

# 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

Friday, April 8, 1949

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

Prayer by the Rev. Joseph Griffith of Guilford.

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 Public Health on Bill "An Act Relating to Labels on Bottles of Liquor" (S. P. 532) (L. D. 1104) reporting leave to withdraw.

Came from the Senate with the Report read and accepted.

In the House, read and accepted in concurrence.

### Ought Not to Pass

Report of the Committee on Ways and Bridges reporting "Ought not to pass" on Bill "An Act Limiting the Apportionment of State Funds for State Aid Roads" (S. P. 557) (L. D. 1181)

Report of same Committee reporting same on Resolve to Reimburse the Town of Gouldsboro (S. P. 331) (L. D. 750)

Report of same Committee on Bill "An Act to Relieve Towns of the Expense of Contributing Toward the Maintenance of State Highways" (S. P. 108) (L. D. 112) reporting "Ought not to pass" as it is covered by other Legislation.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

### Ought to be Adopted

Report of the Committee on Military Affairs reporting "Ought to be adopted" on Memorial to the Congress of the United States in Opposition to Federalization of the National Guard (S. P. 620)

Came from the Senate with the Report read and accepted and the Memorial adopted.

In the House, Report was read and accepted and the Memorial read by the Clerk as follows:

Senate Paper 620, Memorial to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled.

We, your Memorialists, the Senate and House of Representatives of the State of Maine, in the ninety-fourth Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, The Secretary of Defense and the Committee on Civilian Components, commonly known as the Gray Board, have recommended the federalization of the National Guard by the organization of a single Federal Reserve Force under the Army Clause of the Constitution, instead of under the Militia Clauses of the Constitution as the National Guard is now organized and under which the sovereign States retain the authority for the appointment of the officers of the National Guard and the training of the National Guard in time of peace in accordance with the discipline prescribed by the Congress; and

Whereas, Federalization of the National Guard would destroy the National Guard as it now exists and which has rendered exceptional and valiant service to the Nation in two World Wars, and in time of peace would impose extraordinary costs beyond the ability of the Nation to meet, and would result in the centralization of all military power in the Federal Government; and

Whereas, The States would be left without an internal security force and would be compelled to organize and maintain State troops at great cost to the States, with the result that there would thus be maintained a Federal Reserve and State Military Force, creating a duplication of effort and expense while the National Guard, as it is now constituted and controlled, not only furnishes the necessary internal security for the States but, in addition, serves as a component of the

Army of the United States and a first line of defense thereof as provided by the National Defense Act; now, therefore, be it

Resolved: That we, your Memorialists, do hereby respectfully petition and urge the Members of Congress to oppose all legislation designed to establish a single Federal Reserve Force and to retain intact the National Guard as it is now organized, thus reserving to the States the controls provided by the Constitution and insuring that the National Guard will be at the disposal of the State in time of peace; and be it further

Resolved: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Speaker of the House of Representatives, the President of the Senate, the Chairman of the Armed Services Committees of the Congress and to each of the Representatives and Senators representing the State of Maine in the Congress.

Thereupon, the Memorial was adopted in concurrence.

#### Ought to Pass in New Draft

Report of the Committee on Pensions on Resolve in Favor of Mabelle K. Toole, of Bangor (S. P. 263) reporting same in a new draft (S. P. 646) (L. D. 1430) under the same title and that it "Ought to pass"

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

In the House, Report was read and accepted in concurrence and the Resolve read once and assigned for second reading the next legislative day.

#### Ought to Pass

Report of Committee on Pensions reporting "Ought to pass" on Resolve in Favor of Frank F. McGinley of Eddington (S. P. 632) (L. D. 1436)

Report of the same Committee reporting same on Resolve in Favor of Ralph L. Hunt of Thomas-ton (S. P. 141) (L. D. 1434)

Report of same Committee reporting same on Resolve in Favor of Milton A. Philbrook, of Westbrook (S. P. 140) (L. D. 1435)

Report of same Committee reporting same on Resolve in Favor of Merlin C. Joy of Clinton (S. P. 139) (L. D. 1433)

Report of same Committee reporting same on Resolve Granting a Pension to Ethel S. Dick of Gardiner (S. P. 36) (L. D. 1432)

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

In the House, Reports were read and accepted in concurrence and the Resolves read once and assigned for next legislative day.

#### Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act Creating a State Commission of Nursing Attendant Education" (S. P. 269) (L. D. 442) 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 read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 269, L. D. 442, Bill "An Act Creating a State Commission of Nursing Attendant Education."

Amend said Bill by striking out, in the 14th, 15th and 16th lines, the underlined words "**a business or professional member, not a practitioner of the healing arts, to be appointed by the governor**" and inserting in place thereof the underlined words '**and a member of the Maine osteopathic association, designated by that association**'

Further amend said Bill by striking out, in the 19th and 20th lines, the underlined words "**one of whom shall be the member appointed by the governor**"

Further amend said Bill by striking out the underlined word "**hospitals**" in the 4th line of that part designated "Sec. 190-A" and inserting in place thereof the underlined words '**institutions and agencies**'

Further amend said Bill by striking out the words "unappropriated surplus of the" in the 3rd and 4th lines from the end thereof.

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading the next legislative day.

#### **Ought to Pass in New Draft Senate Amendment Adopted**

Report of the Committee on Legal Affairs on Bill "An Act Relating to Community School Districts" (S. P. 626) (L. D. 1379) reporting same in new draft (S. P. 654) (L. D. 1447) under new title "An Act Amending an Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" 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. 654, L. D. 1447, Bill "An Act Amending An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities."

Amend said Bill by inserting after the title and before the enacting clause the following emergency preamble:

**'Emergency preamble.** Whereas, certain community secondary school districts have already been formed under general law to provide for adequate secondary school buildings and instruction; and

Whereas, specifications for such buildings have been drafted and such districts are prepared to proceed with construction and main-

tenance of community secondary school instruction; and

Whereas, bond underwriters have refused approval of the issue of bonds of community secondary school districts organized under the present law; and

Whereas, the within legislation is vitally necessary to prevent great hardship to the youth of the state for lack of school buildings and suitable instruction; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by striking out the first 2 lines of section 8 and inserting in place thereof the following:

**'Sec. 8. Emergency clause; effective date; limitation.** In view of the emergency cited in the preamble, this act shall take effect when approved; provided,'

Thereupon, Senate Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

#### **Non-Concurrent Matter Tabled**

Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County" (H. P. 316) (L. D. 96) which was passed to be engrossed in the House on April 1st.

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

(On motion by Mr. Williams of Topsham, tabled pending consideration)

The following paper from the Senate, not on the calendar, was taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 11, 1949, at 4:30

o'clock in the afternoon. (S. P. 655)

Came from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

Mr. White of Auburn, was granted unanimous consent to address the House.

Mr. WHITE: Mr. Speaker and Members of the House: You will each find on your desk a certificate of membership in the Dog Catcher's Honorary Society of Auburn, Maine. It is a great pleasure for me to call this to your attention and to welcome you for a moment until our Honorable Mayor can welcome you in person to this august body. It is international in its scope; it is non-political and I nearly have said non-religious, but that is not true, because all members of this organization are religious. It is composed of the very highest and the very lowest order of our organizations in our civic fields. Among its members are our President, our Vice-President, the members of Congress from this State, our own Governor and representatives of the lowly order, Louis and myself. (Laughter) Mr. Speaker, I would ask consent to have the Mayor of Auburn, the Honorable Governor and President of this society conducted to the rostrum.

