

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

Tuesday, April 5, 1949

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

Prayer by the Rev. Fr. Fortier of Auburn.

The journal of the previous session was read and approved.

**Papers From the Senate
Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Pensions on Resolve Providing for an Increase in State Pension for Grace Booth, of Fryeburg (S. P. 381) reporting leave to withdraw as applicant is dead.

Report of the Committee on Ways and Bridges reporting same on Resolve Authorizing Highway Commission to Designate Route No. 197 as a State Highway (S. P. 585) (L. D. 1243)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in Favor of Fred E. Jenks, of Peaks Island (S. P. 71)

Report of same Committee reporting same on Resolve in Favor of Byard E. Libbey, of Shrewsbury, Massachusetts (S. P. 160)

Report of same Committee reporting same on Resolve in Favor of Mrs. Hazel Johnson, of Brooklyn, New York (S. P. 163)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Ought to Pass
Tabled**

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Relating to State Aid for Academies" (S. P. 345) (L. D. 571)

Came from the Senate read and accepted.

(In the House, on motion by Mr. Woodworth of Fairfield, tabled pending acceptance in concurrence.)

Tabled and Assigned

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students" (S. P. 481) (L. D. 944)

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

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

(On motion by Mr. Woodworth of Fairfield, tabled pending assignment for third reading.)

**Ought to Pass
With Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Resolve in Favor of Atlantic Sea Run Salmon Commission (S. P. 322) (L. D. 939) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A"
to S. P. 322, L. D. 939, Resolve in Favor of Atlantic Sea Run Salmon Commission.

Amend said Resolve by striking out all after the words, "general fund" in the second line and before the words, "to carry out" in the fifth line and inserting in place thereof the following:

'surplus of the state, in favor of the Atlantic Sea Run Salmon Commission, the sum of \$15,000 for the fiscal year ending June 30, 1950 and the sum of \$15,000 for the fiscal year ending June 30, 1951.'

Thereupon, Committee Amendment "A" was adopted.

(On motion by Mr. Faas of Benton, the Resolve, with accompanying papers, was tabled pending assignment for second reading)

**Senate Report
Resolve Substituted and
Recommitted
Tabled and Assigned**

Report of the Committee on State Lands and Forest Preservation reporting "Ought not to pass" on 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 recommitted to the Committee on State Lands and Forest Preservation.

(In the House, on motion by Mr. Brown of Wayne, tabled pending acceptance of report, and specially assigned for Thursday, April 7th)

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution to Set Forth the Duty of the State and the Towns Towards Education (H. P. 1572) (L. D. 886) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 31st.

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

In the House:

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

Mr. CHASE: Mr. Speaker, the amendment which was adopted in the Senate appears to meet at least one of the objections which was made in the debate in the House on this resolve a few days ago. The effect of the amendment is to make the resolve read with respect to the right of the Legislature to endow academies, colleges and so forth. It did read: "... and it shall further be the duty of the Legislature ...". The amendment makes it read: "... and the Legislature

may encourage and suitably support and endow ...".

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

Thereupon, the House voted to recede and concur with the Senate in the adoption of Senate Amendment "A", and the Resolve was passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to the Atlantic Sea Run Salmon Commission" (S. P. 124) (L. D. 145) which was passed to be engrossed as amended by House Amendment "A" in the House on March 16th.

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

In the House: The House voted to recede and concur with the Senate in the adoption of Senate Amendment "A", and the Bill was passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to Traffic Control Signals" (H. P. 2011) (L. D. 1394) which was passed to be enacted in the House on March 31st, and passed to be engrossed on March 25th.

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

In the House: The House voted to reconsider its action of March 31st whereby it passed the Bill to be enacted.

The House then voted to reconsider its action of March 25th whereby it passed the Bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 2011, L. D. 1394, Bill "An Act

Relating to Traffic Control Signals."

Amend said Bill by striking out all of paragraph "C." at the end thereof.

Further amend said Bill by adding at the end thereof a new subsection VI to read as follows:

'VI. Red and yellow (pedestrian signal). While the red and yellow lenses are illumined together, drivers shall not enter the intersection and the intersection shall be reserved for the exclusive use of pedestrians.'

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

The Chair, at this time, notices the presence in the balcony of the Hall of the House of the Eighth Grade of the St. Louis School in Auburn. In behalf of the House, we bid you welcome. (Applause)

Orders

On motion by Mr. Campbell of Guilford, it was

ORDERED, that Rev. Joseph Griffith of Guilford, be invited to officiate as Chaplain of the House on Friday, April 8, 1949.

On motion by Mr. Kelly of Rumford, it was

ORDERED, that Rev. Fr. John Conoley of Hebron, be invited to officiate as Chaplain of the House on Wednesday, April 20, 1949.

On motion by Mr. McClure of Bath, it was

ORDERED, that the Clerk of the House be directed to communicate to Admr. W. W. Warlick, the appreciation of the members for the opportunity afforded them to make the trip from Portland to Castine aboard the American Sailor, the training ship of the Maine Maritime Academy.

The officers and men are to be commended for the fine condition of the ship after a three months training cruise in southern waters.

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

Mr. FULLER: Mr. Speaker and Members of the House: From the southernmost Atlantic Seaboard state to the northernmost, this gift of golden fruit comes to you from the Chamber of Commerce of Vero Beach, Florida, the heart of the Indian River fruit county, where the tropics begin.

In 1917, families from Maine purchased citrus groves here and helped with the pioneer building of a small but vigorous Florida city. These families are still here, and we cordially invite you to visit us.

We hope you will enjoy these oranges, the finest raised in our United States.

We are now the home of the Dodgers Baseball Club, as you are reading in your papers and hearing on your radios.

Presented by Senator Roland H. Cobb of Denmark, in Oxford County.

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

Mr. BURGESS: Mr. Speaker, on behalf of the House, I would like to move that the Clerk of the House be instructed to convey our appreciation directly to the Vero Beach Chamber of Commerce in Florida, which has been so kind in furnishing the gift that is now on our desks, and that our appreciation also be extended to Senator Cobb. I am sure that every member of the House appreciates very much being thought of, particularly at this time of the year.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House request the Clerk to communicate its thanks to the Chamber of Commerce in Vero Beach, Florida, for the kindness extended in furnishing the members with the golden fruit which is on their desks this morning, also that proper recognition be given Senator Cobb, of Oxford County, for the part he has played. Is it

the pleasure of the House that this request be granted?

The motion prevailed.

House Reports of Committees Leave to Withdraw

Mr. Marsans from the Committee on Education on Bill "An Act Relating to Conveyance of Elementary School Pupils" (H. P. 1997) (L. D. 1380) reported leave to withdraw.

