

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

Thursday, April 7, 1949

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

Prayer by the Rev. Mr. Farrar of Jefferson.

The journal of the previous session was read and approved.

**Papers from the Senate
Memorial
Indefinitely Postponed**

Memorial to Congress re Quoddy (S. P. 651)

Came from the Senate read and adopted.

In the House:

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

Mr. WEBBER: Mr. Speaker and Members of the House: As you recall, there was a hearing before the Appropriations Committee this week on this Quoddy Project. When this Memorial was drawn up, it was the intention of our committee to pass it through the Maine Legislature and then forward it to our Maine delegation in support of this measure. In view of the fact that Congress rejected the Quoddy Project yesterday, I move that this Memorial be indefinitely postponed, as it would be ineffectual at the present time.

The SPEAKER: The gentleman from Bangor, Mr. Webber, moves that the Memorial be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Memorial was indefinitely postponed in non-concurrence and sent up for concurrence.

**Senate Reports of Committees
Divided Report**

Majority Report of the Committee on Towns reporting "Ought not to pass" on Bill "An Act Relating to Use of Excise Tax on Motor Vehicles" (S. P. 325) (L. D. 517)

Report was signed by the following members:

Messrs. McKUSICK of Piscataquis
GOODWIN of York
GREELEY of Waldo
— of the Senate
MERRILL of Stetson
TAYLOR of Lyman
PULLEN of Oakland
CHUTE of Harrison
DUNHAM of Ellsworth
MARTIN of Eagle Lake
— of the House

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

Report was signed by the following member:

Mr. BENN of Smyrna
— of the House

Came from the Senate with the Majority Report read and accepted.

In the House, the Majority Report "Ought not to pass" was accepted in concurrence.

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Refunding to Towns Fees of Retail Liquor Licenses" (S. P. 112) (L. D. 135)

Report of the Committee on Pownal State School reporting same on Resolve Providing for Purchase of Property Adjacent to Pownal State School (S. P. 234) (L. D. 348)

Report of the Committee on Public Utilities reporting same on Bill "An Act Relating to a Filtering Plant or System for the Portland Water District" (S. P. 264) (L. D. 394)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Aeronautics on Bill "An Act Relating to the Aeronautical Fund" (S. P. 514) (L. D. 1045) reporting same in a new draft (S. P. 645) (L. D. 1419) under same title and that it "Ought to pass"

Report of the Committee on Judiciary on Bill "An Act Relating to

Powers and Duties of Liquor Inspectors" (S. P. 530) (L. D. 1068) reporting same in a new draft (S. P. 643) (L. D. 1418) under same title and that it "Ought to pass"

Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Relating to Transportation of Clams" (S. P. 179) (L. D. 237)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act Relating to Pension for Chief of Police of City of Lewiston" (S. P. 355) (L. D. 563) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was then read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 355, L. D. 563, Bill "An Act Relating to Pension for Chief of Police of City of Lewiston."

Amend said Bill by inserting in the 7th line thereof after the stricken out words "as such" the following underlined words:

'in any capacity in the police department'.

Committee Amendment "A" was then adopted in concurrence and tomorrow assigned for third reading of the Bill.

Report of the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Taking of Alewives in St. George River in the Town of Warren" (S. P. 251) (L. D. 357) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 251, L. D. 357, Bill "An Act Regulating the Taking of Alewives in St. George River in the Town of Warren."

Amend said Bill by striking out the word "Saturday" in the next to last line of the 2nd paragraph and inserting in place thereof the word 'Sunday'

Further amend said Bill by striking out the word "Sunday in the last line of the 2nd paragraph and inserting in place thereof the word 'Monday'

Thereupon, Committee Amendment "A" was adopted in concurrence and tomorrow assigned for third reading of the Bill.

Ought to Pass With Senate Amendment

Report of the Committee on Judiciary on Bill "An Act Relating to Ballots" (S. P. 483) (L. D. 947) reporting same in a new draft (S. P. 644) (L. D. 1420) under same title and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 644, L. D. 1420, Bill "An Act Relating to Ballots."

Amend said Bill by striking out the underlined words "**the diameter**" in the 9th line thereof and inserting in place thereof the underlined words **'each side'**.

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

The SPEAKER: The Chair notes at this time the presence in the balcony of the Hall of the House a group of students from the Mechanic Falls High School, with Miss Knoulen in charge. On behalf of the House, we bid you welcome. (Applause)

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

Mr. ATHERTON: Mr. Speaker, I request unanimous consent to introduce a Joint Resolution for a Memorial to Congress, which I am presenting on behalf of the Maine Commission on Interstate Co-operation, of which I am a member. I believe the Resolution will speak for itself.

The SPEAKER: The gentleman from Bangor, Mr. Atherton, requests unanimous consent to introduce a Joint Resolution as Memorial to Congress. Is there objection to the reception of the Resolution? The Chair hears none, and the Resolution is received by unanimous consent. The Clerk will read the Resolution.

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Forty-nine.

Memorial

To the Members of the Maine Delegation in Congress:

Joint Resolution Relating to Federal Seizure of State Lands Beneath Navigable Waters

Whereas, the State of Maine owns and possesses more than 2,175 square miles of land beneath navigable waters within its boundaries, subject only to the Federal powers over navigation, commerce and national defense; and

Whereas, State ownership of this property has been and will continue to be an important source of revenue for our State, the loss of which would be a great injury to

the State and our people for whom it is held in trust; and

Whereas, after over 100 years of recognized State ownership without interference with the delegated Federal powers, certain Federal officials are now suing other States for similar property and advocating Federal seizure of the lands:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Maine, the Senate concurring:

That the State of Maine favors continued State ownership and control, subject only to the delegated Federal powers, of lands and resources within and beneath navigable waters within the boundaries of the respective States, and requests Congress to pass suitable legislation to that end;

That the members of our delegation in Congress are hereby requested to give their active opposition to all pending and proposed measures which would create Federal ownership or control of lands, fish or other resources beneath navigable waters within State boundaries;

That the members of our delegation in Congress are hereby requested to give their active support to legislation which would recognize and confirm State ownership of such property; and

That a copy of this Resolution be mailed to each member of our delegation in Congress.

The SPEAKER: Is it the pleasure of the House that the Resolution be adopted without reference to any committee and sent up for concurrence?

Thereupon, the Resolution was adopted without reference to a committee and was sent up for concurrence.

Orders

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

Mr. BROWN: Mr. Speaker, I present an order and move its passage. In explanation of the order, I would like to say that this is in relation to the so-called "Ap-

propriation Bill" which I tabled yesterday morning. My first thought was that I would take that bill from the table this morning, but, on second thought, I thought it would be better to give the members of the House an opportunity to study the remarks made in relation to that bill in the House yesterday morning. This order simply makes it a special order of business for consideration tomorrow morning at eleven o'clock. I present the order and move its passage.