The SPEAKER: Whereas, the Chair understands that the Chief Dog Catcher is present this morning, the Chair would request the Sergeant-at-Arms to escort the Honorable Mayor of the city of Auburn, Mayor Halle, to the rostrum.

Thereupon, Mayor Halle of Auburn, was escorted to the rostrum by the Sergeant-at-Arms, where he assumed a chair at the Speaker's left, amid the applause of the members.

#### House Reports of Committees Ought to Pass in New Draft

Mr. Carter from the Committee on Public Buildings and Grounds on Resolve Appropriating Moneys to Repair, Recondition and Maintain

Lot and Monument of a Former Governor (H. P. 852) reported same in a new draft (H. P. 2039) (L. D. 1454) under same title and that it "Ought to pass".

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules and assigned for second reading the next legislative day.

#### Tabled

Mr. McKeen from the Committee on Ways and Bridges on Bill "An Act Relating to Repairs of Roads in Unorganized Territory and Deorganized Towns" (H. P. 14) reported same in a new draft (H. P. 2037) (L. D. 1455) under same title and that it "Ought to pass"

(On motion by Mr. Payson of Union, tabled pending acceptance of Committee Report)

Mr. Lackee from the Committee on Ways and Bridges on Bill "An Act Relative to the Construction of Pole and Wire Lines Upon and Along State and State Aid Highways" (H. P. 1754) (L. D. 1098) reported same in a new draft (H. P. 2038) (L. D. 1456) under same title and that it "Ought to pass"

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules, and assigned for third reading the next legislative day.

#### Ought to Pass Printed Bills

Mr. Dorsey from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Relating to Records of Persons Buying or Selling Dogs" (H. P. 1442) (L. D. 833)

Same gentleman from same Committee reported same on Bill "An Act Relating to Meat of Calves Less than Four Weeks Old" (H. P. 1109) (L. D. 535)

(On motion by Miss Cormier of Rumford, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking)

Mr. Farley from the Committee on Military Affairs reported "Ought to pass" on Bill "An Act Relating to Files and Records in the Division of Veterans' Affairs" (H. P. 583) (L. D. 181)

Mr. Paine from same Committee reported same on Bill "An Act Relating to Amount of Aid to Dependents of Veterans" (H. P. 698) (L. D. 223)

Mr. Boulter from the Committee on Ways and Bridges reported same on Resolve in Favor of the Town of Woodland (H. P. 533) (L. D. 1457)

Same gentleman from same Committee reported same on Resolve in Favor of the Town of Guilford (H. P. 507) (L. D. 1458)

Same gentleman from same Committee reported same on Resolve in Favor of Hamlin Plantation (H. P. 202) (L. D. 1459)

Same gentleman from same Committee reported same on Resolve in Favor of the Town of Limestone (H. P. 205) (L. D. 1460)

Same gentleman from same Committee reported same on Resolve in Favor of Cyr Plantation (H. P. 200) (L. D. 1461)

Same gentleman from same Committee reported same on Resolve in Favor of Caswell Plantation (H. P. 197) (L. D. 1462)

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

### Ought to Pass

#### With Committee Amendment

Mr. Boothby from the Committee on Agriculture on Bill "An Act Imposing an Assessment of One Cent per Hundredweight on Milk for Advertising and Research of the Milk Industry" (H. P. 972) (L. D. 414) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

**COMMITTEE AMENDMENT "A"**  
to H. P. 972, L. D. 414, Bill "An Act Imposing an Assessment of One Cent Per Hundred-weight on Milk for Advertising and Research of the Milk Industry."

Amend said Bill by inserting before the period at the end of the last sentence of subsection III of that part designated "Sec. 6-A." the following underlined words: **'and for the compensation of and the expenses incurred by the Maine milk advisory committee'**

Thereupon, Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

### Tabled and Assigned

Mr. Dorsey from the Committee on Agriculture on Bill "An Act relating to Wild Bees" (H. P. 1025) (L. D. 457) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Hayward.

Mr. HAYWARD: Mr. Speaker, I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Machias, Mr. Hayward, moves that the bill be indefinitely postponed.

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

Mr. McCLURE: Mr. Speaker, I would just like to ask if Mr. Ludwig, who presented that bill, is here? Where it was an "Ought to pass" report, I believe that he should have the right to defend the bill.

The SPEAKER: The Chair would state that if the gentleman is opposed to the motion to indefinitely postpone, he is entitled to vote against the motion.

Mr. McCLURE: Mr. Speaker, I am opposed, because of the fact

that Mr. Ludwig is not here to defend his bill.

The **SPEAKER**: The Chair recognizes the gentleman from Jefferson, Mr. Johnston.

Mr. **JOHNSTON**: Mr. Speaker, I make a motion that this matter be tabled and specially assigned for next Wednesday.

The **SPEAKER**: The gentleman from Jefferson, Mr. Johnston, moves that the bill and accompanying papers, lie upon the table pending the motion of the gentleman from Machias, Mr. Hayward, that the bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the bill was so tabled.

The **SPEAKER**: The Chair understands also that included in the motion of the gentleman from Jefferson, Mr. Johnston, that the matter be specially assigned for Wednesday, April 13th. Is it the pleasure of the House that the matter be specially assigned for Wednesday, April 13th?

The motion prevailed, and the matter was so assigned.

#### Tabled

Mr. Faas from the Committee on Labor on Bill "An Act Forbidding Employers to Charge a Fee for a Medical Examination as a Condition of Employment" (H. P. 1306) (L. D. 633) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Sharpe of Anson, the Report, with accompanying papers was tabled pending acceptance of Report.)

#### Passed to be Engrossed

Bill "An Act Relating to Transportation of Clams" (S. P. 179) (L. D. 237)

Bill "An Act Relating to Powers and Duties of Liquor Inspectors" (S. P. 643) (L. D. 1418)

Bill "An Act Relating to the Aeronautical Fund" (S. P. 645) (L. D. 1419)

Bill "An Act Relating to the Examination of Applicants for the

Practice of Chiropractic" (H. P. 1582) (L. D. 904)

Resolve in Favor of the Town of New Portland (H. P. 400) (L. D. 1441)

Resolve in Favor of Erskine Academy (H. P. 540) (L. D. 1442)

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

#### Tabled

Resolve Providing for Construction of Dormitory for Female Patients at Augusta State Hospital (H. P. 631) (L. D. 1444)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Brown of Unity, tabled pending second reading.)