Mr. Wight from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fish in Haley Pond in the County of Franklin (H. P. 1038) (L. D. 522)

Mr. Boulter from the Committee on Ways and Bridges reported same on Bill "An Act Relating to Location and Alteration of State or State Aid Highways" (H. P. 1554) (L. D. 872)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Joint Resolution Relating to Consolidation of State Departments (H. P. 1948) (L. D. 1321)

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

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Herbert Amidon, of Dover-Foxcroft (H. P. 444)

Same gentleman from same Committee reported same on Resolve in Favor of Mrs. Ida Dorsey of Andover, Connecticut (H. P. 637)

Mr. Laughton from same Committee reported same on Resolve in Favor of Leonard G. Wheeler, of Perkinsville, Vermont (H. P. 453)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Laughton from the Committee on Claims "Ought not to pass" on Resolve in Favor of Lemuel Morrell, of Limestone (H. P. 258)

(On motion by Mr. Burgess of Limestone, tabled pending acceptance of Committee Report and specially assigned for Tuesday April 6th.)

Tabled

Mr. Marsans from the Committee on Education reported "Ought not to pass" on Bill "An Act Relating to Terms of Employment for Teachers" (H. P. 914) (L. D. 400)

(On motion by Mr. Dunham of Ellsworth, tabled pending acceptance of Committee Report.)

Mr. Palmer from the Committee on Education reported "Ought not to pass" on Bill "An Act Relating to Application of General Law to Community Schools." (H. P. 1286) (L. D. 671)

Mr. Bearce from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Muskrats" (H. P. 1294) (L. D. 677) reported same as it is covered by other Legislation.

Mr. Campbell from same Committee on Bill "An Act Relating to Trapping of Fisher" (H. P. 1295) (L. D. 678) reported same as it is covered by other Legislation.

Mr. Carville from same Committee reported same on Resolve Providing for a Fish Screen at Outlet of No Name Pond in the City of Lewiston, in the County of Androscoggin (H. P. 2016) (L. D. 1400)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Faas from the Committee on Public Utilities reported "Ought not to pass" on Bill "An Act to Amend the Charter of the Augusta Water District (H. P. 1656) (L. D. 964)

(On motion by Mr. Dostie of Winslow, tabled pending acceptance of Committee Report)

Mr. Burgess from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Make More Complete the Records of Real Estate Titles in Registries of Deeds by Amending the Law Regarding Liens" (H. P. 1163) (L. D. 615)

Report was read and accepted and sent up for concurrence.

Leave to Withdraw Tabled

Mr. Woodworth from the Committee on Judiciary on Bill "An Act Relating to Attachment of Wages" (H. P. 1719) (L. D. 1076) reported leave to withdraw.

(On motion by Mr. Dostie of Lewiston, tabled pending acceptance of Committee Report)

Mr. JALBERT (of Lewiston): Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The Chair would inquire of the gentleman if the remarks would relate to reports now pending before the House?

Mr. JALBERT: Very definitely, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: Speaking of Item 13, I do not think the "Ought not to pass" report was a total loss. At least I found out where No Name Pond was, in the City of Lewiston and the County of Androscoggin. I shall not move that the report be tabled. (Laughter)

Ought Not to Pass Tabled

Mr. Parker from the Committee on Mines and Mining reported "Ought not to pass" on Bill "An Act Relating to Mining" (H. P. 487) (L. D. 162)

(On motion by Mr. Maxwell of Wilton, tabled pending acceptance of Committee Report)

Ought to Pass in New Draft

Mr. Hill from the Committee on Inland Fisheries and Game on Bill "An Act Regulating Trapping of Fisher" (H. P. 1477) (L. D. 879) reported same in a new draft under same title (H. P. 2030) (L. D. 1437) and that it "Ought to pass"

Report was read and accepted and the new draft, having already been printed, was read twice under

suspension of the rules and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Plummer from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Spruce Pond in the County of Somerset (H. P. 988) (L. D. 419) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 988, L. D. 419, Resolve Regulating Fishing in Spruce Pond in the County of Somerset.

Amend said Resolve by striking out in the 3rd line thereof the word "Limington" and inserting in place thereof the word 'Lexington'

Further amend said Resolve by striking out figure "6" in the 4th line thereof and inserting in place thereof the figure '10'

Committee Amendment "A" was adopted, and the Resolve was assigned for second reading tomorrow morning.

On motion by Miss Longstaff of Crystal, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Passed to be Engrossed

Bill "An Act Relating to Investigation of Fire Hazards and Causes of Fires" (S. P. 391) (L. D. 706)

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

Tabled Temporarily

Bill "An Act Extending the Period for Which the Board of Finance in the City of Waterville is Established" (S. P. 459) (L. D. 911)

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

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

Mr. CASTONGUAY: Mr. Speaker, Item 2, Legislative Document 911, Senate Paper 459, being purely a local matter and there distinctly being two factions in the city of Waterville, I have been asked to offer House Amendment "A" and I move that this item be tabled.

The SPEAKER: The gentleman from Waterville, Mr. Castonguay, moves, in regard to Item 2, Bill "An Act Extending the Period for Which the Board of Finance in the City of Waterville is Established", Senate Paper 459, Legislative Document 911, that the matter lie upon the table temporarily. Is this the pleasure of the House?

The motion prevailed and the Bill was tabled temporarily, pending third reading.

Passed to be Engrossed (Continued)

Bill "An Act Relating to State Owned Cars" (S. P. 489) (L. D. 1173)

Was 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 Relating to County Jail Costs for Certain Violations" (S. P. 500) (L. D. 1001)

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

Bill "An Act Relative to Closed Time on Deer" (H. P. 1035) (L. D. 461)

Bill "An Act Relating to Closed Season in Certain Waters in Oxford County" (H. P. 1132) (L. D. 540)

Bill "An Act Regulating Fishing in Big Magalloway River in Oxford County" (H. P. 1133) (L. D. 541)

Bill "An Act Amending the Unemployment Compensation Law as

to Benefit Eligibility Conditions" (H. P. 2028) (L. D. 1421)

Bill "An Act Relative to Night Hunting" (H. P. 2029) (L. D. 1422)

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 Temporarily

Resolve Providing for an Increase in Retirement Pension for Harry H. Watson of Prospect (H. P. 304) (L. D. 1424)

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

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I do not rise to speak for this Resolve, but I would like to call your attention to a few matters, if I may. Am I in order for debate or should I ask unanimous consent to speak on this?

The SPEAKER: The Chair will state that, at the present time, the House is engaged in the second reading of this Resolve, which has not been completed. Is it now the pleasure of the House that, on motion by the gentleman from Winterport, Mr. Foley, further reading of the Resolve be dispensed with?

The motion prevailed.

The SPEAKER: The Chair understands that the gentleman from Auburn, Mr. Williams, now moves, in regard to Item 10, that the matter be laid upon the table temporarily. Is this the pleasure of the House?

The motion prevailed, and the Resolve was tabled temporarily, pending passage to be engrossed.

Resolve Regulating Fishing in Mayfield Pond in the County of Somerset (H. P. 573) (L. D. 1423)

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

Tabled

Resolve Granting a Pension to Grace Merrill Cutts, of Saco (H. P. 848) (L. D. 1425)

(Was reported by the Committee on Bills in the Third Reading, and read the third time, and on motion by Mr. Chapman of Portland, tabled pending passage to be engrossed.)

See remarks after Item 24, (H. P. 1883) (L. D. 1428)

Tabled

Resolve in Favor of Lillis B. Goodwin, of East Corinth (H. P. 936) (L. D. 1427)

(Was reported by the Committee on Bills in the Third Reading and read the second time, and on motion by Mr. Chapman of Portland, tabled pending passage to be engrossed.)