The SPEAKER: The gentleman from Unity, Mr. Brown, presents an order and moves its passage. The Clerk will read the order.

ORDERED, that the Report of the Committee on Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1950, and June 30, 1951" shall be a special order of business for consideration by the House at eleven o'clock on Friday, April 8, 1949.

Thereupon, the order received a passage.

On motion by Mr. Johnston of Jefferson, it was

ORDERED, that the Clerk be directed to send flowers from the members of the House to Rep. Linwood E. Palmer, Jr. of Nobleboro, who is at the Miles Memorial Hospital in Damariscotta, and express to him their hope that he will have a very speedy recovery.

On motion by Mr. Burgess of Limestone, it was

ORDERED, that the Clerk of the House be directed to send flowers from the members of the House to Rep. Oscar S. Maxell of Orient, who is ill in Augusta, and express to him their hope that he will have a quick recovery.

Mr. Burgess of Limestone, presented the following order and moved its passage:

ORDERED, that House Rule 24 be amended by adding at the end thereof the following:

'While the House is in session only members and officers of the House and officers of the Senate on official business shall be admitted inside the rail, except members of the press, who shall occupy places at the press table, and except guests bearing cards issued by the Speaker.'

The SPEAKER: In accordance with Rule 59 of the Rules of the House, this being an amendment to the existing Rules, the order will lie on the table for consideration tomorrow.

House Reports of Committees Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Higgins Classical Institute (H. P. 1765) (L. D. 1107)

Report was signed by the following members:

Messrs. BOWKER of Cumberland
SAVAGE of Somerset
—of the Senate.

BROWN of Unity
DENNETT of Kittery
JACOBS of Auburn
BIRD of Rockland
JALBERT of Lewiston
WEBBER of Bangor
JOHNSTON of Jefferson
—of the House.

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

Report was signed by the following member:

Mr. WILLIAMS of Penobscot
—of the Senate.

The Majority Report "Ought not to pass" was accepted and sent up for concurrence.

Divided Report Tabled

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Lee Academy (H. P. 891) (L. D. 363)

Report was signed by the following members:

Messrs. BOWKER of Cumberland
SAVAGE of Somerset
—of the Senate.

BROWN of Unity
DENNETT of Kittery
JACOBS of Auburn
BIRD of Rockland
JALBERT of Lewiston
JOHNSTON of Jefferson
—of the House.

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

Report was signed by the following members:

Messrs. WILLIAMS of Penobscot
—of the Senate.
WEBBER of Bangor
—of the House.

(On motion by Mr. Webber of Bangor, the two Reports with accompanying papers, were tabled pending acceptance of either Report.)

Divided Report Tabled

Majority Report of the Committee on Legal Affairs on Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Collection and Disposal of Garbage, Rubbish and Refuse" (H. P. 1786) (L. D. 1125) reporting same in a new draft (H. P. 2035) (L. D. 1449) under same title and that it "Ought to pass."

Report was signed by the following members:

Messrs. BAKER of Kennebec
BATCHELDER of York
EDWARDS of Oxford
—of the Senate.
CHAPMAN of Portland
CAMPBELL of Augusta
HAYES of Dover-Foxcroft
MARTIN of Augusta
MARBLE of Dixfield
PAINE of Portland
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. ATHERTON of Bangor
—of the House.

(On motion by Mr. Atherton of Bangor, the two Reports, with ac-

companying papers, were tabled pending acceptance of either Report.)

Divided Report Tabled

Majority Report of the Committee on Legal Affairs on Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers" (H. P. 1787) (L. D. 1126) reported same in a new draft (H. P. 2034) (L. D. 1448) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BAKER of Kennebec
BATCHELDER of York
EDWARDS of Oxford
—of the Senate.

CHAPMAN of Portland
CAMPBELL of Augusta
HAYES of Dover-Foxcroft
MARTIN of Augusta
MARBLE of Dixfield
PAINE of Portland
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. ATHERTON of Bangor
—of the House.

(On motion by Mr. Atherton of Bangor, the two Reports, with accompanying papers, were tabled pending acceptance of either Report.)

Divided Reports Tabled

Majority Report of the Committee on State Lands and Forest Preservation reporting "Ought to pass" on Bill "An Act Relating to Primary Wood-Using Portable Sawmills, Spark Arrestors and Timber Reports" (H. P. 1739) (L. D. 1093)

Report was signed by the following members:

Messrs. WILLIAMS of Penobscot
CROSBY of Franklin
COBB of Oxford
—of the Senate.

LEAVITT of Parsonsfield
HAYWARD of Machias

BROWN of Wayne
 BENN of Smyrna
 WEBBER of Bangor
 —of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs WILLIAMS of Topsham
 SHARPE of Anson
 —of the House.

(On motion by Mr. Sharpe of Anson, the two Reports, with accompanying papers, were tabled pending acceptance of either report)

Leave to Withdraw

Mr. Martin from the Committee on Claims on Resolve in Favor of Winfield Jordan, of Old Town (H. P. 817) reported leave to withdraw.

Mr. Berry from the Committee on Public Health reported same on Bill "An Act Relating to Board of Registration of Nurses" (H. P. 1846) (L. D. 1184)

Mr. Bates from same Committee reported same on Bill "An Act Relating to Application of Health Laws to Certain Grocery Stores" (H. P. 1419) (L. D. 753) reported leave to withdraw.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Relating to the Compilation and Printing of the History of Selective Service in Maine" (H. P. 1026) (L. D. 458)

Same gentleman from same Committee reported same on Resolve in Favor of Hampden Academy (H. P. 1622)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Dennett from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in Favor of the City of Calais (H. P. 1677) (L. D. 1015)

(On motion by Mr. Hall of Calais, tabled pending acceptance of Report)

Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in Favor of Monmouth Academy (H. P. 1678) (L. D. 1016)

(On motion by Mr. Johnson of Gardiner, tabled pending acceptance of Committee Report)

Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Creating Veteran Bonus Fund and to Provide Moneys Therefor" (H. P. 1715) (L. D. 1072)

(On motion by Mr. Chapman of Portland, tabled pending acceptance of Committee Report)

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Bertram Ouellette, of Augusta (H. P. 421)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Ralph E. Bowdoin of Milo (H. P. 1033)

(On motion by Mr. Parker of Sebec, tabled pending acceptance of Committee Report)

Tabled

Mr. Hall from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Harold Young, of Manchester (H. P. 548)

(On motion by Mr. Jewett of Manchester, tabled pending acceptance of Committee Report)