Resolve in Favor of the Town of Athens (H. P. 1815) (L. D. 1445)

Resolve in Favor of Alfred M. Joyce of Brooklin (H. P. 2022) (L. D. 1446)

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

#### Amended Bills and Resolve

Bill "An Act Relating to Ballots" (S. P. 644) (L. D. 1420)

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 Regulating the Taking of Alewives in St. George River in the Town of Warren" (S. P. 251) (L. D. 357)

Bill "An Act Relating to Pension for Chief of Police of City of Lewiston" (S. P. 355) (L. D. 563)

Resolve Providing for Certain Repairs and Construction at the Bangor State Hospital (H. P. 630) (L. D. 1443)

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



**Orders of the Day**

The **SPEAKER**: The hour of eleven having arrived, the Chair now lays before the House by Special Order of the Day, Senate Report "Ought to pass in New Draft" (S. P. 624) (L. D. 1360) of the Committee on Appropriations and Financial Affairs 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" (S. P. 97) (L. D. 103).

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

Mr. **BROWN**: Mr. Speaker, I move that the House accept the "Ought to pass" report of the committee in concurrence.

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

Mr. **McGLAUFFLIN**: Mr. Speaker, I wish to offer House Amendment "B" to Senate Paper 624, Legislative Document 1360, a bill to appropriate monies.

The **SPEAKER**: The Chair will rule that the bill is not before the House, the motion for the amendment therefore is not in order; the question before the House is on motion of the gentleman from Unity, Mr. Brown, 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: This bill comes before us on the motion to accept the report of "Ought to pass in a new draft." The new draft calls for an appropriation of some \$3,800,000 in excess of existing revenues. The bill has been substituted for a previous bill which would require no new revenue. I will just ask that you remember this. In order to place this bill in effect, we will have to have a new tax. To meet just the provisions of this one bill will require the imposition of a tax of \$4 on every man, woman and child in the State of Maine.

If you think that the provisions of this bill are just, and if you

think that the people of Maine are disposed to accept such a tax, you should vote for it. But, if you do not agree with the provisions of this bill; if you think that the time has come when the State should limit its expenditures to present revenues and if you think that the people are not disposed to submit to a new tax of \$4 on the head of every human being in the State, you should vote against this motion and I hope you will do just that.

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: Being a member of the Appropriations Committee, I note that there are some fifty chairs vacant and I feel—I would gladly yield to anyone who wants to make a motion—otherwise I will make it myself. Some of these members are not here for some justifiable reason or another. Some of them are key members and I feel that we should delay this a day or two. I therefore move that this be retabled and be specially assigned for eleven o'clock, Tuesday, April 12th.

Mr. **BROWN** of Unity: Mr. Speaker—

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

Mr. **BROWN**: Mr. Speaker, to ask for a division on the motion.

The **SPEAKER**: The gentleman from Lewiston, Mr. Jalbert, moves that the bill and accompanying papers lie upon the table and be specially assigned for Tuesday, April 12, pending acceptance of the report of the committee.

The gentleman from Unity, Mr. Brown, has requested a division.

As many as are in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the matter lie upon the table and be specially assigned for Tuesday, April 12, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-seven having voted in the affirmative and sixty-two having voted in the negative, the motion to table did not prevail.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I am not as you know, a certified public accountant but regardless of what the tax and spend bloc say, I believe that \$27,000,000 taken away from \$30,000,000 leaves \$3,000,000. How the tax and spend bloc juggle figures to further their interests is of little importance to me but I shall try to figure in the interest of the people I represent, the taxpayers.

I have here the State of Maine Financial Report issued by the Department of Finance, Bureau of Accounts and Control, for the year ending June 30, 1948. It is my opinion that this must be useful or why should it be printed on paper that must cost nearly \$400 per ton? The figures I quote cover the period from July 1, 1947 to June 30, 1948. From all reports of the tax and spend bloc, they must consider its contents useless by virtue of the fact that they insist we need new revenue.

Let's look at the contents on page 21. We find the page headed "General Fund". It states our income amounted to \$30,399,956. It states our expenditures amounted to \$27,635,134. Regardless of what the tax and spend bloc would have us believe, the report of the State Controller states we have \$2,744,822 in excess of moneys spent for one year ending June 30, 1948. Webster's Dictionary states a biennium is two years and, regardless of what the tax and spend bloc would have us believe and although I am not an expert with a slide rule, if I multiply the balance we have in excess by two, I find that we have \$5,489,644 in excess of our expenditures.

The tax and spend bloc would have us believe our income is or will be falling off. To check on this report, I devoted some time and I find that our income is \$25,000 greater for the first eight months of this fiscal year than it was in the figures

of this report for 1948. And, based on that, if we add it to the already extra revenue, we will have \$5,539,644 in excess of what we spent last year, using this report as a yardstick. And, gentlemen, this is not my report, this is the report that the taxpayers of the State of Maine are paying for. That being true, are we, the representatives of the people, going to shove more taxes down their tonsils? The tax and spend bloc says: "Yes." But the economy bloc's answer for the people is "No," I trust.

The Kiplinger Report, a report used by executives throughout our nation to aid them in keeping abreast of the state of the nation, as interpreted by me, states the purchasing power of our dollar has increased by five per cent during the past few weeks. Other reports from the press of our nation leads me to believe that that report is correct. That being so, if we multiply five per cent of the \$30,000,000—and \$30,000,000, gentlemen, was what we received in 1948 from taxes and other revenue—it amounts to a saving of \$1,500,000. This, added to the \$5,539,644, adds up to \$7,039,644 and I might add to this that our Executive two years ago during his administration had five per cent set aside by the heads of every department. If you will remember, they must have functioned because our State still carries on. That, perhaps, aided us to amass a surplus of \$6,000,000. That figure represents over and above what our expenditures would be based upon our cost of state government spending.

We can also eliminate many other departments that will save us money. My party and your party and the minority party promised the people when they were running for office that they would try to save money for the voters, who are the taxpayers and will have to carry the burden. Members, if the above facts are true, and the figures come from this report, and if you are all good representatives of your people, you have read it and you have studied it. Let's give our

people a breather by not voting new taxes and create another surplus fund that can not, at least is not, used to relieve the already over-taxed citizens of the State of Maine. Gentlemen and Ladies of this House, I am not opposed to education as everybody knows. I am not opposed to aiding those who are in worse circumstances than some of us. But, members, if you only look at this morning's paper; there is one article here, alone, that should show, if these facts have not already shown you, that we have enough money to carry on the State and will have. It is from the Daily Kennebec Journal, published here in Augusta, Maine, of Friday morning, April 8, 1949. It will only be necessary that I read the heading: "Maine's Jobless Compensation Funds Dip by One Million Dollars".

If you read your last night's paper, you will also notice that our employment in Maine has fallen off greater than that of almost any other state in the Union during the past few weeks. This being true, members, and the report of this Department of Finance, which was audited by Ernst & Ernst, Accountants, shows that we can carry on the State and give them these new services without any further tax. I thank you on behalf of the people of Maine.

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

Mr. McGLAUFLIN: Mr. Speaker, I don't understand that, at this time, we are voting on the question whether or not we should have new taxes. My understanding is that this bill is presented for our consideration so that if we accept the report of the Appropriations Committee as to what they think are the needs, then we can take up such items as anyone sees fit to consider to see whether we will increase the amount or decrease the amount and when we have gotten through with the discussion of these various items, we would then be in a position to know whether or not we need any new taxes.

I hope you will vote to accept the report of the committee so that we would be in a position to consider the various items involved in that report and if we can start this discussion, today, we will save probably at least a week's time in this legislature.