See remarks after Item 24, (H. P. 1883) (L. D. 1428)

Resolve Regulating Fishing in Sand Pond in the County of Oxford (H. P. 991) (L. D. 422)

Resolve Regulating Fishing in Long Pond in the County of Franklin (H. P. 1037) (L. D. 521)

Resolve Regulating Fishing in Kemankeag Pond in the County of Franklin (H. P. 1039) (L. D. 523)

Resolve Providing for a Fish Screen at Outlet of North Pond in the Town of Woodstock in the County of Oxford (H. P. 1041) (L. D. 525)

Resolve Regulating Fishing in Brassua Lake, in the County of Somerset (H. P. 1148) (L. D. 605)

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

Tabled

Resolve Providing for a Pension for Harvard L. Copp of Trenton (H. P. 1416) (L. D. 1426)

(Was reported by the Committee on Bills in the Third Reading, and read the second time, and on motion by Mr. Chapman of Portland, tabled pending passage to be engrossed.)

See remarks after Item 24, (H. P. 1883) (L. D. 1428)

Resolve Regulating Fishing in Certain Somerset County Waters (H. P. 1482) (L. D. 839)

Resolve Regulating Fishing in and Closing Tributaries to Lake Maranacook and Narrows Pond, in the County of Kennebec (H. P. 1484) (L. D. 841)

Resolve Closing Lake Cobbosseecontee in Kennebec County of Fishing Through the Ice for Salmon and Trout (H. P. 1777) (L. D. 1116)

Resolve Relating to Steward Pond in the Town of Belgrade, Kennebec County (H. P. 1778) (L. D. 1117)

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

Tabled

Resolve in Favor of Mrs. Josephine Scribner of Newport (H. P. 1883) (L. D. 1428)

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

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

Mr. WILLIAMS: Mr. Speaker, may I have unanimous consent to address the House in connection with four of these items, for the purpose of calling the attention of the House to the matter involved in these bills?

The SPEAKER: The gentleman from Auburn, Mr. Williams, requests unanimous consent to address the House. Is there objection?

The Chair hears none and the gentleman may proceed.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I am not rising particularly in opposition to these bills, but I do want to point out that they are creating an exception to our past procedure and making exception to our general pension laws.

Item 10, which I tabled, Item 12, Item 13, Item 19 and Item 24 all create additional pensions in ex-

cess of the amount provided by our statutes in those particular categories. It seems to me that this is perhaps a rather dangerous precedent, and that we might do well to consider it. It is possible that some member of the Pension Committee could give us a satisfactory explanation for these exceptions.

As a member of the Judiciary Committee, hearing requests for several terms which were intended to make exceptions to the Retirement Law, it has been more or less uniformly the practice of the committee and of the Legislature to turn down such requests.

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

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

The **SPEAKER**: The gentleman from Portland, Mr. Chapman, asks a question through the Chair of the gentleman from Auburn, Mr. Williams. The gentleman may answer if he cares to.

Mr. **CHAPMAN**: Mr. Speaker, I should like to ask the item numbers of the four bills or resolves to which he refers.

The **SPEAKER**: The gentleman from Portland, Mr. Chapman, requests of the gentleman from Auburn, Mr. Williams, the item numbers of the four matters to which he has just made reference.

Mr. **WILLIAMS**: Mr. Speaker, Item 12, Item 13, Item 19, Item 24.

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

Mr. **CHAPMAN**: I thank the gentleman from Auburn, Mr. Williams, for his information, and I move that Items 12, 13, 19 and 24 lie upon the table pending passage to be engrossed.

The **SPEAKER**: The gentleman from Portland, Mr. Chapman, moves that Items 12, 13, 19 and 24 lie upon the table pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed, and the items were so tabled.

Passed to be Engrossed (Cont'd) Amended Bills and Resolve

Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court" (S. P. 277) (L. D. 450)

Bill "An Act Relating to Certificate of Approval for Brewers" (S. P. 531) (L. D. 1061)

Resolve Authorizing the Hatcheries and Feeding Station Property (H. P. 1040) (L. D. 524)

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.

Tabled

Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School Funds" (H. P. 1131) (L. D. 539)

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

Resolve Regulating Fishing in Big Fish Lake in the County of Aroostook (H. P. 1143) (L. D. 603)

Resolve Authorizing Commissioner of Inland Fisheries and Game to Sell Certain Buildings at Marshfield to Orris Bowker (H. P. 1147) (L. D. 549)

Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification" (H. P. 1391) (L. D. 724)

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 as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act Relating to Clerk Hire in Office of Register of Deeds, Androscoggin County" (S. P. 440) (L. D. 791)

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

The SPEAKER: The Chair at this time lays before the House Item 2, Bill "An Act Extending the Period for which the Board of Finance in the City of Waterville is Established" (S. P. 459) (L. D. 911) which was temporarily tabled earlier in today's session.

The Chair recognizes the gentleman from Waterville, Mr. Castonguay.

Mr. CASTONGUAY: Mr. Speaker, could I make an inquiry as to procedure?

The SPEAKER: The gentleman may proceed.

Mr. CASTONGUAY: Mr. Speaker, is it in order to offer an amendment at this time and move its adoption?

The SPEAKER: Does the Chair understand that the gentleman wishes to offer House Amendment "A" and move its adoption?

Mr. CASTONGUAY: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Waterville, Mr. Castonguay, presents House Amendment "A" to the bill and moves its adoption.

The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to S. P. 459, L. D. 911, Bill "An Act Extending the Period for which the Board of Finance in the City of Waterville is Established."

Amend said Bill by adding at the end thereof a referendum paragraph to read as follows:

"Referendum; effective date. This act shall take effect 90 days after adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the city of Waterville voting by ballot at any regular or special election called under the provision of the charter of the city of Waterville before January 1, 1951. The city clerk shall prepare the required ballots, on which he shall

reduce the subject matter of this act to the following question:

'Shall the Board of Finance of the City of Waterville Be Continued, as provided by act passed by the 94th legislature?'

and the voters shall indicate by a cross or check mark placed under the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters, voting at said election; provided, however, that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for governor cast in said city at the next previous gubernatorial election. The result of the vote shall be declared by the municipal officers of said city of Waterville and due certificate thereof filed by the city clerk with the secretary of state."

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

The SPEAKER: The Chair at this time lays before the House Item 10, Resolve Providing for an Increase in Retirement Pension for Harry W. Watson of Prospect (H. P. 304) (L. D. 1424) which was temporarily tabled earlier in today's session by the gentleman from Auburn, Mr. Williams, pending passage to be engrossed, and the Chair recognizes that gentleman.

On motion by Mr. Williams, the resolve was retabled pending passage to be engrossed.