Tabled

Mr. Laughton from the Committee on Claims reported "Ought not

to pass" on Resolve in Favor of Walter J. Hayes of Augusta (H. P. 459)

(On motion by Mr. Spear of South Portland, tabled pending acceptance of Committee Report)

Mr. Martin from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Olin R. Beal of Durham (H. P. 899)

Mr. Martin from the Committee on Legal Affairs reported same on Bill "An Act Relating to Dance Halls" (H. P. 1726) (L. D. 1081)

Mr. Bates from the Committee on Public Health reported same on Bill "An Act Relating to the Sale of Rags as Wiping Cloths" (H. P. 1730) (L. D. 1035)

Tabled

Mrs. Fay from the Committee on Public Health reported "Ought not to pass" on Bill "An Act Relating to Barbering, Hairdressing and Beauty Culture" (H. P. 1525) (L. D. 876)

(On motion by Mr. Gauthier of Sanford, tabled pending acceptance of Committee Report)

Mr. Lackee from the Committee on Ways and Bridges reported "Ought not to pass" on Bill "An Act Relating to State Aid Highways" (H. P. 1203) (L. D. 619)

Same gentleman from same Committee reported same on Bill "An Act Relating to Maintenance of Bonny Eagle Bridge in the Town of Standish" (H. P. 768) (L. D. 304)

Reports were read and accepted and sent up for concurrence.

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

The SPEAKER: The Chair is a little bit in doubt as to the students now in the balcony, but will state that the Chair understands that both the Mechanic Falls High School group is there in the balcony, also a group from the George

F. Henley School of South Portland, in charge of the Principal, Mr. Miller, and Miss Smith. On behalf of the House, we bid both groups welcome. (Applause)

House Reports of Committees (Cont'd) Ought to Pass Printed Bills

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve in Favor of Erskine Academy (H. P. 540) (L. D. 1442)

Mr. Jacobs from same Committee reported same on Resolve Providing for Construction of Dormitory for Female Patients at Augusta State Hospital (H. P. 631) (L. D. 1444)

Mr. Hall from the Committee on Claims reported same on Resolve in Favor of Alfred M. Joyce of Brooklin (H. P. 2022) (L. D. 1446)

Mrs. Fay from the Committee on Public Health reported same on Bill "An Act Relating to the Examination of Applicants for the Practice of Chiropractic" (H. P. 1582) (L. D. 904)

Mr. Boulier from the Committee on Ways and Bridges reported same on Resolve in Favor of the Town of New Portland (H. P. 400) (L. D. 1441)

Mr. Brown from same Committee reported same on Resolve in Favor of the Town of Athens (H. P. 1815) (L. D. 1445)

Reports were read and accepted, and the Bills and Resolves having already been printed, the Bills were read twice under suspension of the rules, Resolves read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Bird from the Committee on Appropriations and Financial Affairs on Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital (H. P. 630) (L. D. 1443) 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. 630, L. D. 1443, Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital.

Amend said Resolve by striking out all after the figures "\$200,000" in the first line and inserting in place thereof the following:

'or as much thereof as may be required, be and hereby is appropriated from the unappropriated surplus of the general fund, to the Bangor State Hospital, for certain electrical, plumbing, heating repairs and replacements, and such construction and alterations as may be necessary in connection therewith.

'This appropriation shall be carried until June 30, 1951 at which time all unencumbered funds shall lapse.'

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

Passed to be Engrossed

Bill "An Act Relating to Allocation of Moneys by Governor and Council" (S. P. 66) (L. D. 47)

Bill "An Act Relating to Practice of Architecture" (S. P. 211) (L. D. 273)

Bill "An Act Repealing Law Relating to Taking of Herring" (H. P. 1197) (L. D. 591)

Bill "An Act Relating to the Digging of Clams in the Town of Isle au Haut" (H. P. 1198) (L. D. 592)

Bill "An Act Relating to the Definition of the Term 'Sardine'" (H. P. 1349) (L. D. 699)

Bill "An Act Relating to the Taking of Clams in Scarborough" (H. P. 1421) (L. D. 769)

Bill "An Act Relative to Powers of Coastal Wardens as Inland Fish and Game Wardens" (H. P. 1537) (L. D. 866)

Bill "An Act to Provide a Town Manager Form of Government for

the Town of Bar Harbor" (H. P. 1644) (L. D. 999)

Bill "An Act Relating to the Taking of Smelts from Cobscook River, Cobscook Bay, Orange River, Denny's River and Their Tributaries" (H. P. 1665) (L. D. 973)

Bill "An Act Regulating the Digging of Clams for Commercial Purposes in the Town of Roque Bluffs, Washington County" (H. P. 1666) (L. D. 974)

Bill "An Act Relating to the Digging of Clams in the Town of Southport, Lincoln County" (H. P. 1706) (L. D. 1026)

Bill "An Act Relating to Weir Fishing in Certain Waters" (H. P. 1736) (L. D. 1090)

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 Relating to Automatic Signals at Railroad Crossings" (H. P. 1796) (L. D. 1138)

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

Recommended

Bill "An Act Relating to the Taking of Clams, Quahogs, Mussels and Worms in the Town of Islesboro" (H. P. 1799) (L. D. 1141)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Prince of Harpswell, recommitted to the Committee on Sea and Shore Fisheries and sent up for concurrence.)

Bill "An Act to Incorporate the Lincoln Water District" (H. P. 1929) (L. D. 1288)

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

Tabled

Bill "An Act Amending the Unemployment Compensation Law as

to Payment of Benefits" (H. P. 2031) (L. D. 1438)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mrs. Fay of Portland, tabled pending third reading.)

Bill "An Act Relating to Retail Dealers' Licenses" (H. P. 2032) (L. D. 1439)

Bill "An Act Relating to the Sale or Packing of Herring" (H. P. 2033) (L. D. 1440)

Resolve Regulating Fishing in Spencer Lake in Somerset County (S. P. 203) (L. D. 266)

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 and sent to the Senate.