The SPEAKER: The question before the House is upon the motion of the gentleman from Unity, Mr. Brown, that the House accept the "Ought to pass in New Draft" report of the committee.

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

Mr. McCCLURE: Mr. Speaker, I would like to answer, just in a few words, the gentleman from Portland, Mr. McGlaufflin. Strategy has been used in the past in this House for various reasons. That is why I brought up what I did this morning. I haven't forgotten that the gas tax at six cents was put over before the five cent gas tax was heard.

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

Mr. BROWN: Mr. Speaker, when the vote is taken, I ask for the yeas and nays.

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

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

Mr. BURGESS: Mr. Speaker and Members of the House: I would like to preface the few brief remarks I will make by the statement that I would like to address you as an individual and not in my capacity as Majority Party Floor Leader. I would also like to ask your indulgence for just a few minutes that I may try to discuss the issue that is before you from the angle of municipal government.

It need not be repeated at this time that your Appropriations Com-

mittee has lived with the department needs and requests for the entire thirteen weeks which, I believe, we have been in session. They are capable men, sound men in their own businesses and, in my opinion, have brought in a report which is, and reflects, their best judgment.

From the municipal angle, I have taken the time and opportunity to analyze this report as best I can and I should like to say to you members that most of the items in the appropriation bill, which reflect needed increases, will relieve to some measure more money from the municipal angle which is provided from only one source and that is real estate.

The increase, for instance, in emergency municipal hospital aid of a requested \$400,000 will definitely reflect that amount of money, and perhaps more back to your community if you do not provide it from a State level.

I think I will be repeating if I say to this group that under the existing funds for that account, the hospitals throughout the State are receiving from \$4.21 to \$4.56 per day for a patient who is eligible to be received under this law, whereas the cost per bed in most hospitals throughout the State runs from \$10 to \$12 per day. The situation is this, members, either the hospitals must refuse to take those cases or the towns must pauperize those individuals and pay the entire amount from their appropriations for the poor.

Those same arguments, and they are facts, reflect themselves throughout this entire bill.

I would like to discuss briefly, very briefly, the matter of State employees. I hold no brief for any of them except this: The State must employ help. I do not think that this is the time for cutting down their salaries. The time will come, I have no doubt of that, when living costs are reduced then I shall stand firm for a reduction in their pay. At the present time, I stand firmly for continuing, not

increasing, for continuing the present wage level because I believe they need it.

I know that many of us have amendments which can be offered at the present time if the report of the committee is accepted and a complete discussion of each amendment can be had and I hope we will have it. But, Members of the House, my personal feeling in this matter is that the Committee on Appropriations has done a fine job and that practically all of the funds which they are recommending as an increase will reflect itself back into each and every one of our local communities as performing a service and saving a dollar which we must otherwise collect from real estate. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to state in regard to my attempt to table the bill, my only reason was out of consideration for this group that unfortunately cannot be here. I have been absent myself at times when I should have been here. I would like to speak again as a member of the Appropriations and Financial Affairs Committee and state very briefly one little episode that happened within the last few days.

I, too, feel, being the only minority party member of the Appropriations Committee, that I would like to praise the opposition for their sincere and splendid work. But let us just bear one thing in mind. There is a barn across the river calling for the appropriation of \$50,000 additional. I am not a farmer, but I know we have already spent \$90,000 on the barn. I do not know what kind of a barn it is, but I know I went over there with Mr. Brown and we couldn't locate Dr. Sleeper so we came back. I am going over to see what a barn that costs \$100,000 looks like. They want fifty thousand dollars more. We chopped it down ten thousand for two silos. I am told by farmers they are pretty expensive silos. Now

in the committee Dr. Sleeper says he needs \$25,000 more. My argument is merely this: He asked for fifty thousand dollars, and we chopped him down to ten thousand and now he can get along with \$25,000. That is \$15,000 saved. How many more of those items are there?

I am not standing here saying I am not going to vote for a tax if needed or that I am going to vote for it, and I am certainly not standing here belligerently. I have learned something at this session sitting in the Appropriations Committee. I have learned something about what makes things go around. I am also one of those people who are economy-minded, but I am also one of those people who appreciate the fact that with increased population you have got to have more money. I am not here speaking for a tax, but I do feel this way: Forty-two states in the Union today have either a sales tax, a sales-income tax, or an income tax. Six states do not have a tax: Nevada has gambling; Florida, twelve million from gambling; New Jersey has oil taxes, gasoline taxes, railroad taxes; Texas, oil field taxes; Nebraska and Maine—Nebraska is in the same position we are in.

Now taxation is a headache for any municipality, state or the federal government, and, if it is needed, we are no exception. I am not speaking for my party; I am not the leader; I am speaking for myself as far as this bill is concerned. I will say this, though: Before this report should be accepted, in view of these one or two things—and possibly there are ten or twelve or fifteen or twenty—we should definitely hold this up. Let us bear in mind that we do hear economy during all campaigns by both parties. I am also aware of the fact that possibly some of these department heads have estimated their revenues rightly in their own minds, but are we convinced of it? Also, some of these department heads, these disbursing agencies, have asked for money in excess, and we

can probably call some of them back and chop it down.

I appreciate the splendid remarks that the gentleman from Unity, Mr. Brown, made this week. It is still possible that some of these agencies might go a step higher as far as estimated revenues are concerned.

If it is in order, Mr. Speaker, and in view of the reason I stated previously, that there are so many members who are unable to be here, I again move that this lie upon the table until Tuesday, April 12th, at 11:00 o'clock.

The SPEAKER: The Chair will state that the gentleman from Lewiston, Mr. Jalbert, has asked the Chair if it is in order for him to again move to place the matter upon the table.

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

Mr. McGLAUFLIN: Mr. Speaker, I was merely going to say that we voted on that question once this morning so as to give this a chance to be considered.

The SPEAKER: The Chair will state that it is the opinion of the Chair that the motion to lay upon the table, if made by the gentleman, would be in order. If the gentleman cares to make his motion, the Chair would rule as requested.

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

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

Mr. BROWN: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BROWN: Mr. Speaker, I would ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the matter lie on the table and be specially assigned for Tuesday, April 12th, and the gentleman from Unity, Mr. Brown, has requested a division.

As many as are in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the matter lie on the table and be specially

assigned for Tuesday, April 12th will say aye; those opposed no.

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

The SPEAKER: Fifty having voted in the affirmative and fifty-seven having voted in the negative, the motion to table does not prevail.

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

Mr. WOODWORTH: Mr. Speaker, I have accepted the figures of the Appropriations Committee as correct for the purposes of my remarks. I have already reminded you that under the provisions of this bill new money to the extent of four dollars a head from every man, woman and child in Maine will be required. The gentleman from Limestone, Mr. Burgess, has said that we are also, under any new tax bill, to take care of the State property tax. That property tax amounts roughly to five and a half million dollars. That is a burden of six dollars a head on every man, woman and child in Maine, so that our new tax bill would be ten dollars a head for every man, woman and child in the State. That property tax is interesting. Suppose we have a town of five thousand people. Under the new tax bill at ten dollars a head, they would pay \$50,000. Now in a town of five thousand people—and I will take my own town which I know a little about—the state tax would be approximately \$20,000. You are expected, in return for twenty thousand dollars worth of benefits, to pay a tax of fifty thousand dollars. That is roughly what this bill means in the way of taxes.