Passed to be Enacted Emergency Measure

An Act Concerning Harbor or River Improvements and Protection of Property Against Floods or Erosion (S. P. 131) (L. D. 193)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members

elected to the House being necessary, a division was had. 124 voted in favor of same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Appropriating Moneys for Anticipated Overdrafts in the State Treasury Due to Insufficient Appropriations (S. P. 606) (L. D. 1297)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Appropriating Money for Anticipated Overdrafts in the State Park Commission Due to Insufficient Appropriations (H. P. 1931) (L. D. 1307)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 132 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Relating to Tuberculosis Control (S. P. 313) (L. D. 506)

An Act Relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court (S. P. 365) (L. D. 582)

An Act Relating to Hunting of Raccoons (S. P. 402) (L. D. 740)

An Act Relating to the Salaries of the Clerk of Courts and Deputy Clerk of Courts of Penobscot County (S. P. 438) (L. D. 793)

An Act Relating to the Caribou Municipal Court (S. P. 464) (L. D. 919)

An Act Relating to Power of Certain Corporations to Hold Property (S. P. 503) (L. D. 1004)

An Act Relating to Sale of Malt Liquor by Trade Name (S. P. 512) (L. D. 1011)

An Act Relating to Interference with Certain Officers (S. P. 521) (L. D. 1053)

An Act Relating to Wholesale Sale of Spirituous and Vinous Liquor (S. P. 541) (L. D. 1103)

An Act Relating to Conveyance or Board of Children (S. P. 608) (L. D. 1299)

An Act to Increase the Salary of the County Treasurer of Penobscot County (H. P. 310) (L. D. 90)

An Act Relating to Salary of Clerk of Courts in Kennebec County (H. P. 314) (L. D. 94)

An Act Relating to Salaries and Clerk Hire for Certain Public Offices in Piscataquis County (H. P. 497) (L. D. 166)

An Act Relating to Salaries of Judge and Recorder of the Town of Lincoln Municipal Court (H. P. 498) (L. D. 167)

An Act Relating to Public Health Nursing Service (H. P. 853) (L. D. 323)

An Act Relating to Old Age Assistance (H. P. 865) (L. D. 332)

An Act Relating to Salary of Register of Deeds and Clerks in the Office of Register of Deeds, Northern Registry, Aroostook County (H. P. 942) (L. D. 383)

An Act Relating to the Salaries of the Judge of Probate and the Register of Probate in Piscataquis County (H. P. 943) (L. D. 384)

An Act Relating to the Salary of the Recorder of Augusta Municipal Court (H. P. 1195) (L. D. 620)

An Act Relating to Closed Season on Deer in Town of Islesboro (H. P. 1471) (L. D. 834)

An Act Relating to Inspection of Motor Vehicles (H. P. 1516) (L. D. 889)

An Act Relating to the Salary of the County Treasurer of Hancock County (H. P. 1530) (L. D. 861)

An Act to Effect a Change in the Experience Rating Record Provisions of the Unemployment Com-

pensation Law (H. P. 1626) (L. D. 937)

An Act to Establish the Brewer Municipal Court (H. P. 1636) (L. D. 989)

An Act Relating to the Bangor Theological Seminary (H. P. 1637) (L. D. 990)

An Act Relating to Annuities for Dependents of Members of Police and Fire Departments of the City of Portland (H. P. 1698) (L. D. 1021)

An Act Relating to Applications for Liquor Licenses (H. P. 1744) (L. D. 1036)

An Act Relating to the Publication of Notice of Application for Liquor Licenses (H. P. 1747) (L. D. 1039)

An Act Regulating Sale of Malt and Malt Syrup (H. P. 1749) (L. D. 1041)

An Act Relating to the Revocation of Liquor Licenses (H. P. 1750) (L. D. 1042)

An Act Authorizing Cities and Towns to Appropriate Money for Volunteer Fire Departments (H. P. 1842) (L. D. 1201)

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

Tabled

An Act Relating to Teaching of Importance of Voting in Public Schools (H. P. 1870) (L. D. 1210)

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

Mr. ROUNDY: Mr. Speaker, I rise to inquire relative to Item 35. Should not the reading be: "An Act Relating to Teaching in Public Schools of Importance of Voting" rather than the way it reads?

The SPEAKER: The Clerk will read the title again.

The CLERK: (reading) House Paper 1870, Legislative Document 1210, An Act Relating to Teaching of Importance of Voting in Public Schools.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. ROUNDY: Mr. Speaker, it is a matter of teaching in public schools rather than voting in public schools that we are talking about.

The SPEAKER: The gentleman may move to place the item on the table if he cares to.

Mr. ROUNDY: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Portland, Mr. Roundy, moves that Item 35, Bill "An Act Relating to Teaching of Importance of Voting in Public Schools" (H. P. 1870) (L. D. 1210) lie upon the table pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed, and the bill was so tabled.

An Act Relating to Explanation of Constitutional Amendments and Statewide Referendum (H. P. 1968) (L. D. 1342)

An Act Relating to Street Openings by Public Utility Corporations (H. P. 1977) (L. D. 1393)

An Act Relative to Careless Shooting of Human Being (H. P. 2014) (L. D. 1396)

Finally Passed

Resolve Providing for Certain Construction at the Northern Maine Sanatorium (S. P. 285) (L. D. 486)

Resolve Regulating Fishing in Snake and Carpenter Ponds in the County of Piscataquis (S. P. 295) (L. D. 489)

Resolve Regulating Fishing in Pleasant and Mud Lakes in the County of Penobscot (S. P. 347) (L. D. 573)

Resolve in Favor of Bangor Anti-Tuberculosis Association (S. P. 492) (L. D. 952)

Resolve Regulating Fishing in Whetstone Pond, in the County of Piscataquis (H. P. 465) (L. D. 1402)

Resolve Regulating Fishing in Porter Lake (H. P. 747) (L. D. 289)

Resolve Opening Upper and Lower Macwahoc Lakes, Aroostook County, to Ice Fishing (H. P. 1392) (L. D. 725)

Resolve Regulating Fishing in Moosehead Lake in the County of Piscataquis (H. P. 1480) (L. D. 880)

Resolve Closing the Tributaries to Great Moose Pond to Fishing (H. P. 1483) (L. D. 840)

Resolve Opening Leighton Brook, Hancock County, to All Fishing (H. P. 1487) (L. D. 844)

Resolve Opening Deer Pond, in the Town of Hollis, York County, to Fishing (H. P. 1826) (L. D. 1152)

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

Placed on Special Calendar

Resolve to Create an Educational Surplus Property Pool (H. P. 1953) (L. D. 1326)

At the request of Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, Item 50 was placed on the Special Calendar.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Sixth, Seventh and Eighth Grades of Solon School, in charge of Mrs. Lincoln. On behalf of the House, we bid you welcome. (Applause)

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, House Divided Report of the Committee on Temperance on Bill "An Act relating to Sales of Liquor to Minors" (H. P. 1811) (L. D. 1135) Majority Report "Ought not to pass" and the Minority Report "Ought to pass" tabled on March 31st by the gentleman from Auburn, Mr. Williams, pending acceptance of either Report.

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

Mr. WILLIAMS: Mr. Speaker, Ladies and Gentlemen of the House: I now move acceptance of the minority "Ought to pass" report.

A few days ago, a gentleman spoke to me about this bill and I admitted that it might be a diffi-

cult bill to speak for but the more I have thought about it, the more reasons I see for its passage and the more difficult it seems to me to present a logical argument against the bill.