Amended Bills

Bill "An Act Relating to Cost of Maintaining Patients at Hospitals for the Insane" (S. P. 58) (L. D. 34)

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

Bill "An Act to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945 and 1947" (S. P. 611) (L. D. 1319)

Bill "An Act Relating to the Packing of Sardines" (H. P. 1536) (L. D. 811)

Bill "An Act Relating to the Digging of Clams, Quahogs and Worms in the Town of West Bath" (H. P. 1667) (L. D. 975)

Bill "An Act Permitting the Digging of Clams in Kennebunk River and Its Tributaries for Bait Only" (H. P. 1800) (L. D. 1142)

Bill "An Act to Incorporate the Boothbay Harbor Sewer District" (H. P. 1913) (L. D. 1275)

Bill "An Act to Incorporate the Boothbay Harbor Water and Sewer District" (H. P. 1914) (L. D. 1276)

Were reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Passed to be Enacted Emergency Measure

An Act Appropriating Moneys for Anticipated Overdrafts in the Racing Commission Due to Insufficient Appropriations (S. P. 607) (L. D. 1298)

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. 121 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 Employees of Counties, Cities and Towns Entitled to Membership in State Employees' Retirement System (S. P. 636) (L. D. 1399)

An Act Relating to the Use of Public Streets and Highways and to the Power of Cities and Towns to Install Parking Meters (H. P. 1509) (L. D. 816)

An Act Relating to Exemptions from Regulation of Motor Carriers (H. P. 1583) (L. D. 905)

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

Tabled

An Act Relating to Excise Tax in Lieu of Personal Property Tax on Aircraft (H. P. 2021) (L. D. 1407)

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

Finally Passed

Resolve Authorizing the Commissioner of Inland Fisheries and Game

to Convey the Interest of the State in Certain Land in Township 10, S. D. (H. P. 1694) (L. D. 1028)

Resolve Authorizing the State Normal School and Teachers' College Board to Convey Certain Land in Fort Kent (H. P. 1955) (L. D. 1328)

Resolve to Open Plunkett Pond, Aroostook County, to Ice Fishing (H. P. 2019) (L. D. 1405)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Resolves finally passed, 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, Bill "An Act Relating to the Banking Department" (H. P. 1969) (L. D. 1352) tabled on April 1st by Mr. Boulier of Stacyville pending assignment for third reading.

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

Mr. BURGESS: Mr. Speaker, I would like to make a very brief remark relative to this bill and say this: I am very much in favor of this bill finally being enacted but, because the bill, itself, will reduce the revenue to the general fund account of the State, I do not believe it should be passed to be enacted at this time until we have solved some of the other problems which are troubling the State. I, therefore, Mr. Speaker, move that this matter again lie upon the table.

Thereupon, the motion prevailed and the Bill with accompanying papers was tabled pending assignment for third reading.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Report "Ought to pass" of the Committee on Education on Bill "An Act to Equalize the Educational Load of Municipalities" (H. P. 1949) (L. D. 1322), tabled on April 4 by the gentleman from

Buckfield, Mr. Fuller, pending acceptance of the Report and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: I would like to take just a few moments this morning to explain the purpose of this bill and some of its provisions around which the members will do their thinking in the further consideration of the bill.

This act is designed (1) to provide a fund for the purpose of insuring reasonably adequate educational opportunities for all children throughout the State and (2) to distribute equitably the burden of support so that the poor towns will not be forced to make excessive tax levies in order to provide essential school services for their children.

During the past decade, towns have been obliged, virtually, to double their tax efforts to support schools. The average local tax rate for maintenance and operation of their schools has increased from 12 mills in 1940 to nearly 25 mills in 1948. This increase is due to the following factors among others: Increase in teachers' salary schedules, higher cost of supplies and labor, higher transportation costs and a gradually increasing school population. This upward trend is working a hardship to the extent that in 1948 at least half of the towns in the State appropriated from 25 to 50 per cent of their total commitment for school services. These figures are exclusive of money appropriated for payment of interest and principal on money borrowed by towns for school construction. I note that in one county of Maine at least 24 towns have a municipal tax rate of 100 mills or higher; that the average tax rate of these 24 towns is 117 mills.

An analysis of the 1949 appropriations for several of the above towns indicates a continuation of the upward trend. In many cases, in order to keep the local tax rates from spiraling, towns have sacrificed by cutting expenses for other services of the town.

These figures indicate a trend that is giving many Maine citizens considerable concern. It seems evident that there is need for relief in some way. An increase in the equalization fund of the State would provide one form of relief, and, at the same time, furnish school services for the children of those poorer towns, considerably nearer the average per pupil expenditure for the State than exists at the present time.

It should be pointed out that equalization is not a new principle in Maine. It was first placed on our statutes in 1921 and has been carried out for twenty-eight years with several amendments to the original law. This bill, if approved as drawn, would call for approximately \$725,000 in new money for each year of the biennium provided the Appropriation Bill, as explained yesterday, was approved in full. I am referring to the item of \$610,000 for the first year and \$680,000 for the second year as submitted in the Appropriation Bill under the head of equalization funds.

If this money were available, of the 493 municipalities in the State, 275 would participate in this equalization fund. The 275 towns represent 55 per cent of all towns in the State. Thirty towns would have a smaller amount of equalization than the present law and distribution provides. Fifteen towns would have no equalization whereas under the present law they are receiving equalization. One hundred forty-nine towns would receive an increase in the equalization and there would be 96 new towns to receive equalization. Of the 275 towns involved, the average tax rate is 86 mills and the average school rate is 30 mills on the basis of 1948 figures.

The distribution of this equalizing fund would start with a foundation support level per pupil nearest the State average for recurring educational costs which available funds will finance. Add to this amount 60 per cent of transportation cost per pupil in excess of the

State average. Subtract available per pupil resources such as State subsidies, unexpended balance and income from ministerial trust funds or other school tax funds, thus establishing the actual need for extra money per pupil. Multiply that amount by the number of resident pupils, thus establishing the total financial need of the foundation program. Find the town's share by multiplying the State valuation by 20 mills. The difference between the last two amounts represents the amount of the equalization. If that second amount is larger than the total financial need of the foundation's program, there would be no equalization participation in this fund.

I have jotted down a few questions which may answer some of your questions.

1. What factors determine whether or not a town would receive equalization money under this act? First, the relative number of resident pupils, the relative amount of State valuation or, in other words, the relative amount of taxable property in the community which the town has. The amount of per pupil resources available from other sources. As an example, the town of Buckfield, which would not participate in this new equalization money, has two vocational teachers in its high school which are subsidized by federal money to the extent of \$2300. That amount plus the other available resources from State subsidies and from the trust funds, brings the amount of available resources in the town of Buckfield to over \$52 which is half of the total amount of the foundation's program.

2. Why was sixty per cent of transportation costs above the State average included? It was felt that the transportation factor is so variable in our communities that this should recognize that geography and population centers affect transportation costs and it proposes to participate in these expenditures to the extent of sixty per cent above the average which, in 1948, was \$9 per pupil. The sixty per cent was

included so the towns would not become tempted to increase the amount of money paid for transportation with the feeling that the State would pay for the whole bill.

The twenty mills is more or less an arbitrary figure, about half-way between what most of the cities are paying for their school services and the average school tax rate for the State. There are other questions that I am able to answer and would be glad to consider them at this or a later time and with that explanation, Mr. Speaker, I move the acceptance of the committee's report.