The gentleman from Portland, Mr. McGlauffin, has suggested that we take this bill as it is reported. The bill as it is reported ignores the figures of our state officials and substitutes the figures of the Appropriations Committee. We are asked to assume the burden of proving the need of new taxes if we oppose this report. I think the burden of proving the need of new

taxes should fall upon those who ask for them.

This new draft was offered in substitution for the original bill, L. D. 103, which did contain the Governor's budget figures. If we are going to handle this matter with a fair regard to the rights of all, it seems to me that the proper way to start is by accepting the figures of the budget committee, and by that I mean defeating the motion to accept the new draft and substitute in place thereof the original bill, L. D. 103. Nobody who honestly believes that there is a need for new money should object to coming in here to prove their case, because they have a case to prove, and we who stand on established figures do not. I think the burden should be placed where it belongs. This committee report does not so place that burden, and for that reason alone the report of the committee should be rejected. If it is rejected, I shall move that the original bill be accepted in substitution for the report of the committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the House accept the "Ought to pass in new draft" report of the committee.

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

Mr. CHASE: Mr. Speaker, as to the burden of proving the case, it seems to me that it must be obvious here that it would require days for the Appropriations Committee to review on this floor the detailed evidence upon which it acted in bringing these recommendations before us.

Mr. Brown spoke here, yesterday, at considerable length and in considerable detail in justification of the recommendations of the Appropriations Committee which, as has been said, had been subjected to considerable review.

I think that the burden of inquiry into this recommendation lies upon those who oppose it, whereupon the Appropriations Committee, I am sure, will be prepared to go into as

much detail on specific items as may be required.

The gentleman from Bath (Mr. McClure), basing his argument on hope, used some figures which came out of the last two years. I see no reason whatever to assume that the figures of the past two years are reliable indications of what will happen in the next two years. So far, I have not heard a specific item questioned in this report of the Appropriations Committee. If there are items that should be questioned, certainly those questions should be asked and the recommendation should be defended.

I believe the gentleman from Bath also said that he was sure that there were certain departments which could be abolished or eliminated. I ask him to state what departments.

Now, as to the attendance here, today, if we are going to adjourn seasonably, we can not continue to consult the individual convenience of members who happen to want to be away on Friday or who do not happen to want to get back on Monday. If we are going to adjourn in three weeks, we certainly must consider every day a full working day and I believe that the time has now come when every legislative day should be considered a working day and that the matter of courtesy to absent members should be considered in view of the urgency for action.

Mr. McCLURE (of Bath): Mr. Speaker —

The SPEAKER: Does the gentleman rise for the purpose of answering the gentleman from Cape Elizabeth?

Mr. McCLURE: I do, Mr. Speaker.

The SPEAKER: The gentleman may proceed.

Mr. McCLURE: Mr. Speaker, for your information, I believe I did look up the figures and \$25,000 more in revenue has been received in the first eight months of this year than was received in the first eight months of last year. That should cover that one.

I have confidence and trust in the capabilities and abilities and the

word of our Governor. We have been here several months. So far, we haven't accomplished much other than to organize a tax and spend group and a save group for the State but we bear in mind, those who are trying to save for the State, that our taxpayers are saving themselves in eliminating many costs. If we are going to out-Washington Washington, the tax and spend bloc have the right method. Even the Administration in Washington, today, has requested and is using the services of one of the leaders of our party, Herbert Hoover, to try and save money in our National Capital. I feel that we, as members of his party, for the best interests of not only the taxpayers of Maine, but our party, we should follow his example.

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

Mr. BROWN: Mr. Speaker and Members of the House: As I said the other day, I was a member of the past session of this legislature and I am a member of this session and I can't understand the attitude that builds up right up to the last of the session. We are all in here as servants of the people of the State of Maine. At least, that is the way I feel and I believe it is up to us to pay a lot of attention and give a lot of time to this vital tax measure.

I see no need for hurrying and rushing this most important matter. It should be analyzed and re-analyzed until we are absolutely sure that the program we are putting out to the people of the State of Maine is a program that each and every one of us can stand behind and defend. Two years ago, and let me recall that to your minds again, if we had followed the advice of the powers that be and the tax hungry people in this State, we would have probably raised \$12,000,000 or more in excess money that there would have been no way of spending. The same people who were crying that the wolf was at our door are doing the same crying, today. There has not been one

move, and I stand on that, in this legislature to effect economy in one way. It was a blot on this Legislature when the gentleman from Bangor got up and offered his resolution on economy—the way he was howled down. And, wherever you go over the State, the people are referring to that today. I introduced a resolution here, just merely bringing out that economy was in order in every practice of our State government. What happened to that? It was booted around here for two weeks before it even came out and it came out under the title of “An Act to Consolidate Departments”. It is true I did mention consolidation where it would not affect and I meant every word of it—affect the efficiency of those departments and agencies. But it came out “Ought not to pass”.

Now, if that is the policy of our Legislature, then I suppose we will have to take it and I suppose the people of the State of Maine will have to take it.

Now, we say there is no chance to save money. I never saw any business yet that there wasn't a chance to effect economy. We can effect economy in our own family budgets and we are compelled to do it many, many times. There are thousands of people right in the State of Maine, today, that have got to effect economy; they have got to cut, cut and cut until I don't know how they are going to get enough to hold themselves together. In regard to ways and means of effecting economy, in the paper this morning, the man whom we elected as our Governor to administer the affairs of the State of Maine comes out in one department and says he did not re-appoint a man because of the extravagance in the department.

Now, I have got faith and I think each and every one of us has got faith in the man we elected to administer the Executive Branch of this Government. Let's show our confidence in that man by going along for the next year, not raising

any additional taxation, not levying any heavier burden on the people of the State of Maine because every time you picked up that paper within the last weeks, you read: “Hundreds laid off in this plant; hundreds laid off in that plant.” How are those people going to pay any more tax or even pay the tax they are supposed to at the present time? Let's go along for a period of time and see if we can live within our present income. There is always the chance, and our Executive has that authority, to call us back into session and then face the issue and, if we are called back into session and the people of this State fully realize that we can not any longer get along under our present tax structure, then there isn't a citizen in this State who won't dig down and try to help us solve that problem. Now, that is only commonsense. We have had times before in the State of Maine when the situation was dire but we faced them and we carried the load and I don't think too many people suffered in the State of Maine. We see our own party members in Washington, today, doing everything in their power to cut the spending of the New Deal administration. Is our party going to be consistent or are they going to be fan dancing down there? If they are in earnest in Washington, if the policy they are carrying out is right, nationally, then in our State of Maine, as citizens of this State, we should be following in their footsteps.

Now, again let me say, I see no need of rushing headlong into this. I believe that every member who is elected a member of this House should be here when this is discussed and when it is finally decided on. Those of us who are here this morning, it is up to us to see that they get that opportunity.

Gentlemen and Ladies of the House, let's take our time on something that the people of the State of Maine have got to suffer from and when we do decide, let's make sure that we decide it on a policy that is going to be solid and sound.