It reminds me of a story that was told to me at great length but which I shall tell very briefly. A friend of mine had a large German Shepherd dog named "Wolf". Now, this dog was very smart, a good watch dog. Any member of the family could come in any time of night and the dog would not bark. If a stranger entered the street, the dog would almost tear the house down. During this dog's youth, he spent a great deal of time chasing squirrels and in fact, it came to a point where it became an obsession with him; he almost hated squirrels, one could go to the foot of the tree and say: "Squirrel, Wolf" and he would bark for an hour. The squirrel would disappear, but the dog still barked. Then the dog became old and tired; he would chase automobiles in the morning and lie down and sleep in a comfortable, sunny spot.

A neighbor's boy came over and said: "Come on, Wolf", and tried to get him to play but the dog continued his sleep. Then the boy said: "Wolf, Wolf, squirrel." Whereupon the poor old dog, although he wanted to sleep in comfort, rose and went down and barked at the tree where there was no squirrel.

My friend lay in the sun with a book and pondered on the superiority of human beings over dogs. About this time, another friend of his, a sea captain, came down across the wall from the cemetery, mopping his brow because the day was hot; he commented on the weather, and once they had settled that, they decided it was hot, dry and rain was needed. Then, this friend of mine said to the sea captain: "This weather is so dry it seems to me that these boys from the CCC sowing grass seed are wasting their efforts. I don't understand these New Deal Democratic propositions." With due apologies to our good Democrats in the House, I am simply stating an idea.

This sea captain, who had been used to having orders obeyed and speaking into the teeth of a southeaster, then launched into vigorous discourse on the iniquities of all the alphabetical agencies that were operated, anything that was even close enough to the word "Democrat" to suggest that word to him. As a boy he had seen his friends go from Maine into Georgia, to fight the southern Democrat. He was born a Republican, brought up a Republican and you just had to mention the word "Democrat" and he was off. Now, why do I mention that? Merely because ideas can be useful; ideas can be dangerous, but there is a peculiar psychological effect which they have. In thinking of this bill I tried to think of a logical argument against it; I tried to anticipate what might be said.

I discussed it two years ago with some gentlemen who were interested in the alcoholic beverage business and it seems that their objection comes down to an idea which is just as effective, catches on just as quickly, as the idea of hatred — the idea of love, duty, patriotism. The service that our eighteen year old lads rendered overseas; that is something that we should consider. We should consider it well; we owe them a lot but I fail to see that it has any direct connection or any direct bearing on this particular measure. In our forty-eight states, we sell hard liquors in hotels; we sell the same type of liquor in package stores in many states or in state stores. We sell malt beverages to take off the premises. We sell malt beverages to drink on the premises; we sell malt beverages in packages. That is four separate categories. With forty-eight states, that leaves us 192 different categories in which malt beverages are sold. In all of those categories in all of our states, there are about fifteen exceptions where sales are permitted to minors under twenty-one and in the other 175, the age is twenty-one.

It is interesting to note that in one state eighteen year old girls

are permitted to purchase liquor while eighteen year old young men are not. It shows how inconsistent we can be in some cases. I would not for a moment minimize the fearless, daring temperament of our young men of eighteen and nineteen. It is that spirit that makes them good football players; it is that spirit that makes them good soldiers. But, I would like to call your attention to two or three facts concerning everyday living in Maine and in this United States now.

As a practicing attorney and having done work from time to time for insurance companies and driving on our highways and reading our daily papers, I have learned that the eighteen year old boy, the nineteen year old boy, is probably the worst hazard on our highways so far as operating a motor vehicle is concerned. Why? Not because he lacks skill, not through anything except lack of experience which must come through the years. This lack of experience, this spirit of daring when he gets behind the wheel of a powerful automobile, filled with his pals, leads him to see how fast he can cover the highway. With his girl friend in the car, perhaps he shows off a bit. Next morning, you and I pick up the paper to learn that during the night an ambulance picked up the pieces on some bad curve. These are hard, cold facts. If you do not think so, you try and get insurance on automobiles owned by a boy eighteen years old. You will find very few insurance companies that would take them. In fact, they would be turned down by three or four companies or you would take it out at a higher rate.

Just one more point and I am done. With the law as it is at present, this eighteen-year-old can take his automobile and start for an entertainment, a dance, or a ride, stop at the corner drug store, the bakery or the little community store, buy a few bottles of beer or ale. It is true, under the law he is not supposed to drink those in a

public place but there is always a side road or a dark corner. If you have observed youth or even adults, you know that restraint is removed with a few drinks; you know that what was courage before becomes a bit foolhardy. You know that it is more difficult for him to operate this motor vehicle. Suppose he takes your daughter or your niece, Mary, along with him? What happens if she takes a few drinks? I leave that for you to fill in.

Members, I really see no good argument against this bill. I believe it should pass, making the age limit uniform at twenty-one.

The SPEAKER: The Chair recognizes the gentleman from Orient, Mr. Maxell.

Mr. MAXELL: Mr. Speaker and Members of the House: As a member of the Temperance Committee and a signer of that minority report "Ought to pass", I feel this:

It seems to me that the ages of sixteen to twenty-one in the life of a boy are very serious, are very critical and are dangerous years. As a matter of fact, most of the boys of that age are finishing school and are playing on, perhaps, the baseball team or the football or the basketball and are going out and having parties, having a good time and are really not feeling the responsibility of taking care of themselves. As a matter of fact, they are thrown into temptation and in that temptation, they are bound to yield in going along with the rest of the group. They feel too that perhaps they do not have too much responsibility to themselves as to what they shall do or what they shall not do because they feel that they have their parents back of them who are watching their footsteps and watching their every move and, if they do make a mistake, that parent is always ready to correct them and bring them back into the path they should go.

But, when that young man becomes the age of twenty-one, then the situation is different. He considers himself a man, considers he

must do his own thinking, direct his own courses and use his own judgment in all things. And so, when he arrives at the age of twenty-one, he is thinking: I soon will be getting married; I soon will be investing my money in business, in an occupation or livelihood and therefore he isn't apt to be so careless and he isn't thinking so little about these things that tempt him.

This seems to me to be a serious business for us to decide. These young people can not decide this issue; they are not twenty-one years of age. You and I, as members of the legislature, must decide this issue for them. Will we give to the youth of eighteen the privilege of going into places and buying their beer and taking a chance that perhaps they may be good citizens or perhaps they may be drunkards before they are twenty-one years of age?

It seems to me the question is whether we shall give them this privilege and shoulder this responsibility on our youth or whether we shall wait three short years and let them decide the issue for themselves. This, to me, is a bill of dollars and cents. There is a moral issue here involved. It is an issue to sell more beer, to increase the sales and we even find that the beer people are arguing and fighting occasionally as to how near they can come to a church or a school that they may establish their place of business. And now, they are reaching back to the ages of eighteen that they may draw them into this mill where they can grind out more profits for the beer interests and make more records. In the words of Horace Heicht, who says: "Building boys is better than mending men." Ladies and gentlemen, I hope that this age limit is established at twenty-one.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: I rise in opposition to the motion of the gentleman from Auburn, Mr. Wil-

liams, and, briefly, I will state my argument.