The SPEAKER: The question before the House is upon the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee.

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

Mr. BROWN: Mr. Speaker, I am not rising in opposition; I am rising to get some information. I had placed on my desk or in my mail box this morning a statement under this bill, showing the towns in my district, just what they would receive and the towns in the district that would not receive anything. From my observations of this list, it looks to me as though this discriminates against the towns which for years have been trying to do something for their schools. Take my own town, for instance, the town of Baileyville. The town, at the present time, is contributing almost sixty per cent of the entire town appropriation to the purpose of schools. I believe we have a splendid school system and I think our teachers stand well up to fourth and fifth in the amount of salary that is paid teachers in the State of Maine. We have a well-equipped and efficient gymnasium. We have domestic science and many other features which go to make it a first-class high school and yet, under this so-called equalization bill, a town that is doing those things gets nothing in return from the State under this bill.

I note also, in my list here, two towns that do not anywheres near come up to the standards as established in my own town; they get a considerable sum. Now, to my way of thinking, if we continue this type of legislation, those towns that have been on the ball and have been trying to do something for their school system, they are going to get to feeling: What's the use? The town that sits back and does nothing is going to get the gravy.

Now, to me that does not look like good legislation. I think instead of discouraging towns to do something for their school systems, that we should be encouraging it. I may be all wet on this subject but that is the way it looks to me and I should certainly like to hear a whole lot of discussion in this House on a bill of this type before I am convinced we should pass that type of legislation.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of a group from the Eighth Grade of the Lincoln School here in Augusta, with Mrs. McDonough in charge. On behalf of the House, we bid you welcome. (Applause.)

The SPEAKER: The question before the House is upon the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: I think the gentleman from Buckfield, Mr. Fuller, has been very fair in his statement of the bill and I have no doubt that the gentleman from Baileyville, Mr. Brown, has analyzed the situation as it affects some towns with whose circumstances with which he is familiar.

I profess no great knowledge about this problem. I just note two facts. One is that this is a program of expansion, to spend money that we do not now have and which

will require, probably, a new major tax. You all know how I feel about that.

The second point is that this bill apparently repeals existing equalization provisions. If we repeal the existing provisions and get no more money, what happens? The bill says nothing. Some of these bills say that it only applies in so far as new money may be available but it does seem to me before we adopt a new policy of equalization and before we repeal existing laws, we should know whether we have got the money to carry out the new program. I am not opposed to anything of benefit to the schools. My position is that we must retrench; we can not expand.

The gentleman from Buckfield has told us that this program is based upon the theory that costs are now continuing to advance. This might have been true when this plan was conceived but in recent months costs have ceased to go up; they are now coming down and, if we are going to consider legislation in the light of existing and future facts, a bill based on past experiences and past acts and a theory which does not exist, it seems to me, is of little use to us here.

The SPEAKER: The question before the House is upon the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: Being a member of the Education Committee, this seems a little misleading. I think, maybe, I would like to ask a question of Mr. Fuller, if I may.

The SPEAKER: The gentleman may ask his question, and the gentleman from Buckfield, Mr. Fuller, may answer if he cares to.

Mr. WINCHENPAW: Mr. Speaker, Mr. Brown's speech brought this to my mind. These sheets give you

the municipal tax rate for 1949, then it carries out the state valuation for 1948, the school tax rate for 1948, but it doesn't give us the tax rate that the equalization was figured on last year, or the old rate. Now I should know that, but maybe I do not. I wonder if Mr. Fuller does know there is an equalization tax rate in there that is averaged all over the sheet. My sheet shows Cushing, tax rate of eighty-eight, valuation of \$240,000; school tax rate 28 mills plus, and they got \$296 equalization under the old system. The other towns in my district do not draw any equalization under the old system because they have a much lower tax rate and a much higher valuation. Do you know that number, Mr. Fuller, I am speaking of? The Department of Education puts it out every fall and every spring, and that is why some of these towns get no equalization money now.

Mr. FULLER: Mr. Speaker, if I understand the question correctly, under the act which we are considering it is based on twenty mills of the state valuation and not upon the school tax rate of the preceding year. In the first column, the equalization figure under the present statutes, the local school tax rate of 1948 is the one that is used. Have I answered the question?

Mr. WINCHENPAW: Mr. Speaker, I do not think that answers my question. There is another number here missing.

The SPEAKER: The question before the House is upon the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee.

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

Mr. CHASE: Mr. Speaker, some time ago in speaking here, I urged as a point of educational policy the substitution of judgment for formulae in the distribution of equalization money. I find it extremely difficult and, indeed, impossible to follow the application of these

formulae in the distribution of this money. In so far as distribution is based upon valuation, it obviously rests upon an unsound basis as we all know that the valuation of the communities within this State are not made on the same basis and some of them are ridiculously low in relation to others.

Therefore, any formula based on valuation must be defective. I concede, however, that it is probable, at present, that we do have to use formulae until we work toward a different system and perhaps we can use them if we get an equitable State valuation.

Mr. Fuller's idea of a formula, which uses the pupil as a unit, seems to me probably better than what we are now doing. But, what I should like to emphasize is this: We have here before us, today, and they will be here again shortly, certain bills relating to education, all of which are to some extent inter-related. We face the necessity of determining at some time what sum of money, if any, we can apply to equalization. I hope that sum may be substantial but it is extremely difficult to vote on one bill with another coming right up and with others coming along, all of which should be inter-related and coordinated eventually in the program.

One bill which will be before the House shortly is a bill which creates a State Board of Education. If that bill should receive favorable consideration in both branches, it would afford an opportunity to give some money on the basis of judgment. It would also create an agency which I hope would in the next two years re-examine the educational policy of the State and come to the next Legislature with some recommendation of a system which the members of the Legislature might hope in future to understand and to comprehend. It is my hope that sometime soon we may have an opportunity to look upon education as a whole. That we may, in some manner, have brought before us the elements of

a program based on a specified sum of money to be distributed, part for equalization, part perhaps for aid in construction. If we can eventually form such an agreement as to the whole educational program and designate to some committee, which is skilled in this matter, the job of writing these bills all into one so that we can see it all as a whole and see what we are doing, I believe we can put together a program which will be comprehensive. And, it is in this hope that eventually the various elements in this program will begin to be integrated and become part of a comprehensive whole, that I am going along with Mr. Fuller in urging the acceptance of the committee report in order that this bill may continue with life and vitality and be considered later as part of a general program as the other bills come along.

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

Mr. BROWN: I, too, support the acceptance of the report of the committee. When the vote is taken I move that it be taken by the yeas and nays.