Once again may I say: Let us place our confidence and trust in the Executive whom we so overwhelmingly elected to administer the affairs of the State of Maine and I think that when we have given him that trust and allowed him to operate for a period of time, we are going to see a different story in the State of Maine. We are not going to see these things come out in the paper such as we have seen the last week and we are going to have a government in the State of Maine that the rest of the states and the rest of the nation can follow.

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

Mr. **MUSKIE**: Mr. Speaker and Members of the House: I am going to vote against this Appropriations Bill and I want to state my reasons briefly. I regret that there are so many of us who are absent and I wish that we might postpone consideration of the matter until all are present. I agree with the gentleman from Cape Elizabeth, Mr. Chase, that we should consider each day a working day so that we can complete our work and get back to our personal businesses. However, regardless of the attendance here this morning, it doesn't seem to me that if we support this legislative document that the vote would have any significance whatsoever and this is the reason I feel that is true. The Appropriations Bill of two years ago, under which we have been operating our State government for the last two years, calls for spending in the amount of \$43,500,000. The proposed Appropriations Bill calls for spending in the amount of \$51,500,000, roughly. That is a difference of \$8,000,000, or an increase of twenty per cent over the current two years for merely the operating expenses of our State government.

Now, these people have brought this Appropriations Bill in here and asked us to vote "Yes" or "No." If I vote "No," I might be told that I am against certain increases in the operating expenses of our State gov-

ernment for the next two years. Or, if I vote "No," I might be told that I am against certain increases in the operating expenses of our State government, when actually I may be against other increases and in favor of some. How am I going to vote discriminately when I am presented merely with a total figure of \$51,000,000 and asked to vote "Yes" or "No"?

Now, as I understand it, if this bill is passed, it can not reach the final enactment stage in this Hall. Our estimated revenues for the next two years will not take care of this bill. Consequently, if we pass it and then if we should pass a new tax measure, the new tax measure may fail on referendum and we would have approved appropriations which could not be paid for. Now, I think the way to tackle this proposition is this way: Let's vote for the appropriations within our existing revenue and then let the proponents of new taxation bring in, in a supplemental appropriations bill, the increases which are demanded and let us vote on those separately.

I think we are wasting time if we vote for this appropriations bill just to keep it alive. We don't have to keep it alive. The Appropriations Committee can bring out any appropriations bill whether this bill lives or dies.

Now, as I see it, there are going to be three groups here this morning: There are those who think we should have new tax revenue—they will vote in support of the measure. There are those who feel we do not need new tax revenue—they will vote against the measure. And then there are those people who will vote "Yes" temporarily to keep the bill alive. I ask those people to join us and vote "No" on this appropriations bill, so that we can tackle this problem the way it should be tackled. Let's first get behind the operating expenses which we have approved in past years and which will continue. Then with that much of the job done, let's take up these increases which amount to \$8,000,000 and only half

of which have been explained to you in this House. Then let's take up that \$8,000,000 increase and determine whether or not we want any part or all.

Last week, I pointed out that the estimated revenues for the next two years, according to the charts presented at the Tax Conference, would exceed the spending for the past two years by \$5,000,000. I understand that there are some increases in the estimate of anticipated revenue. Now, I think I can make this statement safely. That if we are to pass the same appropriations bill that we did two years ago, our surplus for this biennium coming up would be even greater than the surplus for last year.

Now, how much of that difference do we want to spend on increased operating costs? Some of it will have to be spent on increased operating costs; some of it will have to be spent for that purpose. How much of it, we individually must decide on the individual items, not on a bloc bill calling for \$51,000,000.

Now, this isn't a party measure. There are Democrats here who are going to vote "No" eventually, I think, for some of these appropriation increases that are contained in this bill but they can not go along with this bill as a bloc.

And so I am asking you people who are not wholly in favor of this appropriations bill but plan to vote to keep it alive pending final decision on the tax measure to join us in killing this bill so that we may tackle first things first and then get on to the increases that are requested.

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

Mr. DOW: Mr. Speaker, I see no reason at this time for refusing the acceptance of this report. I believe the members of the Appropriations Committee are among the ablest members of this body and I know the report they put in was one of the most conscientious and comprehensive reports this body has ever received. If the committee

report is accepted, each item will be taken up and discussed by itself. Reference has been made as to what we have and have not accomplished. I believe the way to do something is to do it. I see no point to put it forward to next week or some other week and I move the previous question.

The SPEAKER: In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker, the same as anybody else, I do not expect to say anything—

The SPEAKER: For what purpose does the gentleman rise?

Mr. PATTERSON: Mr. Speaker, I would just like an explanation or an answer to one thing that has been put up.

The SPEAKER: The motion has been made that the Chair entertain the previous question. In order for the Chair to entertain that motion, it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise. The monitors will kindly make a count in their respective sections.

Less than one-third of the members having arisen, it is not in order for the Chair to entertain the motion for the previous question.

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

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker and Members of the House: In answer to a man who is not here and able to protect himself, I will say this much: When I first came down here I thought the man was very expensive in one way, but I found out he is for the betterment of the whole, and I believe that

most of the theories that he has should be carried out.

I will make a statement in answer to one matter, and that is in regard to the hospital at Bangor. Now we are asked on that for \$200,000, and I figure from going up there that it is necessary on a two million dollar proposition when there is only around six or seven thousand dollars laid out and sometimes not that, with the people up there that are old and infirm. I will make this statement: That in some of these places where there are 59 patients there are just two toilets and one bathroom, and in one where there are sixty-three there are only three toilets, and you can see what a condition that is. Further than that, all these pipes are leaking and water is running out on the floor down below and everywhere, and also they have their electrical wires hanging there in the Bangor Hospital. I do not think that \$200,000 will any more than take care of it. There are other places outside that will have to be fixed up where the water is leaking through. I do not figure for a minute that that gentleman's estimate of figures is out of line for what we have got to do down there in that Bangor hospital. You can see what the condition is: Only two toilets for fifty-nine patients, only three for sixty-three, one bathroom for the whole fifty-nine on that one floor.

I think that will clear up that situation on that \$200,000 so you won't have to question it any more.

The SPEAKER: The Chair recognizes the gentleman from Palmyra, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Members of the House: I hope that when this vote is taken we will not be misled by some of the gentlemen that are calling some of us a tax and spend bloc. What their real purpose is, I believe, is to try to tear down and repudiate our Appropriations Committee.

Now, as I see it, looking over that list, I believe we have a capable committee. They have heard the evidence, and I believe they are in a better position to decide what the

needs are than a lot of us members that have not had any of the evidence presented to us.

As far as these increased expenditures are concerned, I run a little business of my own and I have found that in the last few years it has continually taken more money to operate it. That does not necessarily mean that I have made more money for myself, but, in order to continue and progress at all, I had to produce more money to operate, and I cannot see why the same would not apply to the State of Maine. These services cost more; they have continued to rise in the last few years, and, in my opinion, they will not drop in any substantial amount in the near future. And as far as operating without money enough, we probably could do that, but I do not believe the public wants to retrench too much. I maintain that an individual or a business that starts too much retrenchment and sits back and waits to see what is going to happen, they eventually go back. I do not believe that the people of the State of Maine care to do that. I believe that they have indicated here at the hearings that they want these services. I believe the Appropriations Committee has done a fine job. I hope you will remember when you vote that this is an issue with some to defeat the purpose of our Appropriations Committee.