This bill which would increase the age from eighteen to twenty-one for sales to take out — to “take out,” mind you — of malt beverages in grocery stores is absolutely uncalled-for. It has been recognized in this State that there is a difference between drinking on premises and in cocktail lounges and restaurants and drinking of hard liquor and the age is twenty-one before you can procure it in certain places. The word “patriotism” has already been mentioned. When a person becomes eighteen years of age he is old enough to be drafted and taken into the army, but if he wants to buy a bottle of beer like any college boy who is eighteen years of age, under this bill he cannot do it. That goes the same for the women.

I am wondering if any member of this House thinks that if this bill was passed that it would stop drinking or whether it would increase the bootlegging to these young fellows and girls. The law has worked out all right since 1933 when the State went into the business, and, as far as I can find out, they have not had any trouble in that respect.

Regarding the remarks made by the gentleman from Auburn, Mr. Williams, I have checked on automobile accidents by minors, and I find that better than fifty per cent of those automobile accidents were caused by boys and girls that were not drinking. Two other statements that he made were that persons would stop at drug stores and bakeries. To my knowledge, there is not a drug store or bakery in the State of Maine that is selling beer to take out. So, with these remarks, I hope that the motion of the gentleman from Auburn (Mr. Williams) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the House accept the minority “Ought to pass” report of the committee.

The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker and Members of the House: I am not arising to address the House just now because of any degree of eloquence which I possess because I have none. I am not arising to address the House because I think you would enjoy particularly any exhibition of my lack of ability, but being a member of the Committee on Temperance who did sign the minority report, I think perhaps it is not only my privilege but also my duty to give you the reasons which moved me so soundly. I do want now to make this statement: That I enjoyed very much the privilege of serving on this Committee on Temperance. I think forty or more different measures have been presented to us this session, and I believe that the two bills which are on the calendar this morning by special assignment are the only ones which we considered concerning which a divided report has been brought in. I do not like to sign a divided report in a way, especially a minority report, and yet I have been in the minority so many times it is not so difficult for me to do it as it was once.

I would like to state to you just now three of the reasons which motivated me in signing this minority report. I am not going to give a lecture on temperance because I am not qualified to do so. I am not going to preach a sermon; I am not ordained to do that. But I would like, briefly, in a few simple words, to give you these reasons.

I think if I were going to attempt to preach a sermon I would take for my text those words uttered by our good Governor just a few days ago, with which every one of us coincide, when he said that “the most valuable product of the Pine Tree State is its boys and girls, its young people.” We have many natural resources and we endeavor to protect them to the extent of our ability and intelligence, and certainly we all agree that any degree

of protection which can be offered our young people should be offered them.

I do not think it is necessary, perhaps it is not advisable, to refer to the general conditions which exist over the Pine Tree State. I think that these conditions are well-known. I think that all of us greatly regret that certain conditions obtain. We realize that Maine, in prohibiting the sale of intoxicants to minors — that is for consumption on the premises — but allowing the sale to minors to take out, is, I believe, the only state in the Union which does offer such an apparently inconsistent proposition.

Three of the reasons which motivated me in signing this minority report are these: It seems to me, first, that it is an inconsistent provision if it continues upon our statute books. Secondly, it seems to me that it will tend to increase the traffic hazards, and thirdly, it seems to me that it will tend to increase the crime within our State.

I would like to quote to you just now a few words which were spoken by the very distinguished and well-known and well-liked member of this Legislature at a committee hearing when another bill, not this one, but another, was being considered. The reported statement was this:

"If my children are going to drink, and I hope they don't, I had rather have them drinking in a cocktail lounge than in the back seat of a car parked in a country lane."

There is apparently a difference of opinion about this. I remember, I think at the time of the ninety-third session of the Maine Legislature, when the portion of the bill then offered was passed which did prohibit sale to minors to be consumed on the premises, it was said to be, by the opponents of the bill, a dangerous feature of the then situation and that being allowed to purchase in packages to take out was not so dangerous. I remember that I, in my very humble way,

mentioned at that time that the allowing of these minors to take it out did constitute quite a lot of the driving hazard. But, of course, as I have said, there is a difference of opinion on that question. Some consider one condition of selling more dangerous than the other, while with others the opinion is reversed.

I wish just now, not for eloquence, I wish just now not for the ability to discuss the question and so convince if I were able to any member who might be close to this measure of the erroneous condition of his opinion, because even if I did convince you, we know the saying "A man convinced against his will is of the same opinion still," and an acquaintance of mine misquoted or paraphrased this old statement in a way which I should not dare to offer if I could not offer it with a question mark. His rendering of this was, "A woman convinced against her will is stronger in her opinion still." But of course I would not be allowed to say that, and I would not desire to say it.

I would like to present to you just a few statistics. I do not like to read in public; I am not a very good reader, and perhaps you will not be very much interested. But I would like to quote to you, if I may, a few official statements and figures.

First, I would like to quote the Chief Probation Officer of the City Court, Rochester, New York, who says: "My experience has convinced me that the ones who are in trouble and may come close to ruining their own lives as well as those of their families, started drinking in their teens."

It seems to me that while young people can drink and do drink in their teens at the present time, that this is just another avenue, this is just another opening in which that drinking by the teen-agers would be increased. If the provisions of this bill would reduce drinking, I think that those who are commonly called "the dries" would favor it. If it would increase drinking, I think the natural position of those engaged in the business would be to

oppose it. And it seems to me if I were at a loss to determine whether I should vote yes or no on this motion, if I did not have any evidence which was convincing enough to me except to look around and discover that the representatives of the liquor industry, which is a legitimate business according to the laws of our State, are opposing this bill, it would, without any question, signify that they expected that this would tend to increase the use of their product.

I would like to quote Bernard J. Trozo, Deputy Probation Officer, St. Paul, Minnesota, who says: "Since the close of the war, one noticeable change in municipal court has been the increasing number of persons between eighteen and twenty-five charged with drunkenness."

In California, which would seem to offer somewhat of a contrast to this situation in St. Paul, the law forbids the selling or giving of liquor to minors and is rigidly enforced. About one-fourth of the parents charged with contributing to the delinquency or dependence of their children are drinkers.

The probation officer of Worcester, Mass., says: "Practically all our broken homes are caused to some extent by the use of liquor."

Thirty-three states prohibit all sales of intoxicants to minors.

The Juvenile Protective Association, Chicago, reports: "The easy access minors have to alcoholics, the incidents of minor drinking and the feeble and ineffective efforts of citizens and public officials to prevent the sale of liquor to minors is seriously affecting the welfare of children and young people."

During the last two war years seventeen-year-old boys and girls constituted the greatest number of commitments for crime. Age 21 now leads in juvenile arrests.

I would like to give you a portion of the FBI report given out in 1947. I have selected just a few years, because I do not want to make the statement too long, but

these years are fairly indicative of the whole list.

The number of arrests for drunkenness of people under twenty-one in the year 1935 was 2235; in 1941, 5763; in 1946, 7487; in 1947, 9400. The number of arrests during these same years for driving while intoxicated, arrests of minors, was as follows: 1935, 543; 1941, 1421; 1946, 1640; 1947, 2209.