The SPEAKER: The question before the House is on the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee. The gentleman from Unity, Mr. Brown, has requested that when the vote is taken it be taken by the yeas and nays.

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

Mr. CAMPBELL: Mr. Speaker, to me this bill looks like one of the best pieces of legislation we have had before us. I am very much in favor of it, and I think it is a very great improvement over the present equalization. I hope that the motion of the gentleman from Buckfield, Mr. Fuller, will prevail.

Mr. FULLER: Mr. Speaker, may I have permission to speak the third time?

The SPEAKER: The Chair does not understand that the gentleman

has spoken three times. He answered a question. The gentleman may proceed.

Mr. FULLER: Mr. Speaker, I neglected to refer to the question raised by the gentleman from Baileyville, Mr. Brown.

It seems to me that this question is tied in with the theory of equalization, whether or not equalization is a principle that the State should support. I note that the local tax rate for Baileyville is sixty mills and the State valuation is \$2,628,000 and the local school tax rate is 16 mills, which, as he indicated, is less than 60 per cent, I would say.

It seems to me that there is a town which is well able to take care of its own school services and very likely has provided considerably above the average per pupil expenditure for the State.

Mr. Brown's question would be in regard to whether or not the State should support the principle of equalization. That may be the wrong interpretation.

In regard to the difference in State valuations, I am sure that exists, but my experience has been that it exists to the benefit of the larger communities of the State in both some fairly well-to-do communities and some poorer communities. Whether or not the State valuation is irregular, the property tax was considerably higher in the smaller communities, and we are still considering the problem of need of those towns whose tax rates have spiraled to what I believe many will say are proportions of alarming bigness.

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

Mr. BROWN: Mr. Speaker, I want to make my position wholly clear, and I want this House to fully understand that I am not opposed to the best educational system that this State of Maine can possibly afford.

I have been interested in schools all my life, in fact I served nine years on the superintending school

committee in my town and had something to do with the building-up of the school system in that town. But I cannot see, by this type of legislation, where there is any incentive for the towns to go out and try to do a job for their schools when they see the towns that do not have the type of schools that they have reaping a harvest from the State. We can continue to boost our money for schools and everything and build an elaborate school system and give our pupils in the town the very best, and yet the town right alongside of us that does not care an iota what their school conditions are will be getting the money from the State and towns who are doing something will get nothing. Now to me that seems to be a poor system under which to work.

We hear a lot about incentive. There is incentive in our plants to do a good job; there is incentive in other jobs to do a good job. To me, this bill takes away the incentive for a town to do a perfect job for their schools.

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

Mr. BUBAR: Mr. Speaker and Members of the House: In view of the fact that we cannot agree on this bill and there is a decided division and it is an important bill, I move you that this bill be recommitted to the committee until we can find a basis upon which we can agree, because I think its purpose is a noble one.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, where I was going to speak in practically the same words as those spoken by the gentleman from Blaine, Mr. Bubar, I will say no more, other than this: I have a child that I think the world of. I want to see good schools; I will fight for good schools and I will pay my share; but members, I believe it is something that should be recommitted. It is a very im-

portant point, especially when the bill is empty.

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

Mr. **BROWN**: Mr. Speaker, I believe we can tell how closely we agree after a vote has been taken.

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

Mr. **DOW**: Mr. Speaker and Members of the House: I am not opposed at this time to the acceptance of the committee report, but I want to point out the effect this bill would have on the towns which I represent.

The town of Falmouth, by reason of having made sufficient appropriations in the past, does not now receive anything from the equalization fund, and under this bill they would receive nothing. Another town, Cumberland, under the present law would receive next December \$345. Under L. D. 1322, Cumberland would receive nothing. Accordingly, I would be opposed to the final enactment of the bill.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the bill be recommitted to the Committee on Education.

As many as are in favor of the motion will say aye; those opposed will say no.

A viva voce vote being doubted, A division of the House was had.

The **SPEAKER**: Thirty-seven having voted in the affirmative and eighty-three having voted in the negative, the motion to recommit does not prevail.

The question before the House is on the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the committee. The gentleman from Unity, Mr. Brown, has requested that the vote be taken by the yeas and nays.

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

Mr. **MUSKIE**: Mr. Speaker, I would just like to ask a question here. I do not just understand what the price tag on this bill is.

Did I understand the cost of this bill would be \$700,000 a year in addition to the amount now appropriated for equalization so that the total cost would be \$1,300,000 a year?

The **SPEAKER**: The gentleman from Buckfield, Mr. Fuller, may answer if he wishes.

Mr. **FULLER**: Yes, Mr. Speaker.

Mr. **MUSKIE**: Thank you.

The **SPEAKER**: The yeas and nays are in order at the desire of one-fifth of the members present. As many as desire that the vote be taken by the yeas and nays will kindly rise.

Obviously more than one-fifth of the members present having arisen, the yeas and nays are in order.

Mr. **BUBAR**: Mr. Speaker—

The **SPEAKER**: For what purpose does the gentleman rise?

Mr. **BUBAR**: I rise for information, Mr. Speaker.

The **SPEAKER**: The gentleman may ask his question.

Mr. **BUBAR**: Mr. Speaker, when the last yeas and nays vote was taken a great many had to change their vote. Now will the Chair make it so plain what we are voting for under the yeas and nays vote that we will not have to change our votes?

The **SPEAKER**: Thank you.

The question before the House is on the motion of the gentleman from Buckfield, Mr. Fuller, that the House accept the "Ought to pass" report of the Committee on Education on Bill "An Act to Equalize the Educational Load of Municipalities" (H. P. 1949) (L. D. 1322)

All those in favor of the motion to accept the report of the committee will say yes when their names are called; those who are opposed to the acceptance of the report of the committee will say no when their names are called.

The Clerk will call the roll.

ROLL CALL

YEA — Albee, Arthur, Atherton, Bates, Bearce, Benn, Berry, Bird, Boothby, Boulier, Brown, Durham; Brown, Robbinston; Brown, Unity; Brown, Wayne; Bucknam, Burgess, Limestone; Burgess, Rockland; Campbell, Garland; Campbell, Guilford;

Carle, Carter, Carville, Chaples, Chapman, Chase, Chuete, Clapp, Clements, Cobb, Cole, Cook, Cyr, Dow, Dudley, Dufresne, Dunham, Eastman, Fay, Fuller, Grant, Gray, Hall, Hayes, Hayward, Hill, Hobbs, Acton; House, Jacobs, Jamieson, Jennings, Jewett, Johnston, Kent, Knapp, Lackee, Leavitt, Littlefield, Longstaff, Ludwig, Marble, Marsans, Martin, Frenchville; McGlaulin, McGown, McKeen, Merrill, Merritt, Millett, O'Connell, Paine, Parker, Patterson, Payson, Philbrick, Plummer, Prince, Pullen, Ricker, Robbins, Sanborn, Sargent, Sharpe, Silsby, Spear, Stanley, Stevens, Taylor, Webber, Wight, Bangor; Williams, Topsham; Winchenpaw.