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

Mr. BUBAR: Mr. Speaker and Members of the House: I believe the State of Maine needs more and greater revenue to conduct its business. I believe that the old people and the blind and the children must have help. I, for one, am not going to vote for them to starve to death. They must have some more revenue. I believe that our fight ought to be made on the manner and system of taxation and not on this bill; I believe it should be made on the tax measure when it comes in. I thank you.

Mr. McCLURE: Mr. Speaker, in order to answer a question, I would like unanimous consent to address the House.

The SPEAKER: The gentleman from Bath, Mr. McClure, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. McCLURE: Mr. Speaker and Members of the House: I quite agree with the gentleman from Palmyra, Mr. Millett. We do not know what is in this appropriation measure, therefore we should not vote for it. To best represent the people of our State, we should know what we are voting on at all times.

I have nothing against the Appropriations Committee. They are an able committee. They could, though, err as all men do in judgment. I am here to represent my people, not the Appropriations Committee.

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

Mr. DOW: Mr. Speaker and Members of the House: I do not understand at this time that we are voting on appropriations. I understand that we are voting on the acceptance of the committee report, and I believe it should be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the House accept the "Ought to pass in new draft" report of the committee. The same gentleman has requested that when the vote is taken that it be taken by the yeas and nays. Is the House ready for the question?

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

Mr. BURGESS: Mr. Speaker and Members of the House: I would like briefly to point out that the appropriations bill which is now our topic of discussion has been very properly presented to the Legislature according to the usual customs of this or any Legislature in handling affairs of this kind. I would also like to point out that there will be ample opportunity,

should the "Ought to pass" report of the committee be accepted, for any person to offer amendments for such revisions, reductions or increases as they see fit.

The Committee on Appropriations has reported as they feel and find the affairs of the State to be. The matter rests entirely in the lap of the men of this Legislature, and I can assure you that you will have every opportunity to present such amendments and arguments for these changes as you shall find necessary and wise according to your own convictions.

I hope the "Ought to pass" report of the committee is accepted.

The SPEAKER: Is the House ready for the question?

The yeas and nays are in order at the desire of one-fifth of the members present. Those desiring 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.

The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the House accept the "Ought to pass in new draft" report of the committee.

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

#### ROLL CALL

YEA—Albee, Ames, Arthur, Bates, Bearce, Benn, Berry, Boulier, Brown, Durham; Brown, Robbinston; Brown, Unity; Brown, Wayne; Bubar, Bucknam, Burgess, Limestone; Burgess, Rockland; Campbell, Augusta; Campbell, Guilford; Carle, Carter, Carville, Castonguay, Chapman, Chase, Chute, Clements, Cobb, Cook, Dow, Dufresne, Eastman, Fay, Fuller, Grant, Gray, Hall, Hayes, Hobbs, Acton; Jennings, Johnston, Kent, Knapp, Lackee, Larabee, Westbrook; Littlefield, Longstaff, Marble, Marsans, Martin, Augusta; Martin, Frenchville; McGlauffin, McGown, McKeen, Merrill, Millett, O'Connell, Paine, Parker, Patterson, Payson, Philbrick, Phillips, Plummer, Prince, Pullen, Ricker, Robbins, Sanderson, Sargent, Sharpe, Silsby, Spear, Stevens, Taylor, Tyler, White, Auburn; Williams, Auburn; Winchenpaw.

NAY—Brown, Baileyville; Campbell, Garland; Chaples, Cole, Cormier,

Cyr, DeSanctis, Dostie, Lewiston; Dostie, Winslow; Duquette, Faas, Fitch, Foley, Gauvin, Hanson, Hayward, House, Jalbert, Jewett, Johnson, Kelly, Labbe, Latno, Laughton, Lessard, Malenfant, Martin, Eagle Lake; Maxwell, McClure, Muskie, Nadeau, O'Dell, Thompson, Brewer; Wight, Bangor; Williams, Topsham; Woodworth, Wormwood.

ABSENT—Atherton, Bennett, Bird, Boothby, Brown, Bangor; Clapp, Dennett, Dorsey, Dudley, Dunham, Farley, Gates, Gauthier, Gerrish, Hill, Hobbs, So. Berwick; Jacobs, Jamieson, Jones, Lacharite, Larrabee, Bath; Leavitt, Letourneau, Ludwig, Maxell, McEnery, Merritt, Palmer, Roundy, Sanborn, Spring, Stanley, St. Pierre, Thomas, Webber.

Yes 78, No 37, Absent 35.

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

Mr. McGLAUFFLIN: Mr. Speaker, if it is now in order, I wish to offer House Amendment "B" to S. P. 624, L. D. 1364 "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."

The SPEAKER: The Chair will ask the gentleman from Portland if he would be kind enough to defer his offer of House Amendment "B" until the bill has been given its two several readings, with the understanding that the gentleman will be recognized and protected in his right to present his motion.

Thereupon, under suspension of the rules, the bill was given its two several readings.

Mr. McGlauffin of Portland presented House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to S. P. 624, L. D. 1360, 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."

Amend the paragraph of the bill making appropriations for the Department of Health and Welfare by striking out "Old Age Assistance Benefits 2,651,166 2,727,720" and in-

serting in place thereof the following:

'Old Age Assistance Benefits 2,862,166 3,063,720'

Further amend said bill by correcting the totals in said paragraph and also the grand totals in said bill.

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

Mr. McGLAUFFLIN: Mr. Speaker and Members of the House: In the days of ancient Rome the gladiators before battle said, "Hail, Caesar! Those who are about to die salute you." I feel that we have a similar case right here. I stand in that forum in the place of the gladiators with the house full of lions ready to devour me for even suggesting an addition to an appropriation; and yet, if it were not for prejudice and politics and some other things that I do not want to mention, I believe that nearly every one of you would be with me in this additional appropriation that I am calling for today, because the cause for which I plead is a worthy one.

I introduced into this Legislature this term a bill that I thought would tend to help assist the aged people of this state. I had found, as I stated to you before, that there were 620 probably worthy people turned down last year because their children would not sign the reports to enable them to get that assistance.

Two years ago, we passed a law that requires those aged people each year to come back and make a new application and then fill out a statement of their financial responsibility. I have stated before, and I state again, a more asinine procedure I cannot imagine. On top of that, they have enacted into law, and it is the law today, that each child of an old age recipient must fill out a return of his financial responsibility, and that is filled out on a four-page blank, and they are filled out by the thousands and filed up here somewhere in Augusta where nobody ever looks at

them, and I consider that also unnecessary red tape. At the suggestion of the superintendent of the Welfare Department, Mr. Stevens went a step further and provided that we should no longer call upon the children to support their parents, and the reason given by Mr. Stevens was that the state could not enforce the law. Imagine the situation where a child refuses to fill out a return for a parent and the state won't enforce the law; what chance has the parent, with no money, no friends, nothing to help them, what chance have they to make a son or a daughter support them?