The Juvenile Protective Association of Chicago also reports that last year, 1948, "the excessive use of liquor has become an increasingly significant factor in child delinquency, divorce and separations, delinquency, crime, venereal disease and mental breakdown.

Judge Drucker—and this is the last quotation I shall offer—of the Boys Court, reports an increase in the number of delinquent boys brought before that court charged with serious crimes such as robbery, rape, assault and malicious mischief. Inebriety was a factor in many of these cases.

I would like to close by referring to a statement of Blackstone, whom I do not know but whom you members of the legal profession do know—at least you are supposed to, and I assume you do—who stated "One of the basic principles of law is to make it harder to do wrong and easier to do right."

When considering the present situation, which in many of its features alarms the people of our State, someone has said that the government has failed; someone has said that the church has failed; others have said the schools have failed; but I think you will now all agree that the home has failed. We cannot educate people to righteousness, but just so far as we are able as members of the Legislature of this State to legislate for the young people and all the people of Maine, let us make it easier to do right and difficult to do wrong.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: Just a few words in answer to Mr. Sander-

son's remarks. He has quoted people from New York, Minnesota, California, Massachusetts, Illinois and other states, but not a word about the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker and Members of the House: I like "Tony" very much and I would not care to enter into an extended argument with him because I know he would overtop me mentally as he would physically; but it seemed to me that it was not necessary to make too extended reference to conditions in Maine for we all know them.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I won't add to the long discussion that has been going on. It seems to me that possibly the motives are good ones, but at the same time these boys who served their country when they were eighteen as well as those twenty-one are recognized as men, and I feel, as someone has stated here, that if they are men then they should be allowed to vote. I agree with them, they should be allowed to vote. The thing that bothers me most is that I doubt very much if we do away with this, if we enact this law in such a way that it covers them up to twenty-one, I doubt very much if it will stop the sale of liquor to minors. I believe it will continue and that it will only bring about bootlegging by taxis and cab drivers and what have you. So I feel that the motion of the gentleman from Auburn, Mr. Williams, should be defeated.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the House accept the minority "Ought to pass" report of the committee.

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

Mr. JALBERT: Mr. Speaker, I feel that as a member of the Temperance Committee I should state

my reasons as to why I signed the "Ought not to pass" report. I do not want to question the sincerity of the two men who have spoken who signed the "Ought to pass" report, nor do I question the sincerity of the gentleman from Auburn, Mr. Williams. I believe that he will go along with me. It is possible that some of these Georgia Democrats will move up here and do business with some of you Maine Republicans. (Laughter) Notwithstanding that, I will give you briefly my reasons for signing this report "Ought not to pass."

These youngsters have had that privilege. I reiterate to you what I said in committee oftentimes: "You cannot stop a poker game by throwing the deck away, because you can always buy another deck."

In this particular instance, where this law has been on the books since its inception in 1933, if you take this privilege away from these boys from eighteen up to twenty-one, it might lead them to pay disrespect to the law anyway, and if you pay disrespect to one law, it shows disrespect for all laws. I will state that while I would not be constituted as an outward dry, by the same token I do not think liquor should be floating in the streets. There was a bill presented here for the sale of liquor on Sunday. Many of you do know that I was one of the prime movers in asking the indulgence of the member who wanted to present that bill to withdraw it.

This bill calls for this: That boys or girls will be allowed to continue the practice which they have been allowed to do, and that is to buy beer in grocery stores as long as they are eighteen. They cannot go into a liquor store, they cannot go into a cocktail lounge to buy any liquor unless they are twenty-one.

I state again, that if you take this privilege away from them that they have had since 1933 it might have bad repercussions, and that is my main reason for signing the "Ought not to pass" report, and I hope that the motion of my good friend from

Auburn, Mr. Williams, does not prevail.

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

Mr. WILLIAMS: Mr. Speaker, first I will say that I might agree with my good friend, the gentleman from Lewiston, Mr. Jalbert, that reports from Washington would tend to indicate that some Maine Republicans do find it easy to agree with Southern Democrats. Secondly, I would like to comment on two or three statements made by my friend, the gentleman from Madison, Mr. DeSanctis. He made some reference to college boys. I have read the papers some recently, and some reports from college campus would indicate that it would be well if we could ban all alcoholic beverages from campus.

In regard to the matter of drug stores and bakeries, I would like to have the gentleman come to Lewiston and Auburn. Within one-half mile from my home, there is a drug store and a registered pharmacist there selling malt beverages. Within the same distance there is a bakery dispensing malt beverages in packages. As you go across the bridge in Lewiston you pass at least one bakery dispensing malt beverages in packages.

The gentleman suggests that alcoholic beverages might be involved in perhaps fifty per cent of the automobile accidents in which minors are involved. If so, it is very serious and is much higher than the percentage of adults.

When the vote is taken, I move that it be taken by a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the House accept the minority "Ought to pass" report of the committee, and the same gentleman has requested that when the vote is taken that it be taken by a division. Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Auburn, Mr. Williams, that the House accept the minority "Ought to pass"

report of the committee will rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Forty-two having voted in the affirmative and eighty-two having voted in the negative, the motion does not prevail. Is it now the pleasure of the House to accept the majority "Ought not to pass" report of the committee?

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

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Divided Report of the Committee on Temperance on Bill "An Act relating to the Definition of Tavern in Liquor Law" (H. P. 1746) (L. D. 1938) Majority Report "Ought to pass" and Minority Report "Ought not to pass," tabled on March 31st by the gentleman from Greene, Mr. Sanderson, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. SANDERSON: Mr. Speaker and Members of the House: I made reference in my few feeble remarks a few moments ago to the fact that there were only two bills from our committee brought in with a divided report. This is the second of the two, and having been supported very much by the favorable vote of the House on the previous measure, I am very much encouraged to speak on this bill.

Perhaps I should not admit this, but I like to be fair to everybody: Frankly, I do not consider this as of such vital importance as I did the other, but somehow inasmuch as the intention of the law regarding the dispensing of products at taverns was restricted solely to liquids, I do not like to see the broadening-out of their powers which this bill would give, including confections and tobacco. It is just because I feel it would provide an additional attraction and, I feel, tend to increase the purchase and sale of liquor. You will

tell me, of course, that old ladies cannot be admitted and minors cannot be admitted or young men between the ages of eighteen and twenty-one.

I am not going to make any extended remarks on the reason why I did sign the minority report. I will simply say I think it would tend to increase crime in our State. I wish that the minority report might prevail, which motion I now make. I move that the House accept the minority report.

The SPEAKER: The question before the House is on the motion of the gentleman from Greene, Mr. Sanderson, that the House accept the minority "Ought not to pass" report of the committee. Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Greene, Mr. Sanderson, that the House accept the minority "Ought not to pass" report of the committee will say aye, those opposed no.

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

Thereupon the House voted to accept the majority "Ought to pass" report of the committee. The bill, having already been printed, under suspension of the rules, was given its two several readings and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, House Report "Ought to pass" of the Committee on Education on Bill "An Act relating to Reimbursement to Towns for Special Teaching Positions" (H. P. 1950) (L. D. 1323) tabled on April 1st by the gentleman from Crystal, Miss Longstaff, pending acceptance of the report; and the Chair recognizes that gentleman.