NAY — Ames, Brown, Baileyville; Brown, Bangor; Bubar, Campbell, Augusta; Castonguay, Cormier, Dennett, DeSanctis, Dorsey, Dostie, Winslow; Duquette, Faas, Farley, Fitch, Foley, Gauthier, Hanson, Johnson, Kelly, Labbe, Lacharite, Larrabee, Bath; Larrabee, Westbrook; Laturo, Laughton, Lessard, Letourneau, Malenfant, Martin, Augusta; Martin, Eagle Lake; Maxwell, McClure, Muskie, Nadeau, Phillips, Sanderson, Spring, Thomas, Tyler, White, Auburn; Williams, Auburn; Woodworth, Wormwood.

ABSENT—Bennett, Dostie, Lewiston; Gates, Gauvin, Gerrish, Hobbs, So. Berwick; Jalbert, Jones, Maxell, McEnery, O'Dell, Palmer, Roundy, St. Pierre, Thompson, Brewer.

Yes 91, No 44, Absent 15.

The SPEAKER: Ninety-one having voted in the affirmative and forty-four having voted in the negative, fifteen being absent, the motion to accept the report of the committee prevails.

The bill, having already been printed, under suspension of the rules was given its two several readings.

On motion by Mr. Fuller of Buckfield, the bill was tabled pending assignment for third reading.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Education on Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers" (H. P. 1771) (L. D. 1110) tabled on April 4th by the gentleman from Monmouth, Mr. Marsans, pending ac-

ceptance of report; and the Chair recognizes that gentleman.

Mr. MARSANS: Mr. Speaker, this bill, like the one we have just heard, is one that will have to be retabled, but in order to give it a bit of an airing I think I should give you some of the details regarding the bill.

I do not think I will have to mention to any of us here that one of the major problems facing the country at large today is the educational problem. We find, in studying over conditions as they exist in the United States today, that we have a million and a half youngsters who are not receiving sufficient educational training or are being denied full educational training because of the teacher shortage, and this teacher shortage is one of the prime factors in our problem today. We have almost one million teachers teaching under provisional certificates; in other words, teachers who, in the ordinary course of events, should not be teaching at all. This problem, therefore, is not one that is peculiar to Maine but is countrywide.

In Maine we have, not counting our superintendents, 6100 teachers. We have a turnover of roughly ten per cent of these teachers every year, either going out of the teaching profession or retiring. In other words, 600 new teachers are available every year. When we look at the potential increase of youngsters for this next year, 1949 and 1950, we find that a minimum of 200,000 additional youngsters must be cared for. That will require additional teachers over and above the 600 normal turnover.

What are our institutions in the State doing to combat that? Roughly, we have 200 suitable candidates each year to enter the teaching profession. Of these, about five per cent are lost before they can enter the profession. So we have, roughly speaking, 190 candidates to fill close to 700 places.

It can be definitely stated that the salary factor is an important decision which teachers have in

staying in the profession, or rather that youngsters are governed by, before they make an attempt to enter the profession. Your local communities are doing all they possibly can, with what help we have given them in the past, to meet loads that are increasingly more difficult. What we have done in the past has at least forestalled a practically complete collapse of our educational system in Maine; but the time has come to augment that increase of help in our towns that they may continue on this very important factor of taking care of your teachers.

I would like to bring forth at this time just what our teachers are receiving in Maine as compared to other localities. First of all, the average wage that your teachers are receiving all over the United States amounts at the present time to \$2750. This, incidentally, is \$250 lower than the average for all employed persons. In Maine our average for all teachers is \$1980; in other words, \$770 lower than the average for the entire country. Add to that the fact that they are \$250 lower than all employed persons, and we find that the Maine teacher is \$1020 lower-paid than the average throughout the entire country.

It has been mentioned here that this is the time to retrench. I will call to your mind the fact we did just that during the depression in the 1930's; we lowered teachers' salaries, communities retrenched and paid less for their educational system in the towns. And what did it bring forth? World War II came along and we found that 690,000 of our young men were thrown aside for educational deficiency. That was quite a price to pay for the saving of a few dollars. There is no doubt teachers salaries are too low to attract teachers or to keep those we already have.

This particular bill does not go straight to the teacher and say we are raising your salary; it does give additional money to the towns to use for that if they see fit, or to use for other educational work in the towns. It is entirely up to the

superintending school committee as to how they shall use these funds. If a town is faced with the problem of having to raise its teachers in order to hold them or having to raise the amount that they must offer in order to get suitable teachers, this bill would help by offering to pay one-half of the amount up to a certain point. We have cut it down from something that did not have a limit to it to an amount that you see on the sheets on your desks that would limit the participation of the State to \$200 above the minimum salary. By looking at these sheets, you can see how that might affect your particular town. You will, of course, notice a lot of towns with the usual zero on them. Most of those towns have only one or two teachers and are only paying them the minimum, but a good many of these zeros represent towns which cannot afford to pay their teachers more and where, if the State did step in, they could perhaps manage to do so. There is no doubt that this must enter into the total picture which we must resolve for ourselves.

First of all, there are certain deficiencies in our State government in regard to the needed funds that must be met before we take on any additional revenue measures. I am in hopes that those who may favor this particular measure will also be willing to keep it in a state where we can either work on it later on or discard it at that time.

I would like at this time to move the acceptance of the committee report.

The SPEAKER: The question before the House is on the motion of the gentleman from Monmouth, Mr. Marsans, that the House accept the "Ought to pass" as amended by Committee Amendment "A" report of the committee.

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

Mr. BROWN: Mr. Speaker, I move that when the vote is taken it be taken by the yeas and nays.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves that

when the vote is taken that it be taken by the yeas and nays.

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

Mr. WOODWORTH: Mr. Speaker, as I understand this bill, it has a saving clause in it that if there is not money available it will not be distributed. It seems to me that if the money is available it may do some good, and if it is not available I do not see how the bill can do any harm. I do not think we need to take the time to vote by the yeas and nays on this question.

The SPEAKER: The yeas and nays are in order at the desire of one-fifth of the members present. Those desiring the yea and nay vote will kindly rise.

Obviously more than one-fifth of the members present having arisen, the yeas and nays are in order.

