, before we are placed in the position of voting for or against these educational matters, that we will be better informed, and I hope Mr. Chase has provided a vehicle by which that information can reach each and every one of us. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker, I move that we reconsider our action taken earlier in the day whereby we accepted the "Ought to pass" report on Item 26, page 5 of the calendar, Legislative Document 676, Bill "An Act Relating to Non-Resident and Alien Trapping Licenses."

In explanation I will say that apparently there is an error, and I move that this bill be recommitted

to the Committee on Inland Fisheries and Game, to correct the error.

The SPEAKER: The gentleman from Lisbon, Mr. Plummer, moves that the House do reconsider its action taken earlier this morning, whereby it assigned Bill "An Act Relating to Non-Resident and Alien Trapping Licenses" (H. P. 1293) (L. D. 676) for third reading tomorrow morning. Is it the pleasure of the House to reconsider its action?

The motion prevailed; and on further motion by Mr. Plummer, the bill was recommitted to the Committee on Inland Fisheries and Game and was sent up for concurrence.

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

On motion by Mr. Chapman of Portland, the House voted to take from the table the fourteenth tabled and unassigned matter, Bill "An Act relating to Inheritance Tax Exemptions in Class A" (H. P. 1909) (L. D. 1270) tabled on March 4th by that gentleman pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Judiciary and sent up for concurrence.

The SPEAKER: If there be no further items of business to come before the House, the Clerk will read the notices.

On motion by Miss Cormier of Rumford,

Adjourned until 10:00 o'clock tomorrow morning.