I maintained then, and I maintain now that that bill ought to pass this House. But it is not going to. The Welfare Committee informed me that while I did not ask for any additional money at all, that, in order to carry out the provisions of that bill it would take a million dollars, and, as I see it, a million dollars additional before this Legislature from what you have voted in the past is as far away as the stars in the sky.

I learned that the Welfare Committee intended to report my bill out "Ought not to pass," and ultimately that is just what it will do. But I persuaded them to let me talk it over with them and see if we could not rescue something from the wreckage. Now it seems that there is something that can be done that is worth while, and I will try to explain it so that you can grasp the situation.

I have been informed that at the present time if a single man is earning \$2,000 a year the Welfare Committee figured that he is able to take care of one parent, and that if the man is married and takes in an income of \$2500 that he is able to take care of a parent. Both of these conclusions are questionable. But they informed me that if they could get the additional sum of money that is called for in my bill—and let me inform you that sixty per cent of that comes from the national government—if that could be allowed

they could put up the \$2000 to \$2500 for a single man and from \$2500 to \$3000 for a married man. The experts on this say that would take care of eighty-five to ninety per cent of the unfortunate cases that are now thrown out because of the technicalities of the law.

This morning I took a walk on beautiful Western Avenue from the Augusta House. It was a perfect morning, and I just thanked God that I was alive, and I could not help but think of the words of Browning:

"How good is man's life, the mere living;

How fit to employ, all the heart and the soul and the senses forever enjoy."

And I could not help but think that was just as God intended it to be; that life in this world should be something wonderful.

But I contrast with that the fact that there are hundreds of people in the State of Maine who cannot see a week ahead what is before them. They have no earning power; they have no money; they have no hope of the future; they are beset with care and anxiety and fear and despair, and they think that that is just exactly as the devil in Hell planned it to be.

Now this Legislature is in a position today to transpose those poor people from despair to hope, from misery to joy, from Hell to Heaven. Have you got guts enough to do it? You can do it by voting for this measure.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaulin, that the House adopt House Amendment "B". The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: Unfortunately, many of those who have felt that this appropriation bill was too large are not now present. I do not like particularly to speak against helping our aged people, but we do have to consider that there are other people that have to live. I know families that are earn-

ing less than forty dollars a week and trying to support six children. It seems to me that a man who is earning forty dollars per week ought to be willing to try to help take care of a father or mother. I am sure that you members would be willing to try to do that under those circumstances.

A major portion of the increases in our appropriation bill have come through increases in the Health and Welfare Department. I have not attempted to give it to you year by year, but, on the average, the increases that that committee made above the budget were: In Administration, \$16,500; in Aid to the Blind, \$18,000; Other Services to the Blind, \$2,000; Dependent Children, \$389,500; Neglected Children, \$268,450; Old Age Assistance, \$259,443. That is, the average for the biennium in the increase to Old Age Assistance figures \$259,000; and in our hospitals, \$400,000; or a total of \$1,453,893.

Yesterday in this House we voted for aid in equalization to schools on a bill that would cost some \$700,000, with ninety-one votes in the affirmative. I voted in the negative. Later, we voted on a bill which would cost much more by a vote of one hundred and fifteen in the affirmative. There seems to be no difficulty to get votes for all bills that cost money. Many who have voted for some of these bills have voted and will vote against taxation. It seems to me that we must consider very carefully the amendments that would increase the expenses under this appropriation resolve. I do not see how we can afford to increase these items further than your Appropriations and Financial Affairs Committee has already increased them. I am willing to stand on the committee's report that their recommendations are the maximum that we should furnish to any of these departments. If we can cut some of them, well and good, but certainly I do not see how we can increase them.

The SPEAKER: The question before the House is on the motion of

the gentleman from Portland, Mr. McGlauffin, that the House adopt House Amendment "B". Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Portland, Mr. McGlauffin, that the House do adopt House Amendment "B" will say aye; those opposed no. A viva voce vote being doubted, a division of the House was had.

The SPEAKER: Twelve having voted in the affirmative and sixty-two having voted in the negative, the motion to adopt House Amendment "B" does not prevail.

Mr. McGlauffin of Portland then offered House Amendment "C" to S. P. 624, L. D. 1360 and moved its adoption.

House Amendment "C" was read by the Clerk as follows:

HOUSE AMENDMENT "C" to S. P. 624, L. D. 1360, 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."

Amend the paragraph of the bill making appropriations for the Department of Health and Welfare by striking out

"Aid to Blind	128,000	128,000"
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and inserting in place thereof the following:

'Aid to Blind	138,000	138,000'
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Further amend said bill by correcting the totals in said paragraph and also the grand totals in said bill.

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

Mr. McGLAUFFIN: Mr. Speaker, I will not take the time to discuss this matter except to say that I am informed that they need these additional funds to take care of the blind.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House adopt House Amendment "C". Is the House ready for the question?

As many as are in favor of the motion that the House do adopt

House Amendment "C" will say aye; those opposed no.

A viva voce vote being taken, the motion to adopt House Amendment "C" did not prevail.

Thereupon the bill was assigned for third reading on the next legislative day.

The SPEAKER: The Chair lays before the House the tabled and today assigned matter, "House Order amending Rule 24 of the House Rules," tabled yesterday under the provisions of House Rule 59 and today assigned. Is it the pleasure of the House that the order receive passage?

Thereupon the order received passage.

On motion by Mr. Faas of Benton, the House voted to take from the table the forty-fourth tabled and unassigned matter, "Resolve in favor of Atlantic Sea Run Salmon Commission (S. P. 322) (L. D. 939) tabled on April 5th by that gentleman pending assignment for second reading; and on further motion by the same gentleman the matter was retabled and specially assigned for Tuesday, April 12th.

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

Mr. CHAPMAN: Mr. Speaker, I move that the House reconsider its action of yesterday whereby it passed Joint Resolution Relating to Federal Seizure of State Lands Beneath Navigable Waters. A word of explanation is in order, and I will be very brief in view of the lateness of the hour.

There is pending now before the Legislature another document relating to the same matter, L. D. 946, relating to tidelands and a proposed resolution to the United States Congress regarding it. It would seem to me, in view of the fact this particular document which is now before the House has been

referred to the Committee on Federal Relations for full hearing and appropriate recommendation, that it would be proper to reconsider our action on the Memorial passed yesterday and refer it to the same committee for a full hearing. I therefore make that motion.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the House do now reconsider its action taken yesterday whereby H. P. 2036, "Joint Resolution Relating to Federal Seizure of State Lands Beneath Navigable Waters" was read and adopted. Is it the pleasure of the House to reconsider its action?

The motion prevailed and reconsideration was voted.

On further motion by Mr. Chapman, the Resolution was referred to the Committee on Federal Relations and sent up for concurrence.

On motion by Mr. Carville of Stratton, the House voted to take from the table the 59th tabled and unassigned matter, House Divided Report of the Committee on Legal Affairs on Bill "An Act relating to Running Horse Racing (H. P. 1260) (L. D. 562) Majority Report "Ought to pass" and Minority Report "Ought not to pass" tabled on April 6th by that gentleman pending acceptance of either report; and on further motion by the same gentleman, the reports were retabled and specially assigned for Tuesday, April 12th.

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. Cook of Bridgton,

Adjourned until Monday, April 11th, at 4:30 p. m.