Mr. WEBBER of Bangor: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. WEBBER: On the previous bill we were informed, Mr. Speaker, as to the amount of money involved. I would like to ask Mr. Marsans what this particular bill would cost the State.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, may answer if he wishes.

Mr. MARSANS: Mr. Speaker, in answer to the gentleman's question, I will say that under its present set-up the first year it would cost approximately \$843,000, and the second year it would cost slightly over one million dollars.

The SPEAKER: The question before the House is on the motion of the gentleman from Monmouth, Mr. Marsans, that the House accept the "Ought to pass" as amended by Committee Amendment "A".

Mr. McCLURE of Bath: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise? The yeas and nays have been ordered.

Mr. McCLURE: I would like to ask one more question, Mr. Speaker. It is true that we may have some extra revenue, and, if we do, we

should use it for this purpose. That is all I wanted to say.

The SPEAKER: The question before the House is on the motion of the gentleman from Monmouth, Mr. Marsans, that the House accept the "Ought to pass" as amended by Committee Amendment "A" report of the Committee on Education on Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers" (H. P. 1771) (L. D. 1110). The yeas and nays have been ordered.

As many as are in favor of the acceptance of the report of the committee will say yes when their names are called; those opposed will say no when their names are called. The Clerk will call the roll.

Roll Call

YEA — Albee, Arthur, Atherton, Bearce, Benn, Berry, Bird, Boothby, Boulter, Brown, Baileyville; Brown, Robbinston; Brown, Unity; Brown, Wayne; Bubar, Bucknam, Burgess, Limestone; Burgess, Rockland; Campbell, Garland; Campbell, Guilford; Carle, Carter, Carville, Chaples, Chapman, Chase, Chute, Clapp, Clements, Cobb, Cole, Cook, Cormier, Cyr, Dennett, DeSanctis, Dorsey, Dow, Dudley, Dufresne, Dunham, Eastman, Faas, Fay, Fitch, Foley, Fuller, Gauthier, Grant, Gray, Hall, Hayes, Hayward, Hill, Hobbs, Acton; House, Jacobs, Jamieson, Jennings, Jewett, Johnston, Jones, Kelly, Kent, Knapp, Labbe, Lacharite, Lackee, Larrabee, Bath; Latno, Laughton, Leavitt, Letourneau, Littlefield, Longstaff, Ludwig, Malenfant, Marble, Marsans, Martin, Eagle Lake; Martin, Frenchville; McClure, McGlauffin, McGown, McKeen, Merritt, Merritt, O'Connell, O'Dell, Paine, Parker, Patterson, Philbrick, Phillips, Plummer, Prince, Pullen, Ricker, Robbins, Sanborn, Sargent, Sharpe, Silsby, Spear, Spring, Stevens, Taylor, Thomas, Tyler, Webber, White, Auburn; Wight, Bangor; Williams, Auburn; Winchenpaw, Woodworth, Wormwood.

NAY—Ames, Bates, Brown, Durham; Campbell, Augusta; Castonguay, Dostie, Winslow; Duquette, Farley, Hanson, Larrabee, Westbrook; Lessard, Martin, Augusta; Maxwell, Muskie, Nadeau, Payson, Sanderson, Stanley, Williams, Topsham.

ABSENT—Bennett, Brown, Bangor; Dostie, Lewiston; Gates, Gauvin, Gerish, Hobbs, So. Berwick; Jalbert, Johnson, Maxell, McEnery, Millett,

Palmer, Roundy, St. Pierre, Thompson, Brewer.

Yes 115, No 19, Absent 16.

The SPEAKER: One hundred and fifteen having voted in the affirmative and nineteen in the negative, sixteen being absent, the motion to accept the report of the committee prevails.

Thereupon, the bill having already been printed, under suspension of the rules was given its two several readings.

The SPEAKER: The Clerk will read Committee Amendment "A". Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1771, L. D. 1110, Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers".

Amend said Bill by adding at the end of subsection III the underlined words 'except that the state's contribution shall not exceed \$200 on any one salary'.

Committee Amendment "A" was adopted.

On motion by Mr. Marsans, the bill, with accompanying papers, was tabled pending assignment for third reading.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on State Lands and Forest Preservation on Resolve Authorizing the State Tax Assessor to Convey Certain Land to Eunice Winslow of Rockland (S. P. 622) (L. D. 1338) tabled on April 5th by the gentleman from Wayne, Mr. Brown, pending acceptance of report in concurrence; and the Chair recognizes the gentleman from Wayne, Mr. Brown.

On motion by Mr. Brown, the report, with accompanying papers, was recommitted to the Committee on State Lands and Forest Preservation in non-concurrence and sent up for concurrence.

On motion by Mr. Spear of South Portland, the House voted to take

from the table the 65th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Reconignment of Lobsters" (H. P. 1352) (L. D. 702) tabled on April 6th by Mr. Spear of South Portland pending acceptance of report; and on further motion by the same gentleman the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion by Mr. Marsans of Monmouth, the House voted to take from the table the 64th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Pollution of Tidal Waters" (H. P. 1318) (L. D. 687) tabled by that gentleman on April 6th pending acceptance of the report.

On motion by Mr. Prince of Harpswell, the report, with accompanying papers, was recommitted to the Committee on Sea and Shore Fisheries and sent up for concurrence.

On motion by Mr. Brown of Unity, the House voted to take from the table the 58th tabled and unassigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Resolve Providing for Completion of Dairy Barn at Augusta State Hospital (S. P. 159) (L. D. 227) tabled on April 6th by that gentleman pending acceptance in concurrence; and on further motion by the same gentleman the report, with accompanying papers, was recommitted to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

On motion by Mr. Chapman of Portland, the House voted to take from the table the 29th tabled and unassigned matter, Bill "An Act Relating to State Assistance for Supervision" (S. P. 609) (L. D.

1300) tabled by that gentleman on March 30th pending motion by Mr Dow of Falmouth, to indefinitely postpone.

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

Mr. CHAPMAN: Mr. Speaker, a word of explanation, perhaps, is in order.

This bill was tabled by me pending the motion of Mr. Dow for indefinite postponement. I think the title of the bill does not indicate it, but it is a bill which relates to educational matters similar to the other matters discussed this morning.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr Dow, that the bill be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker, I make the motion that we accept the committee report on that bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, for the indefinite postponement of the bill.

As many as are in favor of the motion of the gentleman from Falmouth, Mr. Dow, for the indefinite postponement of the bill will say aye; those opposed no.

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

Thereupon the bill was given its third reading; and on motion by Mr. Chase of Cape Elizabeth, the bill was tabled pending passage to be engrossed.

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 Miss Cormier of Rumford,

Adjourned until 10:00 o'clock tomorrow morning.