Miss LONGSTAFF: Mr. Speaker and Members of the House: As sponsor of this bill and a member of the Committee on Education, I wanted to get definite assurance from our Commissioner of Education that this bill would not require any special appropriation, and he

has definitely informed me that it can and will be included in the general educational appropriation fund. Therefore, as it does not require any special appropriation, I move the acceptance of the "Ought to pass" report.

The SPEAKER: The gentleman from Crystal, Miss Longstaff, moves acceptance of the "Ought to pass" report of the committee.

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

Mr. WOODWORTH: Mr. Speaker, we have before this Legislature a great many meritorious bills, of which this is one. Perhaps the only objection I have to such bills as this is that they cost a great deal of money mounting in the aggregate to millions of dollars.

I have noted the remarks of the gentlewoman from Crystal, Miss Longstaff, that this bill will come out of the general appropriation for educational purposes. I will admit that I do not know how large that appropriation is; whether it is a great deal larger than it was for the past biennium so that a new tax will be required to finance this proposed general educational appropriation. If it does, I am opposed; if it does not, I am quite agreeable. I have previously made it known to the House that I am opposed to any major tax bill, a new one. I am opposed to it as a matter of policy. To me, the main issue confronting the Legislature at this session is: Shall we adopt the policy of expansion or shall we adopt a policy of retrenchment? Shall we expand the services we now render—shall we expand our spending—shall we expand our tax system by adopting a new major tax or shall we, on the other hand, retrench, dig in, limit our expenditures for the next biennium to the money which may be available under the present taxes. The problem is not confined to this Legislature; it confronts every legislature; it confronts every individual, every corporation in the country and you know the situation as it is. Last week, Chairman Fortier of the Unemployment Compensation

Commission told us that unemployment for March reached the highest peak in the 12-year history of that Commission. Many factories are being forced to close down; farmers are told that their acreage has been cut and that their subsidy is diminished. Those people have no choice; there is no choice of retrenchment; they are retrenched whether they want to be or not.

I was told by the Chairman of the House Appropriations Committee that every bill carrying an expenditure of new money will be tabled until the Legislature determines what its policy shall be. And, because of that, I shall not object to the acceptance of the report on this bill. I simply want to be sure that I shall not be caught in a place and that others of like mind shall not be caught in a place where we are told that we voted for new money and therefore we shall have to vote for a new tax.

I support this report only in order that the issue may be defined when that issue is presented.

The SPEAKER: The Chair recognizes the gentleman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker, I don't know as I am very diplomatic; I should have used a few sugar-coated words. But, I had this bill placed upon the table the other day for my own satisfaction; I wanted to make sure that when we started out with it, it was not to require any new appropriation. For that reason, I went to our commissioner and asked him if, as the bill was drawn up, it was the intention of the department that the money should come from the general educational fund. He said: "Yes." And this isn't anything that has been cooked up since we have been talking about new money and new taxes and you may rest assured that you may rely upon what I am telling you.

The SPEAKER: The question before the House is upon the motion of the gentleman from Crystal, Miss Longstaff, that the House ac-

cept the "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I do not want to be misunderstood or misquoted. When the gentleman from Fairfield, Mr. Woodworth, approached me about this matter being tabled, he simply asked me the question about it being placed on the special calendar. I assured him that before enactment it would be placed on the special calendar. I did not state that it would be voted on before any tax measure or after any tax measure or when it would be voted on.

Now in regard to the bill itself: I am a little bit disturbed about Section 181 of the bill. Section 181 says: "Health, safety and physical education to be included in public school courses; commissioner to prescribe rules and require reports from local superintendents.

"In order more thoroughly to prepare the youth of the state for the duties and obligations of citizenship and to provide for their future well-being and comfort, it shall be the duty of the superintending school committees of the several towns of the state to make provision for the organization and development of adequate programs of health, safety and physical education and to require the teaching of these courses to all pupils in the public elementary and secondary schools of the state," and so forth.

Now I believe that probably is a good idea, but the situation in my own town is just this: We have had to dispense with the course in agriculture and the course in domestic science. Now if they are going to compel us to teach those subjects — and presumably it calls for a gymnasium and so forth — which I will agree are good things if you can afford them and have got the money to buy them — but, with all of these towns I represent in the condition that they are today, they are not in a position to do those things.

The SPEAKER: Is the House ready for the question?

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

Mr. WOODWORTH: Mr. Speaker, I understood the gentleman from Unity, Mr. Brown, to mean just what he said and I did not mean to misquote him. I further did not mean to convey the impression that I thought the Educational Department had cooked up something special, and I am sorry if I did convey that impression.

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

Mr. FULLER: Mr. Speaker, in relation to the question which was raised by Mr. Brown, as I understand it, there are physical education courses now in existence and that this provision simply includes those teachers under the so-called MacKinnon Union, which was set up by the 93rd Legislature. I see no provision that would require any community to add a physical training course as the bill is written. It just provides for the state subsidy to go to those teachers where they do now exist or in cases where those courses are started.

The SPEAKER: The question before the House is upon the motion of the gentlewoman from Crystal, Miss Longstaff, that the House accept the "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker. I would like to make one brief explanation with regard to the question put forth by the gentleman from Unity, Mr. Brown.

The intent of this bill is not to require schools to have physical education plants or facilities. In fact, the program set forth for the next few years is to divide our schools into what may be called "A", "AA" and "AAA" schools. That is not a requirement; it is up to each individual school to determine what category they want to fall into, and in the triple A schools,

which consist of schools of three hundred or over, it is required that they have physical education facilities and over 120 minutes a week of physical education and hygiene courses. Again I say, that is not compulsory. It is compulsory only if they want to pursue a triple A course. A double A program would require 80 minutes of physical education. The A program does not require it at all so it is entirely up to the discretion of the school what category they want to be in so it is their own decision what they want to do. There is nothing compulsory about it. It is left to the school first of all which category they want to be in, A, AA, or AAA. It is up to them to make the decision. It is not compulsory to the town to have these facilities.

The SPEAKER: The question before the House is upon the motion of the gentlewoman from Crystal, Miss Longstaff, that the House accept the "Ought to pass" report of the committee.

As many as are in favor will say, aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, this being a printed bill, the rules were suspended and 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.

The Chair recognizes the gentleman from Wellington, Mr. Carle.

Thereupon, on motion by Mr. Carle, the House voted to take from the table the fortieth unassigned matter being House Report "Ought to pass in new draft" (H. P. 2026) (L. D. 1085) of the Committee on Motor Vehicles on Bill "An Act Providing for the Placing of Owners' Names on Commercial Vehicles" (H. P. 1084), tabled on April 1st by the same gentleman, pending acceptance of the report.

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

Mr. PLUMMER: Mr. Speaker, I believe there is some misunderstanding-

ing on this bill and I, therefore, move that it be recommitted to the Committee on Motor Vehicles.

The motion prevailed and the Bill with accompanying papers was recommitted to the Committee on Motor Vehicles and sent up for concurrence.

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

If there are no further items of business to come before the House, the Clerk will read the notices.

On motion by Mr. Wormwood of Wells,

Adjourned until 10:00 o'clock tomorrow forenoon.